



Committee of the Whole Meeting Agenda

Village of Cary

November 21, 2023

Immediately Follows the Village Board Meeting

Cary Municipal Center Board Room

755 Georgetown Drive, Cary, IL 60013

Agenda

I. Call to Order

II. Roll Call

III. Pledge of Allegiance

IV. Public Comments

The public is invited to make an issue-oriented comment on any matter of public concern not otherwise on the agenda.

V. Discussion Items

A. Discussion Regarding Home Rule

VI. Adjourn



Agenda Item: **Discussion Regarding Home Rule**

Type: **Discussion**

Report From: **Administration**

Introduction

This is a continued discussion from the September 19th and November 7th Committee of the Whole meetings. Staff will provide additional information regarding home rule. An example resolution has been included as Exhibit A.

Exhibits

[A - Example Resolution](#)

EXAMPLE RESOLUTION**A RESOLUTION REGARDING THE EXERCISE OF HOME RULE AUTHORITY**

WHEREAS, the Village of Cary (“Village”) is a non-home rule municipality with the authority granted pursuant to the 1970 Illinois Constitution, the Illinois Municipal Code, the Illinois Election Code, and applicable law; and

WHEREAS, under the Illinois Constitution, a home rule unit is authorized under the Illinois Constitution to exercise any power and perform any function relating to its government and affairs; and

WHEREAS, the exercise of home rule powers can offer many benefits to a municipality, including, but not limited to, more flexibility to address local problems, greater independence from many of the costly mandates of the Illinois General Assembly and an ability to more broadly address health, safety, and welfare concerns locally; and

WHEREAS, by adopting Resolution No. _____ and the Mayor and Board of Trustees will cause the question of whether to become a home rule unit to be submitted to the voters of the Village of Cary at the upcoming General Primary Election on _____, ____; and

WHEREAS, the Mayor and Board of Trustees have reviewed the potential benefits to the Village of becoming a home rule unit of local government and have determined that those benefits can be significant in furthering the goals to improve and enhance the health, welfare and safety of the Village’s residents and businesses and the continued financial capabilities of the Village government to deliver and maintain necessary public services; and

WHEREAS, the Mayor and Board of Trustees have determined that one of the principal benefits of home rule for the residents and businesses of the Village would be the Village’s ability to more effectively and efficiently provide for capital improvement and operating expenses, including street repairs, including street reconstruction and maintenance, water, stormwater and sanitary sewer infrastructure and related capital expenses, minimizing future needs for borrowing or emergency expenditures; and

WHEREAS, the Mayor and Board of Trustees consider the careful budgeting and strategic planning regarding the continuing maintenance of the Village’s infrastructure remains a critical function and responsibility of the Village; and

WHEREAS, although home rule powers would allow the Village to levy property taxes above the levels established by the Illinois Property Tax Extension Limitation Law (35 ILCS 200-18-185, et seq.) without referendum approval, the Village hereby commits to not utilizing home rule powers to levy additional property taxes, and as evidence of that commitment, will adopt a home rule property tax cap ordinance before the home rule question appears on the ballot for the General Primary Election on _____, ____; and

WHEREAS, the Mayor and Board of Trustees hereby declare that they have determined that there are important benefits to residents of the Village of Cary which can be derived from the

exercise of home rule powers, while remaining vigilant of the need to be good stewards of the revenues of the Village and minimize the tax burdens on the residents and businesses of the Village of Cary.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Mayor and the Board of Trustees of the Village of Cary, McHenry County, Illinois, as follows:

Section 1: Recitals. The recitals set forth above are hereby adopted by the Board of Trustees and are incorporated as if stated fully herein.

Section 2: Home Rule Referendum. The Mayor and Board of Trustees have worked to disseminate information about home rule to the residents of the Village of Cary, including a number of those important benefits that could contribute to the health, welfare, and safety of the Village as a whole. The determination of whether to become a home rule unit is a question for the qualified voters of the Village of Cary to decide.

Section 3: Utilization of Revenue. If the Village becomes a home rule unit of local government, the Mayor and Board of Trustees hereby pledge to devote funds to _____ for critical Village infrastructure and related services including capital improvement and operating expenses, including street repairs, street reconstruction and maintenance, and stormwater infrastructure and related capital expenses; and

Section 4: Home Rule Property Tax Cap. If the Village becomes a home rule unit of local government, the Mayor and Board of Trustees hereby commit not to utilize home rule powers to levy additional property taxes beyond non-home rule limitations, and to that end, commit to adopting a home rule property tax cap resolution before the home rule question appears on the ballot for the General Primary Election on _____, _____. Said resolution will commit the Village to compliance with the provisions of the Illinois Property Tax Extension Limitation Law (35 ILCS 200-18-185, et seq.),.

Section 5: Effective Date. This Resolution shall take effect immediately from and after its passage and approval as provided by law.

PASSED AND APPROVED by the Mayor and Board of Trustees of the Village of Cary, McHenry County, Illinois by the following roll call vote:

ADOPTED this _____ day of _____, 2023.

AYES:
NAYS:
ABSTAIN:
ABSENT:

Mayor

ATTEST: _____
Deputy Village Clerk