



DEPT. OF COMMUNITY DEVELOPMENT SERVICES
PLANNING AND ECONOMIC DEVELOPMENT DIVISION

m e m o r a n d u m

TO: Bruce K. Walden, CAO

FROM: April D. Getchius, AICP, Director

DATE: August 9, 2000

SUBJECT: An Ordinance Approving Addendum No. 1 to the Savoy-Urbana Boundary Agreement

Introduction. The purpose of this Ordinance and addendum is to clarify the intergovernmental Boundary Agreement between the Village of Savoy and the City of Urbana.

Background. In March 1990, the Village of Savoy and the City of Urbana entered into a Boundary Agreement as part of a series of intergovernmental agreements that controlled annexation, sanitary sewer connection and maintenance of the Boneyard Creek. The intent of the Boundary Agreement was to establish each municipality's authority in where their extra territorial jurisdictions (ETJ) overlapped.

Issues and Discussion. A recent development in the unincorporated area raised the question that although the property was in the Urbana annexation boundary, it was in Savoy's ETJ. Consequently, it was unclear who had subdivision authority over the matter. The City of Champaign and City of Urbana boundary agreement clearly states that

Champaign and Urbana hereby agree that the boundary line of each community shall be the line depicted on Exhibit A to the north of the present Champaign-Urbana corporate boundaries and the line depicted on Exhibit B to the south of the present Champaign-Urbana corporate limits. The line so established shall be the boundary for planning, subdivision or development approval, zoning and annexation purposes.

The language in the Savoy/Urbana agreement is less clear. It reads:

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...the line so established shall be the boundary for planning, zoning and annexation purposes.

Although the staff and legal counsel of both municipalities agree that the intent of the Savoy agreement was the same as the intent of the Champaign/Urbana agreement, the documents do not read the same. Therefore, legal staffs prepared the attached addendum to correct the language. The addendum states each municipality cedes its relevant authorities in the boundary area to the other. It reads as follows:

- 1. That the City of Urbana reaffirms that it has ceded to the Village of Savoy all of its authority governing all matters relating to planning, subdivision, land development, and zoning, including the right to protest County Zoning actions, and annexations pertaining to all land which is in the area placed under the jurisdiction of the Village of Savoy pursuant to the Agreement; and*
- 2. That the Village of Savoy reaffirms that it has ceded to the City of Urbana all of its authority governing all matters related to planning, subdivision, land development and zoning, including the right to protest County Zoning actions, and annexations pertaining to all land which is in the area placed under the jurisdiction of the City of Urban pursuant to the Agreement.*

The Village Board of Savoy has already approved this addendum at a previous Village Board meeting.

Fiscal Impacts. There are no discernible fiscal impacts to the City of Urbana.

Options. The Urbana City Council has the following options in this case:

- a. The Council may approve the addendum as presented.
- b. The Council may deny approval of the addendum as presented.

Recommendation. The Staff recommends approval of this proposed addendum in order to clarify the municipalities' roles under the terms of the previously approved Boundary Agreement. In addition, the Village of Savoy and City of Champaign have previously amended their agreement to clarify their respective responsibilities.

Thank you. If you have any questions, please feel free to call me at 384-2439 or email me at adgetchius@city.urbana.il.us.

c: David Fierke, Savoy Village Administrator
Paul Hendren, Savoy Village Attorney

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ORDINANCE NO. 2000-08-094

AN ORDINANCE AUTHORIZING THE MAYOR
TO EXECUTE AN ADDENDUM NO. 1 TO THE SAVOY-URBANA BOUNDARY
AGREEMENT

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF URBANA,
ILLINOIS, as follows:

Section 1. That the Addendum No. 1 to the Savoy-Urbana Boundary Agreement between the City of Urbana and the Village of Savoy, in the form of a copy of said Addendum No. 1 attached hereto and hereby incorporated by reference, be and the same is hereby authorized and approved.

Section 2. That the Mayor of the City of Urbana, Illinois, be and the same is hereby authorized to execute and deliver and the City Clerk of the City of Urbana, Illinois, be and the same is hereby authorized to attest to said execution of said Agreement as so authorized and approved for and on behalf of the City of Urbana, Illinois.

PASSED by the City Council this _____ day of _____, 2000.

AYES:

NAYS:

ABSTAINED:

Phyllis D. Clark, City Clerk

APPROVED by the Mayor this _____ day of _____, 2000.

Tod Satterthwaite, Mayor

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ADDENDUM NO. 1 TO THE SAVOY-URBANA BOUNDARY AGREEMENT

WHEREAS, in 1990/1991 Urbana and Savoy entered into a Boundary Agreement (hereafter “Agreement”), which agreement established a line which recognized the boundary between Urbana and Savoy, on each side of which the respective city or village had the planning, zoning and annexation powers; and

WHEREAS, since 1991, due to growth of each of the municipalities, the extraterritorial jurisdiction of each has expanded to the point where the extraterritorial jurisdiction of each municipality extends into the area designated as the annexation area of the other municipality and in some instances, the extraterritorial jurisdictional lines actually overlap; and

WHEREAS, the parties desire to clarify what was intended in the 1992 agreement was to have each municipality cede to the other all municipal powers relating to the control, not only of annexation, zoning and planning, but all matters relating to land development and subdivision control; and

WHEREAS, the Intergovernmental Cooperation Act encourages agreements such as this to promote efficiency in government.

NOW THEREFORE, FOR AND IN CONSIDERATION OF THE MUTUAL UNDERTAKINGS HEREIN, the parties agree as follows:

- 1. That the City of Urbana reaffirms that it has ceded to the Village of Savoy all of its authority governing all matters relating to planning, subdivision, land development, and zoning, including the right to protest County Zoning actions, and annexations**

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pertaining to all land which is in the area placed under the jurisdiction of the Village of Savoy pursuant to the Agreement; and

1. That the Village of Savoy reaffirms that it has ceded to the City of Urbana all of its authority governing all matters relating to planning, subdivision, land development, and zoning, including the right to protest County Zoning actions, and annexations pertaining to all land which is in the area placed under the jurisdiction of the City of Urbana pursuant to the Agreement.

CITY OF URBANA, ILLINOIS

VILLAGE OF SAVOY

By: _____
By: _____
Mayor

Mayor

Dated: _____

Dated:

ATTEST: _____
ATTEST: _____
Phyllis D. Clark, City
Clerk

Village Clerk