

**AGENDA FOR A REGULAR MEETING  
OF THE CORPORATE AUTHORITIES OF THE  
VILLAGE OF CAMPTON HILLS  
DECEMBER 1, 2015 7:00 P.M.**

**THE CAMPTON TOWNSHIP COMMUNITY CENTER  
5N082 OLD LAFOX ROAD  
CAMPTON HILLS, ILLINOIS**

1. Call to Order
  2. Roll Call
  3. Pledge of Allegiance
  4. Public Comments – Sign-up sheets are at the rear of the room. Please limit remarks to 3 minutes per person and please do not repeat topics previously discussed; total time allotted is 30 minutes. Please note, questions will not be answered during this time.
  5. Consent Agenda [By a single unanimous vote, called an omnibus vote, the Board may approve a number of unrelated items. There may be no discussion, but any Trustee may remove any one or more items from the Consent Agenda, whereupon that item goes on the agenda below.]
    - a. Motion to approve payment of bills per Warrant List #16-14 (See Attachment)
    - b. Motion to approve the minutes of the November 16, 2015 Meeting (See Attachment)
  6. Discussion and consideration of a Resolution Approving an Affordable Housing Plan for the Village of Campton Hills (See Attachment)
  7. Discussion and consideration of a request by K. Hovnanian to use the Village sales tax exemption for public improvements required for the Norton Lakes development. (See Attachment)
  8. CLOSED SESSION: Move that the Village Board go into closed session as permitted by the Open Meetings Act to discuss one or more of the following matters:
    - a. Litigation that is filed and pending, or is probable or imminent. 2(c)(11)
    - b. Collective negotiating matters. 2(c)(2)
    - c. Closed session meeting minutes. 2(c)(21)
    - d. Review of Closed Session Minutes. 2(c)(21)
- NOTE: The Board will call anyone who would like to be notified when the Closed Session is over.*
9. Additional Items from the Village President, Trustees, Village Administrator, Village Attorney or Staff
  10. Adjournment



**Village of Campton Hills**  
**BILLS TO BE APPROVED- December 1, 2015**  
**WARRANT 16-14**

	<u>Num</u>	<u>Memo</u>	<u>Amount</u>	<u>Total Amount</u>
<b>Active Excavating &amp; Wrecking, Inc.</b>				
	9662	investigate Woodlands subdivision drainage issue	500.00	
Total Active Excavating & Wrecking, Inc.				500.00
<b>AT&amp;T</b>				
	630584570011	telephone - admin portion	213.98	
	630584570011	telephone - police portion	226.63	
Total AT&T				440.61
<b>B &amp; F Construction Code Services, Inc.</b>				
	42824	41W933 Beith inspections (permit)	1,778.87	
	42856	plan reviews and inspections	2,115.00	
Total B & F Construction Code Services, Inc.				3,893.87
<b>Blue Cross Blue Shield of Illinois</b>				
	860762 12/15	health insurance - admin portion	667.85	
	860762 12/15	health insurance - police portion	2,055.93	
Total Blue Cross Blue Shield of Illinois				2,723.78
<b>Croixco</b>				
	CH-15-310 voided	duplicate permit issued CH-15-310 and CH-15-325, both paid for, void 310 and refund	125.00	
Total Croixco				125.00
<b>Dearborn National Life Insurance</b>				
	FP60762 12/15	admin life insurance	55.90	
	FP60762 12/15	police life insurance	193.50	
	FP60762 12/15	B&Z life insurance	12.90	
Total Dearborn National Life Insurance				262.30
<b>Firestone Complete Auto Care</b>				
	54337	replace headlamp - police	38.39	
	54382	oil change - police	39.48	
Total Firestone Complete Auto Care				77.87
<b>Midwest Radar &amp; Equipment</b>				
	158551	police radar certs (6)	240.00	
Total Midwest Radar & Equipment				240.00
<b>Police Executive Research Forum</b>				
	5764	2016 PERF membership (Hoffman)	200.00	
Total Police Executive Research Forum				200.00
<b>Presence Mercy Medical Center</b>				
	VICOMCOM 11/15	drug screens - Herra, Lindgren	88.00	
Total Presence Mercy Medical Center				88.00
<b>Ray O'Herron Co.</b>				
	1562118-IN	police uniform - Lindgren	159.98	
	1563572-IN	police uniform - Gonzalez	136.97	
Total Ray O'Herron Co.				296.95
<b>Trailside Auto Repair, Inc</b>				
	3851	headlamp replacement - police	37.92	
	4567	headlamp repair - police	66.30	
Total Trailside Auto Repair, Inc				104.22
<b>Trotter and Associates escrow</b>				
	11667	Norton Lakes review (reimbursable)	626.00	
	11668	Norton Lakes construction (reimbursable)	7,824.78	
Total Trotter and Associates escrow				8,450.78

Num	Memo	Amount	Amount
<b>Trotter and Associates, Inc.</b>			
11670	5N794 Denker grading review (permit)	208.25	
11680	Fox Mill HOA - channel dredging (reimbursable)	284.00	
11637	8N385 Kendall grading review (permit)	625.00	
Total Trotter and Associates, Inc.			1,117.25
<b>Verhaeghe Lawn Maintenance Inc</b>			
7635	contract mowing 11/3,11	50.00	
Total Verhaeghe Lawn Maintenance Inc			50.00
<b>Payroll November 6, 2015</b>			
Administration		6,052.12	
Elected Officials		2,958.34	
Building & Zoning		1,414.88	
Employer taxes, retirement contributions, etc.		10,590.68	
Police - full-time		16,317.50	
Police - part-time		5,418.00	
Total Payroll November 6, 2015			42,751.52
<b>TOTAL GENERAL FUND</b>			<b>61,322.15</b>
<b>MOTOR FUEL TAX FUND</b>			
<b>Campton Township Highway District</b>			
VCH 153010	brush pick-up - Plato township	3,400.00	
150311-1	Crawford Road project - monitor paving, address residents concerns	522.50	
150311	Crawford Road project - mark butt joint on road and driveway	320.00	
150911	Crawford Road project - laid gravel in front of driveways for road access	738.10	
151011	Connors Road cold patching	1,617.00	
Total Campton Township Highway District			6,597.60
<b>TOTAL MOTOR FUEL TAX FUND</b>			<b>6,597.60</b>
<b>TOTAL WARRANT</b>			<b>67,919.75</b>

\_\_\_\_\_  
Village President

\_\_\_\_\_  
Date

I CERTIFY THAT WARRANT #16-14 AS LISTED AND APPROVED BY THE VILLAGE PRESIDENT WERE DULY AUTHORIZED FOR PAYMENT BY THE BOARD OF TRUSTEES OF THE VILLAGE OF CAMPTON HILLS.

\_\_\_\_\_  
Village Clerk

\_\_\_\_\_  
Date

Indicates prepaid expense

**AGENDA FOR A REGULAR MEETING  
OF THE CORPORATE AUTHORITIES OF THE  
VILLAGE OF CAMPTON HILLS  
RESCHEDULED FROM NOVEMBER 17, 2015, 7:00 P.M.  
TO NOVEMBER 16, 2015 7:30 P.M.**

**THE CAMPTON TOWNSHIP COMMUNITY CENTER  
5N082 OLD LAFOX ROAD  
CAMPTON HILLS, ILLINOIS**

**1. Call to Order**

President Blecker called the meeting to order at 7:30pm

**2. Roll Call**

Clerk Girka called the Roll:

Present: President Blecker, Trustee Andersen, Trustee George, Trustee McKelvie,  
Trustee O'Dwyer, Trustee Tyrrell

Absent: Trustee Millette

Also Present: Clerk Girka, Chief Hoffman, Treasurer Long

**3. Pledge of Allegiance**

President Blecker led the Board and audience in the Pledge of Allegiance

**4. Public Comments**

Numerous member of the public attended to share their opinions about the District 303 School closings.

- Charles Cappell:
  - Commented on the briefing paper he prepared for the Village regarding the District 303 schools.
  - Extensively studied carrying capacity of current schools.
  - District 303 used his report accurately but ignored some of the long term prognosis.
  - Encouraged people to send their comments to District 303.
- Kathryn Salter
  - Commented on her two young children that attend Wasco Elementary.
  - Attending as a taxpayer and member of the community urging the preservation of Wasco Elementary and noted that Wasco is a top ranked school.
- Christine Brauer:
  - Stated that she grew up in the area and has been witness to the value Wasco provides to the community.
  - She supports waiting to make a decision on closing the school until the State Budget crisis is ended.
  - She pointed out that this is the most western school in the district and due to the long term projected development, it will pay a critical role in the future.
  - Closing this school will have a ripple effect on the redistricting of all the schools.

- Urged the Board to consider writing a Resolution opposing the closure of Wasco.
- Alan Rottmann:
  - Provided a visual presentation of a map of the area showing potential growth in the future.
  - With future developments, he feels it is premature to close Wasco and asked the Village Board to write a Resolution.
- Kasia Burton:
  - Daughters received excellent education Wasco.
  - Wasco played a major role in the decision for her family to move to the area.
  - Urged the Board to take action in helping to keep the school open.
- Joan Bowgun:
  - Spoke about the history of the area and that the building this meeting was being held in was named after her father.
  - Wasco School has always been an important part of the community and believes strongly in the importance of this school and is proud of what it has meant to the community and her family.
- Trustee McKelvie asked Mr. Cappell about his report and if it is a smart decision to close the school?
  - Mr. Cappell responded that it comes down to money and lack of capacity throughout the system. Closing Wasco could potentially cause overcrowding at Bell Graham. The socio impact of this school needs to be taken into consideration. At this point most of the cuts are administrative and he doesn't support these cuts because the lack of benefit far outweighs the potential financial savings.
- Trustee O'Dwyer shared his experience of the redistricting of the high schools in the past. His opinion is the District 303 forecasting and redistricting then and now has been inaccurate. His opinion is waiting is a good idea.
- Trustee Tyrrell spoke about his experience of putting his children through the system. He thanked Mr. Rottman for his comments and pointed out that this savings is not unique to Wasco and equivalent savings could be made elsewhere in the district.
- President Blecker spoke about the legal and logistical issues of putting together a Resolution quickly, if at all. He assured the audience that the Village supported their position and would consult with legal counsel about what the Village can do moving forward. At the least, the Board could submit a letter on behalf of the Village.
  - For the record he wanted to make it clear that the current petition being circulated has not been distributed by the Village Board, but encouraged the residents to do so themselves.
- Trustee McKelvie stated he strongly supports the Village passing a Resolution if possible and calling a special meeting if need be.
- Trustee Andersen stated her support for this action and firmly supports local schools and its importance to the community.
- Trustee George commended the audience for their hard work and to keep voicing their opinions. Supports an action of support from the Board.

**5. Motion to approve the consent agenda as presented made by Trustee McKelvie; seconded by Trustee George.**

- a. Motion to approve payment of bills per Warrant List #16-13
- b. Motion to approve the minutes of the November 3, 2015 Meeting
- c. Motion to accept the resignation of Thomas Rothengass from the Economic Development Committee
- d. Motion to advise and consent to the Village President's Appointment of Steve Case to the Economic Development Committee for a term expiring November 16, 2017
- e. Motion to accept the resignation of Dawn Zappitelli from the Beautification Committee

Roll Call Vote:

5-Ayes: Trustees: Andersen, George, McKelvie, O'Dwyer, Tyrrell

0-Nays

Motion Carried.

**6. October 2015 Police Department Report**

Discussion ensued:

- Chief Hoffman provided comment and explanation about the report.
  - Rise in auto accidents largely related to deer.
  - Announced Citizen Police Academy.
    - President Blecker encouraged citizens to sign up for this event.
  - Department will be collecting for Toys for Tots.
  - Part time officer has been hired .

**7. Treasurer's Report Ending September 31, 2015**

Discussion ensued:

- Treasurer Long provided comments and explanation about the report.
- Trustee O'Dwyer pointed out how the Village is funded and that the Village is not a taxing body. The Village's funding is at the behest of appropriations that come from the State.

Treasurer Long left the meeting at 8:35pm

Chief Hoffman left the meeting at 8:35pm

**Motion to move to Agenda Item 9 made by Trustee Tyrrell; seconded by Trustee Andersen**

Voice Vote:

5-Ayes

0-Nays

Motion Carried.

**8. Motion to approve a resolution accepting the renewal quote received by Wine Sergi Insurance for the benefit year beginning December 31, 2015 and ending December 30, 2016 for general liability, workers compensation insurance, and fiduciary liability insurance provided by Glatfelter Insurance Group, Illinois Public Risk Fund, and Federal Insurance Company, respectively made by Trustee Tyrrell; seconded by Trustee Andersen**

Roll Call Vote:

5-Ayes: Trustees: Andersen, George, McKelvie, O'Dwyer, Tyrrell

0-Nays

Motion carried.

**9. Discussion of a petition to Kane County for a Special Use Permit submitted by Maxxam Partners, LLC for the property formerly known as Glenwood Academy (41W400 Silver Glen Road)**

Discussion ensued:

- President Blecker gave a brief history of the background regarding this property and the actions the Village Board is taking.
  - Village is objecting to the procedure the County is taking to this point.
  - County is not following its established rules and procedures regarding these types of matters.
  - Encouraged the public to attend a meeting scheduled for November 17<sup>th</sup> at the county.
  - President Blecker will be attending the meeting and presenting his objections for the record.
  - President Blecker presented the Board with a draft of speech he intends to deliver.
- Trustee Tyrrell comment that this proposed development is too far away from Emergency care facilities.
- Trustee Andersen pointed out that the process underway could take away the Village's ability to force a super majority vote to approve this permit.

**10. Motion to enter into closed session at 9:07 pm made by Trustee Tyrrell; seconded by Trustee O'Dwyer**

- a. Litigation that is filed and pending, or is probable or imminent. 2(c)(11)
- b. Collective negotiating matters. 2(c)(2)
- c. Closed session meeting minutes. 2(c)(21)
- d. Appointment, employment, compensation, discipline, performance, or dismissal of specific employees or officials, including legal counsel. 2(c)(1) & (3)
- e. Review of Closed Session Minutes. 2(c)(21)

Roll Call Vote:

5-Ayes: Trustees Andersen, George, McKelvie, O'Dwyer, Tyrrell

0-Nays

Motion Carried.

Board went into closed session at 9:07pm

Regular Meeting reconvened at 9:35pm

Clerk Girka Called the Roll:

Present: President Blecker, Trustee Andersen, Trustee George, Trustee McKelvie, Trustee O'Dwyer, Trustee Tyrrell

Absent: Trustee Millette

Also Present: Clerk Girka

- 11. Motion to approve the release of specified closed session minutes**  
Request to have the dates of closed session minutes added to agenda item.

**Motion to table until next meeting made by Trustee Tyrrell; seconded by Trustee**

**McKelvie**

Voice Vote:

5-Ayes

0-Nays

Motion Carried.

- 12. Additional Items from the Village President, Trustees, Village Administrator, Village Attorney or Staff**

None

- 13. Motion to adjourn at 9:40pm made by Trustee Tyrrell; seconded by Trustee George**

Voice Vote:

5-Ayes

0-Nays

Motion Carried.

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
**Harry Blecker, Village President**

\_\_\_\_\_  
**Nicholas Girka, Village Clerk**



**Village of Campton Hills  
Memorandum**

**TO:** Village President and Board of Trustees

**FROM:** Tracy Johnson, Administrative Assistant

**SUBJECT:** A Resolution Approving an Affordable Housing Plan for the Village Of Campton Hills

**Date:** December 1, 2015

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The Affordable Housing Planning and Appeals Act became effective January 1, 2004 and requires all non-exempt units of local government to prepare and adopt an affordable housing plan.

Under the Act, the Village of Campton Hills is a non-exempt community, therefore, the Village must prepare and adopt an affordable housing plan.

**Village Administrator Recommendation:** Approve the plan as presented. The Plan was drafted based upon samples provided by Attorney Tappendorf and information in our Comprehensive Plan. This Plan is a requirement of the Illinois Housing Development Authority and the Village has been deficient in this requirement since incorporation.

**Action Requested:** Discussion and consideration of a Resolution Approving an Affordable Housing Plan for the Village of Campton Hills.

**Attachments:**

- Resolution
- Affordable Housing Plan

**A RESOLUTION  
APPROVING AN AFFORDABLE HOUSING PLAN FOR  
THE VILLAGE OF CAMPTON HILLS**

**WHEREAS**, the Affordable Housing Planning and Appeals Act, which became effective January 1, 2004, codified at 310 ILCS 67/1 et seq. (“Act”), requires all non-exempt units of local government to prepare and adopt affordable housing plans, and the Act provides an appeal procedure for aggrieved developers of affordable housing; and,

**WHEREAS**, pursuant to its authority under the Act, the Illinois Housing Development Authority (“IHDA”) advised the Village of Campton Hills that it is a non-exempt community pursuant to Section 20(b) of the Act, and that pursuant to Section 25 of the Act, the Village must prepare and approve an affordable housing plan; and,

**WHEREAS**, the Village intends to comply with the IHDA’s directive that it prepare and adopt a plan.

**NOW THEREFORE BE IT RESOLVED** by the President and Board of trustees of the Village of Campton Hills, Kane County, Illinois as follows:

**SECTION 1: APPROVAL OF AN AFFORDABLE HOUSING PLAN**

The affordable housing plan set forth in the attached Appendix A is hereby approved by the Village Board of Trustees and its terms shall be in effect within the Village of Campton Hills, Kane County, Illinois, immediately upon passage of this Resolution.

**SECTION 2: FILING**

The Village Clerk is hereby authorized and directed to file a certified copy of this Resolution, along with the affordable housing plan set forth in Appendix A, with the Illinois Housing Development Authority following its approval.

**SECTION 3: EFFECTIVE DATE**

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

Passed this \_\_\_\_ day of July, 2015 by roll call vote:

	<b>AYES</b>	<b>NAYES</b>	<b>ABSENT</b>	<b>ABSTAIN</b>
Trustee Laura B. Andersen	_____	_____	_____	_____
Trustee Susan P. George	_____	_____	_____	_____
Trustee James McKelvie	_____	_____	_____	_____
Trustee Mike Millette	_____	_____	_____	_____
Trustee Michael O'Dwyer	_____	_____	_____	_____
Trustee Mike Tyrrell	_____	_____	_____	_____
President Harry Blecker	_____	_____	_____	_____

APPROVED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2015

(SEAL)

\_\_\_\_\_  
Harry Blecker, Village President

ATTEST: \_\_\_\_\_  
Nicholas Girka, Village Clerk



Affordable  
Housing Plan

2015

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## I. Introduction

In 2003, the Illinois General Assembly adopted Public Act 93-0595, the Affordable Housing Planning and Appeals Act, which became effective January 1, 2004, codified at 310 ILCS 67/1 *et seq.* ("**Act**"). The Act's purpose is to encourage municipalities to incorporate affordable housing within their housing stock sufficient to meet the needs of their community. The Act also provides a forum for affordable housing developers who believe they have been unfairly treated to seek relief from local ordinances and regulations. 310 ILCS 67/10.

The Act contains three major provisions:

1. Illinois Housing Development Authority ("**IHDA**") has been charged with determining those local Governments that must prepare an affordable housing plan and those that are exempt
2. Requires all non-exempt local governments to prepare and adopt affordable housing plans
3. Provides an appeal procedure for aggrieved developers of affordable housing

The Village of Campton Hills is a non-exempt community pursuant to Section 20(b) of the Act. Pursuant to Section 25 of the Act, therefore, the Village must prepare an affordable housing plan for Village Board approval.

## II. Background and Intent

Campton Hills intends to comply with the IHDA's directive that it prepare and adopt an affordable housing plan. Campton Hills recognizes the importance of providing affordable housing throughout the State of Illinois and believes that affordable housing must be provided in a way that does not compromise the public health or safety or destroy the environment and character that defines a particular community.

Infrastructure within the Village has historically been developed in a manner consistent with the character and environment of the Village in order to protect the health and safety of its residents and accommodate the relatively low-density development in the Village. The Village does not operate its own fire department; instead the Village obtains fire and emergency medical services provided by five separate fire protection districts. Establishing affordable housing in a manner inconsistent with the overall character of the Village could be detrimental to the Village's environment and put at risk the public health and safety.

The Village faces the following in establishing affordable housing:

- The Village was incorporated in 2007 and does not collect property taxes from the residents. Given the limited revenue sources that the Village does have, the Village lacks supplemental revenue sufficient to provide the type of substantial financial subsidies and funding programs that would be necessary to attract affordable housing.
- Campton Hills is developed predominantly with single-family residences, with limited commercial development.
- The majority of properties are not serviced by a water and wastewater facility and must rely on well and septic systems which require larger parcels to function properly. This can only be remedied if the existing water and wastewater facility is expended or further communal wastewater treatment facilities are integrated into a future development. Both options are costly measures that require a fairly large project to render feasible.
- Due to funding constraints, the availability of police and other Village services to accommodate new development and maintain new infrastructure is severely limited.
- The impacts of any new development must be identified as to how they affect the environment and what actions might be required to mitigate problems. While regulations to protect the environment (e.g., wetlands, aquifers, septic systems) are important and essential, they present challenges to development by reducing the amount of buildable land and increasing the time and costs of developing new housing.
- The Campton Hills Comprehensive Plan identifies, among others, the following policy statements for future development in Campton Hills which may present challenges to affordable housing developments.
  - Future development, land use changes, and transportation improvements should be consistent with the semi-rural character of the community and preserve scenic views and vistas, natural assets, farmland, and open space. Development should attempt to preserve the “quiet, peaceful, and secluded” feel of some of the residential areas.

- The density and layout of new housing should strive to maintain the natural, scenic, rural, and open character and assets of the community and preserve natural vistas and natural features.
- New housing should have high-quality construction and design and be consistent with the semi-rural look and feel of the community as it relates to architectural design, scale, materials, and details. At the same time, while complementary to existing housing stock, new construction should avoid repetitive designs and provide aesthetic diversity of building styles.
- New mixed-use center development should have high quality construction and design and be consistent with the semi-rural look and feel of the community as it relates to architectural design, scale, materials, and details.
- New development endeavors will be encouraged to fund infrastructure improvements and public services to prevent financial burden on existing residents.
- The integration of sustainable practices and strategies into new and existing developments, such as alternative energy, water management, and dark sky lighting shall be encouraged.

It is within this context that the Village has prepared this plan in accordance with the Act. The overall objective of the Village and this Plan is to identify potential locations for, and to undertake steps to promote, affordable housing in a manner that preserves the character and environment of Campton Hills and protects the public health and safety.

### **III. Affordable Housing Plan**

#### **A. 10% Affordable Housing**

The Act seeks a goal of 10% of all housing units being affordable. According to the "2013 Report of Non Exempt Local Governments Ordinal," IHDA has determined that 4.1% of owner-occupied and renter-occupied housing units in the Village are affordable as calculated under Section 20(b) of the Act. Under IHDA's calculations, of the 3,358 housing units in the Village for which affordability could be determined, 139 units were determined to be affordable. To meet the 10 percent goal, a total of 336 units of affordable housing should be available.

#### **B. Identification of Lands and Structures Most Appropriate for Affordable Housing**

In identifying lands and structures that are most appropriate for affordable housing and incentives that may be available to attract affordable housing developments in the Village, the Village of Campton Hills has carefully considered the requirements and intent of the Act and the character and environment of the Village, as set forth in the Village Code, Comprehensive Plan, Zoning Ordinance and other regulations of the Village. One of the key strategies of the Village's Comprehensive Plan is to encourage diverse housing types in key locations.



In light of the existing character and environment of the community, the Village has identified the following as the most appropriate locations for affordable housing development or redevelopment:

1. Vacant parcels where the Future Land Use Map contained with the Village's adopted Comprehensive Plan calls for mixed-use centers.
2. Existing older single-family homes as renovation and turnover may occur.
3. Future zoning districts identified for the development of diverse housing types as recommended within the Village's Comprehensive Plan.

The Village's identification of areas most appropriate for affordable housing does not ensure or require that these properties be developed with affordable housing, nor does it create any entitlement for development. Conversely, such identification is not intended to affect the existing development rights currently vested in such properties. "Appropriate" does not simply translate to all properties or structures that are vacant and undeveloped. Even within the identified areas, any sites that are used for new construction or adaptation of existing units must:

- Provide compatibility with established land-use patterns and surrounding land uses.
- Avoid areas designated for retail growth, parks, open space, and sensitive environmental areas.
- If possible, be in mixed income developments.
- Not concentrate the entire goal for affordable housing units in only one site.
- Provide adequate infrastructure to support such housing developments.

#### C. Affordable Housing Policies and Incentives

After a careful review to ensure that the public safety and health and the character and environment of the Village will be protected and preserved, the Village should explore and examine adopting and implementing, or otherwise facilitating, the following policies and incentives to encourage the development of affordable housing by both for-profit and non-profit developers in the Village:

- Expedited permit reviews or reduced costs of permitting fees for affordable units.
- Cooperation with a developer in application for IHDA Housing Trust Funds (matching funds).
- Flexible zoning, density bonuses, or other zoning relief to allow additional density.

#### D. Goals

Campton Hills has identified the following target for development of affordable housing in the Village:

- 10% of all housing in the Village will be affordable housing.

#### E. Next Steps

In furtherance of reaching these targets, the Village establishes the following goals for its Affordable Housing Plan:

1. Consider the creation of a zoning district that encourages the development of diverse housing types and map the new district in appropriate locations as recommended by the Village's Comprehensive Plan.
2. Monitor potential affordable housing units within the Village.
3. Monitor the renovation, rehabilitation, and reconstruction of existing single-family dwelling units to encourage such dwelling units to be made more affordable.
4. Review the Comprehensive Plan, and other regulations and policies to determine whether amendments are appropriate to further the goals of this plan while still protecting the character and environment of the Village.
5. Not less than every 10 years following approval of this Affordable Housing Plan, review and update the Affordable Housing Plan.

#### IV. Closing

The Village cannot control market forces that affect the affordability of land and housing within Campton Hills, nor the income levels of households that serve as the benchmark for determining affordability. Because of these factors, as well as the overall uncertainty of the real estate development industry and the changing regulatory field in which such development occurs, it is not and cannot practically be a goal of this plan to meet the target levels of affordable housing units stated above in any specific time frame. Rather, it is the objective of this plan that, by pursuing the goals set forth above, the Village will have created conditions amenable to ultimately achieving the stated affordable housing targets in Campton Hills in a manner that will not impact the health and safety capabilities of the Village and will protect and preserve the character and environment of the Campton Hills community.

The Village Board of Trustees adopted this plan, via the attached Resolution R-15-\_\_\_\_\_.

Rosanova & Whitaker, Ltd.  
Attorneys At Law

30 W. Jefferson, Suite 200  
Naperville, Illinois 60540

630-355-4600 office    www.rw-attorneys.com  
630-352-3610 fax

November 20, 2015

Village President Blecker  
Village of Campton Hills  
40W270 LaFox Road, Suite B  
Campton Hills, Illinois 60175

Re:    Construction of Norton Lake Subdivision Improvements

Dear Village President Blecker:

As you are aware, K. Hovnanian Homes is in the process of land development at the Norton Lake Subdivision in the Campton Hills. Substantial progress has been made this fall and construction of the first model homes is expected to commence shortly. We expect that the community will open for sales in the first quarter of 2016.

Per Village regulations, K. Hovnanian is responsible for the construction of certain public improvements that will be dedicated to the Village following completion of construction. Those improvements include the roadways, streetlights and a portion of the utility infrastructure. Pursuant to State Law, a developer is entitled to a sales tax exemption on the purchase of materials that will be incorporated into public improvements and dedicated to the Village. The provision allowing this sales tax exemption can be found in Title 86, Chapter I, Part 130, Section 130.2075(e). For your convenience, I have attached a copy.

To substantiate the sales tax exemption and comply with reporting requirements, K. Hovnanian hereby requests that the Village provide a letter allowing K. Hovnanian's use of the Village's tax identification number for specified public improvements that will be dedicated to the Village. For reference, I have attached a copy of the letter we recently received from the City of Naperville concerning an ongoing development in Naperville.

We sincerely appreciate the Village's cooperation in this matter and look forward to an exciting grand opening in the first quarter of 2016.

Sincerely,

  
Russell G. Whitaker, III



# Naperville

Mr. Andrew Konovodoff  
Division President  
K. Hovnanian Homes  
1804 North Naper Blvd., Suite 200  
Naperville, IL 60563

Sept. 17, 2015

Re: Heatherfield Subdivision

Mr. Konovodoff,

This letter confirms that the following public improvements will be installed by the developer and later transferred to the City of Naperville as part of the acceptance of public improvements for the Heatherfield subdivision:

- Public streets
- Street lights
- Underground utilities including sanitary sewer, watermain and storm sewer

It is my understanding that you need the City of Naperville's tax identification number so that you may purchase the materials that will be transferred to the City without paying sales tax. The City of Naperville's tax identification number is E9997-4398-07. This may only be used for the purchase of materials that will be part of the permanent public improvements for this project. The quantities of these improvements are listed in the attached Engineer's Opinion of Probable Construction Costs.

Any tax exempt purchase must be made in full accordance with the rules of the Department of Revenue of the State of Illinois. Any other use of this number is prohibited by law and is not authorized by the City of Naperville.

Sincerely,

A handwritten signature in black ink, appearing to read "Bill Noyack".

William J. Noyack, P. E.  
Director of Transportation/Engineering/Development  
City of Naperville

Cc: Jill Pelka-Wilger  
Rachel Mayer

Heatherfield Tax ID

**Illinois Department of Revenue  
Regulations**

<b>Title 86 Part 130 Section 130.2075 Sales To Construction Contractors, Real Estate Developers and Speculative Builders</b>
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**TITLE 86: REVENUE**

**PART 130  
RETAILERS' OCCUPATION TAX**

**Section 130.2075 Sales To Construction Contractors, Real Estate Developers and Speculative Builders**

- a) Sales to Construction Contractors, Real Estate Developers and Speculative Builders -- When Taxable and When Not Taxable
  - 1) Persons who engage in selling tools, equipment, fuel, supplies and other tangible personal property to construction contractors, real estate developers or speculative builders for use or consumption incur Retailers' Occupation Tax liability when making such sales. Also, persons who (apart from acting as construction contractors themselves) engage in selling building materials, fixtures, plants and other tangible personal property to construction contractors, speculative builders or real estate developers, who convert such items into real estate so as to take such items off the market as tangible personal property, incur Retailers' Occupation Tax liability when making such sales.
  - 2) When the purchasing construction contractor (whether he is the prime contractor or the subcontractor) buys the item that he will convert into real estate in finished form, the tax base is what such construction contractor pays for the item. When the construction contractor-installer (whether he is the prime contractor or a subcontractor) is also the manufacturer of the finished item that he will incorporate into real estate for his customer, the tax base is what such construction contractor pays for the materials that he incorporates into such finished item, plus whatever such construction contractor may pay for nails, screws or other items of tangible personal property that he buys and incorporates into real estate for his customer in the course of making the installation of the finished item.
  - 3) For information as to who qualifies as a construction contractor, see Section 130.1940(a) and (c) of this Part.
  - 4) Sales of tangible personal property to construction contractors, real estate developers or speculative builders who resell such property in the form of tangible personal property would not be taxable sales, but the construction contractor, real estate developer or speculative builder would be making taxable resales in this situation (see Section 130.1940(b) and (c) of this Part).

- b) **When and How Purchasing Contractor May Certify that He Will Assume Accountability for the Tax -- Effect of Such Certification**
- 1) **When the purchaser of tangible personal property may use such property by converting it into real estate, but may resell such property "over-the-counter" apart from acting as a construction contractor, and where it is impracticable, at the time of purchasing such tangible personal property, for such purchaser to determine in which way he will dispose of the property, such purchaser may certify to his vendor that he is buying all of such tangible personal property for resale and thereafter account to the Department for the tax on disposing of such property.**
  - 2) **The purchaser may not give such certification to his supplier unless the purchaser, if he will convert the tangible personal property into real estate in this State, agrees to, and does, assume the liability for reporting and paying the tax to the Department in the same form (Illinois Retailers' Occupation Tax, and local Retailers' Occupation Tax if applicable) in which the supplier would have reported and paid such tax if the supplier had accounted for the tax to the Department. This means that if the purchaser uses the tangible personal property by converting it into real estate in this State in any manner, he must include the cost price of such tangible personal property in his reported taxable receipts in his return form to the Department and must pay the State Retailers' Occupation Tax along with any other applicable Retailers' Occupation Taxes (not the Use Tax, but the Retailers' Occupation Tax) thereon to the Department, and must pay the Home Rule Municipal or County Retailers' Occupation Tax thereon, if applicable.**
  - 3) **The local Retailers' Occupation Tax to be paid by the contractor or builder in this situation shall be paid for the benefit of the entity in which the place of business at or from which the contractor or builder handles the transaction is located, if such entity has adopted the local Retailers' Occupation Tax at the time when the contractor or builder converts the tangible personal property in question into real estate. For example, a contractor who is registered at a location in Springfield, Illinois, and who also sells "over-the-counter" gives the certification described in subsection (b)(2) of this Section when he buys dry wall from a supplier located in Champaign, Illinois. Subsequent to the purchase, the contractor incorporates some of the dry wall into real estate on a job. The contractor must account for the tax by paying the State Retailers' Occupation Tax and the Springfield Home Rule Municipal Retailers' Occupation Tax on his return by including the cost price of the dry wall converted to real estate in his taxable receipts.**
  - 4) **Such purchaser, who assumes the responsibility for accounting for the tax, must pay State Retailers' Occupation Tax (plus local Retailers' Occupation Tax, if applicable) on the full selling price of the tangible personal property if he resells the property "over-the-counter" to a user (including a construction contractor) apart from acting as a construction contractor himself.**
  - 5) **A purchaser of this type would have to be registered with this Department under the Retailers' Occupation Tax Act since he would be incurring some Retailers' Occupation Tax liability, so he would be required to furnish his vendor with his**

Retailers' Occupation Tax registration number in the certification referred to in subsection (b)(1) of this Section.

- 6) The tax involved in this Section is State Retailers' Occupation Tax and Use Tax and local Retailers' Occupation Tax, but not State or local Service Occupation Tax or Service Use Tax.
- 7) Purchasing contractors may not give this certification to make purchases from out-of-enterprise zone (see Section 130.1951 of this Part) retailers with resale certificates and then claim they are retailers entitled to claim the enterprise zone exemption to avoid the tax on sales of building materials.

c) Use Tax on Out-of-State Purchases

Tangible personal property bought outside this State either by Illinois or out-of-State construction contractors or builders in such a way that the seller does not incur Retailers' Occupation Tax liability and used in this State for building purposes is subject to the Use Tax. If the purchaser buys such tangible personal property from an out-of-State seller who is registered with the Department as a Use Tax collector, the purchaser should pay the Use Tax to such seller unless the purchaser is also a retailer and elects to assume responsibility for accounting for all the tax on such materials. If the purchaser buys such materials outside Illinois from an unregistered seller, the purchaser should pay the Use Tax directly to this Department. No local Retailers' Occupation Tax is applicable in this situation.

d) Sales of Materials to Construction Contractors Acting for Exclusively Charitable, Religious or Educational Organizations or Institutions, or for Governmental Bodies

- 1) Sales of materials to construction contractors for incorporation into real estate owned by exclusively charitable, religious or educational institutions or organizations, or any not-for-profit corporation, society, association, foundation, institution or organization which has no compensated officers or employees and which is organized and operated primarily for the recreation of persons 55 years of age or older, or for incorporation into real estate owned by governmental bodies, are exempt from Retailers' Occupation Tax and Use Tax. The intent of the Legislature was to relieve the above-designated kinds of purchasers from the burden of tax on their purchases whether the purchases are made directly or indirectly by these organizations. Therefore, the exemption applies to their indirect purchase of building materials.
- 2) However, effective March 17, 1965, this exemption does not extend to sales of materials to construction contractors for incorporation into real estate owned by a national bank, a State-chartered bank or a Federally or State-chartered savings and loan association (see Section 130.2085 of this Part). Sales of materials to, and purchases of materials by, such construction contractors are taxable sales and purchases.
- 3) Also, sales of tools, fuel, lumber for forms and other end use or consumption items to construction contractors who do not incorporate these items into real

estate are taxable sales regardless of who the contractor's customer may be, and this has been true since the beginning of the Act.

- 4) A supplier claiming exemption hereunder shall have among his records a certification from the purchasing contractor stating that his purchases are for conversion into real estate under a contract with a church, charity, school or governmental body, identifying the church, charity, school or governmental body that is involved by name and address and stating on what date his contract was entered into. The supplier shall also have among his records the active exemption number issued by the Department to the organization for which the purchasing contractor is acting.

e) Sales of Materials to Construction Contractors for Incorporation into Public Improvements Which Are Required to be Transferred to a Unit of Local Government Upon Completion

For the same reason stated in subsection (d) of this Section, sales to construction contractors of materials which will be physically incorporated into public improvements, the ownership of which is required to be conveyed to a unit of local government pursuant to a pre-development transfer requirement are exempt from Retailers' Occupation Tax and Use Tax. The supplier shall have among his records the active registration number issued by the Department to the governmental unit to which the public improvements will be transferred upon completion. The pre-development transfer requirement may take the following forms:

- 1) Where language in the local governmental unit's subdivision ordinance explicitly requires that title to public improvements be transferred to the local governmental unit upon completion, the pre-development transfer requirement is satisfied as to all public improvements (such as roads and streets, sidewalks, sanitary sewer systems and storm water drainage systems) actually required to be transferred under the terms of that ordinance;
- 2) Where language in a pre-development agreement between the local governmental unit and a developer explicitly requires that title to public improvements be transferred to the local governmental unit upon completion, the pre-development transfer requirement is satisfied as to all public improvements actually required to be transferred under the terms of that pre-development agreement;
- 3) Where a plat of subdivision, formally approved by a municipality, has been recorded with the County Recorder of Deeds and where that recorded plat contains a public dedication of improvements, the pre-development transfer requirement is satisfied as to roads and streets located within the corporate limits of the approving municipality and any other improvements located within the corporate limits which are dedicated on the plat to the public use and for no other purpose;
- 4) Where a plat of subdivision, formally approved by a county with fewer than 500,000 inhabitants which has established regulations regarding location, width and course of roads and streets, has been recorded with the County Recorder of



Deeds and where that recorded plat contains a public dedication of roads and streets located in the unincorporated area of the approving county, the pre-development transfer requirement is satisfied as to those public roads and streets. In this context, only grading and surface materials which actually become part of the roadbed and materials incorporated into curbs and gutters qualify for the exemption. Other items such as catchbasins, drainage pipe or materials incorporated into sidewalks do not qualify for the exemption.

(Source: Amended at 25 Ill. Reg. 10917, effective August 13, 2001)