

MEMORANDUM

April 2, 2020

TO: Mayor John P. Kahl and Members of the City Council

FROM: Scott A. Brunton, City Attorney's Office

SUBJECT: Resolution for Intervention in PTAB Appeal Case / Kroger

DISCUSSION:

In the fall of 2019, Kroger Limited Partnership ("Kroger") filed an assessment appeal with the Tazewell County Board of Review for the purpose of seeking a reduction in the 2019 assessment of the parcel for their Kroger grocery store in East Peoria. The Tazewell County Board of Review affirmed the current assessment, and now Kroger has appealed the decision of the Tazewell County Board of Review to the Illinois Property Tax Appeal Board ("PTAB").

Kroger also previously appealed their 2018 assessment, which was also upheld by the Tazewell County Board of Review. Due to the significant reduction in assessment amount being sought by Kroger, the City has intervened in the PTAB appeal of Kroger's 2018 assessment. This PTAB appeal of Kroger's 2018 assessment remains in process. Kroger's 2019 assessment appeal is in the same amount as their 2018 appeal, and thus intervention should again be made in their 2019 assessment appeal.

Intervention in this 2019 assessment appeal by the City requires the passage of a resolution by the City Council authorizing such intervention.

RECOMMENDATION:

Approval of this Resolution.

RESOLUTION NO. 1920-133

East Peoria, Illinois

_____, 2020

RESOLUTION BY COMMISSIONER _____

WHEREAS, the owner of Parcel No. 01-01-32-414-008 (the "Property") has filed a complaint with the Tazewell County Board of Review (the "Board of Review") for the purpose of challenging the assessed value assigned to the Property; and

WHEREAS, the City of East Peoria ("City") has objected to the change in assessed value; and

WHEREAS, the Board of Review has affirmed the assessment originally assigned to the Property; and

WHEREAS, the owner of the Property has appealed the decision of the Board of Review to the Illinois Property Tax Appeal Board ("PTAB"); and

WHEREAS, it is in the best interests of the City to intervene in the proceedings currently pending before PTAB;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF EAST PEORIA, TAZEWELL COUNTY, ILLINOIS, THAT the Attorney for the City is hereby authorized and directed to obtain an appraisal for the Property and petition for leave to intervene in the proceeding involving the assessment of the Property, which proceeding is identified as Docket No. 2019-00080.001-C-3 currently pending before the Illinois Property Tax Appeal Board.

APPROVED:

Mayor

ATTEST:

City Clerk

Date 3/6/20

To: Rick Swan, Fondulac Township Supervisor
Richard Schwab, Fondulac Township Assessor
Christopher Oswald, East Peoria City Attorney
Ginny Zinkhorn, Bus. Fondulac Park District
Genna Buhr, Fondulac Library
Tony Ingold, Superintendent School District #86
Marjorie Greuter, Superintendent School District #309
Bruce Budde, Treasurer Jr. College #514
Theresa Gualandi, East Peoria City Treasurer
Dick Williams, East Peoria Sanitary District
Mary Burress, Tazewell County Treasurer

Pursuant to Public Act #38-1464, the Board of Review is required to notify all taxing districts affected by the existence of an appeal before the Property Tax Appeal Board of the State of Illinois involving a proposed change in the assessed valuation of property in an amount of \$100,000 or more.

An appeal has been filed by:

Appellant: Kroger Limited Partnership I
PIN # 01-01-32-414-008
Docket #19-00080.001-C-3

Current Assessed Valuation	Requested Assessed Valuation	Assessment Change
\$1,545,950	\$666,600	\$879,350

If it is your intent to object to the proposed change, you may submit your objection by mail or contact the Board of Review at the above address or phone number within 14 days of this letter.

Don Edié, Co-Chairman
Tazewell County Board of Review