

CITY OF GENOA
*** CITY COUNCIL MEETING AGENDA ***
JULY 21, 2021
7:00 P.M.

I. CALL TO ORDER & ROLL CALL

II. PLEDGE OF ALLEGIANCE

III. GUEST SPEAKERS

IV. APPROVAL OF MINUTES FROM THE JULY 7, 2021 CITY COUNCIL MEETING

V. APPROVAL OF ACCOUNTS PAYABLES

VI. ITEMS FROM INDIVIDUALS IN ATTENDANCE*

VII. OLD BUSINESS

VIII. NEW BUSINESS

A) PROCLAIM JULY 30TH – AUGUST 1ST VETERANS WEEKEND

B) APPROVE THE USE OF CITIZENS' / CARROLL MEMORIAL PARK BY KARA LEE ON SEPTEMBER 19, 2021 FROM 1 PM TO 4 PM

A request was received to utilize Citizens' Park for a public fund raising event, which is included in the packet. If approved, Staff will work with Ms. Lee in obtaining an Entertainment Permit as well as a Mobile Food Vendor Permit. Please contact Staff ahead of the meeting with any questions to allow sufficient time to communicate those to Ms. Lee.

C) APPROVE AN ORDINANCE APPROVING THE REZONING OF AND ISSUANCE OF A FINAL PLANNED UNIT DEVELOPMENT FOR A 4-UNIT MULTI-FAMILY BUILDING LOCATED AT 307, 309, 311, AND 313 JACKSON STREET

The City of Genoa received a request for a rezoning and Planned Unit Development for an *existing* 4-unit multi-family building. There is currently a 4-unit multi-family building located at 307-313 Jackson Street, which is an illegal nonconforming use as it appears the nonconforming use (the living space on a first floor in the Central Business and Civic District) began following the adoption of the Unified Development Ordinance and therefore making it illegal. By rezoning the property to residential, residential on the first floor is allowed with a special use. Additional details regarding this request are further outlined in the Development Project Review Report. The Plan Commission held a Public Hearing on July 8, 2021. The Plan Commission unanimously recommended approval of the rezoning of 307-313 Jackson Street from Central Business and Civic District to City Residential, as well as the proposed Planned Unit Development for a 4-unit multi-family building with the conditions outlined in the Development Project Review Report. Following the meeting, an ordinance was drafted incorporating the rezoning as well as the P.U.D. with conditions recommended by the Plan Commission.

D) APPROVE AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF GENOA AND THE GENOA TOWNSHIP PARK DISTRICT

Within the packet is an agreement with the Park District which formalizes the transfer of 76% of the SSA funds received from the Oak Creek Estates Unit 4 SSA. Like Riverbend, Oak Creek

Estates Unit 4 is not located in the Genoa Township Park District boundaries and the SSA provides for maintenance of parks and open space and in-district rates to residents. This agreement is nearly identical to the agreement approved by the Council for the transfer of the Riverbend SSA funds to the Park District. The Park District currently maintains the park (B in the exhibit) and will now also be taking over the mowing in the retention pond area (A in the exhibit). As two additional phases of Oak Creek Estates Unit 4 have received preliminary plat approval, there will need to be an amendment to this agreement following any additional open space or parks being platted, improved, and deeded to the City. The City has met with the Executive Director of the Park District several times to discuss this agreement. If approved by the Council, the Park Board will also then consider the agreement for approval.

E) APPROVE A RESOLUTION AUTHORIZING THE REDUCTION OF THE GENOA TOWNSHIP PARK DISTRICT FITNESS CENTER RENT PAYMENTS

Following Council discussion regarding the reduction of the Fitness Center's rent, a resolution was drafted to reduce the rent for July, August, and September of 2021 by 50%. The Park District must then submit an updated profit and loss statement showing whether or not the Fitness Center is still operating at a deficit. If it is still operating at a deficit, the months of October, November, and December of 2021 will also be reduced by 50%. The Fitness Center has reached out to Jock Sommese at the Small Business Development Center. Jock will be looking over financial documents and then meeting with the Fitness Center in the neat future.

F) APPROVE A SECOND AMENDMENT TO THE DEVELOPMENT AGREEMENT FOR RIVERBEND ADDITION TO GENOA

Earlier this year, the Council discussed utility easements that were previously located in Unit 6 of the Riverbend Subdivision, which is where Brian Grainger is currently building 4-unit age restricted condos. As part of this development, two portions of streets which were previously Stearn Drive and Angler Lane were vacated and soon after so were the utility easements. The agreement in the packet re-affirms that those utilities within Unit 6, including those that were previously located beneath Stearn Drive which are currently in-active and being built over, are entirely the Developer's responsibility to maintain and repair and not the City of Genoa's. The agreement also explains that ultimately, the Developer will transfer his responsibility to an H.O.A. The agreement includes an amended improvement schedule. There is an exhibit that was removed from the draft document that reaffirmed that in the case of foreclosure of the lots in discussion, the bank would be responsible for the utilities and not the City. The Developer was not able to get the bank to sign the document. Staff could continue to pursue this, however, the Amendment to be considered still has value in that it very clearly states the utilities are not the responsibility of the City.

IX. DEPARTMENT REPORTS

- A) ADMINISTRATION**
- B) FINANCE**
- C) PUBLIC WORKS**
- D) POLICE**
- E) MAYOR**

X. ANNOUNCEMENTS

XI. MOTION TO ADJOURN

*To respect the agenda and flow of the meeting, the Mayor may limit audience participation to 5 minutes per speaker and/or a total of 30 minutes for this portion of the agenda.