



Legislation Details (With Text)

**File #:** 21-391      **Version:** 3      **Name:** Disconnection Request  
**Type:** Ordinance      **Status:** Failed  
**File created:** 11/3/2021      **In control:** City Council  
**On agenda:** 1/25/2022      **Final action:** 1/25/2022

**Title:** Communication from the City Manager and Director of Community Development with a Request to DENY an ORDINANCE to DISCONNECT Certain Real Estate, Commonly Known as Parcel Identification Number 13-23-326-005, Vacant Land within Peoria Owned by Lynnette & Steven Demanes, from the City of Peoria.

MOTION ON THE FLOOR: To deny an Ordinance to Disconnect certain real estate, commonly known as parcel identification number 13-23-326-005, vacant land within Peoria owned by Lynnette & Steven Demanes, from the City of Peoria.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Petition to Disconnect Property.pdf, 2. Deannexation Map.pdf, 3. Demanes Disconnection Ordinance.pdf, 4. Ordinance 13795 - Budget Amendment for Huntington Subdivisions.pdf

Date	Ver.	Action By	Action	Result
1/25/2022	3	City Council	substitute motion	Fail
1/25/2022	3	City Council	denied	Pass
1/11/2022	2	City Council	deferred	Pass
12/14/2021	1	City Council	denied	
12/14/2021	1	City Council	deferred	Pass

**ACTION REQUESTED:**

Communication from the City Manager and Director of Community Development with a Request to DENY an ORDINANCE to DISCONNECT Certain Real Estate, Commonly Known as Parcel Identification Number 13-23-326-005, Vacant Land within Peoria Owned by Lynnette & Steven Demanes, from the City of Peoria.

**MOTION ON THE FLOOR:** To deny an Ordinance to Disconnect certain real estate, commonly known as parcel identification number 13-23-326-005, vacant land within Peoria owned by Lynnette & Steven Demanes, from the City of Peoria.

**BACKGROUND:** State statute 65 ILCS 5/7-3-4 permits property owners of parcels to petition the municipality in which the territory is located for disconnection if that property is upon the border but within the boundary of the municipality. The Corporate authorities may grant that petition by ordinance, which is attached.

The City has received a Petition filed under this section from the property owners seeking to disconnect the territory from the City of Peoria.

This Petition is directed to the discretion of the City Council, which is the final decision-maker in this case. Denial may be made by motion. If the Council wishes to grant the Petition, then it will need to adopt the attached Ordinance.

**FINANCIAL IMPACT:** The City would no longer receive real estate taxes from the property; nor would the City receive sales or other taxes from the property if it is redeveloped. On August 23<sup>rd</sup>, 1994, the City of Peoria amended its budget to entice the annexation of this property in the amount of \$580,000. This amount was used to defray the developers infrastructure costs to develop the subdivision; defray the expenses related to the agreements between the developers and property owners and to provide a new population growth incentive to the developers of the subdivision.

**NEIGHBORHOOD CONCERNS:** None Received

**IMPACT IF APPROVED:** The parcel in question will remain within the municipal boundary of Peoria if the DENIAL is approved.

**IMPACT IF DENIED:** If Council rejects the DENIAL, or decides to APPROVE the disconnection, the parcel in question will be removed from the municipal boundary of Peoria and reside within Peoria County.

**ALTERNATIVES:** None

**EEO CERTIFICATION NUMBER:** N/A

**WHICH OF THE GOALS IDENTIFIED IN THE COUNCIL'S 2017 - 2032 STRATEGIC PLAN DOES THIS RECOMMENDATION ADVANCE?**

1. Not applicable.

**WHICH CRITICAL SUCCESS FACTOR(S) FROM THE COMPREHENSIVE PLAN DOES THIS RECOMMENDATION IMPLEMENT?**

1. Not applicable.

**DEPARTMENT:** Community Development