

CITY OF GENOA
DEKALB COUNTY, ILLINOIS

ORDINANCE NO. 2021- 01

ADOPTED BY
THE MAYOR AND
CITY COUNCIL
OF THE
CITY OF GENOA

AN ORDINANCE AMENDING TITLE 3, CHAPTER 3, LIQUOR CONTROL,
SECTION 13 OF THE MUNICIPAL CODE OF THE CITY OF GENOA

Adopted January 5, 2021, by the Mayor and City Council of the City of Genoa
DeKalb County, Illinois, and approved and published in pamphlet form
This 5th day of January 2021.

ORDINANCE NO. 2021-01
AN ORDINANCE AMENDING TITLE 3, CHAPTER 3, LIQUOR CONTROL, SECTION 13 OF THE MUNICIPAL CODE OF THE CITY OF GENOA

WHEREAS, the City of Genoa defines hours in which liquor can be served by the various liquor license holders; and

WHEREAS, the City has received a request to amend the serving hours for O licenses; and

NOW THEREFORE, BE IT ORDAINED the Municipal Code of the City of Genoa be amended as follows:

SECTION 1: That Title 3, Chapter 3, Section 13, A, 8 be amended to instead read:

8. Class O establishments may be open from six o'clock (6:00) AM. Saturdays to one o'clock (1:00) AM. Sundays, and from ~~ten o'clock (10:00) AM.~~ **eight o'clock (8:00) A.M.** Sundays to ten o'clock (10:00) P.M. Sundays for the sale of alcoholic liquor. Also Notwithstanding the foregoing closing hours on New Year's Eve and New Year's Day (December 31st and January 1st), it shall be lawful for any licensee, subject to his license restriction other than closing hours, to sell or offer for sale at retail alcoholic liquor until 12:00 midnight on December 31st and continuing through until 2:00 AM. on January 1st of any year, and to remain open until 12:00 (midnight) for the sale of alcoholic liquor on the Sunday before Memorial Day, the Sunday before Labor Day and the Sunday on which the professional football "Super Bowl" game is played.

SECTION 2: This ordinance shall be in full force and effect from and following its passage and approval.

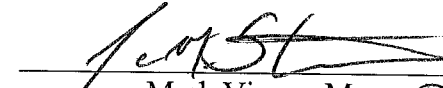
Alderman Name	Aye	Nay	Abstain	Absent
Pam Wesner	✓			
Glennis Carroll	✓			
Dennis Di Guido		✓		
James Stevenson	✓			
Courtney Winter	✓			
Chuck Cravatta				✓
Jonathon Brust	✓			
Katie Lang	✓			
Mayor Mark Vicary				

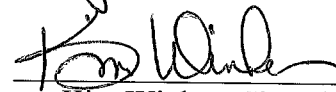
PASSED by the City Council of the City of Genoa, DeKalb County, Illinois this 5th day of January, 2021.
Approved by me this 5th day of January 2021.



(SEAL)

ATTESTED and filed in my office this 6th day of January, 2021.


~~Mark Vicary~~, Mayor Pro tem
James Stevenson


Kim Winker, City Clerk

CITY OF GENOA
DEKALB COUNTY, ILLINOIS

ORDINANCE NO. 2021 - 02

ADOPTED BY
THE MAYOR AND
CITY COUNCIL
OF THE
CITY OF GENOA

AN ORDINANCE AUTHORIZING THE CITY OF GENOA, DEKALB
COUNTY ILLINOIS TO DECLARE CERTAIN PROPERTY AS SURPLUS
AND APPROVING THE DISPOSAL OF SAID PROPERTY

Adopted January 5, 2021, by the Mayor and City Council of the City of Genoa
DeKalb County, Illinois, and approved and published in pamphlet form
This 5th day of January, 2021.

ORDINANCE NO. 2021-02
AN ORDINANCE AUTHORIZING THE CITY OF GENOA,
DEKALB COUNTY, ILLINOIS, TO DECLARE CERTAIN CITY PROPERTY AS
SURPLUS AND APPROVING THE DISPOSAL OF SAID PROPERTY

WHEREAS, in the opinion of the corporate authorities of the City of Genoa, it is no longer necessary or useful to retain the following certain personal property, now owned by it;

NOW THEREFORE, be it ordained by the City Council of the City of Genoa, DeKalb County, Illinois, as follows:

SECTION 1: Pursuant to Section 11-76-4 of the Illinois Municipal Code, 65 ILCS 5/11-76-4, the City Council finds that the personal property described in Exhibit A now owned by the City of Genoa is no longer necessary or useful to the City of Genoa and the best interest of the City of Genoa will be served by its disposal.

SECTION 2: Pursuant to Section 11-76-4, the Mayor of Genoa be, and is hereby, authorized and directed to dispose of the personal property described in Exhibit A, now owned by the City of Genoa.

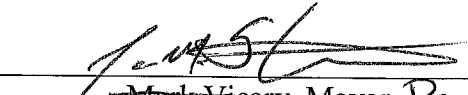
Alderman Name	Aye	Nay	Abstain	Absent
Pam Wesner	✓			
Glennis Carroll	✓			
Dennis Di Guido	✓			
James Stevenson	✓			
Courtney Winter	✓			
Chuck Cravatta				✓
Jonathon Brust	✓			
Katie Lang	✓			
Mayor Mark Vicary				

PASSED by the City Council of the City of Genoa, DeKalb County, Illinois this 5th day of January, 2021.
Approved by me this 5th day of January, 2021.



(SEAL)

ATTESTED and filed in my office this 6th day of January, 2021.


Mark Vicary, Mayor Pro Tem
James Stevenson


Kim Winker, City Clerk

Exhibit A

1. Computer Monitor- Dell- Year: 2009 SN: CN-OK419D-6418Q-91L-6ETL
2. Computer Monitor- Dell- Year: 2009 SN: CN-OK419D-64180-91L-6RWL
3. 3 keyboards- Dell
4. 3 mouses-Dell
5. Computer Tower- Dell- Year 2009 SN:00144-352-555-685
6. Computer Tower- Dell- Year 2009 SN:00144-352-555-792
7. Computer Tower- HP- Year 2014: MXL4130CVK
8. Desktop Printer- HP- Year: 2000 SN: MY06N170XQ
9. Desktop Printer- HP - Year: 2001 SN: MX11Q1V049
10. Desktop Printer- HP – Year: 2015 SN: CN42E751Q2
11. Large printer/scanner/copier/fax machine- Lanier – Year: unknown (pre 2010) SN:CN42E751Q2

CITY OF GENOA
DEKALB COUNTY, ILLINOIS

ORDINANCE NO. 2021 - 03

ADOPTED BY
THE MAYOR AND
CITY COUNCIL
OF THE
CITY OF GENOA

AN ORDINANCE ADOPTING THE ZONING MAP
OF THE CITY OF GENOA

Adopted February 16, 2021, by the Mayor and City Council of the City of Genoa,
DeKalb County, Illinois, and approved and published in pamphlet form
this 16th day of February 2021.

ORDINANCE NO. 2021 - 03

An Ordinance adopting the Zoning Map of the City of Genoa

BE IT ORDAINED by the Mayor and City Council of the CITY OF GENOA, DeKalb County, Illinois, as follows:

SECTION 1: That the Zoning Map of the City of Genoa updated as of February 2, 2021 and attached hereto is hereby adopted as the Official Zoning Map of the City of Genoa.

SECTION 2: If any section, paragraph, subdivision, clause, sentence or provision of this Ordinance shall be adjudged by any Court of competent jurisdiction to be invalid, such judgment shall not affect, impair, invalidate or nullify the remainder thereof, which remainder shall remain and continue in full force and effect.

SECTION 3: All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 4: This Ordinance shall be in full force and effect upon its passage, approval and publication in pamphlet form (which publication is hereby authorized) as provided by law.

Alderman Name	Aye	Nay	Abstain	Absent
Pam Wesner				✓
Glennis Carroll	✓			
Dennis Di Guido	✓			
James Stevenson	✓			
Courtney Winter	✓			
Chuck Cravatta				✓
Jonathon Brust	✓			
Katie Lang	✓			
Mayor Mark Vicary				

PASSED by the City Council of the City of Genoa, DeKalb County, Illinois this 16th day of February, 2021.

Approved by me this 16th day of Feb., 2021.



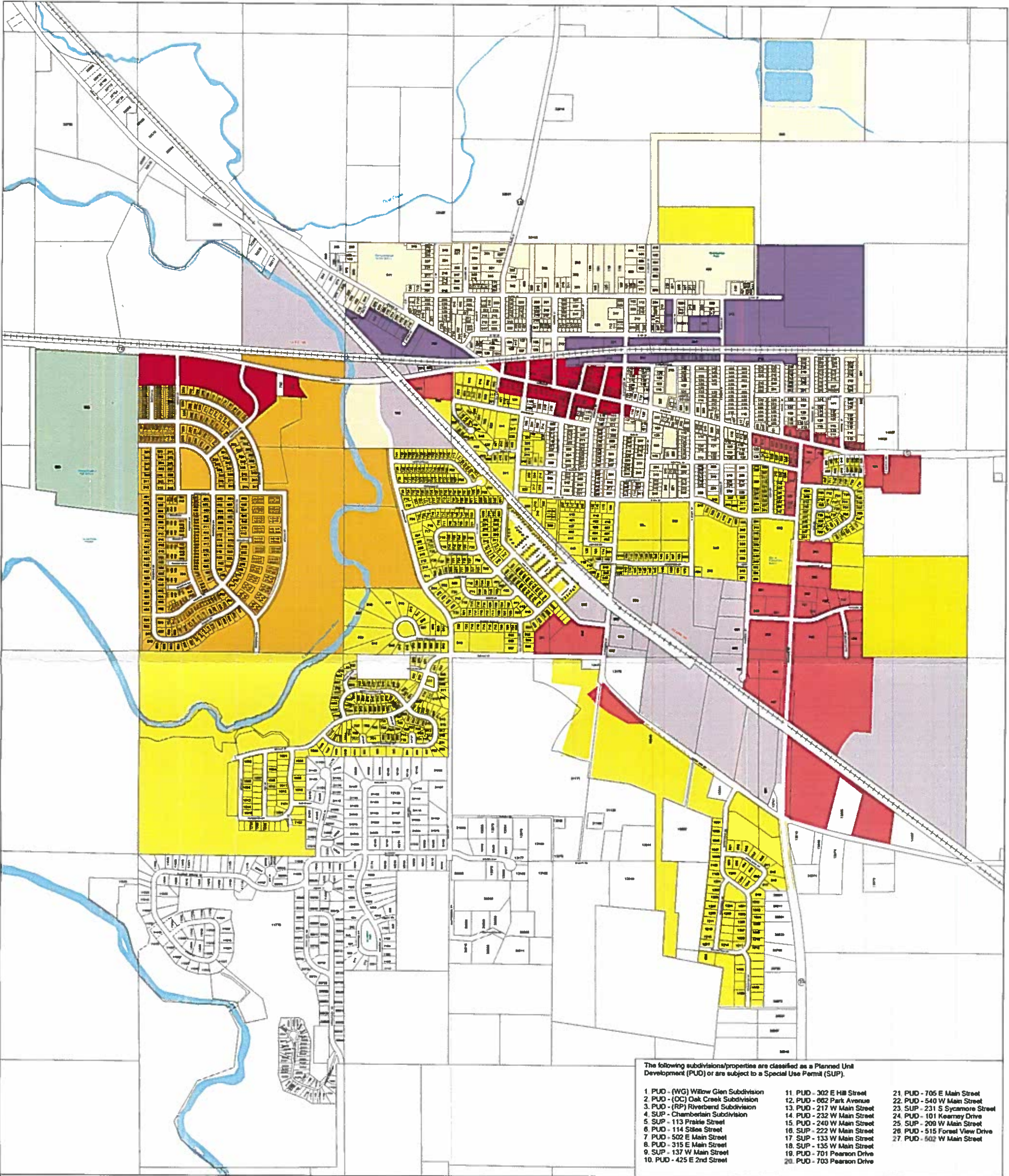
Mark Vicary, Mayor



(SEAL)

ATTESTED and filed in my office this 17th day of February, 2021.

Kim Winker, City Clerk



- The following subdivisions/properties are classified as a Planned Unit Development (PUD) or are subject to a Special Use Permit (SUP).
- | | | |
|---------------------------------------|-----------------------------|---------------------------------|
| 1. PUD - (WG) Willow Glen Subdivision | 11. PUD - 302 E Hill Street | 21. PUD - 705 E Main Street |
| 2. PUD - (OC) Oak Creek Subdivision | 12. PUD - 662 Park Avenue | 22. PUD - 540 W Main Street |
| 3. PUD - (RP) Riverbend Subdivision | 13. PUD - 217 W Main Street | 23. SUP - 231 S Sycamore Street |
| 4. SUP - Chamberlain Subdivision | 14. PUD - 232 W Main Street | 24. PUD - 101 Kearney Drive |
| 5. SUP - 113 Prairie Street | 15. PUD - 240 W Main Street | 25. SUP - 209 W Main Street |
| 6. PUD - 114 Stiles Street | 16. SUP - 222 W Main Street | 26. PUD - 515 Forest View Drive |
| 7. PUD - 502 E Main Street | 17. SUP - 133 W Main Street | 27. PUD - 502 W Main Street |
| 8. PUD - 315 E Main Street | 18. SUP - 135 W Main Street | |
| 9. SUP - 137 W Main Street | 19. PUD - 701 Pearson Drive | |
| 10. PUD - 425 E 2nd Street | 20. PUD - 703 Pearson Drive | |


DeKalb County Government
Information Management Office
200 North Main Street
Sycamore, IL 60178

City of Genoa - Zoning Map

- | | |
|-------------------------------|-------------------------------------|
| AGRICULTURAL DISTRICT | CENTRAL BUSINESS AND CIVIC DISTRICT |
| CITY RESIDENTIAL DISTRICT | SUBURBAN COMMERCIAL DISTRICT |
| SUBURBAN RESIDENTIAL DISTRICT | HAMLET COMMERCIAL DISTRICT |
| HAMLET RESIDENTIAL DISTRICT | CITY INDUSTRIAL DISTRICT |
| | SUBURBAN INDUSTRIAL DISTRICT |


0 500 1000
Feet

Zoning information provided by
the City of Genoa.

Created: March 13, 2020 BH
Updated: February 2, 2021 BH

CITY OF GENOA
DEKALB COUNTY, ILLINOIS

ORDINANCE NO. 2021-04

ADOPTED BY
THE MAYOR AND
CITY COUNCIL
OF THE
CITY OF GENOA

AN ORDINANCE PROVIDING A ONE YEAR EXTENSION OF THE
LIMITED TEMPORARY REDUCTION IN CERTAIN FEES AS AN
INCENTIVE FOR NEW CONSTRUCTION

Adopted February 16, 2021, by the Mayor and City Council of the City of Genoa
DeKalb County, Illinois, and approved and published in pamphlet form
this 16th day of February 2021.

ORDINANCE NO. 2021- 04
**AN ORDINANCE PROVIDING A ONE YEAR EXTENSION OF THE LIMITED
TEMPORARY REDUCTION IN CERTAIN FEES AS AN INCENTIVE FOR NEW
CONSTRUCTION**

WHEREAS, the Genoa-Kingston Unit School District No. 424 had previously endorsed eliminating School Impact fees for no more than 20 new residential housing starts for each year in 2009, and the program continued in 2010 through 2018 in order to provide new growth assessed valuation for operating income for School District services; and

WHEREAS, the City Council approved an ordinance in 2018 eliminating school and park impact fees for the first 15 new residential housing starts for the year 2019;

WHEREAS, the City Council approved an ordinance in 2020 eliminating the school impact fees for the first 10 new residential housing starts for the year 2020;

NOW THEREFORE BE IT ORDAINED by the Mayor and City Council of the CITY OF GENOA, DeKalb County, Illinois, as follows:

SECTION 1: That between February 16, 2021, which shall be the effective date of this ordinance after adoption and ending December 31, 2021, the City Building Inspector shall issue building permits for new single family residential dwelling units upon receipt of the first ten (10) properly completed applications therefore, under these terms:

Receipt by the Building Inspector of a written request by the applicant for a building permit indicating that the applicant wishes to participate in the reduced fee option established under this ordinance;

Without requiring payment of the other applicable School Impact Fee previously established by ordinance;

Upon payment of all other fees previously established by ordinance.

In no case shall any refund of any previously paid fee be applicable under this program, and no refund or repayment of any kind for any land dedication shall apply to this program.

SECTION 2: That during calendar year 2021, the City Building Inspector shall issue building permits for new residential dwelling units upon receipt of the first 10 properly completed applications therefore, under the terms as set forth in Section 1 of the ordinance.

SECTION 3: That the City Building Inspector shall perform these following duties when administering the reduced fee option program established by this ordinance:

The Building Inspector shall consecutively number applications in the order received by him, and shall determine that the application is properly completed and the proper fees have been

tendered, and issue or deny an application for a building permit under Section 1 or 2 of this ordinance, in such order.

The Building Inspector shall not refund any fee or dedication previously paid by an applicant for participation in this reduced fee program;

Should the Building Inspector determine that an application for a building permit under this program is not properly completed or that the proper fee has not been tendered, then he shall reject the application, and any subsequently submitted application for a building permit for the same location shall be considered a new application.

SECTION 4: This program shall expire and this ordinance shall be repealed upon the first to occur of the issuance of the 10th permit under this program for a new residential dwelling in 2021 or December 31, 2021.

SECTION 5: If any section, paragraph, subdivision, clause, sentence or provision of this Ordinance shall be adjudged by any Court of competent jurisdiction to be invalid, such judgment shall not affect, impair, invalidate or nullify the remainder thereof, which remainder shall remain and continue in full force and effect.

SECTION 6: All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 7: This Ordinance shall be in full force and effect following its passage, as provided by law.

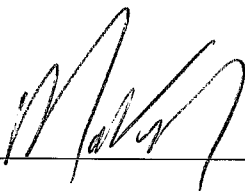
Alderman Name	Aye	Nay	Abstain	Absent
Pam Wesner				✓
Glennis Carroll	✓			
Dennis Di Guido	✓			
James Stevenson	✓			
Courtney Winter	✓			
Chuck Cravatta				✓
Jonathon Brust	✓			
Katie Lang	✓			
Mayor Mark Vicary				

PASSED by the City Council of the City of Genoa, DeKalb County, Illinois this 16th day of February 2021.


Approved by me this 16th day of Feb, 2021.



(SEAL)


Mark Vicary, Mayor

ATTESTED and filed in my office this 17th day of February, 2021.


Kim Winker, City Clerk

CITY OF GENOA
DEKALB COUNTY, ILLINOIS

ORDINANCE NO. 2021 - 05

ADOPTED BY
THE MAYOR AND
CITY COUNCIL
OF THE
CITY OF GENOA

AN ORDINANCE AMENDING TITLE 3, CHAPTER 3, LIQUOR CONTROL,
OF THE MUNICIPAL CODE

Adopted March 2, 2021, by the Mayor and City Council of the City of Genoa,
DeKalb County, Illinois, and approved and published in pamphlet form
this 2nd day of March 2021.

ORDINANCE NO. 2021 - 05

An Ordinance Amending Title 3, Chapter 3, Liquor Control, of the Municipal Code

WHEREAS, the Municipal Code of the City of Genoa requires to be amended from time to time;

NOW THEREFORE BE IT ORDAINED by the Mayor and City Council of the CITY OF GENOA, DeKalb County, Illinois, as follows:

SECTION 1: That the following definitions be incorporated into Section 3-3-1:

3-3-1: DEFINITIONS:

BAR: an establishment where the principal use is the retail sale and consumption of beer, wine, and/or alcoholic liquor on the premises. The incidental sale of packaged liquor may be provided during hours of operation.

BREW PUB: shall mean an establishment where the primary use of the establishment is the sale and production of beer, which may only occur to the extent permitted under a Federal license for a microbrewery.

GAS STATION: an establishment where the principal use is the retail sale of gasoline and other motor fuels.

GROCERY STORE: an establishment where the principal use is the retail sale of food, including meats, produce, and bakery and dry goods.

LIQUOR STORE: a place of business selling alcoholic liquors as a retail store to the general public in sealed bottles or containers for consumption or use away from the premises where said establishment is located (with the exception of an A Liquor License which would permit consumption on premises).

OUTDOOR SEATING: an add on to a B, C, R, or W license that allows seating in an open unroofed area immediately contiguous to the building or structure in which the B, C, R, or W license is issued for, but may not include public sidewalk and must comply with the regulations set forth in Section 3-3-15 of this Chapter.

TASTING ROOM: an establishment which provides tasting of alcoholic liquor samples which are consumed on-premises in a dedicated sampling area.

VIDEO GAMING CAFÉ: an establishment with a State video gaming license where video gaming is the principal use of the business and the sale of alcoholic liquor and/or food is incidental to video gaming.

WINERY: an establishment where the principal use is the sale of wine.

SECTION 2: That the following amendments be made to Section 3-3-4, Application for License and that Section 3-3-4 be re-lettered due to the deletion of H:

"Application or reapplication for such licenses shall be made to the **Mayor Liquor Commissioner**, on forms prepared by the City, signed by the applicant (if an individual) or by a duly authorized agent thereof (if a club or corporation), stating:

H. ~~That the applicant is a citizen of the United States. (1978 Code §37.03; amd. Ord. 1995-12, 4-25-1995)~~

N. ~~O~~ For all pour license applications after the date of this regulation, ~~i.e. A, AO, BP, C, D, D-1, E-1, E-2, E-O, O, and WO liquor license applicants,~~ unless the liquor license is for a full-service restaurant or tavern business, demonstrate that the primary business is not video gaming by meeting the conditions below. If these conditions are not met, a G License should be applied for.

i. A maximum of 10% of floor space is devoted to video gaming and it is substantially separated physically and audibly from the rest of the services provided as determined by the City Council.

ii. **That a maximum of 40% of revenues comes from video gaming machines.**

iii. **The City Administrator may request that the applicant** provide a business plan (or business forecast for an existing business) deemed complete and realistic by the Waubensee Community College Small Business Development Center which indicates to the City Council's satisfaction that the business has a reasonable chance of success and that video gaming is a minor portion of the business.

O. INITIAL APPLICATION FEE: A non-refundable application fee in the amount of \$1,500 shall be payable upon the initial application for a liquor license. This fee is in addition to the liquor license fees

established in Section 3-3-7. Those renewing liquor licenses shall not be subject to this application fee.

SECTION 3: That Section 3-3-7 be deleted in its entirety and replaced with the following:

3-3-7: LICENSE CLASSIFICATION AND FEES:

The sale of liquor is not permitted unless a liquor license is received from the City. Licenses required by this Chapter shall be divided into the classes below:

CLASS B LICENSES shall authorize the sale of alcoholic liquors by a Bar, Tasting Room, and Brew Pub for consumption in the interior portion of the premises where sold. Class B licenses shall not be restricted to the liquor districts as limited by Section 3-3-14 of this Chapter. The annual fee(s) for such license shall be as follows:

B License:	\$900
Add on Packaged Liquor	\$250
Add on Outdoor Seating	\$250
Add on On-Site Beer Production as a Brew Pub	\$250

CLASS C LICENSES shall authorize the sale of alcoholic liquors by a Club for consumption in the interior portion of the premises. In addition, alcoholic liquors may be served with meals to the public. Class C licenses shall be restricted to the liquor districts as limited by Section 3-3-14 of this Chapter. The annual fee(s) for such license shall be as follows:

C License:	\$900
Add on Packaged Liquor and Add on Outdoor Seating	\$250

CLASS E LICENSES shall authorize the Mayor of the City, as Liquor Commissioner, to issue a license for the sale of alcoholic liquors for a period of one day. A Class E shall be issued only to a not-for-profit corporation chartered in the State. Class E Licenses shall not be restricted to the liquor districts as limited by Section 3-3-14 of this Chapter. The fee(s) for such license shall be as follows:

E License:	\$25/day
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CLASS G LICENSES shall authorize the sale of alcoholic liquors by a Video Gaming Café for consumption in the interior portion of the premises only. Class G licenses shall be restricted to the liquor districts as limited by Section 3-3-14 of this Chapter. The fee(s) for such license shall be as follows:

G License:	\$1,200
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CLASS R LICENSES shall authorize the sale of beer, wine, and ale by a Restaurant or Banquet Facility for consumption in the interior portion of the premises. Class R licenses shall be restricted to the liquor districts as limited by Section 3-3-14 of this Chapter. The annual fee(s) for such license shall be as follows:

R License:	\$1,000
Add on Alcoholic Liquor	\$250
Add on Outdoor Seating	\$250

CLASS S LICENSES shall authorize the retail package sales of beer, wine, and ale by a Gas Station, Liquor Store, or Grocery Store for consumption off the premises where sold. Class S licenses shall also authorize the distribution in containers not to exceed 1 ounce of beer and wine for consumption on the premises. Said distribution shall be for the purposes of sampling only and shall be without remuneration. Class S licenses shall be restricted to the liquor districts as limited by Section 3-3-14 of this Chapter. The fee(s) for such license shall be as follows:

S License:	\$800
Add on Alcoholic Liquor	\$250

CLASS W LICENSES shall authorize the sale of wine for consumption on or off premises, except that on premises shall be limited to dispensing no more than twenty (20) ounces of wine to any one person per day. The Class W licenses shall be restricted to the liquor districts as limited by Section 3-3-14 of this Chapter. The annual fee(s) for such license shall be as follows:

W License:	\$800
Add on Outdoor Seating	\$250

SECTION 4: That Section 3-3-8 be deleted and replaced with the following:

3-3-8: NUMBER OF LICENSES:

- A. Class B Licenses. There shall be in force at any time no more than three (3) Class B licenses.
- B. Class C Licenses. There shall be in force at any time no more than one (1) Class C license.
- C. Class E Licenses. There shall be no limit to the number of Class E licenses in force at any time.
- D. Class G Licenses. There shall be in force at any time no more than two (2) Class G licenses.

E. Class R Licenses. There shall be in force at any time no more than six (6) Class R licenses.

F. Class S Licenses. There shall be in force at any time no more than three (3) Class S licenses.

G. Class W Licenses. There shall be in force at any time no more than one (1) Class W license.

SECTION 5: That Section 3-3-13 be deleted in its entirety and replaced with the following:

3-3-13: CLOSING HOURS:

It shall be unlawful to permit the sale of alcohol on or in any premises where liquor is sold except during the hours stated in this Chapter. No patron or employee shall be permitted to consume alcoholic liquor later than thirty (30) minutes past the closing hours listed in this Chapter. No patron shall remain, or be permitted to remain, on any premises licensed for the sale of alcoholic liquor later than thirty (30) minutes past the closing hours listed in this Chapter. The doors of such premises shall be locked promptly within thirty (30) minutes past the closing hours listed in this Chapter and remain locked during the closed period.

A. Hours Established: Liquor license for all licenses, except E licenses whose hours shall be determined by the Chief of Police, shall be as follows:

1. Monday through Thursday: 6:00 AM to 12 AM
2. Friday: 6:00 AM to 1:00 AM on Saturday
3. Saturday: 6:00 AM to 1:00 AM on Sunday
4. Sundays: 10:00 AM to 10:00 PM

B. Special Event and Holiday Hours:

1. New Year's Eve and New Year's Day: It shall be lawful for any licensee, subject to this license restriction other than closing hours, to sell or offer for sale at retail alcoholic liquor until midnight on December 31st and continuing through until 2:00 AM on January 1st of any year.

2. Sunday before Memorial Day: It shall be lawful for B, R, and C liquor license holders to remain open until 12 AM midnight on the Sunday before Memorial Day.
 3. Sunday before Labor Day: It shall be lawful for B, R, and C liquor License holders to remain open until 12 AM midnight on the Sunday before Labor Day.
 4. Super Bowl Sunday: It shall be lawful for B, R, and C liquor license holders to remain open until 12 AM midnight on Super Bowl Sunday, in which the professional football "Super Bowl" game is played.
- C. Emergency Closing: In all cases where the public peace or safety is likely to be endangered, in the option of the Genoa Police Officer on duty, by allowing the premises licensed hereunder to remain open, it shall be lawful for the Mayor to issue his proclamation, under the Seal of the City, commanding the enjoining persons licensed by said City under this Chapter, their employees and agents, to close their places of business for such time as the Mayor shall deem necessary; and neither to sell, give away, nor suffer to be drawn, any of said liquor in or about their premises during the time mentioned in said proclamation.

SECTION 6: That Section 3-3-14, Location Restrictions, be amended to add:

- E. Zoning Requirements. The holder of a liquor license shall abide by all requirements and restrictions stated in the Municipal Code of the City of Genoa, including the Zoning Ordinance, and all restrictions of the Illinois State Statutes.

SECTION 7: That Section 3-3-15, Building and Premises Requirements, Section A be amended to instead read:

- A. Seating Capacity: All ~~Class A, B, C, D, D-1, E-1, E-2 and W liquor license establishments shall have a maximum capacity equal to no greater number than one person per ten (10) square feet of floor area within the establishment, excluding storage areas.~~ establishments with a liquor license must comply with Building Code Standards adopted by the City in regards to maximum capacity. This capacity must be clearly posted near the entrance of each establishment. Compliance will be the responsibility of the license holder.

SECTION 8: That Section 3-3-15, Building and Premises Requirements, be amended to add:

- E. OUTDOOR SEATING REGULATIONS: Any liquor license applicant which

requests to be permitted to have outdoor seating in any open unroofed area in which alcoholic beverages are served or consumed pursuant to a B,C,R, or W license shall conform to the following:

1. Must have a Special Use Permit that allows outdoor dining.
2. The open unroofed area shall be particularly described and adjacent to and operated as a part of the premises licensed to sell alcoholic liquor on the premises and shall have obtained all permits or approvals required by the ordinances of the City Code, City or other governmental authority.
3. The open unroofed area shall be no greater than 1/2 the other floor space of the licensed premises.
4. The open unroofed area shall have a maximum capacity as defined by the Building Commissioner which shall be separately posted at the entrance to the open unroofed area.
5. With the exception of the W License, any part of the open unroofed area not blocked by a building shall be surrounded by a fence or other barrier approved by the Liquor Commissioner which shall contain the required number of fire exits. All fences or other barriers shall comply with the ordinances of the City regarding vision, clearance and required distances from corners.
6. All electrical wiring shall comply with the codes of the City.
7. All combustible rubbish shall be stored in a noncombustible container, and the license holder shall be responsible for keeping the area in a clean and sightly condition.
8. The noise emanating from any open unroofed area where alcoholic beverages are served pursuant to this license shall not violate any of the provisions of the City Code of Ordinances pertaining to noise.
9. The license holder shall be responsible for preventing violations of this chapter.
10. No open unroofed area where alcoholic beverages are served pursuant to this license shall be permitted within 100 feet of land zoned for residential purposes.

SECTION 9: That Section 3-3-17, Dancing; Live Entertainment, Section C, 2 be amended to instead read:

2. Annual Permit. An applicant for an annual permit must pay a \$250.00 fee, and file with the Finance Office Manager, at the time of application for a **Class-D1** Liquor License, a completed Live Entertainment Permit application in the form approved by the Liquor Commissioner. The Liquor Commissioner shall issue or deny the permit within 10 business days of the issuance of a **Class-D1** Liquor Licenses to the applicant. (Ord. 2004-22, 05-05-2004; Ord 2015-19, 10-6-2015)

SECTION 10: That Section 3-3-25, Penalty, be amended to instead read:

3-3-25: PENALTY:

Any person who violates this **section chapter** and has been issued a citation signed by a City Law Enforcement Officer of this **section chapter** shall be fined in accordance with Section 1-4-1.

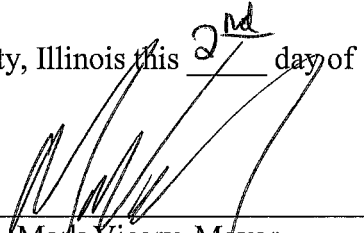
SECTION 11: If any section, paragraph, subdivision, clause, sentence or provision of this Ordinance shall be adjudged by any Court of competent jurisdiction to be invalid, such judgment shall not affect, impair, invalidate or nullify the remainder thereof, which remainder shall remain and continue in full force and effect.

SECTION 12: All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 13: This Ordinance shall be in full force and effect upon its passage, approval and publication in pamphlet form (which publication is hereby authorized) as provided by law.

Alderman Name	Aye	Nay	Abstain	Absent
Pam Wesner				✓
Glennis Carroll	✓			
Dennis Di Guido	✓			
James Stevenson	✓			
Courtney Winter	✓			
Chuck Cravatta	✓			
Jonathon Brust	✓			
Katie Lang	✓			
Mayor Mark Vicary				

PASSED by the City Council of the City of Genoa, DeKalb County, Illinois this 2nd day of March, 2021.
Approved by me this 2nd day of March, 2021.




Mark Vicary, Mayor

(SEAL)

ATTESTED and filed in my office this 3rd day of March, 2021.





Kim Winker, City Clerk

CITY OF GENOA
DEKALB COUNTY, ILLINOIS

ORDINANCE NO. 2021- 06

ADOPTED BY
THE MAYOR AND
CITY COUNCIL
OF THE
CITY OF GENOA

AN ORDINANCE AMENDING TITLE 1, CHAPTER 6, CITY COUNCIL,
SECTION 3 OF THE MUNICIPAL CODE OF THE CITY OF GENOA

Adopted April 5, 2021, by the Mayor and City Council of the City of Genoa
DeKalb County, Illinois, and approved and published in pamphlet form
This 5th day of April 2021.

ORDINANCE NO. 2021-06
AN ORDINANCE AMENDING TITLE 1, CHAPTER 6, CITY COUNCIL, SECTION 3
OF THE MUNICIPAL CODE OF THE CITY OF GENOA

WHEREAS, the Municipal Code of the City of Genoa specifies the days and time in which the City Council shall meet; and

WHEREAS, it is necessary for the City Council to amend this schedule; and

NOW THEREFORE, BE IT ORDAINED the Municipal Code of the City of Genoa be amended as follows:

SECTION 1: That Title 1, Chapter 6, Section 3, A be amended to instead read:

A. Regular Meetings: All meetings of the City Council shall be held in the City Hall but may be adjourned to another location for the purpose of the dispatch of business, and the regular meetings of the City Council shall be held on the first and third ~~Tuesdays~~ **Mondays** of each month. All regular meetings shall commence at Seven (7:00) P.M. on the day fixed.

SECTION 2: This ordinance shall be in full force and effect from and following its passage and approval.

Alderman Name	Aye	Nay	Abstain	Absent
Pam Wesner				✓
Glennis Carroll	✓			
Dennis Di Guido	✓			
James Stevenson	✓			
Courtney Winter	✓			
Chuck Cravatta				✓
Jonathon Brust	✓			
Katie Lang				✓
Mayor Mark Vicary				

PASSED by the City Council of the City of Genoa, DeKalb County, Illinois this 5th day of April, 2021.
Approved by me this 5th day of April, 2021.



Mark Vicary, Mayor



(SEAL)

ATTESTED and filed in my office this 6th day of April, 2021.

A handwritten signature in blue ink, appearing to read "Kim Winker", written over a horizontal line.

Kim Winker, City Clerk

CITY OF GENOA
DEKALB COUNTY, ILLINOIS

FILED
APR 22 2021
DeKalb County Clerk

ORDINANCE NO. 2021 - 07

ADOPTED BY
THE MAYOR AND
CITY COUNCIL
OF THE
CITY OF GENOA

AN ORDINANCE ADOPTING THE ANNUAL BUDGET FOR THE
FISCAL YEAR BEGINNING MAY 1, 2021 AND ENDING APRIL 30, 2022
FOR THE CITY OF GENOA, DEKALB COUNTY, ILLINOIS

Adopted April 5, 2021, by the Mayor and City Council of the City of Genoa,
DeKalb County, Illinois, and approved and published in pamphlet form
this 6th day of April 2021.

CITY OF GENOA

ORDINANCE NO. 2021 - 07

AN ORDINANCE ADOPTING THE ANNUAL BUDGET FOR THE FISCAL YEAR BEGINNING MAY 1, 2021 AND ENDING APRIL 30, 2022 FOR THE CITY OF GENOA, DEKALB COUNTY, ILLINOIS

WHEREAS: pursuant to the terms and provisions of 65 ILCS 5/8-2-9.1, et seq., and the City Code, the Annual Budget for the City of Genoa for Fiscal Year 2021-2022 has been duly presented for approval and adoption: and

NOW THEREFORE, BE IT ORDAINED: by the Mayor and City Council of the City of Genoa, DeKalb County, Illinois, as follows:

That the tentative Annual Budget document, a copy of which is attached hereto and made part hereof having been placed on public display in accordance with State Statutes, is hereby adopted as the Budget for the City of Genoa for the fiscal year beginning May 1, 2021 and ending April 30, 2022.

Adopted this 5th day of April, 2021.

Alderman Name	Aye	Nay	Abstain	Absent
Pam Wesner				✓
Glennis Carroll	✓			
Dennis Di Guido	✓			
James Stevenson	✓			
Courtney Winter	✓			
Chuck Cravatta				✓
Jonathon Brust	✓			
Katie Lang				✓
Mayor Mark Vicary				

Approved by me this 5th day of April, 2021.

Mayor, Mark Vicary

Attest:
City Clerk, Kim Winker



STATE OF ILLINOIS}

COUNTY OF DEKALB}

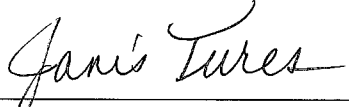
FILED
APR 22 2021
DeKalb County Clerk

CERTIFICATE

I, Janis Tures, certify that I am the Treasurer and Finance Office Manager of the City of Genoa, DeKalb County, Illinois.

I hereby certify that to the best of my knowledge, the revenues as listed in the City of Genoa, Illinois Annual Budget for the fiscal year starting May 1, 2021 through April 30, 2022 are a true and correct estimate of the revenues available to the City of Genoa, Illinois to finance expenditures listed for the various purpose in the 2021 - 2022 Annual budget.

Dated at Genoa, Illinois, this 5th day of April 2021.



Janis Tures, Treasurer

Certificate of the Publisher

Daily Chronicle

Description: ANNUAL BUDGET
1870891

FILED

APR 22 2021

DeKalb County Clerk

CITY OF GENOA
333 E FIRST ST
GENOA IL 60135

Shaw Media certifies that it is the publisher of the Daily Chronicle. The Daily Chronicle is a secular newspaper, has been continuously published daily for more than fifty (50) weeks prior to the first publication of the attached notice, is published in the City of DeKalb, County of DeKalb, State of Illinois, is of general circulation throughout that county and surrounding area, and is a newspaper as defined by 715 ILCS 5/5.

A notice, a true copy of which is attached, was published 1 time(s) in the Daily Chronicle, namely one time per week for one successive week(s). Publication of the notice was made in the newspaper, dated and published on 03/26/2021

This notice was also placed on a statewide public notice website as required by 5 ILCS 5/2.1.

In witness, Shaw Media has signed this certificate by Laura Shaw, its publisher, at DeKalb, Illinois, on 26th day of March, A.D. 2021

Shaw Media By:



Laura Shaw, Publisher

Account Number 10025572

Amount \$127.10

PUBLIC NOTICE

Notice of Public Hearing
City of Genoa, Illinois - Annual Budget
For the May 1, 2021 - April 30, 2022 Fiscal Year

A public hearing to approve the Annual Budget for the City of Genoa, DeKalb County, Illinois for the fiscal year beginning May 1, 2021, and ending April 30, 2022, will be held on April 5, 2021, at 7:00 pm at City Hall, 333 E. First Street, Genoa, Illinois 60135.

Any person desiring to appear at the public hearing and present testimony to the City Council may contact Kim Winker, City Clerk at (815) 784-2327.

The Tentative Annual Budget for the City of Genoa, Illinois for the May 1, 2021 - April 30, 2022 fiscal year contains the following proposed expenditures:

General Fund	\$ 3,430,430
Special Revenue Funds	926,730
Debt Service Fund	215,000
Capital Projects Fund	2,377,100
Enterprise Funds	1,899,990
Internal Service Fund	341,000
Police Pension Fund	207,990
Totals	\$ 9,398,240
Less: Interfund Transfers	(215,000)
City Totals	\$ 9,183,240

Kim Winker, City Clerk
(Published in the Daily Chronicle March 26, 2021)
1870891



4/19/21

CITY OF GENOA
DEKALB COUNTY, ILLINOIS

ORDINANCE NO. 2021- 08

ADOPTED BY
THE MAYOR AND
CITY COUNCIL
OF THE
CITY OF GENOA

AN ORDINANCE APPROVING AN EXTENSION OF A FINAL PLANNED
UNIT DEVELOPMENT FOR A COMMERCIAL BUILDING LOCATED AT
705 EAST MAIN STREET

Adopted April 5, 2021, by the Mayor and City Council of the City of Genoa
DeKalb County, Illinois, and approved and published in pamphlet form
This 5th day of April, 2021.

ORDINANCE NO. 2021-08
**AN ORDINANCE APPROVING AN EXTENSION OF A FINAL PLANNED
UNIT DEVELOPMENT FOR A COMMERCIAL BUILDING LOCATED
AT 705 EAST MAIN STREET**

WHEREAS, the City Council approved Ordinance 2018-21 on July 3, 2018, which is an Ordinance approving the issuance of rezoning, final Planned Unit Development and Final Subdivision for a commercial building located at 705 East Main Street; and

WHEREAS, the Section 1, item 14 states, "The Planned Unit Development expires 2 years from the date of City Council approval if construction has not been substantially completed. The City Council may grant an extension if the owner can justify progress in construction"; and

WHEREAS, substantial construction has not been completed at 705 East Main Street; and

WHEREAS, the Developer, Mr. Corey Brackman, requested an extension of the Planned Unit Development; and

WHEREAS, Ordinance 2020-17 approved July 21, 2021 an extension of the PUD for 705 East Main Street;

WHEREAS, the Developer has requested a second extension; and

NOW, THEREFORE, BE IT ORDAINED by the Mayor and City Council of the CITY OF GENOA, DeKalb County, Illinois, as follows:

SECTION 1: The Planned Unit Development approved by Ordinance 2018-21 is hereby extended until December 31, 2021.

SECTION 2: If any section, paragraph, subdivision, clause, sentence or provision of this Ordinance shall be adjudged by any Court of competent jurisdiction to be invalid, such judgment shall not affect, impair, invalidate or nullify the remainder thereof, which remainder shall remain and continue in full force and effect.

SECTION 3: All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 4: This Ordinance shall be in full force and effect upon its passage, approval and publication in pamphlet form (which publication is hereby authorized) as provided by law.

Alderman Name	Aye	Nay	Abstain	Absent
Pam Wesner				✓
Glennis Carroll			✓	
Dennis Di Guido		✓		
James Stevenson	✓			
Courtney Winter	✓			
Chuck Cravatta				✓
Jonathon Brust	✓			
Katie Lang				✓
Mayor Mark Vicary				

PASSED by the City Council of the City of Genoa, DeKalb County, Illinois this 5th day of April, 2021.
 Approved by me this 5th day of April, 2021.



(SEAL)

ATTESTED and filed in my office this 6th day of April, 2021.


 Mark Vicary, Mayor


 Kim Winker, City Clerk

CITY OF GENOA
DEKALB COUNTY, ILLINOIS

ORDINANCE NO. 2021 - 09

ADOPTED BY
THE MAYOR AND
CITY COUNCIL
OF THE
CITY OF GENOA

AN ORDINANCE AUTHORIZING THE CITY OF GENOA, DEKALB
COUNTY ILLINOIS TO DECLARE CERTAIN PROPERTY AS SURPLUS
AND APPROVING THE SALE OF SAID PROPERTY

Adopted April 5, 2021, by the Mayor and City Council of the City of Genoa
DeKalb County, Illinois, and approved and published in pamphlet form
This 5th day of April, 2021.

ORDINANCE NO. 2021- 09
**AN ORDINANCE AUTHORIZING THE CITY OF GENOA,
DEKALB COUNTY, ILLINOIS, TO DECLARE CERTAIN CITY PROPERTY AS
SURPLUS AND APPROVING THE SALE OF SAID PROPERTY**

WHEREAS, the City of Genoa owns various equipment that is no longer needed; and

WHEREAS, the Public Works Department feels that this equipment may still be of value; and

WHEREAS, the Public Works Department would like to sell this equipment;

NOW THEREFORE, be it ordained by the City Council of the City of Genoa, DeKalb County, Illinois, as follows:

SECTION 1: Pursuant to Section 11-76-4 of the Illinois Municipal Code, 65 ILCS 5/11-76-4, the City Council finds that the personal property described in Exhibit A now owned by the City of Genoa is no longer necessary or useful to the City of Genoa and the best interest of the City of Genoa will be served by its sale.

SECTION 2: Pursuant to Section 11-76-4, the Mayor of Genoa be, and is hereby, authorized and directed to sell, under auction or negotiated highest possible price, the personal property described in Exhibit A, now owned by the City of Genoa.

SECTION 3: This ordinance shall be in full force and effect from and following its passage and approval.

Alderman Name	Aye	Nay	Abstain	Absent
Pam Wesner				✓
Glennis Carroll	✓			
Dennis Di Guido	✓			
James Stevenson	✓			
Courtney Winter	✓			
Chuck Cravatta				✓
Jonathon Brust	✓			
Katie Lang				✓
Mayor Mark Vicary				

PASSED by the City Council of the City of Genoa, DeKalb County, Illinois this 5th day of April, 2021.
Approved by me this 5th day of April, 2021.



(SEAL)

ATTESTED and filed in my office this 6th day of April, 2021.

Mark Vicary, Mayor

Kim Winker, City Clerk

Exhibit A

1. MSA Air Mask- Ultralite 2
2. Road Sensors Part # 46436-017051
3. Sreco Flexible Flexi-Cam Portable Inspection System

CITY OF GENOA
DEKALB COUNTY, ILLINOIS

ORDINANCE NO. 2021- 10

ADOPTED BY
THE MAYOR AND
CITY COUNCIL
OF THE
CITY OF GENOA

AN ORDINANCE AMENDING TITLE 3, CHAPTER 7, MOBILE FOOD
VENDORS, OF THE MUNICIPAL CODE OF THE CITY OF GENOA

Adopted April 5, 2021, by the Mayor and City Council of the City of Genoa
DeKalb County, Illinois, and approved and published in pamphlet form
This 5th day of April 2021.

ORDINANCE NO. 2021-10
AN ORDINANCE AMENDING TITLE 3, CHAPTER 7, MOBILE FOOD VENDORS, OF
THE MUNICIPAL CODE OF THE CITY OF GENOA

WHEREAS, the City of Genoa requires permits for Mobile Food Vendors; and

WHEREAS, the current fee for such permit does not reimburse the City for Staff time required to issue said permit; and

WHEREAS, the City also did not receive sales tax from many food trucks issued permits in 2020;

NOW THEREFORE, BE IT ORDAINED the Municipal Code of the City of Genoa be amended as follows:

SECTION 1: That Title 3, Chapter 7, Mobile Food Vendors, Section 3 B be amended to instead read:

- B. Fee: At the same time of filing the application, a fee intended to cover the cost of the evaluation, investigation, and miscellaneous administrative costs shall be delivered to and payable to the City.

The following fees shall be paid to the City by the applicant:

1. Special/single event mobile food vendor permit ~~\$25~~ **\$50**.
2. Reoccurring mobile food vendor permit: ~~\$50~~ **\$75** per month or ~~\$125~~ **\$150** annually.

SECTION 2: That Title 3, Chapter 7, Mobile Food Vendors, Section 4 C 13 be amended to add:

- 13. Sales Tax Reporting: Mobile Food Vendors shall report and pay sales taxes, with such sales taxes being reported as originating within the City, where required. If it is found that sales tax from those sales occurring in the City has not previously been reported to the City by a Mobile Food Vendor, the City may revoke or refuse to renew the Mobile Food Vendor's permit.**

SECTION 3: That Title 3, Chapter 7, Mobile Food Vendor Permit, Section 8 A 4 be amended to add:

- 4. If it is found that sales tax for those sales occurring in the City has not been reported to the City.**

SECTION 4: If any section, paragraph, subdivision, clause, sentence or provision of this Ordinance shall be adjudged by any Court of competent jurisdiction to be invalid, such judgment shall not affect, impair, invalidate or nullify the remainder thereof, which remainder shall remain and continue in full force and effect.

SECTION 5: All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 6: This Ordinance shall be in full force and effect upon its passage, approval and publication in pamphlet form (which publication is hereby authorized) as provided by law.

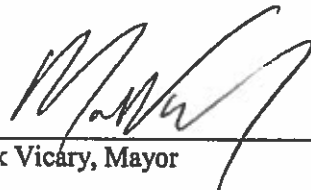
Alderman Name	Aye	Nay	Abstain	Absent
Pam Wesner				✓
Glennis Carroll	✓			
Dennis Di Guido	✓			
James Stevenson	✓			
Courtney Winter			✓	
Chuck Cravatta				✓
Jonathon Brust			✓	
Katie Lang				✓
Mayor Mark Vicary				

PASSED by the City Council of the City of Genoa, DeKalb County, Illinois this 5th day of April, 2021.
Approved by me this 5th day of April, 2021.



(SEAL)

ATTESTED and filed in my office this 6th day of April, 2021.


Mark Vicary, Mayor


Kim Winker, City Clerk

CITY OF GENOA
DEKALB COUNTY, ILLINOIS

ORDINANCE NO. 2021 - 11

ADOPTED BY
THE MAYOR AND
CITY COUNCIL
OF THE
CITY OF GENOA

AN ORDINANCE AMENDING SECTION 4-2-5,
RATES FOR GARBAGE AND RECYCLING CHARGES,
OF THE MUNICIPAL CODE OF THE CITY OF GENOA,
DEKALB COUNTY, ILLINOIS

Adopted April 20, 2021, by the Mayor and City Council of the City of Genoa,
DeKalb County, Illinois, and approved and published in pamphlet form
this 21st day of April 2021.

CITY OF GENOA

ORDINANCE NO. 2021 - 11

AN ORDINANCE AMENDING SECTION 4-2-5, RATES FOR GARBAGE AND RECYCLING COLLECTION, OF THE GENOA MUNICIPAL CODE IN THE CITY OF GENOA, DEKALB COUNTY, ILLINOIS

WHEREAS, the City Council of the City of Genoa, Illinois has determined that it is necessary from time to time to adjust the rate charged to City residents for garbage and recycling pick-up and disposal in the City of Genoa:

NOW, THEREFORE BE IT ORDAINED by the Mayor and City Council as follows:

Section 1: That Section 4-2-5 of the City Code of Genoa, Illinois be amended by deleting from Section 4-2-5 paragraphs A, and inserting in lieu thereof the following:

- A. The Garbage and Recycling Rate shall begin with the services rendered May 1, 2021 and shall be twenty-six dollars and thirty cents (\$26.30) per month or any portion thereof, which includes a four percent (4%) administration fee.

Section 2: Effective Date: This ordinance shall be in full force and effect forthwith upon its passage by the City Council and signing and approval by the Mayor.

Adopted this 20th day of April, 2021.

Alderman Name	Aye	Nay	Abstain	Absent
Pam Wesner	✓			
Glennis Carroll	✓			
Dennis Di Guido	✓			
James Stevenson	✓			
Courtney Winter	✓			
Chuck Cravatta	✓			
Jonathon Brust	✓			
Katie Lang	✓			

Approved by me this 20th day of April, 2021.



ATTEST:


Kim Winker, City Clerk


Mark Vicary, Mayor

CITY OF GENOA
DEKALB COUNTY, ILLINOIS

ORDINANCE NO. 2021 - 12

ADOPTED BY
THE MAYOR AND
CITY COUNCIL
OF THE
CITY OF GENOA

AN ORDINANCE AMENDING TITLE 8, CHAPTER 6,
RATES AND CHARGES, OF THE MUNICIPAL CODE
OF THE CITY OF GENOA, DEKALB COUNTY, ILLINOIS

Adopted May 5, 2021, by the Mayor and City Council of the City of Genoa,
DeKalb County, Illinois, and approved and published in pamphlet form
this 6th day of May 2021.

CITY OF GENOA
ORDINANCE NO. 2021 - 12

***AN ORDINANCE AMENDING TITLE 8, CHAPTER 6, RATES, CHARGES AND FEES OF
THE MUNICIPAL CODE OF THE CITY OF GENOA, DEKALB COUNTY, ILLINOIS***

BE IT ORDAINED by the Mayor and City Council of the CITY OF GENOA, DeKalb County, Illinois, as follows:

WHEREAS, it is necessary to amend the Municipal Code from time to time;

NOW THEREFORE, the Municipal Code of the City of Genoa be amended as follows:

SECTION 1: That Title 8, Chapter 6, Section 1 be amended to read:

Water Rates, Charges and Fees

8-6-1 E.	Bulk Water Fees	
	Water Rates per 1,000 gallons - Rounded up to increments of 1,000 gallons	\$15.00

8-6-5 A.	Water Meter Fees	
	Radio	\$75.00
	5/8 - 3/4 Inch Residential Meter	\$155.00 \$125.00
	Water Meter Setter Fees	
	5/8 - 3/4 Inch Residential Meter Setter	\$260.00 \$400.00

SECTION 2: That Title 8, Chapter 6, Section 1 be amended to add:

E. Bulk Water Fee: For metered water that is taken directly from a fire hydrant (bulk water) with prior approval from the Public Works Department, there is a bulk water fee hereby established.

SECTION 3: This ordinance shall be in full force and effect from and following its passage and approval.

Alderman Name	Aye	Nay	Abstain	Absent
Pam Wesner	X			
Christopher Pulley	X			
Melissa Freund	X			
James Stevenson	X			
Courtney Winter	X			
Chuck Cravatta	X			
Brent Holcomb	X			
Katie Lang				X
Mayor Jonathon Brust				

PASSED by the City Council of the City of Genoa, DeKalb County, Illinois this 5th day of May, 2021.

Approved by me this 5th day of May, 2021.



Jonathon Brust, Mayor

ATTESTED and filed in my office this 5th day of May, 2021.

Kendra Braheny, City Clerk

CITY OF GENOA
DEKALB COUNTY, ILLINOIS

ORDINANCE NO. 2021- 13

ADOPTED BY
THE MAYOR AND
CITY COUNCIL
OF THE
CITY OF GENOA

AN ORDINANCE AMENDING TITLE 1, CHAPTER 6, CITY COUNCIL,
SECTION 3 OF THE MUNICIPAL CODE OF THE CITY OF GENOA

Adopted May 5, 2021, by the Mayor and City Council of the City of Genoa
DeKalb County, Illinois, and approved and published in pamphlet form
This 5th day of May 2021.

ORDINANCE NO. 2021- 13
AN ORDINANCE AMENDING TITLE 1, CHAPTER 6, CITY COUNCIL, SECTION 3
OF THE MUNICIPAL CODE OF THE CITY OF GENOA

WHEREAS, the Municipal Code of the City of Genoa specifies the days and time in which the City Council shall meet; and

WHEREAS, it is necessary for the City Council to amend this schedule; and

NOW THEREFORE, BE IT ORDAINED the Municipal Code of the City of Genoa be amended as follows:

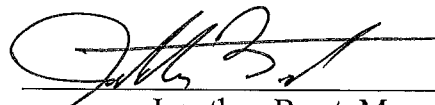
SECTION 1: That Title 1, Chapter 6, Section 3, A be amended to instead read:

- A. Regular Meetings: All meetings of the City Council shall be held in the City Hall but may be adjourned to another location for the purpose of the dispatch of business, and the regular meetings of the City Council shall be held on the first and third **Mondays Wednesdays** of each month. All regular meetings shall commence at Seven (7:00) P.M. on the day fixed.

SECTION 2: This ordinance shall be in full force and effect from and following its passage and approval.

Alderman Name	Aye	Nay	Abstain	Absent
Pam Wesner	✓			
Christopher Pulley	✓			
Melissa Freund	✓			
James Stevenson	✓			
Courtney Winter	✓			
Chuck Cravatta	✓			
Brent Holcomb	✓			
Katie Lang	✓			
Mayor Jonathon Brust				

PASSED by the City Council of the City of Genoa, DeKalb County, Illinois this 19th day of May, 2021.
Approved by me this 19th day of May, 2021.



Jonathon Brust, Mayor



ATTESTED and filed in my office this 19th day of May, 2021.

Kendra Braheny
Kendra Braheny, City Clerk

CITY OF GENOA
DEKALB COUNTY, ILLINOIS

ORDINANCE NO. 2021- 14

ADOPTED BY
THE MAYOR AND
CITY COUNCIL
OF THE
CITY OF GENOA

AN ORDINANCE APPROVING A PRELIMINARY PLAT OF SUBDIVISION

Adopted May 19, 2021, by the Mayor and City Council of the City of Genoa
DeKalb County, Illinois, and approved and published in pamphlet form
This 19th day of May 2021.

ORDINANCE NO. 2021- 14
AN ORDINANCE APPROVING A PRELIMINARY PLAT OF SUBDIVISION

WHEREAS, the Oak Creek Estates Partnership has requested approval of a Preliminary Plat of Subdivision for Oak Creek Estates Unit 4 Phase 2 and 3; and

WHEREAS, the Plan Commission has reviewed this Preliminary Plat of Subdivision; and

WHEREAS, Final Engineering will need to be reviewed prior to received approval a Final Plat of Subdivision and Final Planned Unit Development;

NOW THEREFORE, BE IT ORDAINED the Municipal Code of the City of Genoa be amended as follows:

SECTION 1: That the Preliminary Plat of Subdivision for Oak Creek Estates Unit 4 Phase 2 and 3 attached hereto is hereby approved with the following conditions:

1. Documents submitted for the May 13th Plan Commission Meeting for consideration and approval by the City of Genoa include:
 - Preliminary Plat of Subdivision for Oak Creek Estates Phase 2 and 3 dated 4/8/21
2. A Final Plat of Subdivision, Final Planned Unit Development (including Final Engineering), and Development Agreement will be required to be approved by the City of Genoa at a later date.

SECTION 2: This ordinance shall be in full force and effect from and following its passage and approval.

Alderman Name	Aye	Nay	Abstain	Absent
Pam Wesner	✓			
Christopher Pulley	✓			
Melissa Freund	✓			
James Stevenson	✓			
Courtney Winter	✓			
Chuck Cravatta	✓			
Brent Holcomb	✓			
Katie Lang	✓			
Mayor Jonathon Brust				

PASSED by the City Council of the City of Genoa, DeKalb County, Illinois this 19th day of May, 2021.

Approved by me this 19th day of May, 2021.



(SEAL)

Jonathon Brust, Mayor

ATTESTED and filed in my office this 19th day of May, 2021.

Kendra Braheny, City Clerk

CITY OF GENOA
DEKALB COUNTY, ILLINOIS

ORDINANCE NO. 2021- 15

ADOPTED BY
THE MAYOR AND
CITY COUNCIL
OF THE
CITY OF GENOA

AN ORDINANCE ANNEXING THE OAK CREEK ESTATES OUTLOT "A"
TO THE CITY OF GENOA

Adopted May 19, 2021, by the Mayor and City Council of the City of Genoa
DeKalb County, Illinois, and approved and published in pamphlet form
This 19th day of May 2021.

ORDINANCE NO. 2021- 15
AN ORDINANCE ANNEXING THE OAK CREEK ESTATES OUTLOT "A"
TO THE CITY OF GENOA

WHEREAS, a petition, signed by Carol Doherty, has been filed with the City Clerk of the City of Genoa, DeKalb County, Illinois (the "City") requesting annexation of the area depicted in Exhibit A attached hereto (the "Property") to the City; and

WHEREAS, the Property is not within corporate limits of any municipality, other than the County of DeKalb, and is contiguous to the corporate boundaries of the City; and

WHEREAS, no electors reside on said territory;

WHEREAS, this Property is intended for future right of way under the Preliminary Plat of Subdivision for Oak Creek Estates Unit 4 Phase 2 and 3;

WHEREAS, it is the best interest of the City that said territory is annexed thereto.

NOW THEREFORE, BE IT ORDAINED by the Mayor and City Council of the CITY OF GENOA, DeKalb County, Illinois as follows:

SECTION 1: That the property depicted on the Plat of Annexation attached hereto as Exhibit A is hereby annexed to the City of Genoa, DeKalb County, Illinois.

SECTION 2: This ordinance shall be in full force and effect from and following its passage and approval.

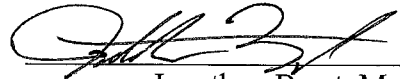
Alderman Name	Aye	Nay	Abstain	Absent
Pam Wesner	✓			
Christopher Pulley	✓			
Melissa Freund	✓			
James Stevenson	✓			
Courtney Winter	✓			
Chuck Cravatta	✓			
Brent Holcomb	✓			
Katie Lang	✓			
Mayor Jonathon Brust				

PASSED by the City Council of the City of Genoa, DeKalb County, Illinois this 19th day of May, 2021.

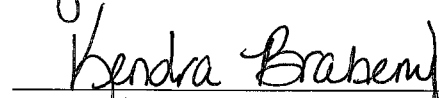
Approved by me this 19th day of May, 2021.



(SEAL)

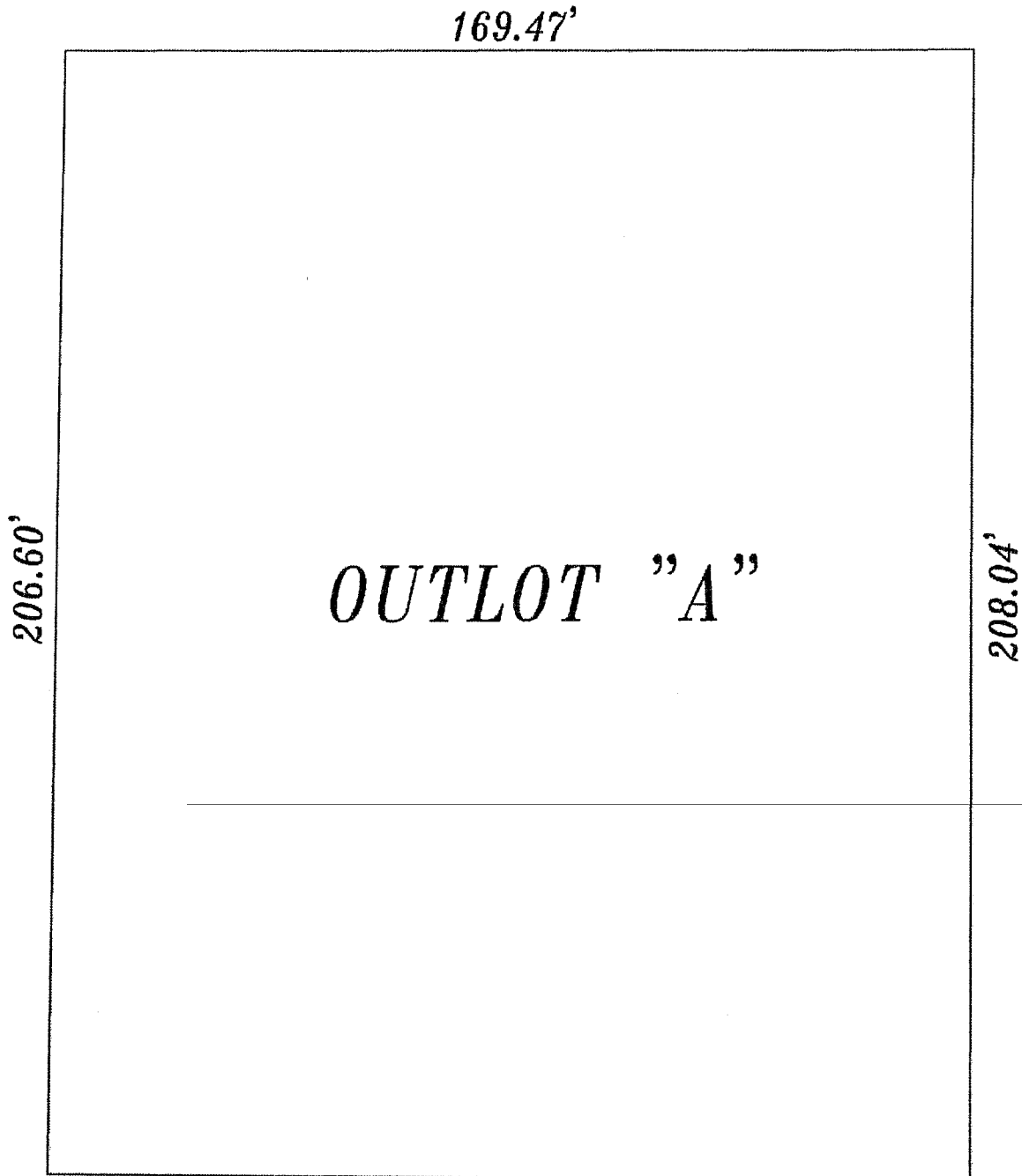

Jonathon Brust, Mayor

ATTESTED and filed in my office this 19th day of May, 2021.

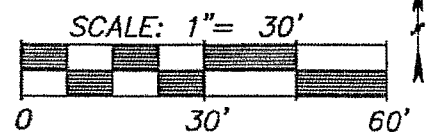

Kendra Braheny, City Clerk

PLAT OF ANNEXATION

LEGAL DESCRIPTION: OUTLOT "A" IN OAK ESTATES SUBDIVISION, BEING A SUBDIVISION OF THE NORTHEAST QUARTER OF SECTION 36, TOWNSHIP 42 NORTH, RANGE 4 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED APRIL 19, 1990 AS DOCUMENT 90003220 IN DEKALB COUNTY, ILLINOIS.



ELLWOOD GREENS ROAD



CITY OF GENOA
DEKALB COUNTY, ILLINOIS

ORDINANCE NO. 2021 - 16

ADOPTED BY
THE MAYOR AND
CITY COUNCIL
OF THE
CITY OF GENOA

AN ORDINANCE AUTHORIZING THE CITY OF GENOA, DEKALB
COUNTY ILLINOIS TO DECLARE CERTAIN PROPERTY AS SURPLUS
AND APPROVING THE DISPOSAL OR SALE OF SAID PROPERTY

Adopted May 19, 2021, by the Mayor and City Council of the City of Genoa
DeKalb County, Illinois, and approved and published in pamphlet form
This 19th day of May, 2021.

ORDINANCE NO. 2021- 16
**AN ORDINANCE AUTHORIZING THE CITY OF GENOA,
DEKALB COUNTY, ILLINOIS, TO DECLARE CERTAIN CITY PROPERTY AS
SURPLUS AND APPROVING THE DISPOSAL OR SALE OF SAID PROPERTY**

WHEREAS, the City of Genoa owns various equipment that is no longer needed or is broken;
and

WHEREAS, this equipment can be recycled or sold; and

NOW THEREFORE, be it ordained by the City Council of the City of Genoa, DeKalb County,
Illinois, as follows:

SECTION 1: Pursuant to Section 11-76-4 of the Illinois Municipal Code, 65 ILCS 5/11-76-4,
the City Council finds that the personal property described in Exhibit A now owned by the City
of Genoa is no longer necessary or useful to the City of Genoa and the best interest of the City of
Genoa will be served by its sale.

SECTION 2: Pursuant to Section 11-76-4, the Mayor of Genoa be, and is hereby, authorized
and directed to sell, under auction or negotiated highest possible price, the personal property
described in Exhibit A, now owned by the City of Genoa.

SECTION 3: This ordinance shall be in full force and effect from and following its passage and
approval.

Alderman Name	Aye	Nay	Abstain	Absent
Pam Wesner	✓			
Christopher Pulley	✓			
Melissa Freund	✓			
James Stevenson	✓			
Courtney Winter	✓			
Chuck Cravatta	✓			
Brent Holcomb	✓			
Katie Lang	✓			
Mayor Jonathon Brust				

PASSED by the City Council of the City of Genoa, DeKalb County, Illinois this 19th day of
May, 2021.

Approved by me this 19th day of May, 2021.



(SEAL)

A handwritten signature in cursive script, appearing to read "Jonathon Brust", written over a horizontal line.

Jonathon Brust, Mayor

ATTESTED and filed in my office this 19th day of May, 2021.

A handwritten signature in cursive script, appearing to read "Kendra Braheny", written over a horizontal line.

Kendra Braheny, City Clerk

Exhibit A

Equipment to be Disposed of:

1. 3 Corded Phones
2. 1 Chromebook,
3. 8 Computer Mouse
4. 3 Sets of Computer Speakers
5. 4 Laptop Computers
6. 10 Computer Towers
7. 10 Keyboards
8. 1 Computer Mouse
9. 3 Surge Protectors
10. 1 Disc Drive
11. 1 Conference Speaker
12. 3 Desktop Printer
13. 1 Digital Recorder
14. 12 flip phones
15. 1 Electric Velo Binder
16. 10 Chairs (broken)
17. Several Broken Filing Cabinets
18. 2 Defibrillators
19. Misc. Broken Squad Equipment (radars, lights, radios)
20. 2 Computer Monitors
21. 2 Motorola Toughbooks
22. 2 Servers

Equipment to be Given Away:

1. Mayor Vicary Phone
2. Mayor Vicary Chromebook

Equipment to be Sold:

1. Squad #602- Chevy Impala Vin #U63274E2J127511

CITY OF GENOA
DEKALB COUNTY, ILLINOIS

ORDINANCE NO. 2021- 17

ADOPTED BY
THE MAYOR AND
CITY COUNCIL
OF THE
CITY OF GENOA

AN ORDINANCE AMENDING TITLE 8, CHAPTER 6,
RATES AND CHARGES, OF THE MUNICIPAL CODE
OF THE CITY OF GENOA, DEKALB COUNTY, ILLINOIS

Adopted May 19, 2021, by the Mayor and City Council of the City of Genoa
DeKalb County, Illinois, and approved and published in pamphlet form
This 19th day of May 2021.

ORDINANCE NO. 2021- 17
AN ORDINANCE AMENDING TITLE 8, CHAPTER 6, RATES AND CHARGES, OF
THE MUNICIPAL CODE OF THE CITY OF GENOA

WHEREAS, the Municipal Code states the rates and charges for water and sewer billing; and

WHEREAS, there is a need for revenues in the Water and Sewer Capital Fund for Capital Improvements budgeted over the next few fiscal years; and

WHEREAS, the Capital Improvement Fee is a revenue source for water and sewer capital improvements;

NOW THEREFORE, BE IT ORDAINED the Municipal Code of the City of Genoa be amended as follows:

SECTION 1: That Title 8, Chapter 6, Section 1, A be amended to instead read:

- A. The following rates, charges and fees are applicable to the chapters shown in the below chart and shall take effect on and thereafter May 1, 2021. **Water and Sewer Rates are increased annually on the first of May by 3% in 2021 and 2022.**

Water Rates, Charges and Fees

8-6-1 B.	Basic User Charge	\$9.00
8-6-1- C.	Water Rates Inside Corporate Limits	\$3.35
8-6-2	Water Rates Outside Corporate Limits	\$5.05

Sewer Rates, Charges and Fees

8-6-8 A.	Basic User Charge	\$10.00
8-6-8 B.	Sewer Rates Inside Corporate Limits	\$4.10
8-6-12	Sewer Rates Outside Corporate Limits	\$6.15

Water/Wastewater Capital Improvement Fee

8-6-1 D.	Capital Improvement Fee	\$3.00-\$5.00
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SECTION 2: This ordinance shall be in full force and effect from and following its passage and approval.


Alderman Name	Aye	Nay	Abstain	Absent
Pam Wesner	✓			
Christopher Pulley	✓			
Melissa Freund	✓			
James Stevenson	✓			
Courtney Winter	✓			
Chuck Cravatta	✓			
Brent Holcomb	✓			
Katie Lang	✓			
	✓			
Mayor Jonathon Brust				

PASSED by the City Council of the City of Genoa, DeKalb County, Illinois this 19th day of May, 2021.
Approved by me this 19th day of May, 2021.




Jonathon Brust, Mayor

ATTESTED and filed in my office this 19th day of May, 2021.


Kendra Braheny, City Clerk

CITY OF GENOA
DEKALB COUNTY, ILLINOIS

ORDINANCE NO. 2021- 18

ADOPTED BY
THE MAYOR AND
CITY COUNCIL
OF THE
CITY OF GENOA

AN ORDINANCE AMENDING TITLE 1, CHAPTER 7, CITY CLERK AND
TITLE 2, CHAPTER 3, BOARD OF FIRE AND POLICE COMMISSIONERS,
OF THE MUNICIPAL CODE OF THE CITY OF GENOA, DEKALB COUNTY,
ILLINOIS

Adopted May 19, 2021, by the Mayor and City Council of the City of Genoa
DeKalb County, Illinois, and approved and published in pamphlet form
This 19th day of May 2021.

ORDINANCE NO. 2021- 18
**AN ORDINANCE AMENDING TITLE 1, CHAPTER 7, CITY CLERK AND TITLE 2,
CHAPTER 3, BOARD OF FIRE AND POLICE COMMISSIONERS, OF THE
MUNICIPAL CODE OF THE CITY OF GENOA**

WHEREAS, the Municipal Code creates the City Clerk position and the Board of Fire and Police Commissioners; and

WHEREAS, it is State Law to hold a Bond for the Mayor, Treasurer, City Clerk, and each member of the Board of Fire and Police Commissioners; and

WHEREAS, the Municipal Code does not state the amount of the Bond to be held for the City Clerk and each of Fire and Police Commissioners;

NOW THEREFORE, BE IT ORDAINED the Municipal Code of the City of Genoa be amended as follows:

SECTION 1: That Title 1, Chapter 5, Section 2 A be amended to instead read:

1-5-2: BOND AND COMPENSATION:

A. The Mayor shall, before he enters upon the duties of his office, execute a bond to the City in the penal sum of three thousand dollars (\$3,000.00), ~~with the sureties to be approved by the City Council~~ **conditioned upon the faithful performance of the duties of the office and the payment of all money received by the Mayor**, as prescribed by law. **The City shall pay the premium on such bond.** The Mayor shall receive fifteen thousand (\$15,000.00) as compensation annually, payable in twelve (12) equal monthly installments.

SECTION 2: That Title 1, Chapter 7, Section 2, be amended to instead read:

1-7-2: BOND:

Before entering upon the duties of office, the City Clerk shall execute a bond ~~in to the City in the penal sum of three thousand dollars (\$3,000) such amount and with such sureties as may be reasonably required by the Council,~~ **conditioned upon the faithful performance of the duties of the office and the payment of all money received by the City Clerk, as prescribed by law. and duties.** **The City shall pay the premium on such bond.**

SECTION 3: That Title 2, Chapter 3, Section 4, read:

2-3-4: BOND:

Before entering upon the duties of office, each Police and Fire Commissioner shall execute a fidelity bond to the City in the penal sum of one thousand dollars (\$1,000) conditioned upon the faithful performance and duties. The City shall pay the premium on such bond.

SECTION 4: This ordinance shall be in full force and effect from and following its passage and approval.

Alderman Name	Aye	Nay	Abstain	Absent
Pam Wesner	✓			
Christopher Pulley	✓			
Melissa Freund	✓			
James Stevenson	✓			
Courtney Winter	✓			
Chuck Cravatta	✓			
Brent Holcomb	✓			
Katie Lang	✓			
Mayor Jonathon Brust				

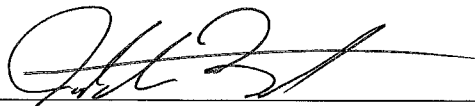
PASSED by the City Council of the City of Genoa, DeKalb County, Illinois this 19th day of May, 2021.

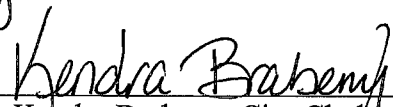
Approved by me this 19th day of May, 2021.



(SEAL)

ATTESTED and filed in my office this 19th day of May, 2021.


Jonathon Brust, Mayor


Kendra Braheny, City Clerk

CITY OF GENOA
DEKALB COUNTY, ILLINOIS

ORDINANCE NO. 2021- 19

ADOPTED BY
THE MAYOR AND
CITY COUNCIL
OF THE
CITY OF GENOA

AN ORDINANCE AMENDING TITLE 2, CHAPTER 4, ECONOMIC
DEVELOPMENT COMMISSION, OF THE MUNICIPAL CODE OF THE CITY
OF GENOA, DEKALB COUNTY, ILLINOIS

Adopted June 2, 2021, by the Mayor and City Council of the City of Genoa
DeKalb County, Illinois, and approved and published in pamphlet form
This 2nd day of June 2021.

ORDINANCE NO. 2021- 19
AN ORDINANCE AMENDING TITLE 2, CHAPTER 4, ECONOMIC DEVELOPMENT
COMMISSION, OF THE MUNICIPAL CODE OF THE CITY OF GENOA

WHEREAS, the Municipal Code creates boards and committees of the City of Genoa; and

WHEREAS, the Economic Development Commission is in need of reorganization and reprioritization;

NOW THEREFORE, BE IT ORDAINED the Municipal Code of the City of Genoa be amended as follows:

SECTION 1: That Title 2, Chapter 4, Economic Development Commission be amended to instead read:

CHAPTER 4
ECONOMIC DEVELOPMENT COMMISSION

SECTION:

2-4-1: Creation, Composition, Appointments, and Terms

2-4-2: ~~Jurisdiction~~ Mission and Duties

2-4-3: Meetings and Rules

2-4-4: ~~Quorum~~ ANNUAL REPORT

2-4-5 LIMITATIONS ON POWERS

2-4-1: CREATION, COMPOSITION, APPOINTMENTS, AND TERMS:

A. An Economic Development Commission is hereby authorized and established.

B. Appointment and Terms: The Commission shall consist of five (5) members appointed by the Mayor with the consent of the City Council **with each member appointed for a term of 3 years.** ~~The initial appointments shall be one member for a three (3) year term, two (2) members for a two (2) year term, and two (2) members for a one year term. The terms for subsequent Economic Development Commission appointed members shall be three (3) years.~~

C. Officers: The Mayor shall designate with confirmation by the City Council, one of the members of the Economic Development Commission as chairman for a period of one year. The Economic Development Commission shall elect a vice chairman and such other officers as deemed necessary. These officers shall be elected at the first meeting after the second Tuesday of May. Committees, as deemed necessary to carry out the activities of the Commission, shall be appointed by the chairman.

D. Vacancies: Vacancies shall be filled for the unexpired term of any member by appointment by the Mayor with the consent of the City Council. If a vacancy in the chairmanship is created, the vice chairman shall serve as chairman until the Mayor designates a chairman to serve the unexpired term.

E. Ex Officio Members: The Mayor, the Deputy Mayor, one Alderman chosen by the Mayor, the members of the Plan Commission, the Executive Director of the DeKalb County Economic Development Corporation, and the President-Executive Director of the Genoa Chamber of Commerce shall serve as ex officio members of the Commission. (Ord. 99-25-5r, 8-3-1999)

2-4-2: JURISDICTION: MISSION AND DUTIES:

The City of Genoa's Economic Development Commission is an advisory committee of forward thinking local leaders who provide leadership and strategic guidance to City Council, Staff, and Businesses.

A. Mission: The Economic Development Commission's mission is to promote and develop business and industry for the purposes of strengthening the local economy, providing jobs, and expanding the City's tax base.

B. The Economic Development Commission of the City shall have the following duties:

- i. To review applications for grants, loans, and other financial incentives or inducements related to economic development prospects, and recommend with respect thereto, to the City Council.
- ii. To initiate, direct and review, from time to time, studies of the economic development characteristics of the City.
- iii. ~~To promote the attraction and retention of employment and shopping opportunities in Genoa which will contribute to Genoa's quality of life and provide long-term benefits to the City and its residents. To provide strategic recommendations for the maintenance of the economic health of the existing community which includes attracting and retaining industrial, commercial, and residential development as well as other supporting services which will provide quality job opportunities and broaden the tax base and enhance the quality of life in the City of Genoa.~~
- iv. To review, and analyze various statistics, trends and reports to keep abreast on issues that may affect economic development policy in Genoa.
- v. ~~To work with the DeKalb County Economic Development Commission (DCEDC), State and other local agencies to achieve desired goals. To~~

cooperate with local governments, economic development organizations including the DeKalb County Economic Development Corporation, the Genoa Area Chamber of Commerce, educational institutions, convention and visitors bureaus, and other City organizations and commissions in their marketing and promotion efforts to attract new business to the Community.

- vi. ~~To organize and maintain economic development facts and profile information about the City and make it available to prospective investors, developers and entrepreneurs.—To work with community stakeholders to identify and attract key businesses and recommend infrastructure and policy improvements, such as incentive programs, to attract economic development.~~
- vii. ~~To develop programs for economic development with recommendations for implementation and present these programs to the City Council.—To provide assistance to City Staff as requested to meet project goals and deadlines, including assistance to the City Council in an advisory capacity in matters related to the City's activities under the State of Illinois Business Development and Redevelopment District statute.~~
- viii. ~~To report to the City Council not less frequently than once each year giving a summary of its activities and proposed initiatives for future consideration, and a status of the Genoa economy. (Ord. 99-25-5r, 8-3-1999; Ord. 2017-8, 03-07-2017)—To provide an annual update to the City Council on the activities of the Commission.~~
- ix. ~~To recommend goals and methods for enhancing the relationship between the City and its business community.~~
- x. ~~To make recommendations to the City Council on how to improve the overall competitiveness of the community and how to create opportunities and developable sites for future economic development.~~

2-4-3: MEETINGS AND RULES:

~~All meetings of the Economic Development Commission shall be held at the call of the chairman, and at such time as the Economic Development Commission may determine. All hearings conducted by said Economic Development Commission under this Chapter shall be in accordance with the Illinois statutes. The Economic Development Commission shall keep records of its official actions. The Economic Development Commission shall adopt its own rules and procedures, not in conflict with this Chapter with applicable Illinois statutes. (Ord. 99-25-5r, 8-3-1999; Ord 2015-19, 10-06-2015)~~

Meetings dates and times shall be established on an Annual basis and published in the City's Annual Meeting Calendar on the City website. Meetings shall comply with the Illinois Open Meetings Act.

2-4-4: QUORUM: ANNUAL REPORT:

Each May, the Commission shall prepare and deliver to the Mayor a report addressing business development and economic growth within the City during the past twelve (12) months and specifically include economic prospects and trends within the City of Genoa and a description of the activities of the commission during that time.

~~Three (3) members of the Commission shall constitute a quorum. No meeting shall be conducted by the Commission without a quorum being present. (Ord. 99-25-5r, 8-31999)~~

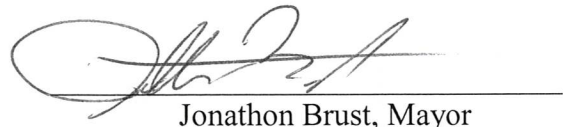
2-4-5: LIMITATIONS ON POWERS:

The Commission shall not be authorized to expend any funds of the City and may not enter into any contract in its name or in the name of the City without prior authorization of the City Council.

SECTION 2: This ordinance shall be in full force and effect from and following its passage and approval.

Alderman Name	Aye	Nay	Abstain	Absent
Pam Wesner	✓			
Christopher Pulley	✓			
Melissa Freund	✓			
James Stevenson	✓			
Courtney Winter				✓
Chuck Cravatta	✓			
Brent Holcomb	✓			
Katie Lang	✓			
Mayor Jonathon Brust				

PASSED by the City Council of the City of Genoa, DeKalb County, Illinois this 2nd day of June, 2021.
Approved by me this 2nd day of June, 2021.


Jonathon Brust, Mayor



ATTESTED and filed in my office this 2nd day of June, 2021.

Kendra Braheny
Kendra Braheny, City Clerk

CITY OF GENOA
DEKALB COUNTY, ILLINOIS

ORDINANCE NO. 2021- 20

ADOPTED BY
THE MAYOR AND
CITY COUNCIL
OF THE
CITY OF GENOA

AN ORDINANCE CREATING TITLE 2, CHAPTER 9, DOWNTOWN
BEAUTIFICATION COMMISSION, OF THE MUNICIPAL CODE OF THE
CITY OF GENOA, DEKALB COUNTY, ILLINOIS

Adopted June 2, 2021, by the Mayor and City Council of the City of Genoa
DeKalb County, Illinois, and approved and published in pamphlet form
This 2nd day of June 2021.

ORDINANCE NO. 2021-_____
AN ORDINANCE CREATING TITLE 2, CHAPTER 9, DOWNTOWN
BEAUTIFICATION COMMISSION, OF THE MUNICIPAL CODE OF THE CITY OF
GENOA

WHEREAS, the Municipal Code creates boards and commissions of the City of Genoa; and

WHEREAS, the Mayor wishes to create a Downtown Beautification Commission to focus on improve the appearance of Downtown Genoa;

NOW THEREFORE, BE IT ORDAINED the Municipal Code of the City of Genoa be amended as follows:

SECTION 1: That Title 2, Chapter 9, Downtown Beautification Commission be created and shall read:

CHAPTER 18
DOWNTOWN BEAUTIFICATION COMMISSION

SECTION:

2-9-1: Creation, Composition and Terms

2-9-2: Mission and Duties

2-9-3: Meetings and Rules

1-9-1: CREATION, COMPOSITION AND TERMS:

- A. A Downtown Beautification Committee is hereby authorized and established.
- B. Appointment and Terms. The Beautification Committee shall consist of five (5) members appointed by the Mayor with the consent of the City Council with each member appointed for a term of 5 years.
- C. Officers: The Mayor shall designate with the confirmation by the City Council, one of the members of the Downtown Beautification Committee as a Chairman for a period of one year. Committees, as deemed necessary to carry out the activities of the Commission, shall be appointed by the Chairman.
- D. Ex Officio Members: The Mayor and one Alderman and one Economic Development Commission member chosen by the Mayor shall serve as ex officio members of the Commission.

1-9-2 MISSION AND DUTIES:

The purpose of the Downtown Beautification Commission is to improve the aesthetics yet preserve the historic nature of the downtown in order to attract and retain businesses.

- A. To recommend to the City Council all programs of any description or variety calculated to enhance the appearance of Downtown Genoa, including but not limited to recommendations for priorities of City action and changes in the City of Genoa or other ordinances adopted by the City Council;
- B. To work with appropriate City personnel to establish means to elicit volunteer participation in beautification projects;
- C. To serve as an advisory body to the City Council and City Administrator and other City Officials in developing plans for projects involving City Beautification.
- D. To request, receive, and utilize staff assistance from the City Administration to enable the Commission to carry out its responsibilities.

1-9-2 MEETINGS AND RULES:

Meeting dates and times shall be established on an annual basis and published in the City's Annual Meeting Calendar on the City website. Meetings shall comply with the Illinois Open Meetings Act.

SECTION 2: This ordinance shall be in full force and effect from and following its passage and approval.

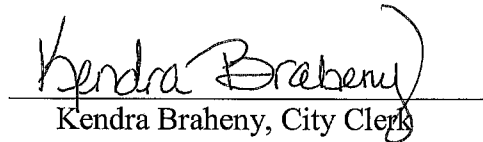
Alderman Name	Aye	Nay	Abstain	Absent
Pam Wesner	✓			
Christopher Pulley	✓			
Melissa Freund	✓			
James Stevenson	✓			
Courtney Winter				✓
Chuck Cravatta	✓			
Brent Holcomb	✓			
Katie Lang	✓			
Mayor Jonathon Brust				

¹⁰⁰ PASSED by the City Council of the City of Genoa, DeKalb County, Illinois this 2nd day of June July, 2021.
Approved by me this 2nd day of June, 2021.




Jonathon Brust, Mayor

ATTESTED and filed in my office this 2nd day of June, 2021.


Kendra Braheny, City Clerk

CITY OF GENOA
DEKALB COUNTY, ILLINOIS

ORDINANCE NO. 2021 - 21

FILED

JUL 14 2021

DeKalb County Clerk

ADOPTED BY
THE MAYOR AND
CITY COUNCIL
OF THE
CITY OF GENOA

AN ORDINANCE AMENDING THE ANNUAL BUDGET FOR THE
FISCAL YEAR BEGINNING MAY 1, 2020 AND ENDING APRIL 30, 2021
FOR THE CITY OF GENOA, DEKALB COUNTY, ILLINOIS

Adopted July 7, 2020, by the Mayor and City Council of the City of Genoa,
DeKalb County, Illinois, and approved and published in pamphlet form
this 7th day of July 2021.

CITY OF GENOA

ORDINANCE NO. 2021 - 21

AN ORDINANCE AMENDING THE ANNUAL BUDGET FOR THE FISCAL YEAR BEGINNING MAY 1, 2020 AND ENDING APRIL 30, 2021 FOR THE CITY OF GENOA, DEKALB COUNTY, ILLINOIS.

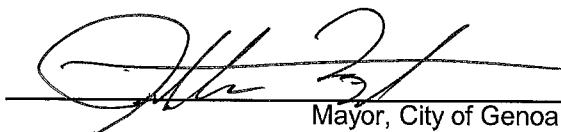
WHEREAS, the City Council of the City of Genoa, Illinois adopted Ordinance 2020-10 on April 21, 2020 which established an Annual Budget for the City of Genoa, Illinois for the fiscal year beginning May 1, 2020 and ending April 30, 2021; and

WHEREAS, the City Council has determined that the aforementioned Budget should be amended by the amounts specified in the attached 2020/2021 Budget Amendment - Schedule 1;


NOW THEREFORE BE IT ORDAINED by the Mayor and City Council as follows:

That the Annual Budget for the City of Genoa, DeKalb County, Illinois for the fiscal year beginning May 1, 2020 and ending April 30, 2021 is hereby amended by the amounts as specified in attached 2020/2021 Budget Amendment - Schedule 1.

Passed by the City Council of the City of Genoa, Illinois at a regular meeting of the City Council thereof held on July 7, 2021, and approved by me as Mayor on the same day.



Mayor, City of Genoa

ATTEST: 

City Clerk



Alderman Name	Aye	Nay	Abstain	Absent
Pam Wesner	✓			
Christopher Pulley	✓			
Melissa Freund	✓			
James Stevenson	✓			
Courtney Winter	✓			
Chuck Cravatta	✓			
Brent Holcomb	✓			
Katie Lang	✓			

CITY of GENOA, ILLINOIS
2020/2021 BUDGET AMENDMENT - SCHEDULE 1

	Original 20/21 Budget	Increase or (Decrease)	Amended 20/21 Budget
--	--------------------------	---------------------------	-------------------------

REVENUES

Bond Capital Fund

37-00-381	Investment Income	-	1,260	1,260
37-00-385	Bond Proceeds	-	2,500,000	2,500,000
Total Revenues - Bond Capital Fund		-	2,501,260	2,501,260

TOTAL AMENDED REVENUES

\$ - \$ 2,501,260 \$ 2,501,260

EXPENDITURES

Garbage Fund

13-00-573	Refuse Disposal Service	454,000	2,260	456,260
	All Other Expenditures	13,500	-	13,500
Total Expenditures - Garbage Fund		467,500	2,260	469,760

Bond Capital Fund

37-00-729	Bond Issue Charges	-	42,400	42,400
37-00-834	Bond Street Improvements - Engineering	-	103,430	103,430
Total Expenditures - Bond Capital Fund		-	145,830	145,830

TOTAL AMENDED EXPENDITURES

\$ 467,500 \$ 148,090 \$ 615,590

CITY OF GENOA
DEKALB COUNTY, ILLINOIS

ORDINANCE NO. 2021- 22

ADOPTED BY
THE MAYOR AND
CITY COUNCIL
OF THE
CITY OF GENOA

AN ORDINANCE AMENDING THE UNIFIED DEVELOPMENT
ORDINANCE TO ALLOW CRAFT AND STORAGE BARNS AS A SPECIAL
USE IN THE SUBURBAN RESIDENTIAL ZONING DISTRICT

Adopted July 7th, 2021, by the Mayor and City Council of the City of Genoa
DeKalb County, Illinois, and approved and published in pamphlet form
This 7th day of July 2021.

ORDINANCE NO. 2021-22
**AN ORDINANCE AMENDING THE UNIFIED DEVELOPMENT ORDINANCE TO
ALLOW CRAFT AND STORAGE BARN AS A SPECIAL USE IN THE SUBURBAN
RESIDENTIAL ZONING DISTRICT**

WHEREAS, there is an interest of allow Craft and Storage Barns as a Special Use in the Suburban Residential zoning district; and

WHEREAS, criteria should be established to allow Craft and Storage Barns as a Special Use in the Suburban Residential zoning district; and

WHEREAS, a Public Hearing and Plan Commission meeting was previously held;

NOW THEREFORE, BE IT ORDAINED the Unified Development Ordinance of the City of Genoa be amended as follows:

SECTION 1: That 1.3.3, Definitions, be amended to include:

Craft and Storage Barn: shall be the term used to describe a building exceeding the maximum square footage for a garage by the Unified Development Ordinance, designed or used for personal crafting or personal storage purposes which shall not be used for any permanent residential dwelling nor commercial or agricultural purposes.

SECTION 2: That 4.3.4, Additional Standards and Criteria, be amended to include:

M. CRAFT AND STORAGE BARNs

1. Craft and Storage Barns must be located on a lot which is 5 acres or more.
2. The maximum square footage allowed for a Craft and Storage barn is 3,500 square feet.
3. Craft and Storage Barns must contain architectural enhancements such as a combination of brick, block, stone or siding of earth tones as determined by the City Council to be in keeping with the neighborhood, windows, porches or any other desirable architectural enhancement features requested by the City so as to make the structure blend with neighboring residential properties.
4. The Craft and Storage Barns shall be limited to a maximum of 25'. For the purpose of an Craft and Storage Barns, the height for a gable, gambrel or four (4) sided hip roof shall be measured to the midpoint of the gable on the gabled end, or the midpoint of the roof slope on the lowest side of a 4 sided hip roof.
5. A driveway is required to connect the Craft and Storage Barn to a public street. Driveways must be paved or of a crushed limestone / chip seal materials.
6. Craft and Storage Barns must be setback 200' from any dedicated Right of Way and 50' from any rear or side property line.
7. A concrete / hard surfaced floor is required in all Craft and Storage Barns.

8. Craft and Storage Barns shall not be used for any commercial purposes, including but not limited to storage of equipment for commercial purposes.
9. Craft and Storage Barns shall not be used for any agricultural purposes, including but not limited to: keeping livestock, selling of any agricultural products, including trees, grains, etc.
10. The Craft and Storage barn shall not be used as a permanent residential dwelling.
11. Screening landscaping is required.
12. Property owners within 500' must be notified before a public hearing where the Special Use for a Craft and Storage Barn is considered.

SECTION 3: That 5.3.1, Table of Permitted Uses, be amended to include:

10. RESIDENTIAL USES

AG ER SR CR HR SC CC CBC HC SI CI HI

Craft and Storage Barn			S										
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SECTION 4: That this Ordinance and designation shall remain in effect until amended by a future action of the City Council.

SECTION 5: If any section, paragraph, subdivision, clause, sentence, or provision of this Ordinance shall be adjusted by any Court of competent jurisdiction to be invalid, such judgment shall not affect, impair, invalidate, or nullify the remainder thereof, which remainder shall remain and continue in full force and effect.

SECTION 6: All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 7: This Ordinance shall be in full force and effect upon its passage, approval, and publication in pamphlet form (which publication is hereby authorized) as provided by law.

Alderman Name	Aye	Nay	Abstain	Absent
Pam Wesner	✓			
Christopher Pulley	✓			
Melissa Freund	✓			
James Stevenson	✓			
Courtney Winter	✓			
Chuck Cravatta	✓			
Brent Holcomb	✓			
Katie Lang	✓			
Mayor Jonathon Brust				

PASSED by the City Council of the City of Genoa, DeKalb County, Illinois this 7th day of July, 2021.

Approved by me this 7th day of July, 2021.



Jonathon Brust, Mayor

(SEAL)

ATTESTED and filed in my office this 7th day of July, 2021.

Kendra Braheny, City Clerk

CITY OF GENOA
DEKALB COUNTY, ILLINOIS

ORDINANCE NO. 2021- 23

ADOPTED BY
THE MAYOR AND
CITY COUNCIL
OF THE
CITY OF GENOA

AN ORDINANCE PROVIDING FOR A MAYOR PRO TEM FOR THE CITY
OF GENOA

Adopted July 7th, 2021, by the Mayor and City Council of the City of Genoa
DeKalb County, Illinois, and approved and published in pamphlet form
This 7th day of July 2021.

ORDINANCE NO. 2021-23
**AN ORDINANCE PROVIDING FOR A MAYOR PRO TEM FOR THE CITY OF
GENOA**

WHEREAS, Chapter 65 5/3.1-35-35 of the Illinois Compiled Statutes provides that the Corporate Authorities may designate one of the City Council Members as the Mayor Pro Tem; and

WHEREAS, that the Mayor and Deputy Mayor, on occasion, may not be able to attend a City Council or Committee of the Whole Meeting necessitating that a member of the City Council serve as Mayor Pro Tem to conduct the meeting;

NOW THEREFORE, BE IT ORDAINED the Mayor and City Council of the City of Genoa, DeKalb County, Illinois, as follows:

SECTION 1: That in the event the Mayor and Deputy Mayor are unable to attend a City Council or City Council Committee of the Whole meeting, or may not be able to arrive to one of these meetings until later in the meeting, Alderman James Stevenson is hereby designated by the City Council to act as Mayor Pro Tem in the absence of the Mayor at a City Council or City Council Committee of the Whole meeting to conduct the meeting.

SECTION 2: That this Ordinance and designation shall remain in effect until amended by a future action of the City Council.

SECTION 3: If any section, paragraph, subdivision, clause, sentence, or provision of this Ordinance shall be adjusted by any Court of competent jurisdiction to be invalid, such judgment shall not affect, impair, invalidate, or nullify the remainder thereof, which remainder shall remain and continue in full force and effect.

SECTION 4: All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 5: This Ordinance shall be in full force and effect upon its passage, approval, and publication in pamphlet form (which publication is hereby authorized) as provided by law.

Alderman Name	Aye	Nay	Abstain	Absent
Pam Wesner	✓			
Christopher Pulley	✓			
Melissa Freund	✓			
James Stevenson	✓			
Courtney Winter	✓			
Chuck Cravatta	✓			
Brent Holcomb	✓			
Katie Lang	✓			
Mayor Jonathon Brust				

PASSED by the City Council of the City of Genoa, DeKalb County, Illinois this 7th day of July, 2021.

Approved by me this 7th day of July, 2021.




 Jonathon Brust, Mayor

(SEAL)

ATTESTED and filed in my office this 7th day of July, 2021.


 Kendra Braheny, City Clerk

CITY OF GENOA
DEKALB COUNTY, ILLINOIS

ORDINANCE NO. 2021- 24

ADOPTED BY
THE MAYOR AND
CITY COUNCIL
OF THE
CITY OF GENOA

AN ORDINANCE CREATING TITLE 1, CHAPTER 18, DEPUTY MAYOR, OF
THE MUNICIPAL CODE OF THE CITY OF GENOA,
DEKALB COUNTY, ILLINOIS

Adopted July 7th, 2021, by the Mayor and City Council of the City of Genoa
DeKalb County, Illinois, and approved and published in pamphlet form
This 7th day of July 2021.

ORDINANCE NO. 2021-24
**AN ORDINANCE CREATING TITLE 1, CHAPTER 18, DEPUTY MAYOR, OF THE
MUNICIPAL CODE OF THE CITY OF GENOA**

WHEREAS, the Municipal Code creates positions of Officials of the City of Genoa; and

WHEREAS, creating a Deputy Mayor position affords the Mayor the ability to delegate duties and responsibilities to the Deputy Mayor;

NOW THEREFORE, BE IT ORDAINED the Municipal Code of the City of Genoa be amended as follows:

SECTION 1: That Title 1, Chapter 18, Deputy Mayor be created and shall read:

**CHAPTER 18
DEPUTY MAYOR**

SECTION:

1-18-1: Appointment and Term

1-18-2: Powers and Duties of the Deputy Mayor

1-9-1: APPOINTMENT AND TERM:

The position of Deputy Mayor is hereby created. The Mayor shall appoint a Deputy Mayor, who shall be a member of the City Council, for a term of 1 year.

1-9-2 POWERS AND DUTIES OF THE MAYOR:

The Deputy Mayor shall have the following responsibilities:

- A. Fulfill his/her normal duties as an Alderman.
- B. Perform the duties of the Mayor during the absence or temporary disability of the Mayor.
- C. Serve as Acting Mayor if the Mayor does not have the capacity to do so.
- D. Assist the Mayor in successfully fulfilling public obligations by attending functions as a representative of the City at the request of the Mayor.
- E. Serve as the City Council liaison on Boards and Committees as assigned by the Mayor.
- F. Perform other tasks delegated by the Mayor.

SECTION 2: This ordinance shall be in full force and effect from and following its passage and approval.

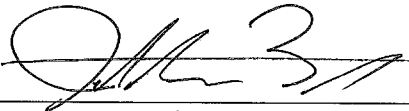
Alderman Name	Aye	Nay	Abstain	Absent
Pam Wesner	✓			
Christopher Pulley			✓	
Melissa Freund	✓			
James Stevenson	✓			
Courtney Winter			✓	
Chuck Cravatta	✓			
Brent Holcomb	✓			
Katie Lang	✓			
Mayor Jonathon Brust				

PASSED by the City Council of the City of Genoa, DeKalb County, Illinois this 7th day of July, 2021.

Approved by me this 7th day of July, 2021.

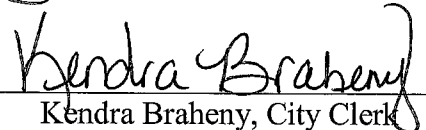


(SEAL)



Jonathon Brust, Mayor

ATTESTED and filed in my office this 7th day of July, 2021.



Kendra Braheny, City Clerk

CITY OF GENOA
DEKALB COUNTY, ILLINOIS

ORDINANCE NO. 2021-25

ADOPTED BY
THE MAYOR AND
CITY COUNCIL
OF THE
CITY OF GENOA

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

Adopted July 21, 2021, by the Mayor and City Council of the City of Genoa
DeKalb County, Illinois, and approved and published in pamphlet form
This 21st day of July, 2021.

ORDINANCE NO. 2021-_____
**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**

WHEREAS, Glenn Bolander, as property owner, has petitioned the City of Genoa for approval of his request to rezone and a Final Planned Unit Development to allow a 4-unit multi-family building, on certain property (the "Subject Property"), described as follows:

Lot "B" of Block 1 of Traver's Addition to Genoa, DeKalb County, Illinois, According to the Plat Thereof Recorded in the Recorder's Office of Said County December 9, 1922 in Book "D" of Plats, on page 84, excepting therefrom the following: commencing at the northeast corner thereof; running thence south 2 feet on a line at right angles with a north line of said lot; thence northwest parallel with the north line of said lot, 60 feet; thence northeast at right angles 2 feet to the north line of said lot; thence southeast along the north line of said lot to the point of beginning.

WHEREAS, a public hearing was held by the City of Genoa Plan Commission, after due notice in the manner provided by law; and

WHEREAS, the Plan Commission, after deliberation, has made a report with the findings of fact and recommended approval of the rezoning and a Final Planned Unit Development to allow a 4-unit multi-family building at the above described property; and

WHEREAS, the City Council has considered the evidence presented at the public hearing to the City of Genoa Plan Commission;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and City Council of the CITY OF GENOA, DeKalb County, Illinois, as follows:

SECTION 1: That the Subject Property shall be rezoned from Central Business and Civic District to City Residential and Final Planned Unit Development to allow a 4-unit multi-family building at the above described property, located at 307, 309, 311, and 313 Jackson Street, is hereby approved subject to the following conditions:

1. Documents submitted for the July 8th Plan Commission meeting for consideration and approval and as modified by the conditions herein by the City of Genoa include:
 - a. Plat and Certificate of Survey dated May 19, 2021
 - b. Pictures of the property
2. The parking lot shall be paved no later than 2 years after a change in ownership. When a permit is received, the Public Works Director shall review the plans to ensure that drainage requirements and lot coverage are met.
3. This apartment building shall not exceed 4 units. Increasing the units would require a Planned Unit Development amendment.
4. There should be at lease agreement between the City and property owner for the parking spaces located in right-of-way.

5. A Landscaping Plan should be reviewed by the Public Works Director at the west property line and be considered by the Public Works Director sufficient in providing screening from the parking area.
6. Any lighting provided on the property shall not violate the Unified Development Ordinance 5.4.10.

SECTION 2: That all requirements set forth in the Unified Development Ordinance of the City of Genoa, as would be required by any owner of property zoned in the same manner as the Subject Property, shall be complied with, except as otherwise provided in this Ordinance.

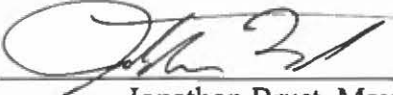
SECTION 3: If any section, paragraph, subdivision, clause, sentence or provision of this Ordinance shall be adjudged by any Court of competent jurisdiction to be invalid, such judgment shall not affect, impair, invalidate or nullify the remainder thereof, which remainder shall remain and continue in full force and effect.

SECTION 4: All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 5: This Ordinance shall be in full force and effect upon its passage, approval and publication in pamphlet form (which publication is hereby authorized) as provided by law.

Alderman Name	Aye	Nay	Abstain	Absent
Pam Wesner	✓			
Christopher Pulley	✓			
Melissa Freund	✓			
James Stevenson	✓			
Courtney Winter				✓
Chuck Cravatta	✓			
Brent Holcomb	✓			
Katie Lang	✓			
Mayor Jonathon Brust				

PASSED by the City Council of the City of Genoa, DeKalb County, Illinois this 21st day of July, 2021.
 Approved by me this 21st day of July, 2021.


 Jonathon Brust, Mayor

(SEAL)

ATTESTED and filed in my office this 21st day of July, 2021.

Kendra Braheny
Kendra Braheny, City Clerk

CITY OF GENOA
DEKALB COUNTY, ILLINOIS

ORDINANCE NO. 2021- 26

ADOPTED BY
THE MAYOR AND
CITY COUNCIL
OF THE
CITY OF GENOA

AN ORDINANCE AMENDING APPENDIX A OF THE CITY CODE OF THE
CITY OF GENOA

Adopted August 18, 2021, by the Mayor and City Council of the City of Genoa
DeKalb County, Illinois, and approved and published in pamphlet form
this 18th day of August 2021.

ORDINANCE NO. 2021- 26
AN ORDINANCE AMENDING APPENDIX A
OF THE CITY CODE OF THE CITY
OF GENOA

BE IT ORDAINED by the Mayor and City Council of the CITY OF GENOA, DeKalb County, Illinois, as follows:

WHEREAS, permits are required for many construction and home improvement projects;

WHEREAS, due to changes in processes for inspections and the City having an in-house inspector, these fees need to be amended from time to time;

NOW THEREFORE, the Municipal Code of the City of Genoa be amended as follows:

SECTION 1: That Appendix A be amended to include:

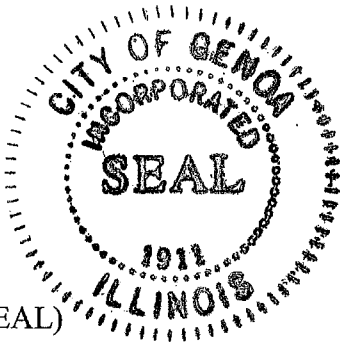
<u>Electrical</u>	\$75.00
Change of Electrical Service	
Rough Inspection	\$35.00
Final Inspection	\$40.00
 <u>Plumbing</u>	
Lawn sprinkler	\$50.00
Recording Fee for Parkway Waiver	\$30.00
Grease Trap	\$125.00
Sewer or water service repair	\$25.00
Replace Hot Water Heater	\$30.00 \$35.00
 <u>Sheds, Greenhouses, Playhouses, etc.</u>	\$35.00
Sheds with a Concrete Pad	\$75.00
 <u>Fence</u>	
First 150 lineal feet (minimum fee)	\$75.00
Each additional foot over 150	\$.09
 <u>Patio</u>	\$75.00
 <u>Utility Permit (Public Works)</u>	\$100.00

SECTION 2: This ordinance shall be in full force and effect from and following its passage and approval.

Alderman Name	Aye	Nay	Abstain	Absent
Pam Wesner	✓			
Christopher Pulley	✓			
Melissa Freund	✓			
James Stevenson	✓			
Courtney Winter	✓			
Chuck Cravatta	✓			
Brent Holcomb	✓			
Katie Lang	✓			
Mayor Jonathon Brust				

PASSED by the City Council of the City of Genoa, DeKalb County, Illinois this 18th day of August, 2021.

Approved by me this 18th day of August, 2021.



(SEAL)

Jonathon Brust, Mayor

ATTESTED and filed in my office this 18th day of August, 2021.

Kendra Braheny, City Clerk

CITY OF GENOA
DEKALB COUNTY, ILLINOIS

ORDINANCE NO. 2021 - 27

ADOPTED BY
THE MAYOR AND
CITY COUNCIL
OF THE
CITY OF GENOA

AN ORDINANCE PERTAINING TO THE CORONAVIRUS LOCAL FISCAL
RECOVERY FUND

Adopted August 18, 2021, by the Mayor and City Council of the City of Genoa,
DeKalb County, Illinois, and approved and published in pamphlet form
this 18th day of August 2021

CITY OF GENOA

ORDINANCE NO. 2021-27

**AN ORDINANCE PERTAINING TO THE CORONAVIRUS LOCAL FISCAL
RECOVERY FUND**

WHEREAS, the City of Genoa, DeKalb County, Illinois, Genoa is an Illinois municipality, eligible for funds through the Coronavirus Local Fiscal Recovery Fund through the U.S. Department of the Treasury (Treasury); and

WHEREAS, Treasury's Coronavirus Local Fiscal Recovery Fund is authorized by Section 9901 of the American Rescue Plan Act of 2021, P.L. 117-2 ("ARPA"); and

WHEREAS, as a local government recipient of financial support through ARPA, the City is required to utilize the financial support received from Treasury for the specific purposes and in compliance with the terms and conditions required by ARPA and Treasury regulations implementing ARPA; and

WHEREAS, Treasury requires the recipients of Coronavirus Local Fiscal Recovery Funds maintain conflict of interest policies consistent with 2 C.F.R. § 200.318(c); and

WHEREAS, the corporate authorities of the City have determined that it is advisable, necessary and in the best interest of the City to enter into the attached Coronavirus Local Fiscal Recovery Fund Award Terms and Conditions and provide the Assurances of Compliance with Civil Rights Requirements in order to participate in and receive the funding pursuant to ARPA.

NOW, THEREFORE, be it ordained, by the City Council of Genoa as follows:

ARTICLE 1

The foregoing recitals shall be and are hereby incorporated as findings of fact as if said recitals were fully set forth herein.

ARTICLE 2

The Coronavirus Local Fiscal Recovery Fund Award Terms and Conditions and Assurances of Compliance with Civil Rights Requirements in substantially the form of the exhibit attached hereto is hereby incorporated herein by reference, authorized and approved.

ARTICLE 3

The City adopts the following conflict of interest provisions that shall apply to all activities and expenditures funded through the Coronavirus Local Fiscal Recovery Fund Award:

1. No officer, employee or agent of the City may participate in the selection, award or administration of a contract supported by a Federal award if he or she has a real or apparent conflict of interest. Such a conflict of interest would arise when the officer, employee, or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract.
2. The officers, employees and agents of the City may neither solicit nor accept gratuities, favors or anything of monetary value from contractors or parties to subcontracts. However, the City may set standards for situations in which the financial interest is not substantial or the gift is an unsolicited item of nominal value, consistent with the State Officials and Employees Ethics Act, 5 ILCS 430/1 *et seq.*
3. The violation of these standards of conduct may result in disciplinary action for violations of such standards by officers, employees or agents of the City, in accordance with the policies, employment contracts, and contracts for services or collective bargaining agreements of the City.
4. The City shall award contracts only to responsible contractors possessing the ability to perform successfully under the terms and conditions of a proposed procurement. Consideration will be given to such matters as contractor integrity, compliance with public policy, record of past performance, and financial and technical resources.
5. The City shall disclose in writing to Treasury any potential conflict of interest affecting the awarded funds in accordance with 2 C.F.R. § 200.112.

ARTICLE 4

The Mayor is hereby authorized to execute and deliver and the Clerk is hereby authorized to attest to said execution of said Coronavirus Local Fiscal Recovery Fund Award Terms and Conditions and Assurances of Compliance with Civil Rights Requirements in substantially the form of the exhibit appended hereto as so authorized and approved for and on behalf of the City.

ARTICLE 5

SEVERABILITY. If any provision of this Ordinance or application thereof to any person or circumstances is ruled unconstitutional or otherwise invalid, such invalidity shall not affect other provisions or applications of this Ordinance that can be given effect without the invalid application or provision, and each invalid provision or invalid application of this Ordinance is severable.

ARTICLE 6

REPEAL OF CONFLICTING PROVISIONS. All ordinances and resolutions, or parts thereof, in conflict with the provisions of this Ordinance are, to the extent of the conflict, expressly repealed on the effective date of this Ordinance.

ARTICLE 7

EFFECTIVE DATE. This Ordinance shall be in full force and effect on August 18, 2021.

PASSED THIS 18th day of August, 2021.

Alderman Name	Aye	Nay	Abstain	Absent
Pam Wesner	✓			
Christopher Pulley	✓			
Melissa Freund	✓			
James Stevenson	✓			
Courtney Winter	✓			
Chuck Cravatta	✓			
Brent Holcomb	✓			
Katie Lang	✓			

APPROVED THIS 18th day of August, 2021.



ATTEST

Kendra Babeny
Clerk

[Signature]
Mayor

ASSURANCES OF COMPLIANCE WITH CIVIL RIGHTS REQUIREMENTS

ASSURANCES OF COMPLIANCE WITH TITLE VI OF THE CIVIL RIGHTS ACT OF 1964

As a condition of receipt of federal financial assistance from the Department of the Treasury, the recipient named below (hereinafter referred to as the "Recipient") provides the assurances stated herein. The federal financial assistance may include federal grants, loans and contracts to provide assistance to the Recipient's beneficiaries, the use or rent of Federal land or property at below market value, Federal training, a loan of Federal personnel, subsidies, and other arrangements with the intention of providing assistance. Federal financial assistance does not encompass contracts of guarantee or insurance, regulated programs, licenses, procurement contracts by the Federal government at market value, or programs that provide direct benefits.

The assurances apply to all federal financial assistance from or funds made available through the Department of the Treasury, including any assistance that the Recipient may request in the future.

The Civil Rights Restoration Act of 1987 provides that the provisions of the assurances apply to all of the operations of the Recipient's program(s) and activity(ies), so long as any portion of the Recipient's program(s) or activity(ies) is federally assisted in the manner prescribed above.

1. Recipient ensures its current and future compliance with Title VI of the Civil Rights Act of 1964, as amended, which prohibits exclusion from participation, denial of the benefits of, or subjection to discrimination under programs and activities receiving federal financial assistance, of any person in the United States on the ground of race, color, or national origin (42 U.S.C. § 2000d *et seq.*), as implemented by the Department of the Treasury Title VI regulations at 31 CFR Part 22 and other pertinent executive orders such as Executive Order 13166, directives, circulars, policies, memoranda, and/or guidance documents.
2. Recipient acknowledges that Executive Order 13166, "Improving Access to Services for Persons with Limited English Proficiency," seeks to improve access to federally assisted programs and activities for individuals who, because of national origin, have Limited English proficiency (LEP). Recipient understands that denying a person access to its programs, services, and activities because of LEP is a form of national origin discrimination prohibited under Title VI of the Civil Rights Act of 1964 and the Department of the Treasury's implementing regulations. Accordingly, Recipient shall initiate reasonable steps, or comply with the Department of the Treasury's directives, to ensure that LEP persons have meaningful access to its programs, services, and activities. Recipient understands and agrees that meaningful access may entail providing language assistance services, including oral interpretation and written translation where necessary, to ensure effective communication in the Recipient's programs, services, and activities.
3. Recipient agrees to consider the need for language services for LEP persons when Recipient develops applicable budgets and conducts programs, services, and activities. As a resource, the Department of the Treasury has published its LEP guidance at 70 FR 6067. For more information on taking reasonable steps to provide meaningful access for LEP persons, please visit <http://www.lep.gov>.

4. Recipient acknowledges and agrees that compliance with the assurances constitutes a condition of continued receipt of federal financial assistance and is binding upon Recipient and Recipient's successors, transferees, and assignees for the period in which such assistance is provided.
5. Recipient acknowledges and agrees that it must require any sub-grantees, contractors, subcontractors, successors, transferees, and assignees to comply with assurances 1-4 above, and agrees to incorporate the following language in every contract or agreement subject to Title VI and its regulations between the Recipient and the Recipient's sub-grantees, contractors, subcontractors, successors, transferees, and assignees:

The sub-grantee, contractor, subcontractor, successor, transferee, and assignee shall comply with Title VI of the Civil Rights Act of 1964, which prohibits recipients of federal financial assistance from excluding from a program or activity, denying benefits of, or otherwise discriminating against a person on the basis of race, color, or national origin (42 U.S.C. § 2000d et seq.), as implemented by the Department of the Treasury's Title VI regulations, 31 CFR Part 22, which are herein incorporated by reference and made a part of this contract (or agreement). Title VI also includes protection to persons with "Limited English Proficiency" in any program or activity receiving federal financial assistance, 42 U.S.C. § 2000d et seq., as implemented by the Department of the Treasury's Title VI regulations, 31 CFR Part 22, and herein incorporated by reference and made a part of this contract or agreement.

6. Recipient understands and agrees that if any real property or structure is provided or improved with the aid of federal financial assistance by the Department of the Treasury, this assurance obligates the Recipient, or in the case of a subsequent transfer, the transferee, for the period during which the real property or structure is used for a purpose for which the federal financial assistance is extended or for another purpose involving the provision of similar services or benefits. If any personal property is provided, this assurance obligates the Recipient for the period during which it retains ownership or possession of the property.
7. Recipient shall cooperate in any enforcement or compliance review activities by the Department of the Treasury of the aforementioned obligations. Enforcement may include investigation, arbitration, mediation, litigation, and monitoring of any settlement agreements that may result from these actions. The Recipient shall comply with information requests, on-site compliance reviews and reporting requirements.
8. Recipient shall maintain a complaint log and inform the Department of the Treasury of any complaints of discrimination on the grounds of race, color, or national origin, and limited English proficiency covered by Title VI of the Civil Rights Act of 1964 and implementing regulations and provide, upon request, a list of all such reviews or proceedings based on the complaint, pending or completed, including outcome. Recipient also must inform the Department of the Treasury if Recipient has received no complaints under Title VI.
9. Recipient must provide documentation of an administrative agency's or court's findings of non-compliance of Title VI and efforts to address the non-compliance, including any voluntary compliance or other

agreements between the Recipient and the administrative agency that made the finding. If the Recipient settles a case or matter alleging such discrimination, the Recipient must provide documentation of the settlement. If Recipient has not been the subject of any court or administrative agency finding of discrimination, please so state.

10. If the Recipient makes sub-awards to other agencies or other entities, the Recipient is responsible for ensuring that sub-recipients also comply with Title VI and other applicable authorities covered in this document. State agencies that make sub-awards must have in place standard grant assurances and review procedures to demonstrate that they are effectively monitoring the civil rights compliance of sub-recipients.

The United States of America has the right to seek judicial enforcement of the terms of this assurances document and nothing in this document alters or limits the federal enforcement measures that the United States may take in order to address violations of this document or applicable federal law.

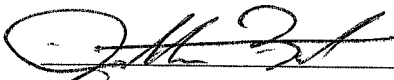
Under penalty of perjury, the undersigned official(s) certifies that official(s) has read and understood the Recipient's obligations as herein described, that any information submitted in conjunction with this assurances document is accurate and complete, and that the Recipient is in compliance with the aforementioned nondiscrimination requirements.

City of Genoa

Recipient

8/18/2021

Date



Signature of Authorized Official

PAPERWORK REDUCTION ACT NOTICE

The information collected will be used for the U.S. Government to process requests for support. The estimated burden associated with this collection of information is 30 minutes per response. Comments concerning the accuracy of this burden estimate and suggestions for reducing this burden should be directed to the Office of Privacy, Transparency and Records, Department of the Treasury, 1500 Pennsylvania Ave., N.W., Washington, D.C. 20220. DO NOT send the form to this address. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a valid control number assigned by OMB.

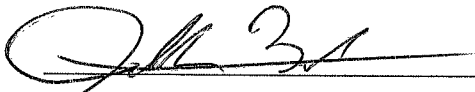
U.S. DEPARTMENT OF THE TREASURY
CORONAVIRUS STATE AND LOCAL FISCAL RECOVERY FUNDS

Recipient name and address: [Recipient to provide] City of Genoa 333 E First St Genoa, IL 60135	DUNS Number: [Recipient to provide] 031611585 Taxpayer Identification Number: [Recipient to provide] 36-6005895 Assistance Listing Number: 21.027
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Sections 602(b) and 603(b) of the Social Security Act (the Act) as added by section 9901 of the American Rescue Plan Act, Pub. L. No. 117-2 (March 11, 2021) authorize the Department of the Treasury (Treasury) to make payments to certain recipients from the Coronavirus State Fiscal Recovery Fund and the Coronavirus Local Fiscal Recovery Fund.

Recipient hereby agrees, as a condition to receiving such payment from Treasury, to the terms attached hereto.

Recipient:



Authorized Representative:

Title: Mayor

Date signed: 8/18/2021

U.S. Department of the Treasury:

Authorized Representative:

Title:

Date:

PAPERWORK REDUCTION ACT NOTICE

The information collected will be used for the U.S. Government to process requests for support. The estimated burden associated with this collection of information is 15 minutes per response. Comments concerning the accuracy of this burden estimate and suggestions for reducing this burden should be directed to the Office of Privacy, Transparency and Records, Department of the Treasury, 1500 Pennsylvania Ave., N.W., Washington, D.C. 20220. DO NOT send the form to this address. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a valid control number assigned by OMB.

U.S. DEPARTMENT OF THE TREASURY
CORONAVIRUS LOCAL FISCAL RECOVERY FUND
AWARD TERMS AND CONDITIONS

1. Use of Funds.
 - a. Recipient understands and agrees that the funds disbursed under this award may only be used in compliance with section 603(c) of the Social Security Act (the Act), Treasury's regulations implementing that section, and guidance issued by Treasury regarding the foregoing.
 - b. Recipient will determine prior to engaging in any project using this assistance that it has the institutional, managerial, and financial capability to ensure proper planning, management, and completion of such project.
2. Period of Performance. The period of performance for this award begins on the date hereof and ends on December 31, 2026. As set forth in Treasury's implementing regulations, Recipient may use award funds to cover eligible costs incurred during the period that begins on March 3, 2021, and ends on December 31, 2024.
3. Reporting. Recipient agrees to comply with any reporting obligations established by Treasury as they relate to this award.
4. Maintenance of and Access to Records
 - a. Recipient shall maintain records and financial documents sufficient to evidence compliance with section 603(c) of the Act, Treasury's regulations implementing that section, and guidance issued by Treasury regarding the foregoing.
 - b. The Treasury Office of Inspector General and the Government Accountability Office, or their authorized representatives, shall have the right of access to records (electronic and otherwise) of Recipient in order to conduct audits or other investigations.
 - c. Records shall be maintained by Recipient for a period of five (5) years after all funds have been expended or returned to Treasury, whichever is later.
5. Pre-award Costs. Pre-award costs, as defined in 2 C.F.R. § 200.458, may not be paid with funding from this award.
6. Administrative Costs. Recipient may use funds provided under this award to cover both direct and indirect costs.
7. Cost Sharing. Cost sharing or matching funds are not required to be provided by Recipient.
8. Conflicts of Interest. Recipient understands and agrees it must maintain a conflict of interest policy consistent with 2 C.F.R. § 200.318(c) and that such conflict of interest policy is applicable to each activity funded under this award. Recipient and subrecipients must disclose in writing to Treasury or the pass-through entity, as appropriate, any potential conflict of interest affecting the awarded funds in accordance with 2 C.F.R. § 200.112.

9. Compliance with Applicable Law and Regulations.
- a. Recipient agrees to comply with the requirements of section 603 of the Act, regulations adopted by Treasury pursuant to section 603(f) of the Act, and guidance issued by Treasury regarding the foregoing. Recipient also agrees to comply with all other applicable federal statutes, regulations, and executive orders, and Recipient shall provide for such compliance by other parties in any agreements it enters into with other parties relating to this award.
 - b. Federal regulations applicable to this award include, without limitation, the following:
 - i. Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, 2 C.F.R. Part 200, other than such provisions as Treasury may determine are inapplicable to this Award and subject to such exceptions as may be otherwise provided by Treasury. Subpart F – Audit Requirements of the Uniform Guidance, implementing the Single Audit Act, shall apply to this award.
 - ii. Universal Identifier and System for Award Management (SAM), 2 C.F.R. Part 25, pursuant to which the award term set forth in Appendix A to 2 C.F.R. Part 25 is hereby incorporated by reference.
 - iii. Reporting Subaward and Executive Compensation Information, 2 C.F.R. Part 170, pursuant to which the award term set forth in Appendix A to 2 C.F.R. Part 170 is hereby incorporated by reference.
 - iv. OMB Guidelines to Agencies on Governmentwide Debarment and Suspension (Nonprocurement), 2 C.F.R. Part 180, including the requirement to include a term or condition in all lower tier covered transactions (contracts and subcontracts described in 2 C.F.R. Part 180, subpart B) that the award is subject to 2 C.F.R. Part 180 and Treasury's implementing regulation at 31 C.F.R. Part 19.
 - v. Recipient Integrity and Performance Matters, pursuant to which the award term set forth in 2 C.F.R. Part 200, Appendix XII to Part 200 is hereby incorporated by reference.
 - vi. Governmentwide Requirements for Drug-Free Workplace, 31 C.F.R. Part 20.
 - vii. New Restrictions on Lobbying, 31 C.F.R. Part 21.
 - viii. Uniform Relocation Assistance and Real Property Acquisitions Act of 1970 (42 U.S.C. §§ 4601-4655) and implementing regulations.
 - ix. Generally applicable federal environmental laws and regulations.
 - c. Statutes and regulations prohibiting discrimination applicable to this award include, without limitation, the following:
 - i. Title VI of the Civil Rights Act of 1964 (42 U.S.C. §§ 2000d et seq.) and Treasury's implementing regulations at 31 C.F.R. Part 22, which prohibit discrimination on the basis of race, color, or national origin under programs or activities receiving federal financial assistance;

- ii. The Fair Housing Act, Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§ 3601 et seq.), which prohibits discrimination in housing on the basis of race, color, religion, national origin, sex, familial status, or disability;
 - iii. Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 794), which prohibits discrimination on the basis of disability under any program or activity receiving federal financial assistance;
 - iv. The Age Discrimination Act of 1975, as amended (42 U.S.C. §§ 6101 et seq.), and Treasury's implementing regulations at 31 C.F.R. Part 23, which prohibit discrimination on the basis of age in programs or activities receiving federal financial assistance; and
 - v. Title II of the Americans with Disabilities Act of 1990, as amended (42 U.S.C. §§ 12101 et seq.), which prohibits discrimination on the basis of disability under programs, activities, and services provided or made available by state and local governments or instrumentalities or agencies thereto.
10. Remedial Actions. In the event of Recipient's noncompliance with section 603 of the Act, other applicable laws, Treasury's implementing regulations, guidance, or any reporting or other program requirements, Treasury may impose additional conditions on the receipt of a subsequent tranche of future award funds, if any, or take other available remedies as set forth in 2 C.F.R. § 200.339. In the case of a violation of section 603(c) of the Act regarding the use of funds, previous payments shall be subject to recoupment as provided in section 603(e) of the Act.
11. Hatch Act. Recipient agrees to comply, as applicable, with requirements of the Hatch Act (5 U.S.C. §§ 1501-1508 and 7324-7328), which limit certain political activities of State or local government employees whose principal employment is in connection with an activity financed in whole or in part by this federal assistance.
12. False Statements. Recipient understands that making false statements or claims in connection with this award is a violation of federal law and may result in criminal, civil, or administrative sanctions, including fines, imprisonment, civil damages and penalties, debarment from participating in federal awards or contracts, and/or any other remedy available by law.
13. Publications. Any publications produced with funds from this award must display the following language: "This project [is being] [was] supported, in whole or in part, by federal award number [enter project FAIN] awarded to [name of Recipient] by the U.S. Department of the Treasury."
14. Debts Owed the Federal Government.
- a. Any funds paid to Recipient (1) in excess of the amount to which Recipient is finally determined to be authorized to retain under the terms of this award; (2) that are determined by the Treasury Office of Inspector General to have been misused; or (3) that are determined by Treasury to be subject to a repayment obligation pursuant to section 603(e) of the Act and have not been repaid by Recipient shall constitute a debt to the federal government.
 - b. Any debts determined to be owed the federal government must be paid promptly by

Recipient. A debt is delinquent if it has not been paid by the date specified in Treasury's initial written demand for payment, unless other satisfactory arrangements have been made or if the Recipient knowingly or improperly retains funds that are a debt as defined in paragraph 14(a). Treasury will take any actions available to it to collect such a debt.

15. Disclaimer.

- a. The United States expressly disclaims any and all responsibility or liability to Recipient or third persons for the actions of Recipient or third persons resulting in death, bodily injury, property damages, or any other losses resulting in any way from the performance of this award or any other losses resulting in any way from the performance of this award or any contract, or subcontract under this award.
- b. The acceptance of this award by Recipient does not in any way establish an agency relationship between the United States and Recipient.

16. Protections for Whistleblowers.

- a. In accordance with 41 U.S.C. § 4712, Recipient may not discharge, demote, or otherwise discriminate against an employee in reprisal for disclosing to any of the list of persons or entities provided below, information that the employee reasonably believes is evidence of gross mismanagement of a federal contract or grant, a gross waste of federal funds, an abuse of authority relating to a federal contract or grant, a substantial and specific danger to public health or safety, or a violation of law, rule, or regulation related to a federal contract (including the competition for or negotiation of a contract) or grant.
- b. The list of persons and entities referenced in the paragraph above includes the following:
 - i. A member of Congress or a representative of a committee of Congress;
 - ii. An Inspector General;
 - iii. The Government Accountability Office;
 - iv. A Treasury employee responsible for contract or grant oversight or management;
 - v. An authorized official of the Department of Justice or other law enforcement agency;
 - vi. A court or grand jury; or
 - vii. A management official or other employee of Recipient, contractor, or subcontractor who has the responsibility to investigate, discover, or address misconduct.
- c. Recipient shall inform its employees in writing of the rights and remedies provided under this section, in the predominant native language of the workforce.

17. Increasing Seat Belt Use in the United States. Pursuant to Executive Order 13043, 62 FR 19217 (Apr. 18, 1997), Recipient should encourage its contractors to adopt and enforce on-the-job seat belt policies and programs for their employees when operating company-owned, rented or personally owned vehicles.

18. Reducing Text Messaging While Driving. Pursuant to Executive Order 13513, 74 FR 51225 (Oct. 6, 2009), Recipient should encourage its employees, subrecipients, and contractors to adopt and enforce policies that ban text messaging while driving, and Recipient should establish workplace safety policies to decrease accidents caused by distracted drivers.

CITY OF GENOA
DEKALB COUNTY, ILLINOIS

ORDINANCE NO. 2021- 28

ADOPTED BY
THE MAYOR AND
CITY COUNCIL
OF THE
CITY OF GENOA

AN ORDINANCE AMENDING SECTION 7-9-25, SMALL WIRELESS FACILITIES,
PROVIDING FOR THE REGULATION OF AND APPLICATION FOR SMALL WIRELESS
FACILITIES AND REVISING EXISTING SMALL WIRELESS
FACILITIES DEPLOYMENT PROVISIONS

Adopted Sept. 1st, 2021, by the Mayor and City Council of the City of Genoa
DeKalb County, Illinois, and approved and published in pamphlet form
This 1st day of September, 2021.

ORDINANCE NO. 2021- 28

AN ORDINANCE AMENDING SECTION 7-9-25, SMALL WIRELESS FACILITIES, PROVIDING FOR THE REGULATION OF AND APPLICATION FOR SMALL WIRELESS FACILITIES AND REVISING EXISTING SMALL WIRELESS FACILITIES DEPLOYMENT PROVISIONS

WHEREAS, the Small Wireless Facilities Deployment Act (the “Act”), 50 ILCS 840/1 *et seq.*, effective June 1, 2018, was amended by Public Act 102-0009, effective June 1, 2021 and federal regulations have also been passed regulating local treatment of Small Wireless facilities; and

WHEREAS, the Act sets forth the requirements for the collocation of small wireless facilities by local authorities; and

WHEREAS, the City is authorized, under existing state and federal law, to enact appropriate regulations and restrictions relative to small wireless facilities, distributed antenna systems and other personal wireless telecommunication facility installations in the public right-of-way as long as it does not conflict with state and federal law; and

WHEREAS, the City previously adopted an ordinance providing for the regulation of and application for small wireless facilities which has been codified in Section 7-9-25 of the City’s Code; and

WHEREAS, the City Council finds it is appropriate and in the best interest of the City and its residents to comply with all applicable state and federal laws governing the regulation of Small Wireless Facilities in the City.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and City Council of the CITY OF GENOA, DeKalb County, Illinois, as follows:

SECTION 1: Section 7-9-25, Small Wireless Facilities, of the Genoa City Code is hereby amended by adding the underlined provisions and deleting the provisions noted with a strikethrough as follows:

7-9-25 SMALL WIRELESS FACILITIES

A. Purpose and Scope.

1. Purpose. The purpose of this Ordinance is to establish regulations, standards and procedures for the siting and collocation of small wireless facilities on rights-of-way within the City’s jurisdiction, or outside the rights-of-way on property zoned by the City exclusively for commercial or industrial use, in a manner that is consistent with the ~~Illinois Small Wireless Facilities Deployment Act (P.A. 100-0585).~~

2. Conflicts with Other Ordinances. This Ordinance supersedes all Ordinances or parts of Ordinances adopted prior hereto that are in conflict herewith, to the extent of such conflict.
3. Conflicts with State and Federal Laws. In the event that applicable federal or State laws or regulations conflict with the requirements of this Ordinance, the wireless provider shall comply with the requirements of this Ordinance to the maximum extent possible without violating federal or State laws or regulations.

B. Definitions. For the purposes of this Ordinance, the following terms shall have the following meanings:

Act: The Illinois Small Wireless Facilities Deployment Act, **50 ILCS 840/1 *et seq.***, (~~P.A. 100-0585~~), as may be subsequently amended.

Antenna: communications equipment that transmits or receives electromagnetic radio frequency **(RF) radiation, to be operated or operating from a fixed location pursuant to Federal Communications Commission (FCC) authorization, for the provision of personal wireless service and any commingled information services. The antenna does not include an unintentional radiator, mobile station or device**~~signals used in the provision of wireless services.~~

Applicable Codes: uniform building, fire, electrical, plumbing, or mechanical codes adopted by a recognized national code organization or local amendments to those codes, including the National Electric Safety Code.

Applicant: any person **or entity that** ~~who~~ submits an application ~~and is a wireless provider the agents, employees and contractors of such person or entity.~~

Application: a request submitted by an applicant to the City for a permit to collocate small wireless facilities **at a specified location**, and a request that includes the installation of a new utility pole for such collocation, as well as any applicable fee for the review of such application.

Collocate or Collocation: to install, mount, maintain, modify, operate, or replace wireless facilities on or adjacent to a wireless support structure or utility pole.

Communications Service: cable service, as defined in 47 U.S.C. 522(6), as amended; information service, as defined in 47 U.S.C. 153(24), as amended; telecommunications service, as defined in 47 U.S.C. 153(53), as amended; mobile service, as defined in 47 U.S.C. 153(53), as amended; or wireless service other than mobile service.

Communications Service Provider: a cable operator, as defined in 47 U.S.C. 522(5), as amended; a provider of information service, as defined in 47 U.S.C. 153(24), as amended; a telecommunications carrier, as defined in 47 U.S.C. 153(51), as amended; or a wireless provider.

FCC: the Federal Communications Commission of the United States.

Fee: a one-time charge.

Historic District or Historic Landmark: a building, property, or site, or group of buildings, properties, or sites that are either (i) listed in the National Register of Historic Places or formally determined eligible for listing by the Keeper of the National Register, the individual who has been delegated the authority by the federal agency to list properties and determine their eligibility for the National Register, in accordance with Section VI.D.1.a.i through Section VI.D.1.a.v of the Nationwide Programmatic Agreement codified at 47 CFR Part 1, Appendix C; or (ii) designated as a locally landmarked building, property, site, or historic district by an ordinance adopted by the City pursuant to a preservation program that meets the requirements of the Certified Local Government Program of the Illinois State Historic Preservation Office or where such certification of the preservation program by the Illinois State Historic Preservation Office is pending.

Law: a federal or State statute, common law, code, rule, regulation, order, or local ordinance or resolution.

Micro Wireless Facility: a small wireless facility that is not larger in dimension than 24 inches in length, 15 inches in width, and 12 inches in height and that has an exterior antenna, if any, no longer than 11 inches.

Municipal Utility Pole: a utility pole owned or operated by the City in public rights-of-way.

Permit: a written authorization required by the City to perform an action or initiate, continue, or complete a project.

Person: an individual, corporation, limited liability company, partnership, association, trust, or other entity or organization.

Public Safety Agency: the functional division of the federal government, the State, a unit of local government, or a special purpose district located in whole or in part within this State, that provides or has authority to provide firefighting, police, ambulance, medical, or other emergency services to respond to and manage emergency incidents.

Rate: a recurring charge.

Right-of-Way: the area on, below, or above a public roadway, highway, street, public sidewalk, alley, or utility easement dedicated for compatible use. Right-of-way does not include City-owned aerial lines.

Small Wireless Facility: a wireless facility that meets both of the following qualifications: (i) each antenna is located inside an enclosure of no more than 6 cubic feet in volume or, in the case of an antenna that has exposed elements, the antenna and all of its exposed elements could fit within an imaginary enclosure of no more than 6 cubic feet; and (ii) all other wireless equipment attached directly to a utility pole associated with the facility is cumulatively no more than 25 cubic feet in volume. The following types of associated ancillary equipment are not included in the calculation

of equipment volume: electric meter, concealment elements, telecommunications demarcation box, ground-based enclosures, grounding equipment, power transfer switch, cut-off switch, and vertical cable runs for the connection of power and other services.

Utility Pole: a pole or similar structure that is used in whole or in part by a communications service provider or for electric distribution, lighting, traffic control, or a similar function.

Wireless Facility: equipment at a fixed location that enables wireless communications between user equipment and a communications network, including: (i) equipment associated with wireless communications; and (ii) radio transceivers, antennas, coaxial or fiber-optic cable, regular and backup power supplies, and comparable equipment, regardless of technological configuration. Wireless facility includes small wireless facilities. Wireless facility does not include: (i) the structure or improvements on, under, or within which the equipment is collocated; or (ii) wireline backhaul facilities, coaxial or fiber optic cable that is between wireless support structures or utility poles or coaxial, or fiber optic cable that is otherwise not immediately adjacent to or directly associated with an antenna.

Wireless Infrastructure Provider: any person authorized to provide telecommunications service in the State that builds or installs wireless communication transmission equipment, wireless facilities, wireless support structures, or utility poles and that is not a wireless services provider but is acting as an agent or a contractor for a wireless services provider for the application submitted to the City.

Wireless Provider: a wireless infrastructure provider or a wireless services provider.

Wireless Services: any services provided to the general public, including a particular class of customers, and made available on a nondiscriminatory basis using licensed or unlicensed spectrum, whether at a fixed location or mobile, provided using wireless facilities.

Wireless Services Provider: a person who provides wireless services.

Wireless Support Structure: a freestanding structure, such as a monopole; tower, either guyed or self-supporting; billboard; or other existing or proposed structure designed to support or capable of supporting wireless facilities. Wireless support structure does not include a utility pole.

C. Regulation of Small Wireless Facilities.

1. Permitted Use. Small wireless facilities shall be classified as permitted uses and subject to administrative review, **except as provided in paragraph i regarding Height Exceptions or Variances**, but not subject to zoning review or approval if they are collocated (i) in rights-of-way in any zoning district, or (ii) outside rights-of-way in property zoned exclusively for commercial or industrial use.
2. Permit Required. An applicant shall obtain one or more permits from the City to collocate a small wireless facility. An application shall be received and processed, and permits issued shall be subject to the following conditions and requirements:

- a. Application Requirements. A wireless provider shall provide the following information to the City, together with the City's Small Cell Facilities Permit Application, as a condition of any permit application to collocate small wireless facilities on a utility pole or wireless support structure:
- (i) Site specific structural integrity and, for a municipal utility pole, make-ready analysis prepared by a structural engineer, as that term is defined in Section 4 of the Structural Engineering Practice Act of 1989;
 - (ii) The location where each proposed small wireless facility or utility pole would be installed and photographs of the location and its immediate surroundings depicting the utility poles or structures on which each proposed small wireless facility would be mounted or location where utility poles or structures would be installed. This should include a depiction of the completed facility;
 - (iii) Specifications and drawings prepared by a structural engineer, as that term is defined in Section 4 of the Structural Engineering Practice Act of 1989, for each proposed small wireless facility covered by the application as it is proposed to be installed;
 - (iv) The equipment type and model numbers for the antennas and all other wireless equipment associated with the small wireless facility;
 - (v) A proposed schedule for the installation and completion of each small wireless facility covered by the application, if approved; and
 - (vi) Certification that the collocation complies with the Collocation Requirements and Conditions contained herein, to the best of the applicant's knowledge; and
 - (vii) In the event that the proposed small wireless facility is to be attached to an existing pole owned by an entity other than the City, the wireless provider shall provide legally competent evidence of the consent of the owner of such pole to the proposed collocation.
 - ~~(vii)~~(viii) **Certification by a radio engineer that a new, replacement or modified small wireless facility operates within all applicable FCC standards.**
- b. Application Process. The City shall process applications as follows:
- (i) The first completed application shall have priority over applications received by different applicants for collocation on the same utility pole or wireless support structure.

- (ii) An application to collocate a small wireless facility on an existing utility pole or wireless support structure, or replacement of an existing utility pole or wireless support structure shall be processed on a nondiscriminatory basis **and shall be deemed approved if the City fails to approve or deny the application within 90 days** after the submission of a completed application.

~~However, if an applicant intends to proceed with the permitted activity on a deemed approved basis, the applicant shall notify the City in writing of its intention to invoke the deemed approved remedy no sooner than 75 days after the submission of a completed application.~~

~~The permit shall be deemed approved on the latter of the 90th day after submission of the complete application or the 10th day after the receipt of the deemed approved notice by the City. The receipt of the deemed approved notice shall not preclude the City's denial of the permit request within the time limits as provided under this Ordinance.~~

FCC regulation provides that an application to collocate a small wireless facility using an existing structure shall be granted or denied within 60 days of submission of a completed application. Delays beyond that time limit are available only in exceptional circumstances or with the consent of applicant.

- (iii) An application to collocate a small wireless facility that includes the installation of a new utility pole shall be processed on a nondiscriminatory basis **and deemed approved if the City fails to approve or deny the application within 120 days** after the submission of a completed application.

~~However, if an applicant intends to proceed with the permitted activity on a deemed approved basis, the applicant shall notify the City in writing of its intention to invoke the deemed approved remedy no sooner than 105 days after the submission of a completed application.~~

~~The permit shall be deemed approved on the latter of the 120th day after submission of the complete application or the 10th day after the receipt of the deemed approved notice by the City. The receipt of the deemed approved notice shall not preclude the City's denial of the permit request within the time limits as provided under this Ordinance.~~

FCC regulation provides that an application to collocate a small wireless facility using a new structure shall be granted or denied within 90 days of submission of a completed application. Delays beyond that time limit are available only in exceptional circumstances or with the consent of the applicant.

- (iv) The City shall deny an application which does not meet the requirements of this Ordinance.

If the City determines that applicable codes, ordinances or regulations that concern public safety, or the Collocation Requirements and Conditions contained herein require that the utility pole or wireless support structure be replaced before the requested collocation, approval shall be conditioned on the replacement of the utility pole or wireless support structure at the cost of the provider.

The City shall document the basis for a denial, including the specific code provisions or application conditions on which the denial is based, and send the documentation to the applicant on or before the day the City denies an application.

The applicant may cure the deficiencies identified by the City and resubmit the revised application once within 30 days after notice of denial is sent to the applicant without paying an additional application fee. The City shall approve or deny the revised application within 30 days after the applicant resubmits the application or it is deemed approved. Failure to resubmit the revised application within 30 days of denial shall require the application to submit a new application with applicable fees, and recommencement of the City's review period.

The applicant must notify the City in writing of its intention to proceed with the permitted activity on a deemed approved basis, which may be submitted with the revised application.

Any review of a revised application shall be limited to the deficiencies cited in the denial. However, this revised application does not apply if the cure requires the review of a new location, new or different structure to be collocated upon, new antennas, or other wireless equipment associated with the small wireless facility.

- (v) Pole Attachment Agreement. Within 30 days after an approved permit to collocate a small wireless facility on a municipal utility pole, the City and the applicant shall enter into a Master Pole Attachment Agreement, provided by the City for the initial

collocation on a municipal utility pole by the application. For subsequent approved permits to collocate on a small wireless facility on a municipal utility pole, the City and the applicant shall enter into a License Supplement of the Master Pole Attachment Agreement. **The Director of Public Works, or his or her designee, is authorized to execute the Pole Attachment Agreement on behalf of the City following review and approval by the City Attorney of any revisions.**

- c. **Completeness of Application.** Within ~~30~~–10 days after receiving an application, the City shall determine whether the application is complete and notify the applicant. If an application is incomplete, the City must specifically identify the missing information. An application shall be deemed complete if the City fails to provide notification to the applicant within ~~30~~–10 days after all documents, information and fees specifically enumerated in the City's permit application form are submitted by the applicant to the City. **FCC regulation allows 10 days for determination of completion, and that 10-day time frame replaces the 30-day period provided in the state Act.**

Processing deadlines are tolled from the time the City sends the notice of incompleteness to the time the applicant provides the missing information.

- d. **Tolling.** The time period for applications may be further tolled by:
- (i) An express written agreement by both the applicant and the City; or
 - (ii) A local, State or federal disaster declaration or similar emergency that causes the delay.
- e. **Consolidated Applications.** An applicant seeking to collocate small wireless facilities within the jurisdiction of the City shall be allowed, at the applicant's discretion, to file a consolidated application and receive a single permit for the collocation of up to 25 small wireless facilities if the collocations each involve substantially the same type of small wireless facility and substantially the same type of structure.

If an application includes multiple small wireless facilities, the City may remove small wireless facility collocations from the application and treat separately small wireless facility collocations for which incomplete information has been provided or that do not qualify for consolidated treatment or that are denied. The City may issue separate permits for each collocation that is approved in a consolidated application.

- f. **Duration of Permits.** The duration of a permit shall be for a period of not less than 5 years, and the permit shall be renewed for equivalent durations unless the City makes a finding that the small wireless facilities or the new

or modified utility pole do not comply with the applicable City codes or any provision, condition or requirement contained in this Ordinance.

If the Act is repealed as provided in Section 90 therein, renewals of permits shall be subject to the applicable City code provisions or regulations in effect at the time of renewal.

- g. Means of Submitting Applications. Applicants shall submit applications, supporting information and notices to the City by personal delivery at the City's designated place of business, by regular mail postmarked on the date due or by any other commonly used means, including electronic mail.

3. Collocation Requirements and Conditions.

- a. Public Safety Space Reservation. The City may reserve space on municipal utility poles for future public safety uses, for the City's electric utility uses, or both, but a reservation of space may not preclude the collocation of a small wireless facility unless the City reasonably determines that the municipal utility pole cannot accommodate both uses.
- b. Installation and Maintenance. The wireless provider shall install, maintain, repair and modify its small wireless facilities in safe condition and good repair and in compliance with the requirements and conditions of this Ordinance. The wireless provider shall ensure that its employees, agents or contractors that perform work in connection with its small wireless facilities are adequately trained and skilled in accordance with all applicable industry and governmental standards and regulations.
- c. No interference with public safety communication frequencies. The wireless provider's operation of the small wireless facilities shall not interfere with the frequencies used by a public safety agency for public safety communications.

A wireless provider shall install small wireless facilities of the type and frequency that will not cause unacceptable interference with a public safety agency's communications equipment.

Unacceptable interference will be determined by and measured in accordance with industry standards and the FCC's regulations addressing unacceptable interference to public safety spectrum or any other spectrum licensed by a public safety agency.

If a small wireless facility causes such interference, and the wireless provider has been given written notice of the interference by the public safety agency, the wireless provider, at its own expense, shall remedy the interference in a manner consistent with the abatement and resolution

procedures for interference with public safety spectrum established by the FCC including 47 CFR 22.970 through 47 CFR 22.973 and 47 CFR 90.672 through 47 CFR 90.675.

The City may terminate a permit for a small wireless facility based on such interference if the wireless provider is not in compliance with the Code of Federal Regulations cited in the previous paragraph. Failure to remedy the interference as required herein shall constitute a public nuisance.

- d. The wireless provider shall not collocate small wireless facilities on City utility poles that are part of an electric distribution or transmission system within the communication worker safety zone of the pole or the electric supply zone of the pole.

However, the antenna and support equipment of the small wireless facility may be located in the communications space on the City utility pole and on the top of the pole, if not otherwise unavailable, if the wireless provider complies with applicable codes for work involving the top of the pole.

For purposes of this subparagraph, the terms “communications space”, “communication worker safety zone”, and “electric supply zone” have the meanings given to those terms in the National Electric Safety Code as published by the Institute of Electrical and Electronics Engineers.

- e. The wireless provider shall comply with all applicable codes, **including acoustic regulations**, and local code provisions or regulations that concern public safety.
- f. The wireless provider shall comply with the following design standards and any variations from these design standards may only be granted pursuant to the variance provisions of this chapter:
 - (i) Screening. Whenever any equipment or appurtenances are to be installed at grade, screening must be installed to minimize the visibility of the facility and shall not be permitted to obstruct sight lines or to create other traffic or safety problems.
 - (ii) Color and Stealth. All wireless facilities subject to this section, including all related equipment and appurtenances, must be a color that blends with the surroundings of the pole, structure tower or infrastructure on which it is mounted. The color must be comprised of nonreflective materials which blend with the materials and colors of the surrounding area and structures. The Applicant shall use good faith efforts to employ reasonable stealth techniques to conceal the appearance of the wireless facilities. Any pole extensions shall not

be metallic or wood and shall blend with the color of the pole upon which they are mounted.

- (iii) Wiring and Cabling. Wires and cables connecting the antenna to the remainder of the facility must be installed in accordance with the national electrical code and national electrical safety code adopted by the city and in force at the time of the installation of the facility. Any wiring must be covered with an appropriate cover. No wiring and cabling serving the facility will be allowed to interfere with any existing uses.

- g. Alternate Placements. Except as provided in this Collocation Requirements and Conditions Section, a wireless provider shall not be required to collocate ~~on~~ small wireless facilities on any specific utility pole, or category of utility poles, or be required to collocate multiple antenna systems on a single utility pole. However, with respect to an application for the collocation of a small wireless facility associated with a new utility pole, the City may propose that the small wireless facility be collocated on an existing utility pole or existing wireless support structure within ~~100~~ 200 feet of the proposed collocation, which the applicant shall accept if it has the right to use the alternate structure on reasonable terms and conditions, and the alternate location and structure does not impose technical limits or additional material costs as determined by the applicant.

If the applicant refuses a collocation proposed by the City, the applicant shall provide written certification describing the property rights, technical limits or material cost reasons the alternate location does not satisfy the criteria in this paragraph.

- h. Height Limitations. The maximum height of a small wireless facility shall be no more than 10 feet above the utility pole or wireless support structure on which the small wireless facility is collocated.

New or replacement utility poles or wireless support structures on which small wireless facilities are collocated may not exceed the higher of:

- (i) 10 feet in height above the tallest existing utility pole, other than a utility pole supporting only wireless facilities, that is in place on the date the application is submitted to the City, that is located within 300 feet of the new or replacement utility pole or wireless support structure and that is in the same right-of-way within the jurisdictional boundary of the City, provided the City may designate which intersecting right-of-way within 300 feet of the proposed utility pole or wireless support structures shall control the height limitation for such facility; or

- (ii) **45-50 feet above ground level. The 50-foot limit provided by FCC regulation replaces the limit of 45 feet under the Act.**
 - i. Height Exceptions or Variances. If an applicant proposes a height for a new or replacement pole in excess of the above height limitations on which the small wireless facility is proposed for collocation, the applicant shall apply for a variance in the manner provided in this chapter.
 - j. Contractual Design Requirements. The wireless provider shall comply with requirements that are imposed by a contract between the City and a private property owner that concern design or construction standards applicable to utility poles and ground-mounted equipment located in the right-of-way.
 - k. Ground-mounted Equipment Spacing. Subject to the variance provisions of this chapter and state law, the wireless provider shall comply with applicable spacing requirements of this chapter concerning the location of ground-mounted equipment located in the right-of-way.
 - l. Undergrounding Regulations. Subject to the variance provisions of this chapter and state law, the wireless provider shall comply with the provisions of this chapter concerning undergrounding requirements that prohibit the installation of new or the modification of existing utility poles in a right-of-way without prior approval.
 - m. Collocation Completion Deadline. Collocation for which a permit is granted shall be completed within 180 days after issuance of the permit, unless the City and the wireless provider agree to extend this period or a delay is caused by make-ready work for a municipal utility pole or by the lack of commercial power or backhaul availability at the site, provided the wireless provider has made a timely request within 60 days after the issuance of the permit for commercial power or backhaul services, and the additional time to complete installation does not exceed 360 days after issuance of the permit. Otherwise, the permit shall be void unless the City grants an extension in writing to the applicant.
4. Application Fees. Application fees are imposed as follows:
- a. Applicant shall pay an application fee of \$650 for an application to collocate a single small wireless facility on an existing utility pole or wireless support structure, and \$350 for each small wireless facility addressed in a consolidated application to collocate more than one small wireless facility on existing utility poles or wireless support structures. **The fees established by this chapter are equal to the limit imposed by the Act and represent a reasonable approximation of the City's objectively reasonable costs. The City shall regularly review the fees imposed and may adjust the fees by further amendment to this chapter.**

- b. Applicant shall pay an application fee of \$1,000 for each small wireless facility addressed in an application that includes the installation of a new utility pole for such collocation.
 - c. Notwithstanding any contrary provision of State law or local ordinance, applications pursuant to this Section shall be accompanied by the required application fee. Application fees shall be non-refundable.
 - d. The City shall not require an application, approval or permit, or require any fees or other charges, from a communications service provider authorized to occupy the rights-of-way, for:
 - (i) routine maintenance;
 - (ii) the replacement of wireless facilities with wireless facilities that are substantially similar, the same size, or smaller if the wireless provider notifies the City at least 10 days prior to the planned replacement and includes equipment ~~type and model numbers~~**specifications and certifications consistent with the Section titled Application Requirements (Section (C)(2)(a))** for any of the replacement equipment; or
 - (iii) the installation, placement, maintenance, operation or replacement of micro wireless facilities suspended on cables that are strung between existing utility poles in compliance with applicable safety codes.
 - e. Wireless providers shall secure a permit from the City to work within rights-of-way for activities that affect traffic patterns or require lane closures.
5. Exceptions to Applicability. Nothing in this Ordinance authorizes a person to collocate small wireless facilities on:
- a. property owned by a private party or property owned or controlled by the City or another unit of local government that is not located within rights-of-way, or a privately owned utility pole or wireless support structure without the consent of the property owner;
 - b. property owned, leased, or controlled by a park district, forest preserve district, or conservation district for public park, recreation or conservation purposes without the consent of the affected district, excluding the placement of facilities on rights-of-way located in an affected district that are under the jurisdiction and control of a different unit of local government as provided by the Illinois Highway Code; or

- c. property owned by a rail carrier registered under Section 18c-7201 of the Illinois Vehicle Code, Metra Commuter Rail or any other public commuter rail service, or an electric utility as defined in Section 16-102 of the **Illinois** Public Utilities Act, without the consent of the rail carrier, public commuter rail service, or electric utility. The provisions of this Ordinance do not apply to an electric or gas public utility or such utility's wireless facilities if the facilities are being used, developed and maintained consistent with the provisions of subsection (i) of Section 16-108.5 of the **Illinois** Public Utilities Act.

For the purposes of this subsection, "public utility" has the meaning given to that term in Section 3-105 of the **Illinois** Public Utilities Act. Nothing in this Ordinance shall be construed to relieve any person from any requirement (a) to obtain a franchise or a State-issued authorization to offer cable service or video service or (b) to obtain any required permission to install, place, maintain, or operate communications facilities, other than small wireless facilities subject to this Ordinance.

6. **Pre-Existing Agreements.** Existing agreements between the City and wireless providers that relate to the collocation of small wireless facilities in the right-of-way, including the collocation of small wireless facilities on City utility poles, that are in effect on June 1, 2018, remain in effect for all small wireless facilities collocated on the City's utility poles pursuant to applications submitted to the City before June 1, 2018, subject to applicable termination provisions contained therein. Agreements entered into after June 1, 2018, shall comply with this Ordinance.

A wireless provider that has an existing agreement with the City on the effective date of the Act may accept the rates, fees and terms that the City makes available under this Ordinance for the collocation of small wireless facilities or the installation of new utility poles for the collocation of small wireless facilities that are the subject of an application submitted two or more years after the effective date of the Act by notifying the City that it opts to accept such rates, fees and terms. The existing agreement remains in effect, subject to applicable termination provisions, for the small wireless facilities the wireless provider has collocated on the City's utility poles pursuant to applications submitted to the City before the wireless provider provides such notice and exercises its option under this paragraph.

7. **Annual Recurring Rate.** A wireless provider shall pay to the City an annual recurring rate to collocate a small wireless facility on a City utility pole located in a right-of-way that equals (i) \$200 per year or (ii) the actual, direct and reasonable costs related to the wireless provider's use of space on the City utility pole.

If the City has not billed the wireless provider actual and direct costs, the fee shall be \$200 payable on the first day after the first annual anniversary of the issuance of the permit or notice of intent to collocate, and on each annual anniversary date thereafter.

8. Abandonment. A small wireless facility that is not operated for a continuous period of 12 months shall be considered abandoned. The owner of the facility shall remove the small wireless facility within 90 days after receipt of written notice from the City notifying the wireless provider of the abandonment.

The notice shall be sent by certified or registered mail, return receipt requested, by the City to the owner at the last known address of the wireless provider. If the small wireless facility is not removed within 90 days of such notice, the City may remove or cause the removal of such facility pursuant to the terms of its pole attachment agreement for municipal utility poles or through whatever actions are provided for abatement of nuisances or by other law for removal and cost recovery.

A wireless provider shall provide written notice to the City if it sells or transfers small wireless facilities within the jurisdiction of the City. Such notice shall include the name and contact information of the new wireless provider.

D. Dispute Resolution. The Circuit Court of DeKalb County, Illinois shall have exclusive jurisdiction to resolve all disputes arising under the Small Wireless Facilities Deployment Act. Pending resolution of a dispute concerning rates for collocation of small wireless facilities on municipal utility poles within the right-of-way, the City shall allow the collocating person to collocate on its poles at annual rates of no more than \$200 per year per municipal utility pole, with rates to be determined upon final resolution of the dispute.

E. Indemnification. A wireless provider shall indemnify and hold the City harmless against any and all liability or loss from personal injury or property damage resulting from or arising out of, in whole or in part, the use or occupancy of the City improvements or right-of-way associated with such improvements by the wireless provider or its employees, agents, or contractors arising out of the rights and privileges granted under this Ordinance and the Act. A wireless provider has no obligation to indemnify or hold harmless against any liabilities and losses as may be due to or caused by the sole negligence of the City or its employees or agents. A wireless provider shall further waive any claims that they may have against the City with respect to consequential, incidental, or special damages, however caused, based on the theory of liability.

F. Insurance. The wireless provider shall carry, at the wireless provider's own cost and expense such insurance as is required by this chapter.

The wireless provider shall include the City as an additional insured on the commercial general liability policy and provide certification and documentation of inclusion of the City in a commercial general liability policy prior to the collocation of any wireless facility.

A wireless provider may self-insure all or a portion of the insurance coverage and limit requirement required by the City. A wireless provider that self-insures is not required, to the extent of the self-insurance, to comply with the requirement for the name of additional insureds under this Section. A wireless provider that elects to self-insure shall provide to the City evidence sufficient to demonstrate its financial ability to self-insure the insurance coverage limits required by the City.

SECTION 2: If any section, paragraph, subdivision, clause, sentence or provision of this Ordinance shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, invalidate or nullify the remainder thereof, which remainder shall remain and continue in full force and effect.

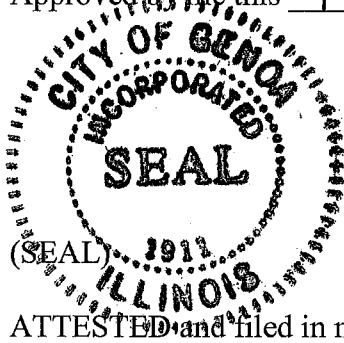
SECTION 3: All ordinances or parts of ordinance in conflict herewith are hereby repealed to the extent of such conflict.

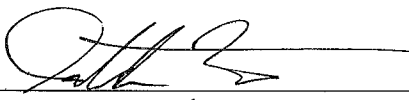
SECTION 4: This Ordinance shall be in full force and effect upon its passage, approval and publication in pamphlet form (which publication is hereby authorized) as provided by law.

Alderman Name	Aye	Nay	Abstain	Absent
Pam Wesner	✓			
Christopher Pulley	✓			
Melissa Freund	✓			
James Stevenson	✓			
Courtney Winter	✓			
Chuck Cravatta	✓			
Brent Holcomb	✓			
Katie Lang	✓			
Mayor Jonathon Brust				

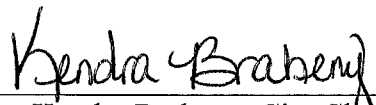
PASSED by the City Council of the City of Genoa, DeKalb County, Illinois this 1st day of September, 2021.

Approved by me this 1st day of September 2021.




Jonathon Brust, Mayor

ATTESTED and filed in my office this 1st day of September, 2021.


Kendra Braheny, City Clerk

CITY OF GENOA
DEKALB COUNTY, ILLINOIS

ORDINANCE NO. 2021- 29

ADOPTED BY
THE MAYOR AND
CITY COUNCIL
OF THE
CITY OF GENOA

AN ORDINANCE AMENDING TITLE 3, CHAPTER 3, LIQUOR CONTROL,
SECTION 9, INSURANCE REQUIRED, OF THE MUNICIPAL CODE OF THE
CITY OF GENOA

Adopted September 22, 2021, by the Mayor and City Council of the City of Genoa
DeKalb County, Illinois, and approved and published in pamphlet form
this 22nd day of September 2021.

ORDINANCE NO. 2021- 29

AN ORDINANCE AMENDING TITLE 3, CHAPTER 3, LIQUOR CONTROL, SECTION 9, INSURANCE REQUIRED OF THE MUNICIPAL CODE OF THE CITY OF GENOA

BE IT ORDAINED by the Mayor and City Council of the CITY OF GENOA, DeKalb County, Illinois, as follows:

WHEREAS, the City has several requirements for liquor license applications;

WHEREAS, the City has not updated the amount of dramshop insurance required in some time;

WHEREAS, the State establishes requirements for insurance required annually;

NOW THEREFORE, the Municipal Code of the City of Genoa be amended as follows:

SECTION 1: That Tile 3, Chapter 3, Section 9 be amended to instead read:

3-3-9: INSURANCE REQUIRED:

~~All individuals, corporations or firms selling alcoholic liquor or beer under the provisions of this Chapter shall carry dram shop insurance with limits of coverage not less than fifty thousand dollars (\$50,000.00) for each loss of means of support and one hundred thousand dollars (\$100,000.00) for each occurrence (for loss of means of support), fifty thousand dollars (\$50,000.00) per person, one hundred thousand dollars (\$100,000.00) per occurrence for bodily injury and fifty thousand dollars (\$50,000.00) for property damage per occurrence, and evidence of such insurance shall be exhibited to the Liquor Commissioner, together with a receipt for the payment of the premium thereon, before any license shall be issued hereunder. (1978 Code §37.11; Ord 2015-19, 10-6-2015)~~

No license or permit shall be issued hereunder unless the applicant files with the application an insurance certificate, issued by an insurance company that is authorized to do business in the State, certifying that the applicant, and the owner of the premises housing the establishment from where the liquor will be sold, has in force and effect liquor liability insurance of not less than \$1,000,000 per occurrence and \$2,000,000 annual aggregate and general liability insurance in an amount not less than \$1,000,000 per occurrence and \$2,000,000 annual aggregate. "Host" insurance shall not satisfy the terms of this Section.

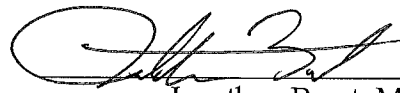
SECTION 2: This ordinance shall be in full force and effect from and following its passage and approval.

Alderman Name	Aye	Nay	Abstain	Absent
Pam Wesner	X			
Christopher Pulley	X			
Melissa Freund	X			
James Stevenson				X
Courtney Winter	X			
Chuck Cravatta	X			
Brent Holcomb	X			
Katie Lang				X
Mayor Jonathon Brust				

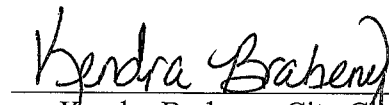
PASSED by the City Council of the City of Genoa, DeKalb County, Illinois this 22nd day of September, 2021.

Approved by me this 22nd day of September, 2021.




Jonathon Brust, Mayor

ATTESTED and filed in my office this 22nd day of September, 2021.


Kendra Braheny, City Clerk

CITY OF GENOA
DEKALB COUNTY, ILLINOIS

ORDINANCE NO. 2021- 30

ADOPTED BY
THE MAYOR AND
CITY COUNCIL
OF THE
CITY OF GENOA

AN ORDINANCE AUTHORIZING EXECUTION OF AN AGREEMENT BY AND
BETWEEN THE CITY OF GENOA AND FLOOD BROS DISPOSAL CO. TO PROVIDE
SOLID WASTE COLLECTION AND DISPOSAL SERVICES TO THE CITY OF GENOA

Adopted September 28, 2021, by the Mayor and City Council of the City of Genoa
DeKalb County, Illinois, and approved and published in pamphlet form
This 28th day of September 2021.

ORDINANCE NO. 2021- 30

**AN ORDINANCE AUTHORIZING EXECUTION OF AN AGREEMENT
BY AND BETWEEN THE CITY OF GENOA AND FLOOD BROS DISPOSAL CO.
TO PROVIDE SOLID WASTE COLLECTION AND DISPOSAL SERVICES
TO THE CITY OF GENOA**

WHEREAS, the City of Genoa (the "City") has negotiated with Flood Bros Disposal Co. an agreement to provide solid waste collection and disposal services to the City of Genoa in the form attached hereto as Exhibit A (the "Agreement"); and

WHEREAS, the City's corporate authorities believe that it is in the best interests of the City that the Agreement be approved.

NOW THEREFORE, BE IT ORDAINED by the Mayor and City Council of the CITY OF GENOA, DeKalb County, Illinois, as follows:

SECTION 1: The Agreement is hereby approved and the City Mayor is hereby authorized and directed to execute the Agreement on behalf of the City and the City Clerk to attest such signature.

SECTION 2: If any section, paragraph, subdivision, clause, sentence, or provision of this Ordinance shall be adjusted by any Court of competent jurisdiction to be invalid, such judgment shall not affect, impair, invalidate, or nullify the remainder thereof, which remainder shall remain and continue in full force and effect.

SECTION 3: All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

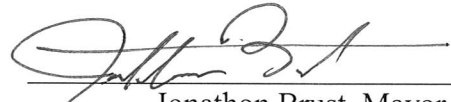
SECTION 4: This Ordinance shall be in full force and effect upon its passage, approval, and publication in pamphlet form (which publication is hereby authorized) as provided by law.

Alderman Name	Aye	Nay	Abstain	Absent
Pam Wesner		✓		
Christopher Pulley	✓			
Melissa Freund	✓			
James Stevenson	✓			
Courtney Winter	✓			
Chuck Cravatta	✓			
Brent Holcomb	✓			
Katie Lang				✓
Mayor Jonathon Brust				

PASSED by the City Council of the City of Genoa, DeKalb County, Illinois this 28th day of September, 2021.


Approved by me this 28th day of September, 2021.





Jonathon Brust, Mayor

ATTESTED and filed in my office this 28th day of September, 2021.



Kendra Braheny, City Clerk

MUNICIPAL WASTE AGREEMENT

This Municipal Waste Agreement (the "Agreement") is entered into September 22, 2021 (the "Effective Date"), by and between City of Genoa Illinois, a municipal corporation ("City") and Flood Bros Disposal Co. of Oakbrook Terrace, Illinois ("Flood Bros").

RECITALS

- A. The City desires to provide its citizens with environmentally sound solid waste collection and disposal;
- B. FLOOD BROS and its affiliates have extensive experience in providing solid waste disposal; and
- C. The City is authorized to enter into this Agreement pursuant to Section 11-19-1 of the Illinois Municipal Code (65 ILCS 5/11-19-1) and other statutory provisions contained in the Illinois Compiled Statutes; and
- D. The City has determined that it would be in the best interests of its citizens to contract with FLOOD BROS for the collection of its residential solid waste according to the terms and conditions set forth below.

AGREEMENTS

I. Definitions

- a. Acceptable Waste - shall mean all non-hazardous solid waste generated by households in the ordinary course including food wastes and discarded papers, cardboard, plastics, cloth, glass and metal materials, but excluding Excluded Waste as defined herein. Waste shall be considered "Acceptable Waste" only if properly contained with Carts placed at the curbside on the proper weekly collection day. As used herein, the term "waste" shall mean Acceptable Waste unless the context demonstrates otherwise. Title to Acceptable Waste shall transfer to FLOOD BROS upon collection in FLOOD BROS vehicles.
- b. Carts - shall mean a 35-gallon or 65-gallon cart with a lid for seniors or 95-gallon wheeled cart with a lid for non-seniors.
- c. Excluded Waste - shall mean, without limitation, any regulated quantity of a Hazardous Waste or Hazardous Substance as defined by federal, state or local laws or regulations; containerized wastes, the contents of which are not able to be identified; sludges; waste from a pollution control process or cleanup of a spill of a chemical substance or commercial product; waste tires; biohazards or regulated medical waste; friable asbestos; construction and demolition waste of commercial providers; soil, sod, tree branches and stumps; paint; motor oil; excessive storm debris or debris resulting from weather events such as flooding or tornadoes; or any item too large or heavy to be contained within a Cart. Title to and liability for Excluded Waste shall remain with the resident that generated the Excluded Waste at all times.
- d. Organic Waste shall mean food scraps such as meat, coffee grounds, vegetables, fruits etc. to be disposed of with Yard Waste.
- e. Recyclables or Recyclable Materials - In the event FLOOD BROS is providing recycling services for the City and/or its residents, Recyclables as are defined by FLOOD BROS.
- f. Residential Unit -- shall mean a dwelling within the corporate limits of the City occupied by a person or persons as a domicile. A residential unit shall be deemed occupied when either domestic water or light and power services are being supplied thereto. Except for the 55+ Community Riverbend By Grainger Development, apartment or condominium buildings with four (4) or more individual dwellings shall not be considered Residential Units and are, therefore, not covered by this Agreement.

- g. Senior Resident- shall mean a resident who is 65 years or older that lives in a dwelling with all other persons in the dwelling over 65 that is eligible for a senior discount. Those residents residing in Unit 4 and Unit 6, the 55+ Community Riverbend By Grainger Development senior housing are also eligible to receive smaller toters, however, will not receive the reduced rate until all persons in the dwelling are 65 years or older.
- h. Yard Waste shall mean garden trimmings, vines, garden plants and flowers, leaves, lawn cuttings, weeds, shrub and tree waste (such as pinecones and crab apples), and prunings.
- i. White Goods shall mean "White Goods" as defined in 415 ILCS 5/22.28.

II. Term

The term of this Agreement shall be for five and one-half (5.5) years commencing on November 1, 2021 and expiring April 30, 2027 ("Term"). The City reserves the right to renew and extend the Agreement upon mutually agreed to terms and conditions set forth in writing.

III. Services

- a. FLOOD BROS shall furnish the labor, equipment, licenses, permits, and other requirements necessary to provide Acceptable Waste collection to all Residential Units of the City, which currently consists of approximately 1,614 Residential Units and City property below (the "Service"). FLOOD BROS shall have available, for use throughout the Agreement term, an Illinois Environmental Protection Agency (IEPA) or a Wisconsin Department of Natural Resources (WDNR) permitted site for the disposal of all Municipal Waste Under this Agreement. A current copy of any IEPA or WDNR permits or any other related permits shall be provided.
- b. Cart Supply. FLOOD BROS shall provide each Residential Unit with a 95-gallon Cart for Acceptable Waste and a 95-gallon Cart for Recyclables. Seniors may request a 35-gallon or 65-gallon Cart in lieu of the 95-gallon Cart. Additional refuse may be collected in bags or cans with handles not exceeding 32-gallons or 50 lbs. The Cart(s) and equipment FLOOD BROS furnishes Residents and the City shall remain FLOOD BROS's property. Residential Units may order additional Carts from FLOOD BROS, subject to an additional fee of \$3.00 per month.
- c. Acceptable Waste and Recyclables Collection Frequency, Days and Times. Acceptable Waste shall be collected from the curbside once per week from each Residential Unit North of Route 72 on Mondays and South of Route 72 on Tuesdays, which shall considered the service schedule. Two Bulk Items and no more than two (2) cubic yards of do-it-yourself home construction and remodeling materials per week is included in the weekly collection. Any Acceptable Waste that is not in a container or bagged is considered a Bulk Item. White Goods are not considered a Bulk Item. For Bulk Items that exceed 75 pounds, FLOOD BROS will leave a tag on the item stating that the item requires a special pickup. The resident is required to contact FLOOD BROS to schedule a pickup and will be charged \$20 for the special pickup. FLOOD BROS shall provide recycling collection services to Residential Units on a weekly basis. All Carts must be placed at the curb by the Residential Unit for collection no later than 7:00 A.M. on scheduled day of collection. FLOOD BROS will not commence work before 7:00 a.m. and FLOOD BROS shall cease collection by 7:00 p.m. FLOOD BROS shall collect toters and yard waste at the curb (or edge of the pavement where there is no curb) of the public street in front of the residences served. FLOOD BROS shall carefully adhere to the service schedule. Time shall be of the essence. Notwithstanding any other provisions of this Agreement regarding default and an opportunity to cure, if, on at least three separate occasions during the term of this Agreement, the City provides written or emailed notice to FLOOD BROS that it has failed to adhere to the service schedule provided in this Section, then that shall service as a basis for termination of the Agreement by the City without penalty to the City, and the Agreement shall terminate fifteen (15) days after the date of the third such notice provided by the City. FLOOD BROS shall not be excused for failure to comply with the City-approved schedule by reason of any street or other construction performed by the City or its contractors. The City reserves the right to construct an improvement or to permit any

construction in any street, which may have the effect, for a time, of preventing FLOOD BROS from traveling its accustomed route or routes for collection. The Contractor shall continue to collect the refuse, recyclable material, and yard waste by a reasonably acceptable method to the same extent as though no interference existed upon the streets formerly traversed, without extra cost to the City residents and shall cooperate with the City to accomplish this objective.

- d. If FLOOD BROS declines collection of the Cart, the driver shall leave the materials in the Cart and leave a "sorry tag" clearly indicating why collection was declined and the proper actions, if any that can be taken by the resident in the future to ensure collection of the materials. FLOOD BROS shall return all Carts to the general location at which they were found. FLOOD BROS shall handle all Carts with reasonable care to avoid damage and spillage. Any spilled contents on parkways, premises, curb-and-gutter, or streets shall be cleaned up in a good and workmanlike manner. FLOOD BROS shall not be responsible for collecting or cleaning up refuse, recyclables, or yard waste litter that has blown, fallen, leaked, or scattered from bags cans, bins or other containers through no fault of the collection personnel.
- e. White Goods. Residential Units may schedule directly with FLOOD BROS a pickup for White Good(s). Each Residential Unit must pay FLOOD BROS \$30.00 per White Good, and such amount must be prepaid and prescheduled by the Residential Unit.
- f. Exclusions from the Service. The Service shall not include commercial construction or demolition waste collection. Services to commercial establishments are not covered by this Agreement, but FLOOD BROS may contract separately with such entities independent of this Agreement. FLOOD BROS shall provide a 15-25% discount for waste removal service to commercial businesses within the City if the commercial business sets up an account.
- g. Disposal. FLOOD BROS shall dispose or arrange to dispose of the Acceptable Waste collected under this Agreement only at solid waste disposal facilities that are licensed and permitted to accept such solid waste. FLOOD BROS must request approval from the City for any changes in waste disposal location.
- h. Holiday Schedule. The following shall be designated holidays on which the Service shall not be provided: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day. If a designated holiday falls on a Monday, service will be delayed until Tuesday with Tuesday pickups being delayed until Wednesday.
- i. Yard and Organic Waste and Brush Pickup Services. FLOOD BROS will provide Yard and Organic Waste and Brush collection services on resident's regularly scheduled refuse and recycling pickup day, commencing the first service day on or after April 1st through the last service day on or before December 15th. Residential Units must ensure that Yard and Organic Waste is placed in Kraft paper bags not to exceed 35-gallons or cans with handles. Each bag or can cannot exceed 50 lbs, however, the number of yard waste kraft paper bags and cans is unlimited. Residents may also rent a 95-gallon toter for \$3.00 month per toter. Any brush must be tied in bundles with biodegradable string or twine and shall not exceed 4' in length and 2' in diameter and 50 lbs. Each limb may not exceed 3".
- j. Christmas Trees. FLOOD BROS will collect Christmas Trees curbside the last week of December and the entire month of January at no additional charge.
- k. Franchise Fee. FLOOD BROS will pay the City a franchise fee in an amount equal to five percent (5%) of FLOOD BROS's total billings for the service for refuse (including At Your Curb), recycling, electronics recycling, and yard and organic waste and brush pickup collection, payable for the previous monthly billing period on dates agreed upon by the City.

1. Value Added Services. FLOOD BROS shall provide the following value-added services to the City at no additional cost to the City during the term of the Agreement:

- i. Public Awareness Program. FLOOD BROS shall develop a public awareness program to inform City Residential Units of all aspects included in the services provided per this Agreement to City residents. The Public Awareness Program shall include at a minimum the development of an informational brochure, provided at no cost to the City, to be provided in printed form to the City. The contents of the informational brochure shall be mutually agreed upon by FLOOD BROS and the City. Upon request by the City, FLOOD BROS shall also make available personnel for presentations at meetings or other similar gatherings to explain or reinforce the collection program throughout the terms of this Agreement. FLOOD BROS shall provide educational information pertaining to the recycling and special collections to all Genoa residents on a quarterly basis. The information should be designed to promote and increase recycling efforts by the residents of the City. The City retains the right to approve all materials to be delivered by FLOOD BROS to City residents, including, but not limited to: door hangers, leaflets, fliers, etc.

In addition, prior to services under this Agreement beginning, FLOOD BROS at its own expense, shall be required to mail all residential customers and all new customers notification of services provided by FLOOD BROS, which shall specifically state or highlight any changes to the services currently being provided. Additionally, with this notice, FLOOD BROS is required to notify residents that all brush will be picked up by FLOOD BROS in accordance with requirements of FLOOD BROS. Said notification is to be approved by the City prior to mailing. Notification from FLOOD BROS to all customers is required whenever there is a change in the service or programs provided during the duration of the contract. Any change in service during the contract period would be considered a contract amendment and would require approval of FLOOD BROS and the City.

- ii. Street Sweeping - FLOOD BROS will provide street sweeping service after Genoa Days and one additional street sweeping per year. Each street sweeping shall not take FLOOD BROS more than 3 days to complete.
- iii. Commercial Businesses. FLOOD BROS shall provide a 15%-25% monthly discount to commercial businesses that set up a waste removal service with FLOOD BROS.
- iv. At Your Curb – Hazardous Waste Collection. FLOOD BROS will collect up to ten (10) eligible hazardous waste materials per monthly collection, which includes a maximum of one (1) television, per collection per residential unit. Each collection will occur on the second collection day of each month. Residents are required to contact FLOOD BROS 48-hours in advance of collection for proper collection. Acceptable items, paint products, electronics, garden chemicals, batteries, CFL bulbs, automotive fluid, pool chemicals and mercury items will be collected at the curb.
- v. Annual Document Shred Day. FLOOD BROS will provide an annual document shred day once each year of the Agreement located within City limits at no cost.
- vi. Annual Electronics Dropoff Event. In addition to the At Your Curb program, FLOOD BROS shall provide an annual electronics drop-off event located within City limits once each year of the Agreement.

Liaison. FLOOD BROS shall designate an employee to serve as an agent for FLOOD BROS

- vii. Special Events - FLOOD BROS will provide commercial and portable toilet/sinks and refuse or recycling toter/liner or dumpster services for all community special events in the City at no

additional charge to the City. The City will notify FLOOD BROS of events annually, however, additional events may be added with 30 days' notice.

viii. FLOOD BROS will provide commercial Services at the following City Locations free of charge:

- i. City Hall (incl. At Your Curb/electronics recycling)-333 East First Street
- ii. Public Works Facility (incl. bar screen dumpster)- 100 Madison Street
- iii. City Incubator Space- 113 North Genoa Street
- iv. Downtown Garbage Bins
- v. Emptying of Carrol Memorial Park cans and portable toilet

ix. FLOOD BROS is responsible for collecting all refuse normally collected under the agreement in the event of flooding or other manmade or natural disasters, regardless of the amount of such material that is generated, provided, however, such refuse is properly prepared for collection. Regular collection times may be waived by the City in such cases, and FLOOD BROS may have to supply additional equipment to handle the amount of refuse.

m. Personnel, Equipment and Compliance with Laws. FLOOD BROS shall perform the Services in accordance with all applicable statutes, laws, rules, regulations, and ordinances. The Service shall be performed by properly trained and licensed personnel in adequate numbers and with adequate vehicles and equipment to complete the Service in a safe and timely manner. FLOOD BROS shall not be responsible for any damage to pavement, subsurface or curbing, resulting from FLOOD BROS's provision of Services unless such damage is the result of FLOOD BROS 's negligence or willful misconduct.

n. Complaints and Missed Pick-Ups. FLOOD BROS shall maintain an office and toll free telephone number, for the receipt of service calls or complaints, and shall be available for such calls on all working days from 8:00 a.m. to 4:30 p.m. All complaints of the Services, including alleged missed pick-ups, shall be given prompt and courteous attention by FLOOD BROS. FLOOD BROS shall attempt to resolve all complaints promptly, and shall exercise commercially reasonable efforts to cure all missed pick-ups that are not the result of force majeure events within one (1) weekday of its receipt of notice of the missed pick-up. FLOOD BROS shall maintain a daily log of such calls of complaints received, which record shall be open to the City for inspection at any reasonable time. This information will be submitted to the City on an annual basis.

o. Damage to carts. FLOOD BROS shall use their best efforts in any way to not break or damage customers' garbage containers. When FLOOD BROS' employees damage a container, other than through normal wear and tear, it shall be reported to FLOOD BROS by the customer and FLOOD BROS shall decide the claim within 48 hours. In cases where the customer appeals FLOOD BROS' decision, the City reserves the right to make a decision to require FLOOD BROS to compensate the private party for damage at FLOOD BROS' cost.

p. Corporate Policies. FLOOD BROS "Corporate Policies" submitted with the City of Genoa "Residential Refuse, Recycling, and Yard Waste Collection Services Proposal" dated August 3, 2021 shall be complied with in regards to alcohol and drug abuse, occupational safety and health, non-discrimination, sexual harassment, wage and hour laws, and workplace violence prevention.

q. Taxes. The City is exempt from state and local sales, use and excise taxes. A letter of exemption will be provided to FLOOD BROS, if necessary. The City will not reimburse, nor assist FLOOD BROS obtaining reimbursement, for any state or local sales, use or excise taxes paid by FLOOD BROS. FLOOD BROS shall be required to reimburse the City for any such taxes paid, if any.

r. Suitable Employees. In the event that any of FLOOD BROS's employees are deemed by the City, in the City's sole discretion, to be unfit or unsuitable to perform the services required under the terms of this proposal as a result of intoxication, drug use, incompetence or by virtue of abusive or obnoxious behavior, or any other reason, then, upon request of the City, FLOOD BROS shall remove such employee from work within the City and replace him/her with

a suitable and competent employee. FLOOD BROS shall provide operating and safety training for all employees engaged in providing the services provided for under this Agreement.

- s. FLOOD BROS shall comply with all applicable laws, ordinances, rules and regulations of any Federal agency or of the State of Illinois, County of DeKalb, and the City relating to the services required under the terms of this Agreement, use of premises and public places and safety of persons and property. This compliance requirement includes, but is not limited to the application of the Prevailing Wage Act and Freedom of Information Act (F.O.I.A.) to the extent it may apply to this Agreement.
- t. FLOOD BROS shall not allow garbage, refuse, recyclable materials, or landscape waste to scatter nor spread as a result of the scavenger's service provided within the City. Any garbage, refuse, recyclable materials or landscape waste spilled on the yard or street by FLOOD BROS shall be picked up prior to leaving the site of collection. Refuse and recycling containers, including totes, shall be replaced to the same location as found after emptying and shall be replaced in the same condition.
- u. FLOOD BROS shall service any land annexed to the City during the term of the Agreement, as well as any residential dwellings constructed during said term. Service to land annexed to the City and future residential development shall be provided on the same terms set forth herein. Any changes to the corporate boundaries or service area resulting from annexation, zoning actions, site plan approval, construction, etc. shall be communicated to FLOOD BROS by the City.
- v. Reporting: FLOOD BROS shall prepare and submit to the City, reports detailing refuse/solid (including household hazardous) waste collection and disposal, and collection of recyclables (including electronics) and landscape waste activities for each month, including without limitation, the amount of refuse/solid waste, hazardous household materials, recyclables (including electronics) or landscape waste collected. Annual Reports shall be submitted to City Administration in April of each year and shall contain the data for the previous calendar year.
- w. Services to be Rendered in Workmanlike Manner: The services to be rendered by FLOOD BROS herein shall be performed in an orderly, efficient and workmanlike manner, with a work force adequate to accomplish the same on a regular basis despite adverse conditions, equipment breakdowns or similar hindrances, all to the reasonable satisfaction of the City. All property, which suffers damage caused by FLOOD BROS, including, but not limited to sod, mailboxes, or gardens, shall be repaired or replaced by FLOOD BROS as soon as possible to equivalent quality at the time of the damage, and at no extra charge to the property owner. FLOOD BROS shall repair or replace, at its expense, containers damaged as a result of its handling thereof, reasonable wear and tear is excepted. FLOOD BROS shall replace lids or covers on containers immediately after emptying. FLOOD BROS' employees shall not cut across rear, front or side yards or flower beds to adjoining premises without permission of the property owner.
- x. Equal Employment Opportunity. During the performance of this Agreement, the CONTRACTOR agrees that it will not discriminate against any employee or applicant for employment because of race, color, religion, sex, national origin or ancestry, and further, that it will examine all job classifications to determine if minority persons or women are under-utilized and will take appropriate affirmative action to rectify any such under-utilization.
- y. Exclusive. The City grants FLOOD BROS the exclusive right to perform the Services set forth in this Agreement. The City agrees that it will not allow anyone other than FLOOD BROS to engage in the collection of residential waste within the City.

IV. House Count and Adjustments

The estimated house count at the commencement of the term hereunder shall be 1,614 Residential Units of which 193 of the Residential Units are Senior Residents; however, the Parties shall verify this house count prior to the initial billing under this Agreement and shall adjust the house count for billing purposes monthly. Either Party may propose a prospective adjustment to the house count at any time during the term of this Agreement upon reasonable notice to the other Party, which adjustment shall be investigated jointly by the Parties to establish a new house count to apply thereafter. FLOOD BROS shall keep accurate route sheets and/or a Residential Unit database that shall be

provided to City promptly upon its request.

Residential Units eligible for the Senior Rate are those 1) where two (2) adults aged 65 or older reside and the head of the household is age 65 or older or, 2) where one (1) adult aged 62 or older resides and the head of the household is age 62 or older or, 3) reside in the 55+ Community Riverbend By Grainger Development. The City shall establish a list of Residential Units that qualify and assist the FLOOD BROS in adjusting the unit counts to correspond to the rate structure.

V. Fees and Payments

- a. Service Fee per Residential Unit. FLOOD BROS shall bill each Residential Unit a monthly basis for the solid waste Services as set forth below during the Term of the Agreement.

<u>Agreement Year</u>	<u>Non-Senior Rate per Residential Unit</u>	<u>Senior Rate Residential Unit (9.5% Discount)</u>
November 1, 2021 – April 30, 2023	\$21.00	\$19.00
May 1, 2023 – April 30, 2024	\$21.53	\$19.49
May 1, 2024 – April 30, 2025	\$22.06	\$19.96
May 1, 2025 – April 30, 2026	\$22.61	\$20.46
May 1, 2026 – April 30, 2027	\$23.18	\$20.98

VI. Transition Plan.

FLOOD BROS will start collection on November 1, 2021. FLOOD BROS will mail its residential education program/Welcome Letter/ Collection Guide Packet the first week of October 2021. FLOOD BROS will deliver carts the week of October 18, 2021.

VII. Default and Termination

The failure of either Party to perform a material obligation under this Agreement shall be considered a breach of this Agreement, and the breaching Party shall be in default. In the event of default, the non-defaulting Party may give written notice of the default to the defaulting Party, and the defaulting Party shall have: (i) ten (10) days from the receipt of the notice to cure any failure to pay money under this Agreement, or (ii) fifteen (15) days from the receipt of the notice to cure any other default under this Agreement. If the defaulting Party fails to cure the breach within the allotted time, the non-defaulting Party may, at its option, immediately terminate the Agreement with written notice. In addition, should the City receive an ongoing and persistent pattern of complaints by residents about FLOOD BROS's performance that remain unsatisfactorily addressed or that occur repeatedly, the City shall have the right to terminate this Agreement after twenty (20) days written notice to FLOOD BROS of the violation. In such an event, the City shall document the recurring nature of the problem even following previous cures or opportunities to cure and may indicate that no further opportunity to cure shall be offered.

In addition to any and all equitable and legal remedies available to the City in the event of a breach of the Contract by FLOOD BROS, the City shall have the right to call upon the performance bond described in this Contract. However, the City shall provide FLOOD BROS with reasonable notice of an alleged breach of this Contract and a reasonable opportunity to cure prior to City submitting a claim to FLOOD BROS's bonding company. The remedies provided to the City herein shall be cumulative and not exclusive. No waiver by the City of a default by FLOOD BROS under the Contract shall be construed as a waiver by the City of any continuing or subsequent default or failure to perform on the part of FLOOD BROS.

VIII. Force Majeure

FLOOD BROS's performance of the Service may be suspended, and its obligations hereunder excused during the pendency of a cause or causes beyond its reasonable control, such as by way of example and not limitation: acts of war, public enemy, civil disturbance, riot or disorder; epidemic or pandemic; acts of God such as landslide, lightning, earthquake, fire, storm, the impending approach of a storm, or flood; explosion; restraining orders, interference by civil or military authorities, strike, statute, ordinance, government order or ruling; or other similar causes. In the event of an occurrence of a force majeure event, FLOOD BROS shall notify the City immediately, in writing, describing the particulars of the circumstances preventing performance of the Service and its expected duration. Notice shall be provided after the effect of such occurrence has ceased.

VII. Insurance

- a. **Insurance.** FLOOD BROS will be required to furnish at FLOOD BROS' sole cost original certificates of insurance. Throughout the term of this Agreement and any renewal thereof, FLOOD BROS agrees, at a minimum, to carry and maintain in effect insurance and to name the City, in all cases, as an additional insured, as follows:
 - i. **Worker's Compensation:** FLOOD BROS shall carry in a company authorized under the laws of the State of Illinois a policy to protect itself against liability under the Worker's Compensation and Occupational Diseases Statutes of the State of Illinois or any other governing laws related to worker's compensation.
 - ii. **Motor Vehicle Liability Insurance:** FLOOD BROS shall carry in its own name a policy under a comprehensive form to insure the entire motor vehicle liability for its operations with limits no less than \$3,000,000 each person and \$5,000,000 each accident bodily injury and death liability and \$1,000,000 each accident for property damage liability. This policy shall name the City as additional insured as to the operation of vehicles owned or operated by FLOOD BROS.
 - iii. **General Liability:** FLOOD BROS shall carry in its own name a comprehensive liability policy for its operations other than motor vehicle with limits of at least \$3,000,000 each person and \$5,000,000 each accident bodily injury and death liability, \$1,000,000 each accident for property damage liability. The City shall be named as an additional insured on this policy.
 - iv. The insurance coverage specified herein constitutes the minimum requirements and said requirements shall in no way lessen or limit the liability of FLOOD BROS under the terms of this Agreement. FLOOD BROS shall procure and maintain at its' own cost and expense, any additional kinds and amounts of insurance which, in FLOOD BROS' own judgment, may be necessary for its proper protection in the prosecution of the work.
 - v. Said insurance policies shall not be cancelable without thirty (30) days prior written notice to the City. FLOOD BROS shall furnish the City with certificates evidencing that the insurance provided for herein is maintained by FLOOD BROS within 30 days of the insurance renewal each year of the contract.

IX. Indemnification

- a. FLOOD BROS shall indemnify, defend and hold harmless the City including, but not limited to, its officials, staff, employees, agents, attorneys and accountants against any and all damages to property or injury or death of any person or persons, and shall defend, indemnify and hold harmless the City from any and all claims, demands, suits, actions, or proceedings of any kind or nature, or by anyone whatsoever, including but not limited to costs, expenses and attorney fees, in any way resulting from or arising out of FLOOD BROS performance under the terms of this Agreement or the breach of this Agreement or the performance or breach of any of FLOOD BROS directors, officers, employees, agents or subcontractors. Notwithstanding any provisions to the contrary, FLOOD BROS shall not be responsible to the City for any claim, liability, cost or

damage related to Excluded Waste.

- b. Neither party shall be liable to the other for consequential, indirect, or punitive damages arising out of the performance (or non-performance) of this Agreement.

Miscellaneous Provisions

- a. Independent Contractor. FLOOD BROS shall perform the Service as an independent contractor. FLOOD BROS, its officers, employees, agents, contractors, or subcontractors, are not and shall not be considered employees, agents, or servants of the City for any purpose whatsoever under this Agreement or otherwise. FLOOD BROS at all times shall have exclusive control of the performance of the Service. Nothing in this Agreement shall be construed to give the City any right or duty to supervise or control FLOOD BROS, its officers, employees, agents, contractors, or subcontractors, nor to determine the manner in which FLOOD BROS shall perform its obligations under the Agreement.
- b. In the event the FLOOD BROS shall be adjudged bankrupt, either by voluntary or involuntary proceedings, then the Agreement shall immediately terminate; and in no event shall the contract be, or be treated as, an asset of FLOOD BROS after adjudication of bankruptcy. If FLOOD BROS shall become insolvent or fail to meet its financial obligations, or in the event a petition of relief under the U.S. Bankruptcy Code, by either voluntary or involuntary proceedings, is filed in which FLOOD BROS is the debtor, then the contract may be terminated at the option of the City upon fifteen (15) days written notice to FLOOD BROS and in no event shall the contract be, or be treated as, an asset of FLOOD BROS after the exercise of said option.
- c. Amendments. No amendment to this Agreement shall be made except upon the written consent of both Parties.
- d. Entire Agreement. This Agreement constitutes the entire agreement and understanding between the Parties hereto with respect to the subject matter and supersedes any prior and contemporaneous agreements and understandings, express or implied.
- e. Waiver. A waiver by either Party of any breach of any provision hereof shall not be taken or held to be a waiver of any subsequent breach, whether similar or dissimilar, or as a waiver of any provision itself. No payment or acceptance of compensation for any period subsequent to any breach shall be deemed a waiver of any right or acceptance of defective performance.
- f. Severance. In the event that any provision of this Agreement is found by a court of competent jurisdiction to be void, invalid, or unenforceable, the balance of this Agreement shall remain in effect and binding on the Parties.
- g. Choice of Law. This Agreement shall be governed by the laws of the state of Illinois and venue shall be in DeKalb County, , without regard to choice of law rules.
- h. Assignment. Neither Party may assign its rights and obligations under this Agreement without the prior written consent of the other Party, except that FLOOD BROS may assign its rights and obligations under this Agreement to any FLOOD BROS affiliate without the City's consent. An assignment shall not relieve the assignor of any obligations under this Agreement.
- i. Notice. All notices required or permitted under this Agreement shall be in writing and shall be personally delivered, sent by certified mail, return receipt requested, or by overnight courier, with copies to counsel for the respective Parties.

The Parties, through an authorized representative, have each executed this Municipal Waste Agreement as of the Effective Date indicated above.

Flood Bros Disposal Co.

Signature: _____

Printed Name: _____

City of Genoa, Illinois

Signature: _____

Printed Name: _____

Title: President

Date: 10/12/21

Attest: [Signature]

Its: Municipal Manager

Title: Mayor of Genoa

Date: 10/14/21

Attest: Kendra Brabney

Its: City Clerk

CITY OF GENOA
DEKALB COUNTY, ILLINOIS

ORDINANCE NO. 2021- 31

ADOPTED BY
THE MAYOR AND
CITY COUNCIL
OF THE
CITY OF GENOA

AN ORDINANCE AMENDING TITLE 9, CHAPTER 1, BUILDING CODES,
SECTION 1, BUILDING CODE, OF THE MUNICIPAL CODE OF THE CITY
OF GENOA

Adopted October 20, 2021, by the Mayor and City Council of the City of Genoa
DeKalb County, Illinois, and approved and published in pamphlet form
this 20th day of October 2021.

ORDINANCE NO. 2021- 31
AN ORDINANCE AMENDING TITLE 9, CHAPTER 1, BUILDING CODES, SECTION 1, BUILDING CODE OF THE MUNICIPAL CODE OF THE CITY OF GENOA

BE IT ORDAINED by the Mayor and City Council of the CITY OF GENOA, DeKalb County, Illinois, as follows:

WHEREAS, the City of Genoa had previously made an amendment to the Building Code in 2006 to disallow plastic electrical boxes which is more restrictive than the Code; and

WHEREAS, local builders and electricians have requested the City reconsider this requirement; and

WHEREAS, the Building Inspector has determined that the requirements established in the adopted Building Code are adequate without the City of Genoa establishing additional requirements;

NOW THEREFORE, the Municipal Code of the City of Genoa be amended as follows:

SECTION 1: That Title 9, Chapter 1, Section 1 B w be amended to instead read:

9-1-1: BUILDING CODE:

B. Amendments to Codes Adopted

w. Electrical Boxes

i. In residential construction, the use of non-metallic electrical boxes shall be permitted, however, in addition to requirements in the Codes adopted by the City of Genoa, habitable rooms with a ceiling outlet(s) (other than recessed fixtures, smoke detectors, and carbon monoxide detectors) are required to have a box for ceiling support rated for ceiling fans to be installed.

ii. In commercial construction, the use of non-metallic electrical boxes is prohibited.

~~i. The use of non-metallic boxes shall be limited to the use of termination of phone, data, TV, and other communication and signal circuits. All electrical boxes used for the use of electrical devices shall be metallic.~~

~~ii. All electrical openings installed in a ceiling with the exception of bath fans ventilated to the exterior, smoke detectors and closets not exceeding 10 square feet shall be provided with a metallic listed fan box. (Ord 2006-28, 08-15-2006)~~

SECTION 2: This ordinance shall be in full force and effect from and following its passage and approval.

Alderman Name	Aye	Nay	Abstain	Absent
Pam Wesner	✓			
Christopher Pulley	✓			
Melissa Freund				✓
James Stevenson	✓			
Courtney Winter				✓
Chuck Cravatta	✓			
Brent Holcomb	✓			
Katie Lang	✓			
Mayor Jonathon Brust				

PASSED by the City Council of the City of Genoa, DeKalb County, Illinois this 20th day of October, 2021.

Approved by me this 20th day of October, 2021.



Jonathon Brust, Mayor

ATTESTED and filed in my office this 20th day of October, 2021.

Kendra Braheny, City Clerk

CITY OF GENOA
DEKALB COUNTY, ILLINOIS

ORDINANCE NO. 2021- 32

ADOPTED BY
THE MAYOR AND
CITY COUNCIL
OF THE
CITY OF GENOA

AN ORDINANCE ANNEXING THE BONHEUR SENIOR OPTIONS LLC
PROPERTY LOCATED AT THE SOUTHWEST CORNER OF DERBY LINE ROAD
AND SECRETARIAT DRIVE TO THE CITY OF GENOA

Adopted October 20, 2021, by the Mayor and City Council of the City of Genoa
DeKalb County, Illinois, and approved and published in pamphlet form
This 20th day of October 2021.

ORDINANCE NO. 2021- 32

**AN ORDINANCE ANNEXING THE BONHEUR SENIOR OPTIONS LLC
PROPERTY LOCATED AT THE SOUTHWEST CORNER OF DERBY LINE ROAD
AND SECRETARIAT DRIVE TO THE CITY OF GENOA**

WHEREAS, a written petition signed by the legal owner of record of all land within the territory hereinafter described has been filed with the City Clerk of the City of Genoa, DeKalb County, Illinois, requesting that said territory be annexed to the City of Genoa; and

WHEREAS, said territory is not within the corporate limits of any municipality, other than the County of DeKalb, and is contiguous to the corporate boundaries of the City of Genoa; and

WHEREAS, the City does not provide fire protection or library services; and

WHEREAS, all petitions, documents and other necessary legal requirements are in full compliance with the statutes of the State of Illinois, specifically 65 ILCS 5/7-1-8 *et seq.*, of the Illinois Municipal Code; and

WHEREAS, it is in the best interests of the City of Genoa that said property be annexed to the City; and

NOW THEREFORE, BE IT ORDAINED by the Mayor and City Council of the CITY OF GENOA, DeKalb County, Illinois, as follows:

SECTION 1: That the following legally described property is hereby annexed to the City of Genoa:

That part of the Southeast Quarter of Section 30, Township 42 North, Range 5 East of the Third Principal Meridian, described as follows: commencing at the Southeast corner of said Southeast quarter; thence Northerly, along the East Line of said Southeast Quarter, 765.0 feet to the centerline of Derby Line Road; thence Northwesterly, at an angle of 125°31'59", measured clockwise from said East Line, along said centerline, 386.0 feet for a point of beginning; thence continuing Northwesterly, along said centerline, 367.0 feet; thence Southerly, at an angle of 62°48'57", measured clockwise from said centerline, 380.0 feet; thence Easterly, at an angle of 91°24'21", measured clockwise from the last described course, 255.0 feet; thence Northeasterly, at an angle of 106°42'58", measured clockwise from the last described course, 230.0 feet to the point of beginning, containing 2.07 Acres, all in Genoa Township, DeKalb County, Illinois.

PIN: 03-30-400-031

The property is located at the southwest corner of Derby Line Road and Secretariat Drive.

SECTION 2: The City Clerk of the City of Genoa is hereby directed to record in the Office of the Recorder and to file in the Office of the County Clerk of DeKalb County, Illinois, and the post office serving the territory within 30 days of the effective date of this Ordinance, a certified copy of this Ordinance, together with the plat of annexation attached hereto as Exhibit A.

SECTION 3: If any section, paragraph, subdivision, clause, sentence, or provision of this Ordinance shall be adjusted by any Court of competent jurisdiction to be invalid, such judgment shall not affect, impair, invalidate, or nullify the remainder thereof, which remainder shall remain and continue in full force and effect.

SECTION 4: All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 5: This Ordinance shall be in full force and effect upon its passage, approval, and publication in pamphlet form (which publication is hereby authorized) as provided by law.

Alderman Name	Aye	Nay	Abstain	Absent
Pam Wesner	✓			
Christopher Pulley	✓			
Melissa Freund				✓
James Stevenson	✓			
Courtney Winter				✓
Chuck Cravatta	✓			
Brent Holcomb	✓			
Katie Lang	✓			
Mayor Jonathon Brust				

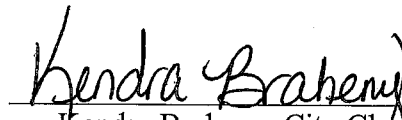
PASSED by the City Council of the City of Genoa, DeKalb County, Illinois this 20th day October, 2021.

Approved by me this 20th day of October, 2021.



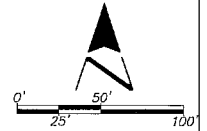

Jonathon Brust, Mayor

ATTESTED, and filed in my office this 20th day of October, 2021.

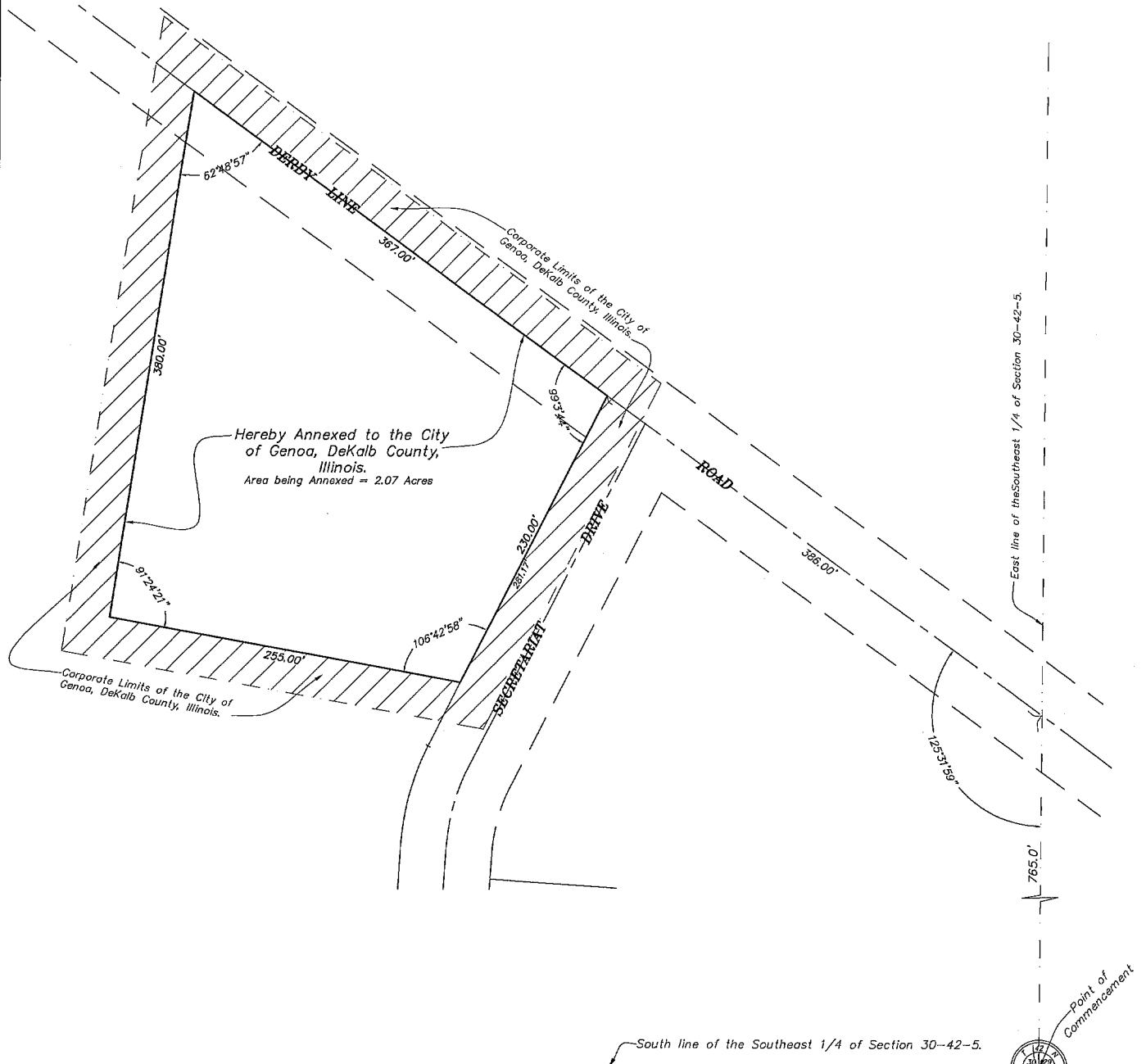

Kendra Braheny, City Clerk

PLAT OF ANNEXATION

To the City of Genoa, DeKalb County, Illinois
the following described property:



That part of the Southeast Quarter of Section 30, Township 42 North, Range 5 East of the Third Principal Meridian, described as follows: commencing at the Southeast corner of said, Southeast quarter; thence Northerly, along the East Line of said Southeast Quarter, 765.0 feet to the Centerline of Derby Line Road; thence Northwesterly, at an angle of 125°31'59", measured clockwise from said East Line, along said centerline, 386.0 feet for a point of beginning; thence continuing Northwesterly, along said centerline, 367.0 feet; thence Southerly, at an angle of 62°48'57", measured clockwise from said centerline, 380.0 feet; thence Easterly, at an angle of 91°24'21", measured clockwise from the last described course, 255.0 feet; thence Northeasterly, at an angle of 106°42'58", measured clockwise from the last described course, 230.0 feet to the point of beginning, containing 2.07 Acres, all in Genoa Township, DeKalb County, Illinois.



Hereby Annexed to the City
of Genoa, DeKalb County,
Illinois.
Area being Annexed = 2.07 Acres

State of Illinois } s.s.
County of Kane }

SURVEY SYSTEMS OF AMERICA, INC., Illinois Professional Land Surveyors, hereby certify that the plat hereon drawn was prepared from existing surveys and instruments of record for the uses and purposes herein set forth.

Dated at Elgin, Illinois, this 26th day of August, A.D. 2021.

PRELIMINARY for REVIEW

Robert G. Sowka I.P.L.S. No. 2464

PREPARED BY:
SURVEY SYSTEMS OF AMERICA, INC.
Professional Design Firm — Licence No. 184-002797
PROFESSIONAL LAND SURVEYORS
P.O. Box 6174
Elgin, Illinois 60121-6174
Phone : (847) 428-5775

ORDER NO. 212-2519.040-031 PA



Expires 11/30/2022
PLAT VALID ONLY WITH EMBOSSED
SEAL AND ORIGINAL SIGNATURE

CITY OF GENOA
DEKALB COUNTY, ILLINOIS

ORDINANCE NO. 2021- 33

ADOPTED BY
THE MAYOR AND
CITY COUNCIL
OF THE
CITY OF GENOA

AN ORDINANCE APPROVING ZONING UPON ANNEXATION TO
SUBURBAN RESIDENTIAL, A FINAL PLAT OF SUBDIVISION, AND A
SPECIAL USE PERMIT FOR A CRAFT AND STORAGE BARN AT THE
PROPERTY LOCATED AT THE CORNER OF DERBY LINE ROAD AND
SECRETARIAT DRIVE

Adopted October 20, 2021, by the Mayor and City Council of the City of Genoa
DeKalb County, Illinois, and approved and published in pamphlet form
This 20th day of October, 2021.

ORDINANCE NO. 2021- 33

**AN ORDINANCE APPROVING ZONING UPON ANNEXATION TO
SUBURBAN RESIDENTIAL, A FINAL PLAT OF SUBDIVISION AND A
SPECIAL USE PERMIT FOR A CRAFT AT STORAGE BARN AT THE
PROPERTY LOCATED AT THE CORNER OF DERBY LINE ROAD AND
SECRETARIAT DRIVE**

WHEREAS, Bonheur Senior Options, LLC, as property owner, and Evolution Associates, LLC, as petitioner and contract buyer, has petitioned the City of Genoa for approval of zoning upon annexation to Suburban Residential, approval of a Final Plat of Subdivision and a Special Use Permit for a Craft and Storage Barn on certain property (the "Subject Property"), described as follows:

That part of the Southeast Quarter of Section 30, Township 42 North, Range 5 East of the Third Principal Meridian, described as follows: commencing at the Southeast corner of said Southeast quarter; thence Northerly, along the East Line of said Southeast Quarter, 765.0 feet to the centerline of Derby Line Road; thence Northwesterly, at an angle of $125^{\circ}31'59''$, measured clockwise from said East Line, along said centerline, 386.0 feet for a point of beginning; thence continuing Northwesterly, along said centerline, 367.0 feet; thence Southerly, at an angle of $62^{\circ}48'57''$, measured clockwise from said centerline, 380.0 feet; thence Easterly, at an angle of $91^{\circ}24'21''$, measured clockwise from the last described course, 255.0 feet; thence Northeasterly, at an angle of $106^{\circ}42'58''$, measured clockwise from the last described course, 230.0 feet to the point of beginning, containing 2.07 Acres, all in Genoa Township, DeKalb County, Illinois.

WHEREAS, a public hearing was held by the City of Genoa Plan Commission, after due notice in the manner provided by law; and

WHEREAS, the Plan Commission, after deliberation, has made a report with the findings of fact and recommended approval of the zoning upon annexation to Suburban Residential, Final Plat of Subdivision, and approval of a Special Use Permit for a Craft and Storage Barn at the above described property; and

WHEREAS, the City Council has considered the evidence presented at the public hearing to the City of Genoa Plan Commission;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and City Council of the CITY OF GENOA, DeKalb County, Illinois, as follows:

SECTION 1: That the Subject Property shall be zoned Suburban Residential upon annexation and that the Final Plat of Vassar's Subdivision and a Special Use Permit for a Craft and Storage Barn for the property at the corner of Derby Line Road and Secretariat Drive is hereby approved subject to the following conditions:

- A. Documents submitted for the September 9th Plan Commission meeting for consideration and approval and as modified by the conditions herein by the City of Genoa include:
 - 1. Letter signed by the Property Owner and Petitioner, dated July 15, 2021
 - 2. Narrative submitted for the September 9, 2021 Plan Commission Meeting
 - 3. Plat of Annexation submitted for the September 9, 2021 Plan Commission Meeting
 - 4. Final Plat of Vassar's Subdivision, submitted for the September 9, 2021 Plan Commission Meeting prepared by Survey Systems of America, INC. with the latest revision date of September 7, 2021.
 - 5. Architectural elevations and building plans, prepared by JRH Construction Corporation with the latest revision date of September 22, 2021
 - 6. REVISED Site Plan, prepared by Survey Systems of America, INC and dated September 23, 2021
 - 7. REVISED Landscaping Plans, prepared by dated September 22, 2021
- B. The Craft and Storage Barn, as well as surrounding property, shall not be used for commercial or agricultural purposes, or a permanent residential dwelling unit, with the exception of Section 1.C. of this Ordinance.
- C. The property surrounding the Craft and Storage Barn may continue to be farmed (corn or bean planting/harvesting only) until the construction of the Craft and Storage Barn begins in 2022. After construction begins, the surrounding property may only be used agriculturally to bale hay (2023 and after.
- D. The landscaping per the Landscaping Plans shall be completed in 2023.
- E. The Building Inspector shall verify the Craft and Storage Barn will not exceed the height restrictions outlined above.
- F. Accessory structures to the Craft and Storage Barn shall not be permitted. Amendments to the Site Plan shall require an amendment to the Special Use Permit.
- G. Any lighting provided on the lot shall comply with the City's Unified Development Ordinance 5.4.10.

SECTION 2: That all requirements set forth in the Unified Development Ordinance of the City of Genoa, as would be required by any owner of property zoned in the same manner as the Subject Property, shall be complied with, except as otherwise provided in this Ordinance.

SECTION 3: The report, recommendations and findings of fact of the Plan Commission on the question of annexation, zoning and approval of the final Plat and special use for the Subject Property are hereby accepted.

SECTION 4: If any section, paragraph, subdivision, clause, sentence or provision of this Ordinance shall be adjudged by any Court of competent jurisdiction to be invalid, such judgment shall not affect, impair, invalidate or nullify the remainder thereof, which remainder shall remain and continue in full force and effect.

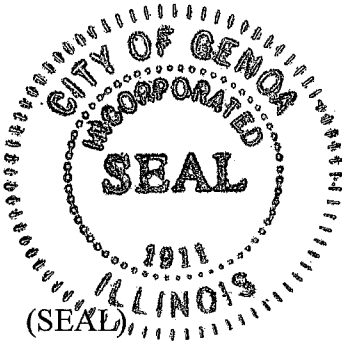
SECTION 5: All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.


SECTION 6: This Ordinance shall be in full force and effect upon its passage, approval and publication in pamphlet form (which publication is hereby authorized) as provided by law.

Alderman Name	Aye	Nay	Abstain	Absent
Pam Wesner	✓			
Christopher Pulley	✓			
Melissa Freund				✓
James Stevenson	✓			
Courtney Winter				✓
Chuck Cravatta	✓			
Brent Holcomb	✓			
Katie Lang	✓			
Mayor Jonathon Brust				

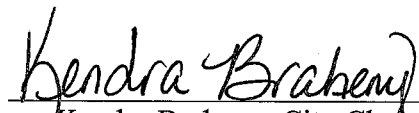
PASSED by the City Council of the City of Genoa, DeKalb County, Illinois this 20th day of October, 2021.

Approved by me this 20th day of October, 2021.




Jonathon Brust, Mayor

ATTESTED and filed in my office this 20th day of October, 2021.


Kendra Braheny, City Clerk

July 15 2021

Re;

6.42 acre property with the address Derby Line Road and Secretariat Drive Genoa Illinois

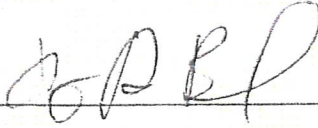
4.62 acres parcel #0330400032

1.80 acres parcel #0330400031

Bonheur Senior options LLC (Seller) and its representatives hereby grants permission to Evolution LLC (Buyer) and its representatives to engage with the city of Genoa, the county of DeKalb, the state of Illinois and any other discipline required for the following :

- 1) To apply for a special use permit to build a craft and storage barn on the property
- 2) To supply the city with any and all forms necessary to allow the progression of said permits
- 3) To annex the 1.8 acre parcel into Genoa creating a 5+ acre site
- 4) To combine the two existing parcels into one
- 5) To engage with a company to inspect and fill in suspected cisterns on the property

Representative of, Bonheur Senior Options LLC

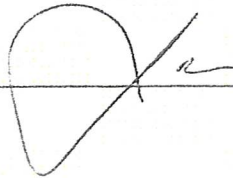


Catherine A. Bachand

Date

7/15/21

Representative of, Evolution associates LLC



JAMES W. VASSAN

Date

7/15/2021

Alyssa,

To the best of our ability, below is an overview of the design features, landscape affects and usage of the barn that we will be looking to build on the 6.42 acre property at the corner of Derby line road and secretariat drive in Genoa. We are very early in the process so we expect that there may be some changes needed based on cost and availability of materials. For the most part however we plan to make sure whatever we do, it fits well with the surrounding properties.

Outer Architectural details

The barn will be 50 feet wide x 70 feet long at 3500 square feet total

The barn will have foundation walls with footings and a concrete floor throughout.

The foundation walls will be insulated to allow two zone radiant heat in the floor.

One corner of the barn will have an 8 foot covered porch with a concrete pad

The beams holding up the overhang will be stained cedar with a 42 inch high stone to match our home

The barn will have a large entry door for RV use and a smaller one for normal vehicles

The roof and gutters will be metal with a corisdpoding color to our home

Siding will be two tone to match our home colors with lighter cement board upper and darker cement board lower trim

There will two entry doors for inside work and studio rooms

Windows will be both upper and lower for added light for the inside rooms

We may pending approval and cost have a well put in so that we can use it for watering as we grow the property.

Inner Architectural details

There will be four rooms inside the barn. One will be 50 feet x 40 feet for storage of RV's and implements. The second will be a 30 foot x 30 foot woodworking shop. The third will be a 30 foot x 20 foot art studio. And the last will be a small 4 x 6 foot bathroom.

The barn will be fully insulated for year round use

The work shop and art studio will be drywall finish. The storage will be a rough panel finish.

Landscape plans

With the excavated soil we plan to build several small berms on the north and west side of the property.

We will plant several varieties of pine trees along with sumac to add color and obscurer the view of the building from the northeast line of site from derby line road. We may need to bring in several loads of fill to achieve this if the amount of soil is not enough.

We hope to plant several Red oak and various pine trees lining the parkway as permissible.

The barn will be lined with large planters with varieties of annual flowers and plants.

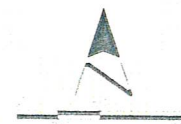
The perimeter of the barn will also have several planting beds to locate flowers and shrubs.

As time permits we plan to build two large planting sections on the property. One for a large cut flower garden and the other for fruit and vegetable garden.

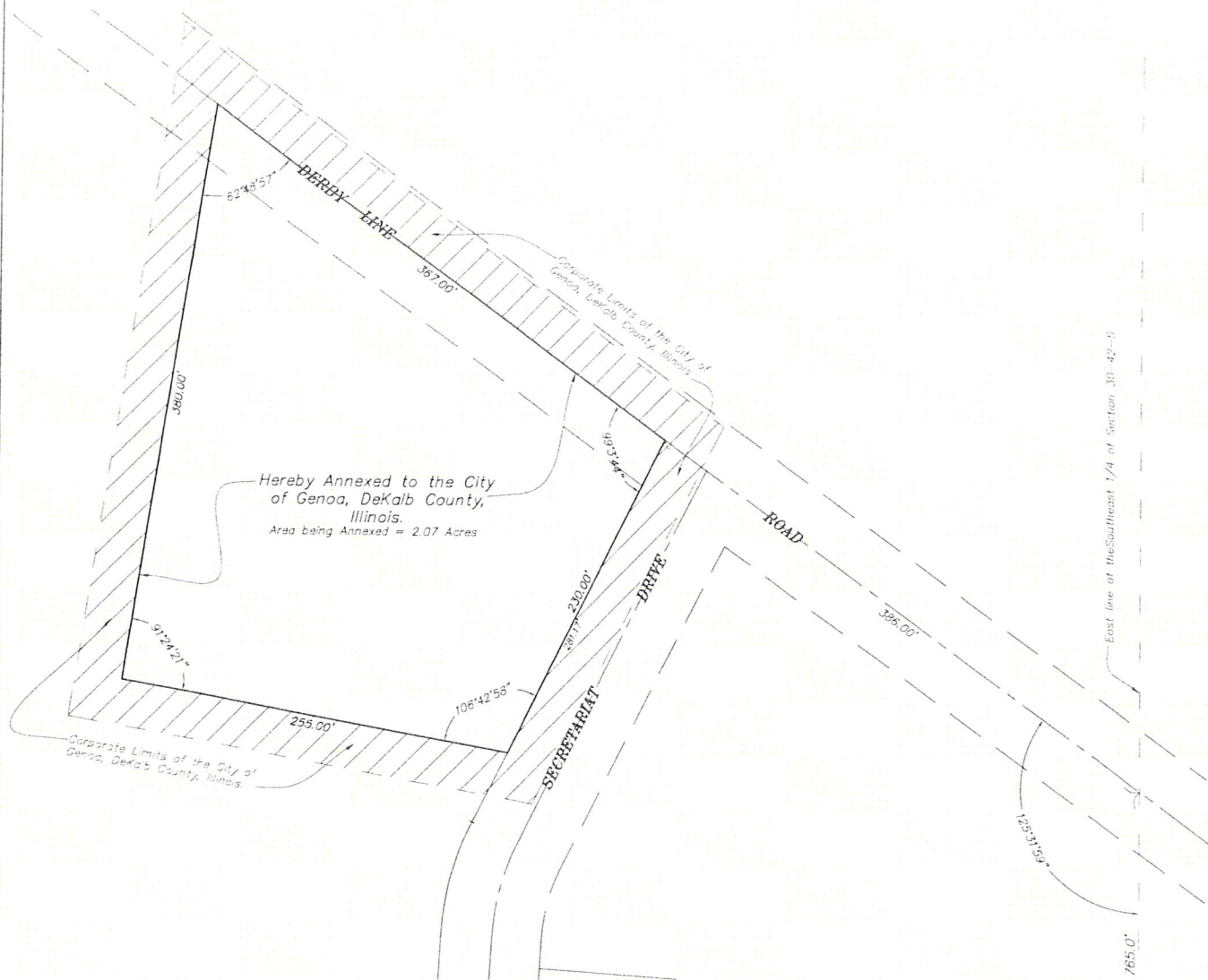
For the future we plan to plant a lot of fruit trees and possible section for grape vines.

PLAT OF ANNEXATION

To the City of Genoa, DeKalb County, Illinois
the following described property:



That part of the Southeast Quarter of Section 30, Township 42 North, Range 5 East of the Third Principal Meridian, described as follows: commencing at the Southeast corner of said Southeast quarter, thence Northerly, along the East Line of said Southeast Quarter, 765.0 feet to the Centerline of Derby Line Road, thence Northwesterly, at an angle of 125°31'59", measured clockwise from said East Line, along said centerline, 326.0 feet for a point of beginning; thence continuing Northwesterly, along said centerline, 367.0 feet; thence Southerly, at an angle of 62°48'57", measured clockwise from said centerline, 380.0 feet; thence Easterly, at an angle of 91°24'21", measured clockwise from the last described course, 255.0 feet; thence Northeasterly, at an angle of 106°42'58", measured clockwise from the last described course, 230.0 feet to the point of beginning, containing 2.07 Acres, all in Genoa Township, DeKalb County, Illinois.



Hereby Annexed to the City of Genoa, DeKalb County, Illinois.
Area being Annexed = 2.07 Acres

Submitted for the
9/9/21
Plan Commission Meeting



State of Illinois)
County of Kane) ss

SURVEY SYSTEMS OF AMERICA, INC., Illinois Professional Land Surveyors, hereby certify that the plat herein drawn was prepared from existing surveys and instruments of record for the uses and purposes herein set forth.

Dated at Elgin, Illinois, this 28th day of August, A.D. 2021

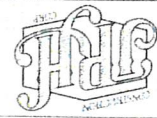


Expires 11/30/2022
PLAT VALID ONLY WITH SUBSCRIBED SEAL AND ORIGINAL SIGNATURE

Robert G. Sowka
IPLS No. 2464

PREPARED BY:
SURVEY SYSTEMS OF AMERICA, INC.
Professional Design Firm - License No. 184-102797
PROFESSIONAL LAND SURVEYORS
P.O. Box 9174
Elgin, Illinois 60120-9174
Phone: (847) 428-3175

SHEET NO. 212-2519.040-031 PA



Vassar Craft Barn

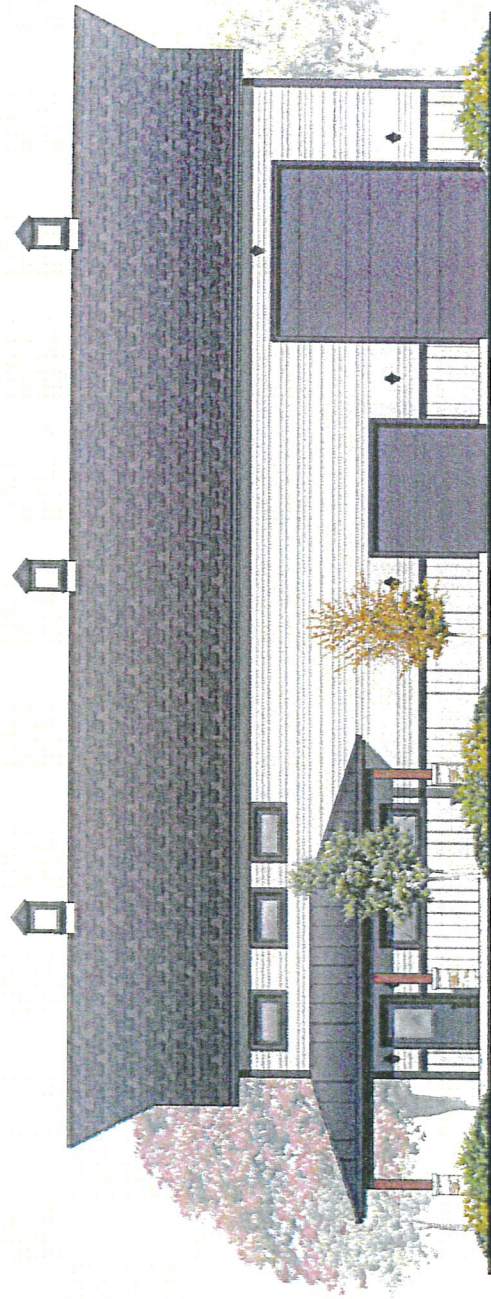
McSee Architects

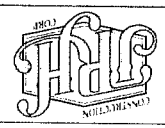
P.O. Box 460
Batavia, IL 60510
Cell: 647.204.3874 mseea@icloud.com

Date: 9/10/21

Revised:
MM 9/14/21
NN 9/22/21

FRONT ELEVATION
SCALE 1/4" = 1'-0"



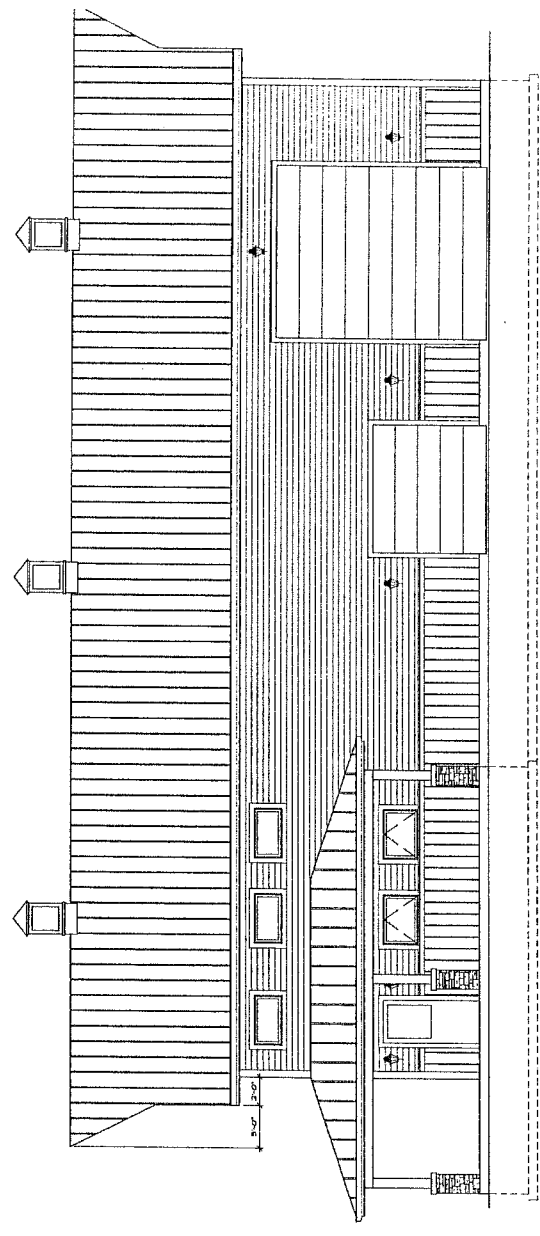


Vassar Craft Barn
Lot 93 Krypan Parkside Estates
Sycamore, IL.

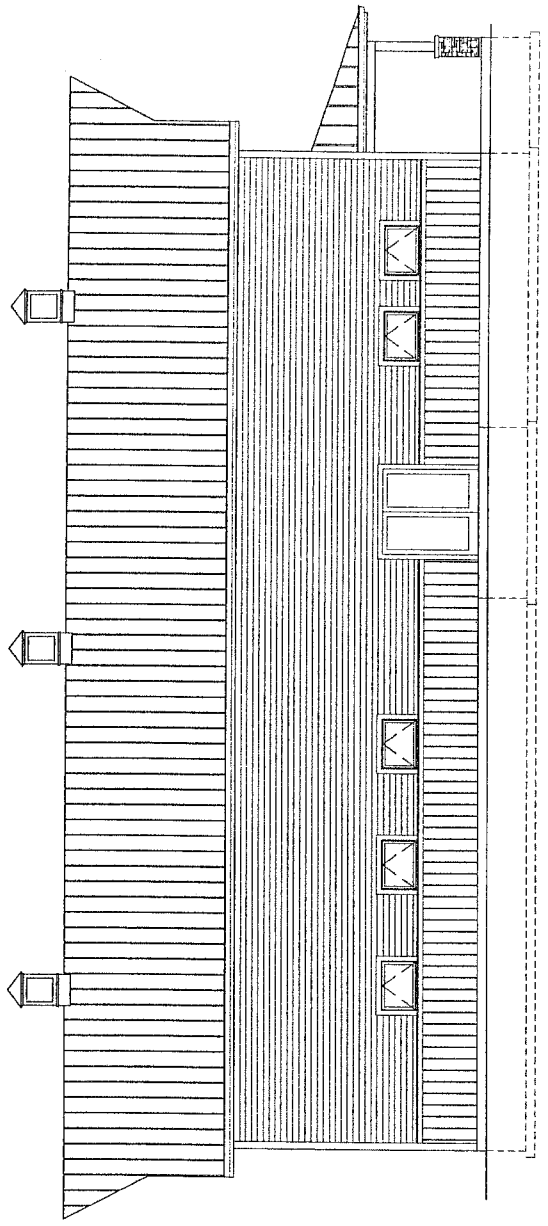
McGee Architects
P.O. Box 460
cell: 847.204.3971 mcgearc@aigmail.com
Batavia, IL 60510

DATE: 9-10-21

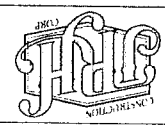
REVISIONS	
NUM	8-11-21
NUM	9-22-21



FRONT ELEVATION
SCALE: 1/4" = 1'-0"



REAR ELEVATION
SCALE: 1/4" = 1'-0"



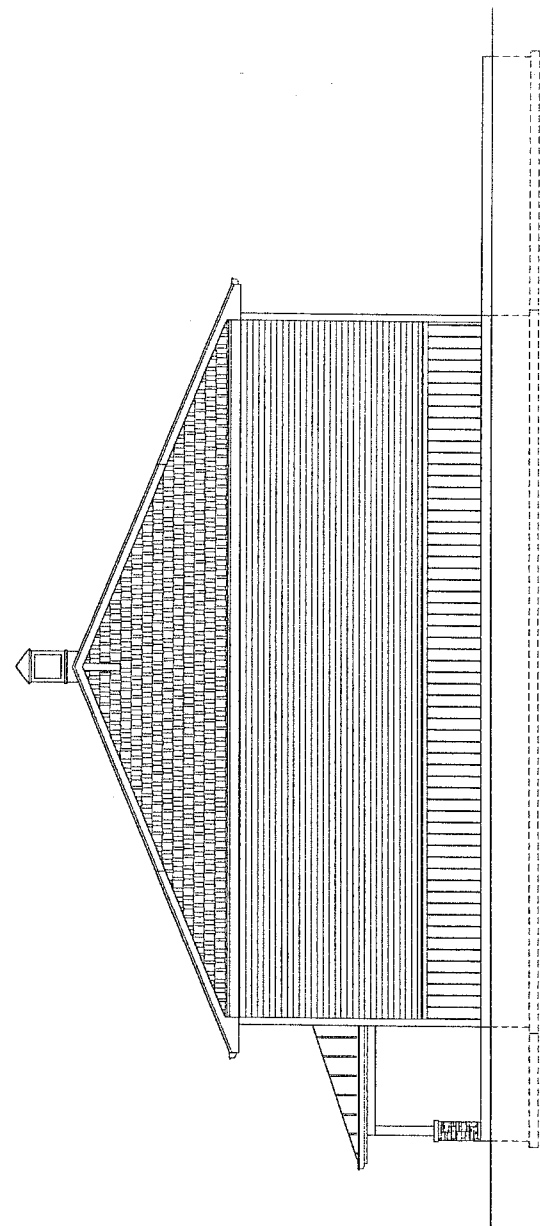
Vassar Craft Barn
Lot 93 Krypan Parkside Estates
Sycamore, IL.

McGee Architects
P.O. Box 460
cell: 847.204.3971 mcgeearchi@gmail.com
Balaia, IL 60510

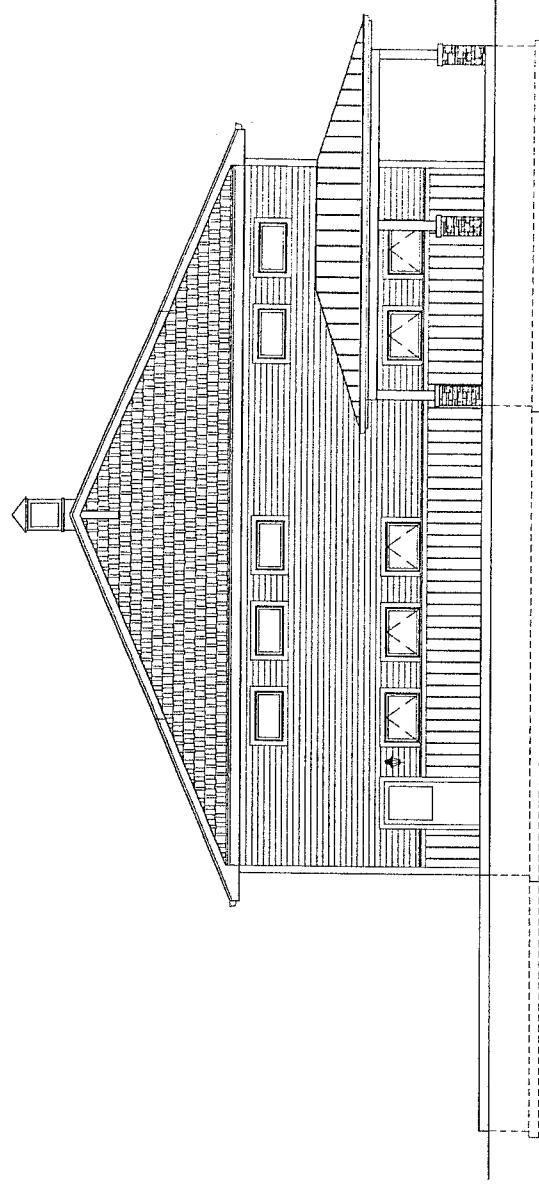
DATE: 9-10-21

REVISIONS:		
DATE	BY	DESCRIPTION
8-14-21	MM	
9-22-21	MM	

RIGHT SIDE ELEVATION
SCALE 1/4" = 1'-0"



LEFT SIDE ELEVATION
SCALE 1/4" = 1'-0"





Vassar Craft Barn
Sycamore, IL
Lot 93 Krypan Parkside Estates

McGee Architects
P.O. Box 460
Balaia, IL 60510
cell: 847.204.3971 mcgeearcht@gmail.com

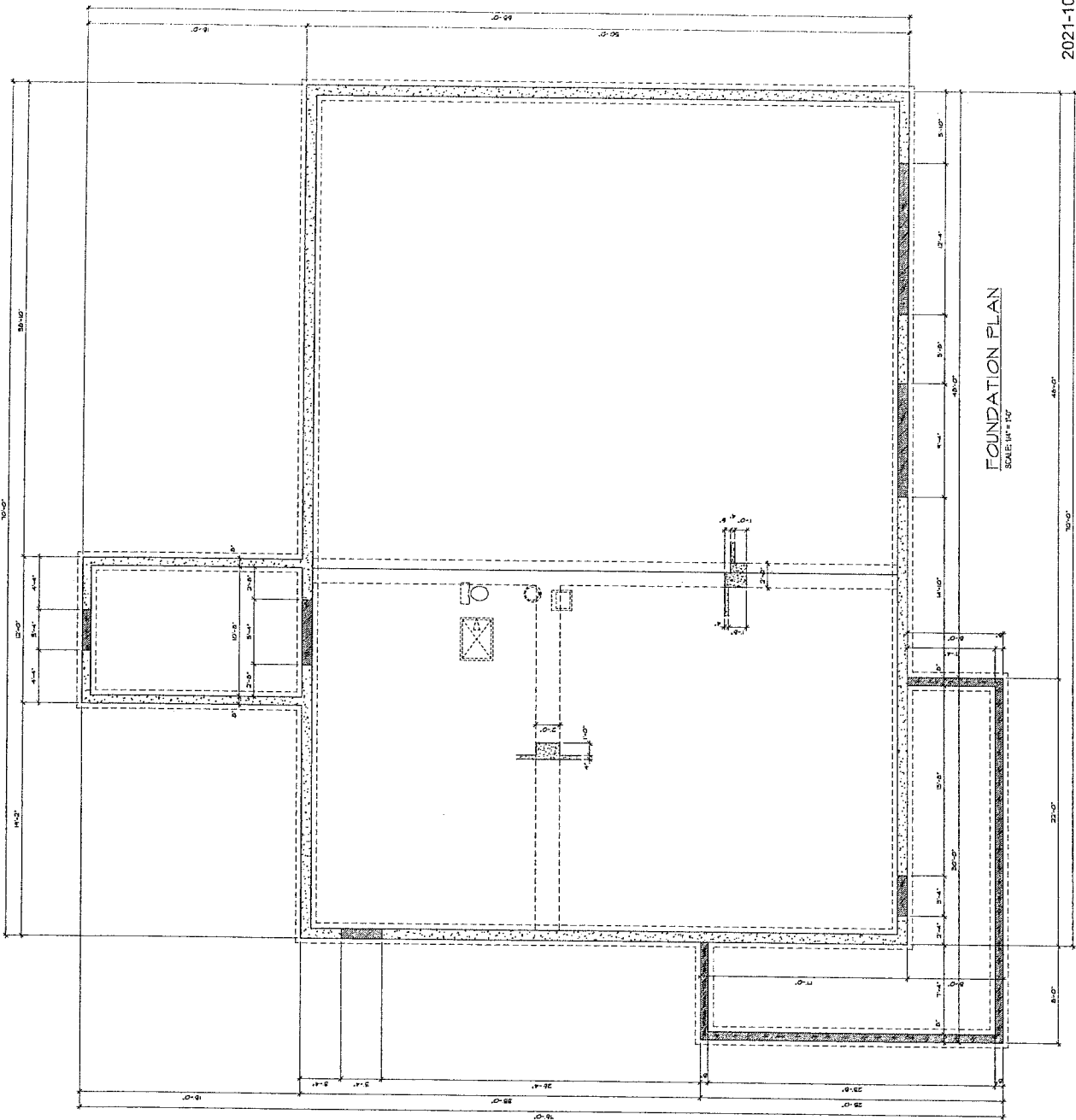
DATE: 9-10-21

REVISIONS
DATE: 9-14-21
BY: [Signature]
DATE: 9-22-21
BY: [Signature]

© Copyright 2021 McGee Architects

2021-1025

FOUNDATION PLAN
SCALE: 1/4" = 1'-0"





Vassar Craft Barn
Lot 93 Kryan Parkside Estates
Sycamore, IL.

McGee Architects
P.O. Box 460
Balaia IL 60510
cell: 847.204.3971 mcgeearcht@gmail.com

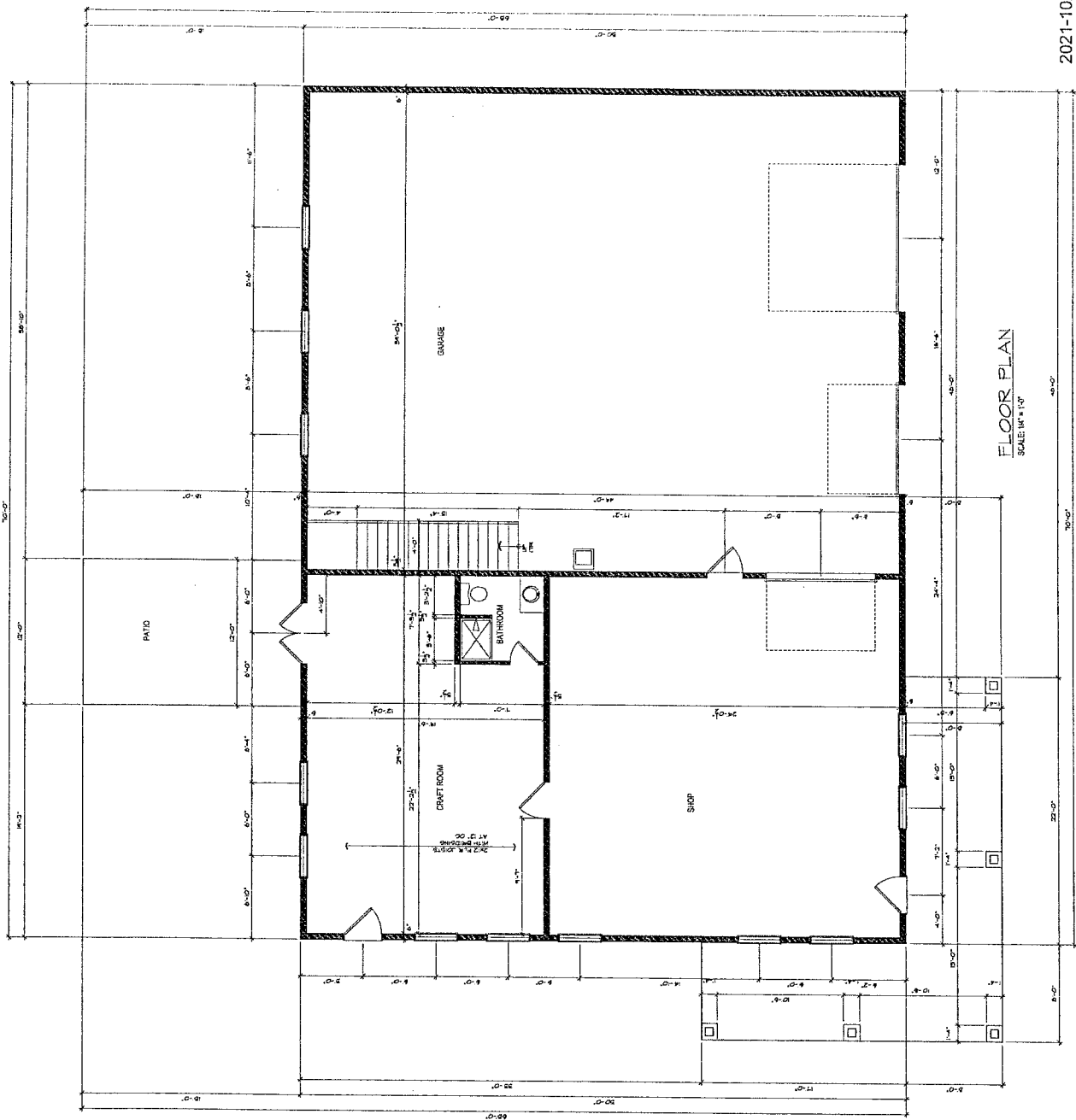
DATE: 9-10-21

NO. DRAWN	DATE
1	9-14-21
2	9-22-21

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2021-1025

FLOOR PLAN
SCALE 1/4" = 1'-0"



A5

SHEET NUMBER



Vassar Craft Barn
Lot 93 Krypan Parkside Estates
Sycamore, IL.

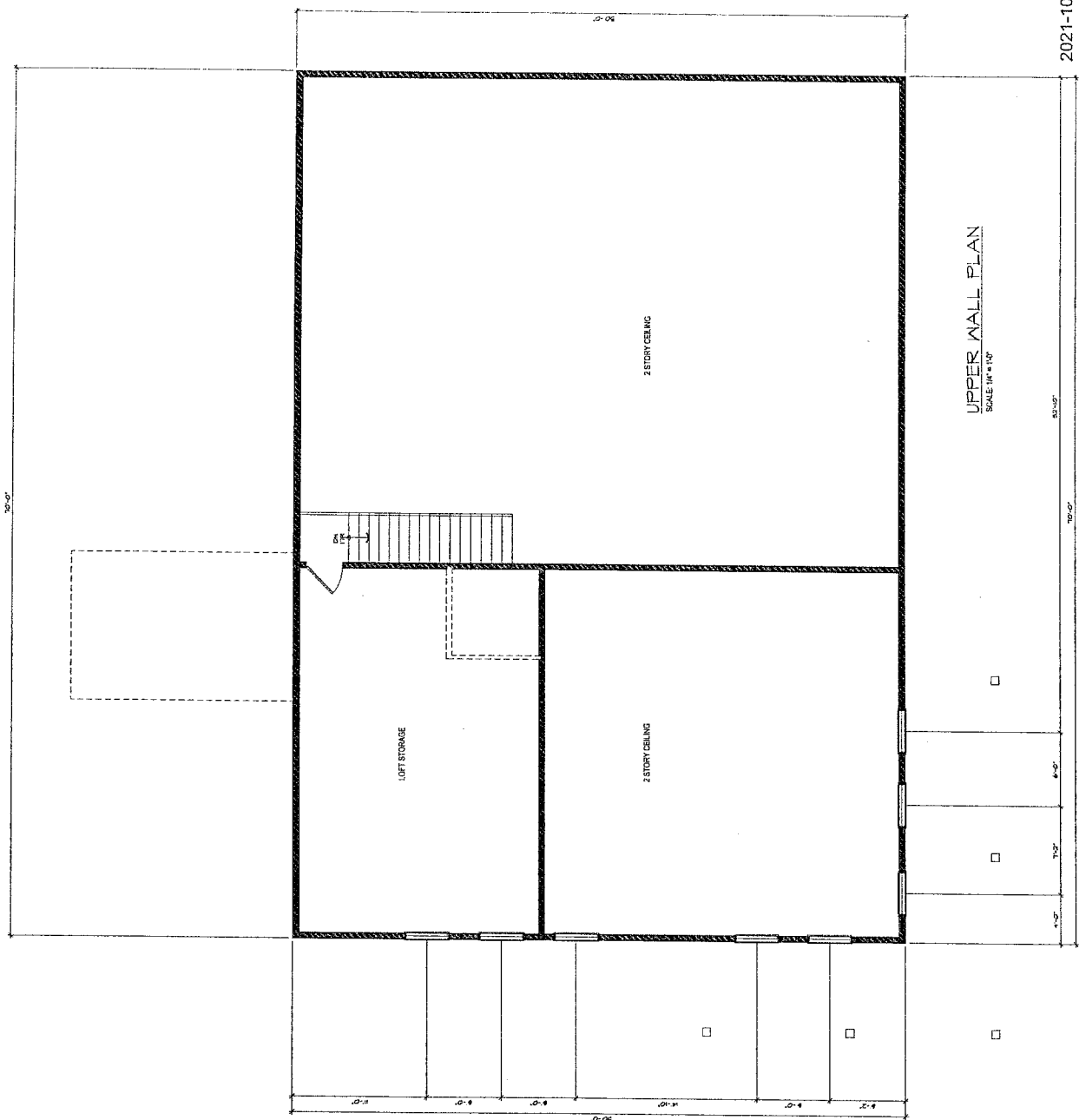
McGee Architects
P.O. Box 460
Balaia, IL 60510
cell: 847.204.3971 mcgeearcht@gmail.com

DATE:	9-10-21
BY:	9-11-21
CHK:	9-22-21
APP:	
DATE:	
BY:	
CHK:	
APP:	

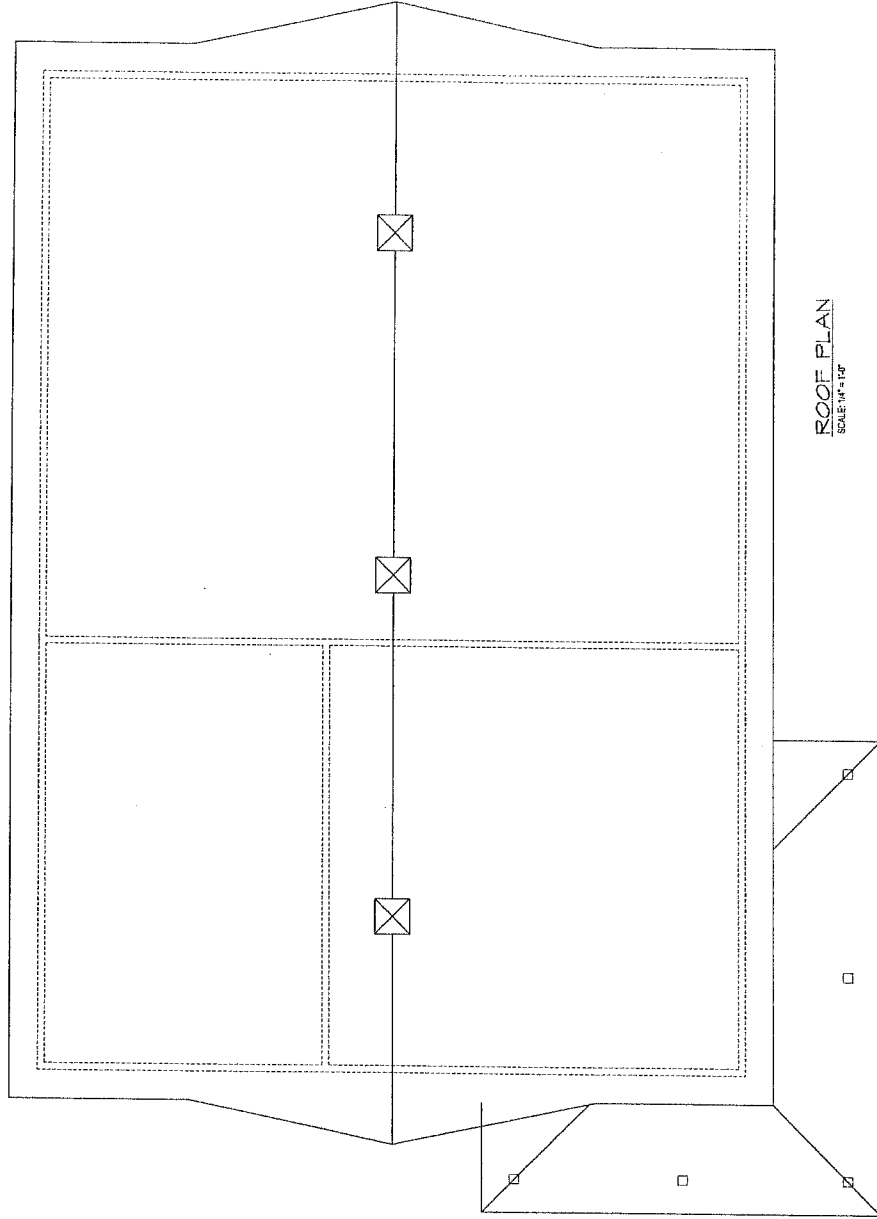
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2021-1025

UPPER WALL PLAN
SCALE 1/4" = 1'-0"



ROOF PLAN
SCALE: 1/4" = 1'-0"



Copyright 2021 McGee Architects



Vassar Craft Barn
Lot 93 Krypan Parkside Estates
Sycamore, IL.



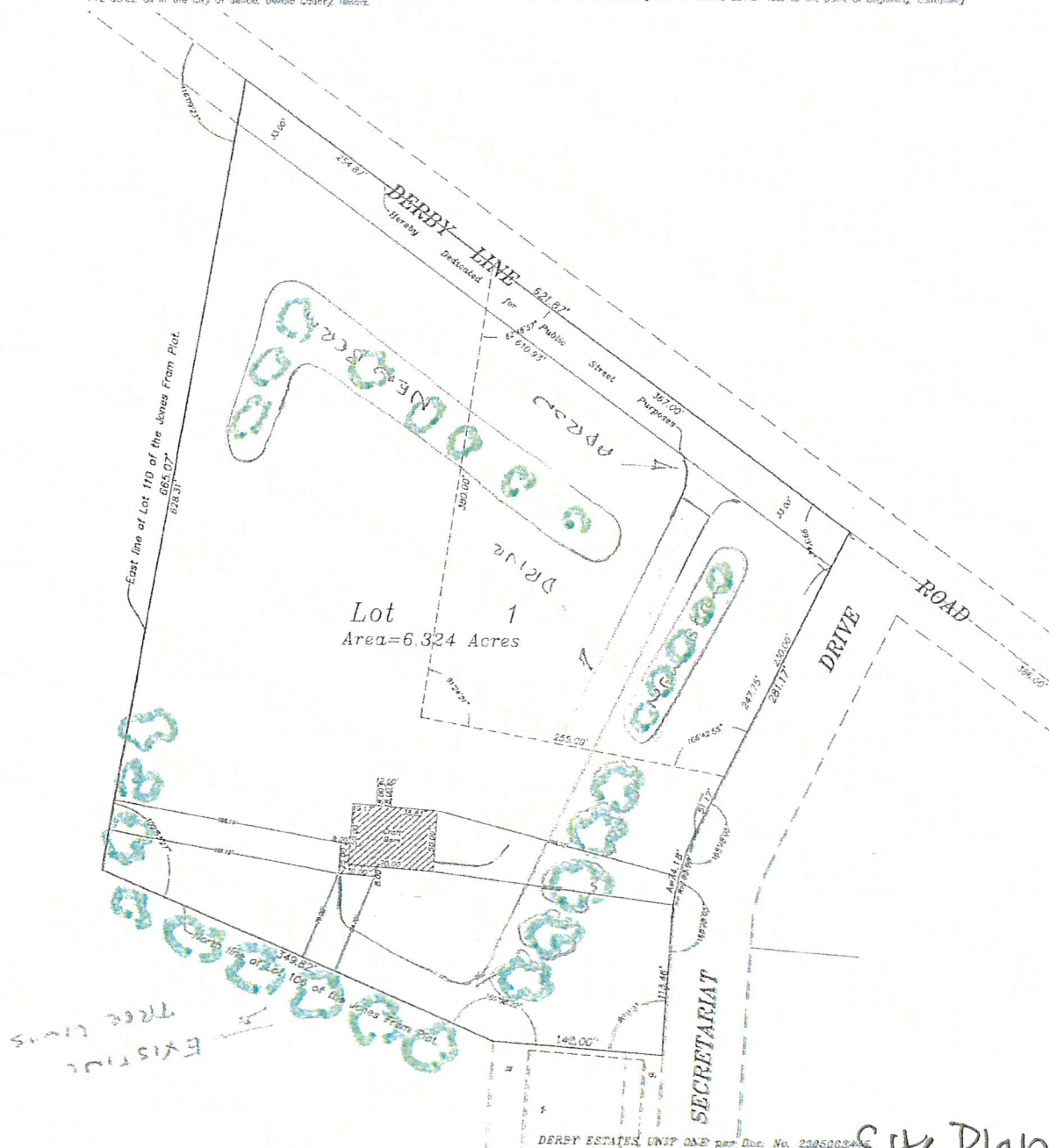
P.O. Box 460
Balaia, IL 60510
cell: 847.204.3971
mcgeearch@gmail.com

McGee Architects

DATE: 9-10-21

REV	DATE	BY	DESCRIPTION
1	9-14-21	KJM	9-22-21
2	9-22-21	KJM	
3			
4			
5			
6			
7			
8			
9			
10			

P.O. Box 5174
Elgin, Illinois 60121-5174
Phone: (847) 420-5775

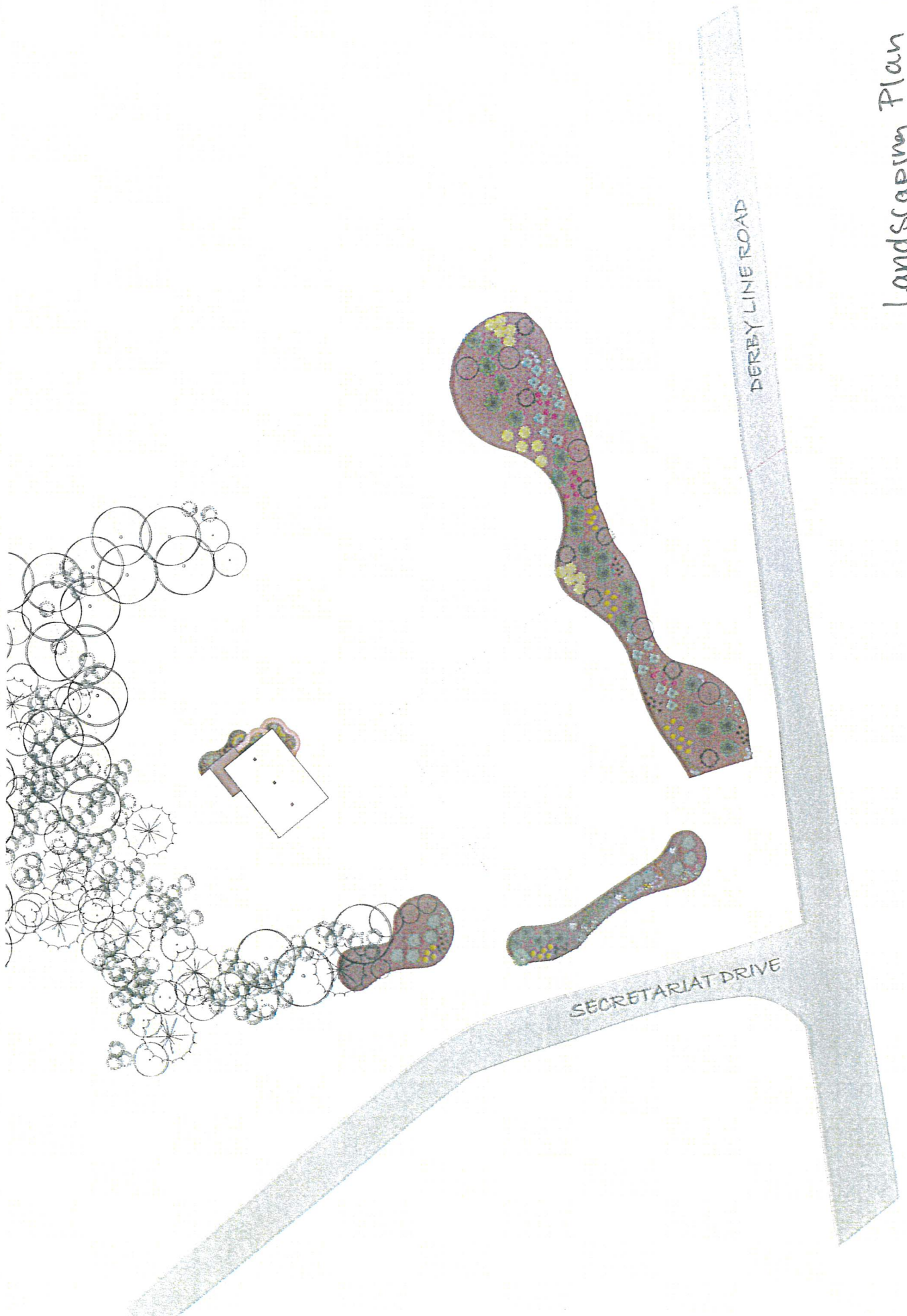
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Note: All pricing information shown herein was taken from engineering plans prepared by

Site Plan (setbacks)

PERMIT PLAT
PREPARED: 9/23/202
MODEL: CRAFT EARN
A/C

Landscaping Plan
9/22/2021

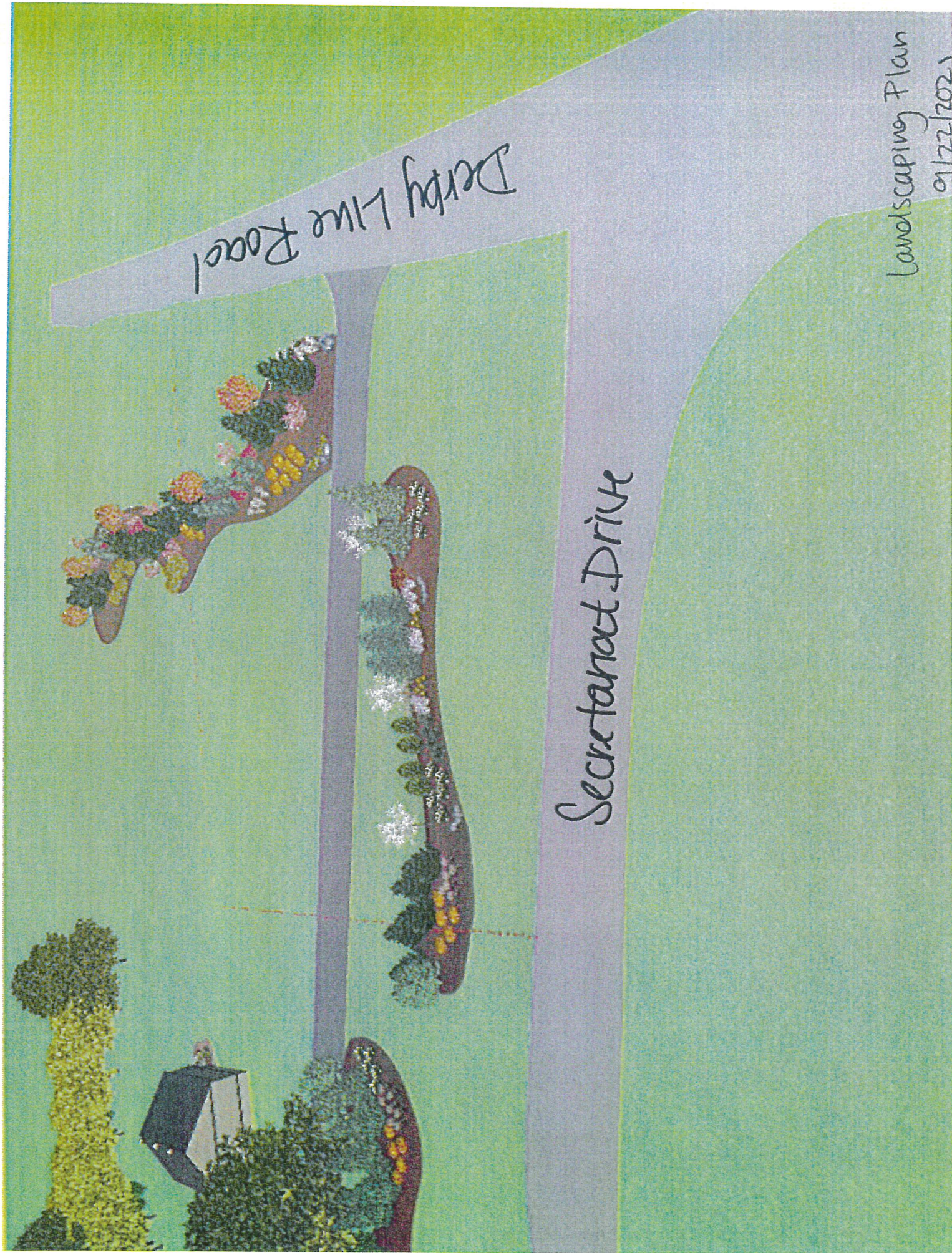


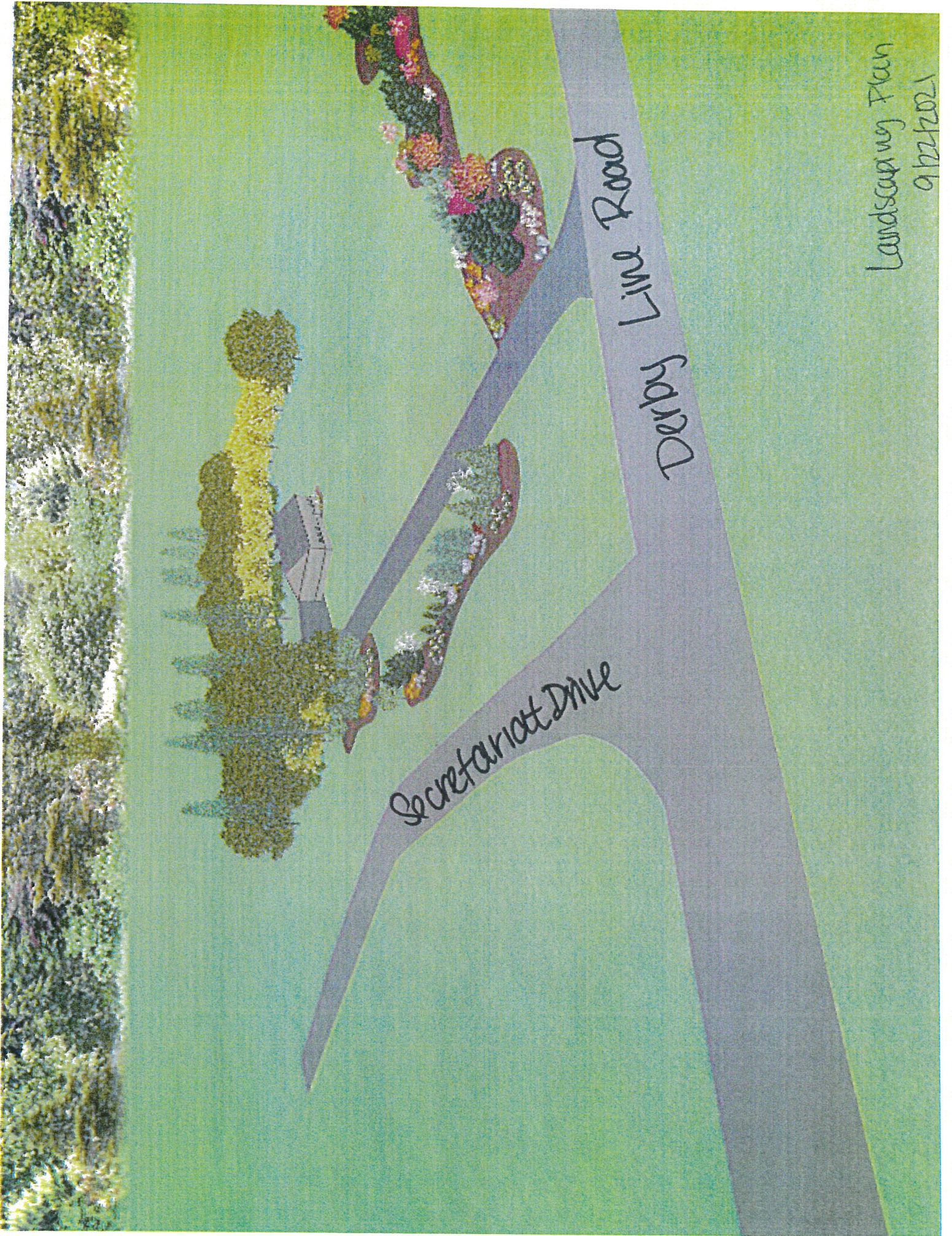
Derby Live Road

Secretariat Drive

Landscaping Plan

01/22/2021





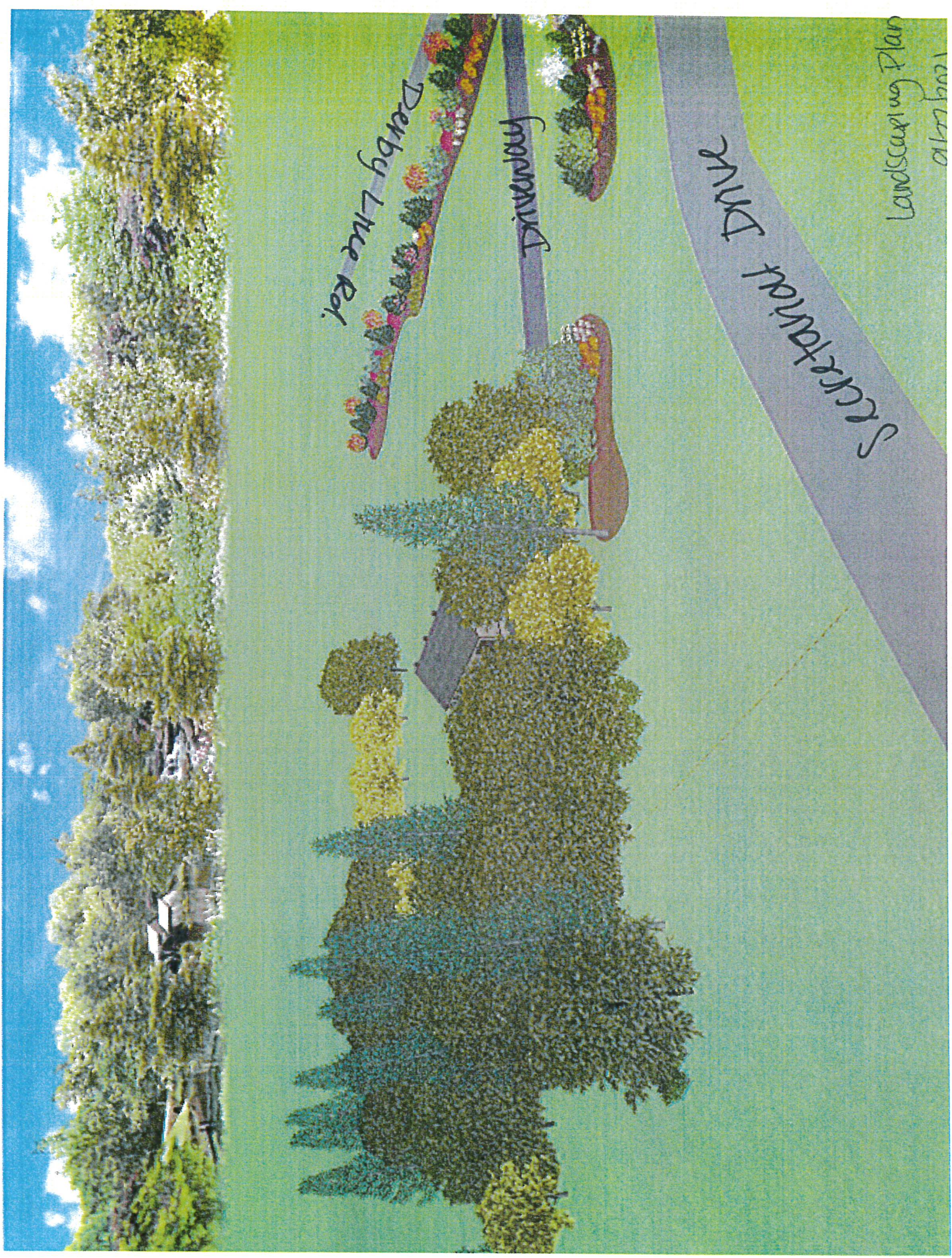
Landscaping Plan
9/22/2021

Landscaping Plan
at home

Secretariat Drive

Driveway

Derby Line Rd.





Landscaping Plan
01/22/2011

Landscaping Plan
a121201



FILED

DEC 08 2021

DeKalb County Clerk

CITY OF GENOA
DEKALB COUNTY, ILLINOIS

ORDINANCE NO. 2021 - 34

ADOPTED BY
THE MAYOR AND
CITY COUNCIL
OF THE
CITY OF GENOA

AN ORDINANCE LEVYING TAXES FOR ALL CORPORATE PURPOSES FOR
THE CITY OF GENOA, DEKALB COUNTY, ILLINOIS, FOR THE FISCAL YEAR
COMMENCING ON THE 1ST DAY OF MAY, 2021 AND ENDING ON
THE 30TH DAY OF APRIL, 2022

Adopted December 1, 2021, by the Mayor and City Council of the City of Genoa
DeKalb County, Illinois, and approved and published in pamphlet form
This 1st day of December 2021.

CITY OF GENOA
ORDINANCE NO. 2021 - 34

AN ORDINANCE LEVYING TAXES FOR ALL CORPORATE PURPOSES FOR THE CITY OF GENOA, DEKALB COUNTY, ILLINOIS, FOR THE FISCAL YEAR COMMENCING ON THE 1ST DAY OF MAY, 2021 AND ENDING ON THE 30TH DAY OF APRIL, 2022.

BE IT ORDAINED by the City Council of the City of Genoa, DeKalb County, Illinois:

Section 1:

A corporate purpose property tax of \$820,000.00 (eight hundred twenty thousand dollars), the amounts hereinafter set forth, or so much thereof as may be authorized by law and same, is hereby levied against all taxable property in said City of Genoa, DeKalb County, Illinois, subject to taxation for the year 2021 to defray the expenses and liabilities of said City of Genoa for the fiscal year beginning the 1st day of May, 2021 and ending the 30th day of April, 2022.

Section 2:

The amount levied for each object and purpose is as follows:

<u>FUND</u>	<u>Appropriated</u>	<u>Amounts To Be Provided By Taxation</u>
GENERAL FUND		
Administration & Finance		
Salaries	\$ 258,300	\$ 160,000
Employee Benefits	42,960	-
FICA Expense	19,900	6,500
IMRF Expense	17,430	6,500
Travel & Training	4,500	-
Repairs & Maintenance	500	-
Professional Services	57,000	22,000
Audit Fees	14,500	-
Liability Insurance	9,840	-
Contractual Services	19,300	10,000
Supplies	12,000	-
Capital Outlay	-	-
Totals - Administration & Finance	<u>\$ 456,230</u>	<u>\$ 205,000</u>

FUND	Appropriated	Amounts To Be Provided By Taxation
GENERAL FUND (Continued)		
Community Development		
Salaries	35,000	-
FICA Expense	2,500	-
Travel & Training	700	-
Professional Services	15,100	-
Contractual Services	9,730	-
Supplies	2,250	-
Totals - Community Development	<u>\$ 65,280</u>	<u>\$ -</u>
Police Department		
Salaries	\$ 729,990	\$ 442,000
Employee Benefits	146,500	-
FICA Expense	56,800	-
IMRF Expense	1,000	-
Police Pension Expense	480,000	-
Travel & Training	11,900	-
Repairs & Maintenance	7,000	-
Professional Services	16,800	-
Liability Insurance	56,550	-
Contractual Services	51,000	-
Dispatching Service	118,350	-
Supplies	35,100	-
Totals - Police Department	<u>\$ 1,710,990</u>	<u>\$ 442,000</u>
Municipal Building		
Salaries	\$ 3,000	\$ -
FICA Expense	210	-
Repairs & Maintenance	58,000	-
Professional Services	500	-
Liability Insurance	1,230	-
Contractual Services	15,500	-
Supplies	5,300	-
Totals - Municipal Building	<u>\$ 83,740</u>	<u>\$ -</u>
Public Works Department - Streets Division		
Salaries	\$ 251,170	\$ 160,000
Employee Benefits	30,750	-
FICA Expense	17,230	6,500
IMRF Expense	16,540	6,500
Travel & Training	2,150	-
Repairs & Maintenance	92,500	-
Tree Maintenance	32,000	-

FUND	Appropriated	Amounts To Be Provided By Taxation
GENERAL FUND (Continued)		
Public Works Dept - Streets Division (Continued)		
Professional Services	5,000	-
Liability Insurance	18,450	-
Contractual Services	47,700	-
Supplies	36,500	-
Totals - Street Division	<u>\$ 549,990</u>	<u>\$ 173,000</u>
Non-Departmental Charges		
Legal Expenses	\$ 2,000	\$ -
Tax Incentives	68,000	-
Totals - Non-Department	<u>\$ 70,000</u>	<u>\$ -</u>
TOTALS - GENERAL FUND	<u>\$ 2,936,230</u>	<u>\$ 820,000</u>
GARBAGE FUND		
Contractual Services	<u>\$ 494,200</u>	<u>\$ -</u>
MOTOR FUEL TAX FUND		
Contractual Services	301,120	-
Interfund Transfers	<u>\$ 100,000</u>	<u>\$ -</u>
	<u>\$ 401,120</u>	<u>\$ -</u>
ROAD & BRIDGE FUND		
Capital Expenditures	<u>\$ 30,000</u>	<u>\$ -</u>
STREET IMPROVEMENT FUND		
Contractual Services	\$ 62,000	\$ -
Capital Outlay	-	\$ -
Interfund Transfers	115,000	-
Totals	<u>\$ 177,000</u>	<u>\$ -</u>
DEVELOPER CONTRIBUTIONS FUND		
Contractual Services	<u>\$ 93,200</u>	<u>\$ -</u>
RIVERBEND SSA FUND		
Contractual Services	<u>\$ 83,770</u>	<u>\$ -</u>
DERBY ESTATES SSA FUND		
Contractual Services	<u>\$ 7,000</u>	<u>\$ -</u>
OAK CREEK SSA FUND		
Contractual Services	<u>\$ 7,640</u>	<u>\$ -</u>

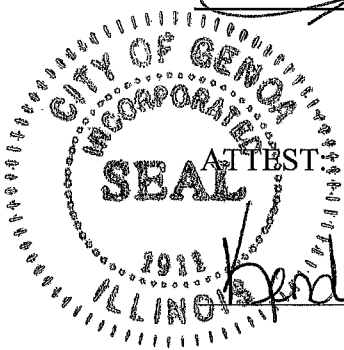
FUND	Appropriated	Amounts To Be Provided By Taxation
CDAP FUND		
Contractual Services	\$ 127,000	\$ -
BOND CAPITAL IMPROVEMENT FUND		
Contractual Services	\$ 2,377,100	\$ -
DEBT SERVICE FUND		
Debt Service Payments	\$ 215,000	\$ -
WATER & SEWER OPERATIONS		
Water Division	\$ 750,030	\$ -
Sewer Division	798,460	-
Totals	\$ 1,548,490	\$ -
WATER/SEWER CAPITAL IMPROVEMENT FUND		
Capital Outlay	\$ 351,500	\$ -
EQUIPMENT REPLACEMENT FUND		
Capital Outlay	\$ 341,000	\$ -
POLICE PENSION FUND		
Pension Benefits	\$ 207,990	\$ -
CITY TOTALS	\$ 9,398,240	\$ 820,000
SUMMARY		
GENERAL FUND	\$ 2,936,230	\$ -
Corporate Tax Levy	-	352,000
Police Protection Tax Levy	-	442,000
Social Security		13,000
Illinois Municipal Retirement Pension		13,000
GARBAGE FUND	494,200	-
MOTOR FUEL TAX FUND	401,120	-
ROAD & BRIDGE FUND	30,000	-
STREET IMPROVEMENT FUND	177,000	-
DEVELOPER CONTRIBUTIONS FUND	93,200	-
RIVER BEND SSA FUND	83,770	-
DERBY ESTATES SSA FUND	7,000	-
OAK CREEK SSA FUND	7,640	-
CDAP FUND	127,000	-
BOND CAPITAL IMPROVEMENT FUND	2,377,100	-
DEBT SERVICE FUND	215,000	-
WATER & SEWER OPERATIONS	1,548,490	-
WATER/SEWER CAPITAL IMPROVEMENT FUND	351,500	-
EQUIPMENT REPLACEMENT FUND	341,000	-
POLICE PENION FUND	207,990	-
CITY TOTALS	\$ 9,398,240	\$ 820,000

PASSED by the City Council of the City of Genoa, Illinois at a regular meeting of the City Council thereof held on December 1, 2021, and approved by me as Mayor on the same day.

Alderman Name	Aye	Nay	Abstain	Absent
Pam Wesner	✓			
Christopher Pulley				✓
Melissa Freund	✓			
James Stevenson	✓			
Courtney Winter	✓			
Chuck Cravatta	✓			
Brent Holcomb	✓			
Mayor Jonathon Brust				

APPROVED:


Mayor, City of Genoa, Illinois




City Clerk

FILED
DEC 08 2021
DeKalb County Clerk

CERTIFICATION

I, Kendra Braheny, do hereby certify that I am the duly elected, acting and qualified Clerk of the City of Genoa, DeKalb County, Illinois, and that as such Clerk, I am the keeper of the records and minutes and proceedings of the Mayor and City Council of said City of Genoa.

I do hereby further certify that at a regular meeting of the Mayor and City Council of the City of Genoa, held on the 1st day of December, 2021, the foregoing Ordinance entitled *An Ordinance levying taxes for all corporate purposes for the City of Genoa, DeKalb County, Illinois, for the fiscal year commencing on the 1st day of May, 2021 and ending on the 30th day of April, 2022*, was duly adopted by the Mayor and City Council of the City of Genoa.

The pamphlet form of Ordinance No. 2021-34, including the Ordinance and a cover sheet thereof, was prepared, and a copy of such Ordinance was posted in the City Hall, commencing on the 1st day of December, 2021, and continuing for at least 10 days thereafter. Copies of such Ordinance were also available for public inspection upon request in the office of the City Clerk.

I do further certify that the original, of which the attached is a true and correct copy, is entrusted to me as the Clerk of said City for safekeeping, and that I am the lawful custodian and keeper of the same.

GIVEN under my hand and seal of the City of Genoa, DeKalb County, this 1st day of December, 2021.



Kendra Braheny
Kendra Braheny, Clerk
City of Genoa,
DeKalb County, Illinois

CITY OF GENOA
DEKALB COUNTY, ILLINOIS

FILED
DEC 08 2021
DeKalb County Clerk

ORDINANCE NO. 2021 - 35

ADOPTED BY
THE MAYOR AND
CITY COUNCIL
OF THE
CITY OF GENOA

AN ORDINANCE LEVYING SPECIAL SERVICE AREA PROPERTY TAXES FOR
THE SPECIAL SERVICES TO BE PROVIDED IN RIVER BEND SPECIAL
SERVICE AREA IN THE CITY OF GENOA, DEKALB COUNTY, ILLINOIS FOR
THE FISCAL YEAR COMMENCING ON THE 1ST DAY OF MAY, 2021 AND
ENDING ON THE 30TH DAY OF APRIL, 2022.

Adopted December 1, 2021, by the Mayor and City Council of the City of Genoa,
DeKalb County, Illinois, and approved and published in pamphlet form
this 1st day of December 2021.

CITY OF GENOA

ORDINANCE NO. 2021 - 35

AN ORDINANCE LEVYING SPECIAL SERVICE AREA PROPERTY TAXES FOR THE SPECIAL SERVICES TO BE PROVIDED IN RIVER BEND SPECIAL SERVICE AREA IN THE CITY OF GENOA, DEKALB COUNTY, ILLINOIS FOR THE FISCAL YEAR COMMENCING ON THE 1ST DAY OF MAY, 2021 AND ENDING ON THE 30TH DAY OF APRIL, 2022.

WHEREAS, the City Council of the City of Genoa, DeKalb County, Illinois, by ordinance number 2004-42 adopted on the 5th day of October, 2004 (the "Ordinance"), did provide for the establishment of River Bend Special Service Area, and the levy of a direct annual tax, not to exceed fifty cents (\$0.50) per \$100 equalized assessed valuation, per year, per dwelling unit, to pay for the special services to be provided to the residents of the aforementioned special service area;

NOW, THEREFORE, Be it Ordained by the City Council of the City of Genoa, Dekalb County, Illinois, as follows:

SECTION 1: A special service property tax of \$80,753.00 (eighty thousand seven hundred fifty-three dollars) or so much as is authorized by law is hereby levied against all taxable property in River Bend Special Service Area, in the City of Genoa, DeKalb County, Illinois, subject to taxation for the year 2021 to defray the expenses for special services of River Bend Special Service Area for the fiscal year beginning the 1st day of May, 2021 and ending the 30th day of April, 2022.

SECTION 2: Effective Date: This Ordinance shall be in full force and effect forthwith upon its passage by the City Council and signing and approval by the Mayor.

Passed by City Council of the City of Genoa, Illinois at a regular meeting of the City Council thereof held on December 1, 2021 and approved by me as Mayor on the same date.

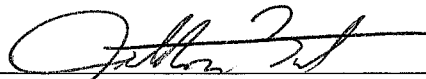
Alderman Name	Aye	Nay	Abstain	Absent
Pam Wesner	✓			
Christopher Pulley				✓
Melissa Freund	✓			
James Stevenson	✓			
Courtney Winter	✓			
Chuck Cravatta	✓			
Brent Holcomb	✓			
Mayor Jonathon Brust				



ATTEST

Hendra Brabeny
City Clerk

APPROVED:


Mayor, City of Genoa, Illinois

FILED

DEC 03 2021

DeKalb County Clerk

CERTIFICATION

I, Kendra Braheny, do hereby certify that I am the duly elected, acting and qualified Clerk of the City of Genoa, DeKalb County, Illinois, and that as such Clerk, I am the keeper of the records and minutes and proceedings of the Mayor and City Council of said City of Genoa.

I do hereby further certify that at a regular meeting of the Mayor and City Council of the City of Genoa, held on the 1st day of December, 2021, the foregoing Ordinance entitled *An Ordinance levying special service area property taxes for the special services to be provided in River Bend Special Service Area in the City of Genoa, DeKalb County, Illinois, for the fiscal year commencing on the 1st day of May, 2021 and ending on the 30th day of April, 2022*, was duly adopted by the Mayor and City Council of the City of Genoa.

The pamphlet form of Ordinance No. 2021-35, including the Ordinance and a cover sheet thereof, was prepared, and a copy of such Ordinance was posted in the City Hall, commencing on the 1st day of December, 2021, and continuing for at least 10 days thereafter. Copies of such Ordinance were also available for public inspection upon request in the office of the City Clerk.

I do further certify that the original, of which the attached is a true and correct copy, is entrusted to me as the Clerk of said City for safekeeping, and that I am the lawful custodian and keeper of the same.

GIVEN under my hand and seal of the City of Genoa, DeKalb County, this 1st day of December, 2021.



Kendra Braheny
Kendra Braheny, Clerk
City of Genoa,
DeKalb County, Illinois

CITY OF GENOA
DEKALB COUNTY, ILLINOIS

FILED
DEC 08 2021
DeKalb County Clerk

ORDINANCE NO. 2021 - 36

ADOPTED BY
THE MAYOR AND
CITY COUNCIL
OF THE
CITY OF GENOA

AN ORDINANCE LEVYING SPECIAL SERVICE AREA PROPERTY TAXES FOR
THE SPECIAL SERVICES TO BE PROVIDED IN DERBY ESTATES SPECIAL
SERVICE AREA IN THE CITY OF GENOA, DEKALB COUNTY, ILLINOIS FOR THE
FISCAL YEAR COMMENCING ON THE 1ST DAY OF MAY, 2021 AND ENDING ON
THE 30TH DAY OF APRIL, 2022.

Adopted December 1, 2021, by the Mayor and City Council of the City of Genoa,
DeKalb County, Illinois, and approved and published in pamphlet form
this 1st day of December 2021.

CITY OF GENOA

ORDINANCE NO. 2021 - 36

AN ORDINANCE LEVYING SPECIAL SERVICE AREA PROPERTY TAXES FOR THE SPECIAL SERVICES TO BE PROVIDED IN DERBY ESTATES SPECIAL SERVICE AREA IN THE CITY OF GENOA, DEKALB COUNTY, ILLINOIS FOR THE FISCAL YEAR COMMENCING ON THE 1ST DAY OF MAY, 2021 AND ENDING ON THE 30TH DAY OF APRIL, 2022.

WHEREAS, the City Council of the City of Genoa, DeKalb County, Illinois, by ordinance number 2005-30 adopted on the 16th day of August, 2005 (the "Ordinance"), did provide for the establishment of Derby Estates Special Service Area, and the levy of a direct annual tax, not to exceed fifty cents (\$0.50) per \$100 equalized assessed valuation, per year, per dwelling unit, to pay for the special services to be provided to the residents of the aforementioned special service area; and

WHEREAS, Illinois statutes (35 ILCS 200/27-75) authorize the corporate authorities to levy taxes in the same year in which the Ordinance is filed with the county clerk:

NOW, THEREFORE, Be it Ordained by the City Council of the City of Genoa, Dekalb County, Illinois, as follows:

SECTION 1: A special service property tax of \$8,100.00 (eight thousand one hundred dollars) or so much as is authorized by law is hereby levied against all taxable property in Derby Estates Special Service Area, in the City of Genoa, DeKalb County, Illinois, subject to taxation for the year 2021 to defray the expenses for special services of Derby Estates Special Service Area for the fiscal year beginning the 1st day of May, 2021 and ending the 30th day of April, 2022.

SECTION 2: Effective Date: This Ordinance shall be in full force and effect forthwith upon its passage by the City Council and signing and approval by the Mayor.

Passed by City Council of the City of Genoa, Illinois at a regular meeting of the City Council thereof held on December 1, 2021 and approved by me as Mayor on the same date.

Alderman Name	Aye	Nay	Abstain	Absent
Pam Wesner	✓			
Christopher Pulley				✓
Melissa Freund	✓			
James Stevenson	✓			
Courtney Winter	✓			
Chuck Cravatta	✓			
Brent Holcomb	✓			
Mayor Jonathon Brust				



ATTEST:

Kendra Brabeny
City Clerk

APPROVED:

[Signature]
Mayor, City of Genoa, Illinois

CERTIFICATION

FILED
DEC 08 2021
DeKalb County Clerk

I, Kendra Braheny, do hereby certify that I am the duly elected, acting and qualified Clerk of the City of Genoa, DeKalb County, Illinois, and that as such Clerk, I am the keeper of the records and minutes and proceedings of the Mayor and City Council of said City of Genoa.

I do hereby further certify that at a regular meeting of the Mayor and City Council of the City of Genoa, held on the 1st day of December, 2021, the foregoing Ordinance entitled *An Ordinance levying special service area property taxes for the special services to be provided in Derby Estates Special Service Area in the City of Genoa, DeKalb County, Illinois, for the fiscal year commencing on the 1st day of May, 2021 and ending on the 30th day of April, 2022*, was duly adopted by the Mayor and City Council of the City of Genoa.

The pamphlet form of Ordinance No. 2021-36, including the Ordinance and a cover sheet thereof, was prepared, and a copy of such Ordinance was posted in the City Hall, commencing on the 1st day of December, 2021, and continuing for at least 10 days thereafter. Copies of such Ordinance were also available for public inspection upon request in the office of the City Clerk.

I do further certify that the original, of which the attached is a true and correct copy, is entrusted to me as the Clerk of said City for safekeeping, and that I am the lawful custodian and keeper of the same.

GIVEN under my hand and seal of the City of Genoa, DeKalb County, this 1st day of December, 2021.



Kendra Braheny
Kendra Braheny, Clerk
City of Genoa,
DeKalb County, Illinois

CITY OF GENOA
DEKALB COUNTY, ILLINOIS

FILED
DEC 08 2021
DeKalb County Clerk

ORDINANCE NO. 2021 - 37

ADOPTED BY
THE MAYOR AND
CITY COUNCIL
OF THE
CITY OF GENOA

AN ORDINANCE LEVYING SPECIAL SERVICE AREA PROPERTY TAXES FOR
THE SPECIAL SERVICES TO BE PROVIDED IN GENOA OAK CREEK ESTATES
UNIT FOUR SPECIAL SERVICE AREA IN THE CITY OF GENOA, DEKALB
COUNTY, ILLINOIS FOR THE FISCAL YEAR COMMENCING ON THE 1ST DAY OF
MAY, 2021 AND ENDING ON THE 30TH DAY OF APRIL, 2022.

Adopted December 1, 2021, by the Mayor and City Council of the City of Genoa,
DeKalb County, Illinois, and approved and published in pamphlet form
this 1st day of December 2021.

CITY OF GENOA

ORDINANCE NO. 2021 - 37

AN ORDINANCE LEVYING SPECIAL SERVICE AREA PROPERTY TAXES FOR THE SPECIAL SERVICES TO BE PROVIDED IN GENOA OAK CREEK ESTATES UNIT FOUR SPECIAL SERVICE AREA IN THE CITY OF GENOA, DEKALB COUNTY, ILLINOIS FOR THE FISCAL YEAR COMMENCING ON THE 1ST DAY OF MAY, 2021 AND ENDING ON THE 30TH DAY OF APRIL, 2022.

WHEREAS, the City Council of the City of Genoa, DeKalb County, Illinois, by ordinance number 2006-23 adopted on the 6th day of July, 2006 (the "Ordinance"), did provide for the establishment of Genoa Oak Creek Estates Unit Four Special Service Area, and the levy of a direct annual tax, not to exceed fifty cents (\$0.50) per \$100 equalized assessed valuation, per year, per dwelling unit, to pay for the special services to be provided to the residents of the aforementioned special service area; and

WHEREAS, Illinois statutes (35 ILCS 200/27-75) authorize the corporate authorities to levy taxes in the same year in which the Ordinance is filed with the county clerk:

NOW, THEREFORE, Be it Ordained by the City Council of the City of Genoa, Dekalb County, Illinois, as follows:

SECTION 1: A special service property tax of \$11,318.00 (eleven thousand three hundred eighteen dollars) or so much as is authorized by law is hereby levied against all taxable property in Genoa Oak Creek Estates Unit Four Special Service Area, in the City of Genoa, DeKalb County, Illinois, subject to taxation for the year 2021 to defray the expenses for special services of Derby Estates Special Service Area for the fiscal year beginning the 1st day of May, 2021 and ending the 30th day of April, 2022.

SECTION 2: Effective Date: This Ordinance shall be in full force and effect forthwith upon its passage by the City Council and signing and approval by the Mayor.

Passed by City Council of the City of Genoa, Illinois at a regular meeting of the City Council thereof held on December 1, 2021 and approved by me as Mayor on the same date.

Alderman Name	Aye	Nay	Abstain	Absent
Pam Wesner	✓			
Christopher Pulley				✓
Melissa Freund	✓			
James Stevenson	✓			
Courtney Winter	✓			
Chuck Cravatta	✓			
Brent Holcomb	✓			
Mayor Jonathon Brust				



Hendra Brabeny
City Clerk

APPROVED:

[Signature]
Mayor, City of Genoa, Illinois

FILED

DEC 08 2021

DeKalb County Clerk

CERTIFICATION

I, Kendra Braheny, do hereby certify that I am the duly elected, acting and qualified Clerk of the City of Genoa, DeKalb County, Illinois, and that as such Clerk, I am the keeper of the records and minutes and proceedings of the Mayor and City Council of said City of Genoa.

I do hereby further certify that at a regular meeting of the Mayor and City Council of the City of Genoa, held on the 1st day of December, 2021, the foregoing Ordinance entitled *An Ordinance levying special service area property taxes for the special services to be provided in Genoa Oak Creek Estates Unit Four Special Service Area in the City of Genoa, DeKalb County, Illinois, for the fiscal year commencing on the 1st day of May, 2021 and ending on the 30th day of April, 2022*, was duly adopted by the Mayor and City Council of the City of Genoa.

The pamphlet form of Ordinance No. 2021- 37, including the Ordinance and a cover sheet thereof, was prepared, and a copy of such Ordinance was posted in the City Hall, commencing on the 1st day of December, 2021, and continuing for at least 10 days thereafter. Copies of such Ordinance were also available for public inspection upon request in the office of the City Clerk.

I do further certify that the original, of which the attached is a true and correct copy, is entrusted to me as the Clerk of said City for safekeeping, and that I am the lawful custodian and keeper of the same.

GIVEN under my hand and seal of the City of Genoa, DeKalb County, this 1st day of December, 2021.



Kendra Braheny

Kendra Braheny, Clerk
City of Genoa,
DeKalb County, Illinois

CITY OF GENOA
DEKALB COUNTY, ILLINOIS

FILED
DEC 08 2021
DeKalb County Clerk

ORDINANCE NO. 2021 - 38

ADOPTED BY
THE MAYOR AND
CITY COUNCIL
OF THE
CITY OF GENOA

AN ORDINANCE ABATING THE TAX HERETOFORE LEVIED FOR THE YEAR
2021 TO PAY THE PRINCIPAL OF AND INTEREST ON \$2,500,000 GENERAL
OBLIGATION BONDS, SERIES 2020 OF THE CITY OF GENOA, ILLINOIS

Adopted December 1, 2021, by the Mayor and City Council of the City of Genoa
DeKalb County, Illinois, and approved and published in pamphlet form
This 1st day of December 2021.

CITY OF GENOA

ORDINANCE NO. 2021 - 38

AN ORDINANCE ABATING THE TAX HERETOFORE LEVIED FOR THE YEAR 2021 TO PAY THE PRINCIPAL OF AND INTEREST ON \$2,500,000 GENERAL OBLIGATION BONDS, SERIES 2020 OF THE CITY OF GENOA, ILLINOIS.

WHEREAS, the City Council of the City of Genoa, DeKalb County, Illinois, by ordinance 2020-21 adopted on the 15th day of September, 2020 (the "Ordinance"), did provide for the issue of \$2,500,000 General Obligation Bonds, Series 2020, (the "Series 2020 Bonds"), and the levy of a direct annual tax sufficient to pay the principal of and interest on the Series 2020 Bonds; and

WHEREAS, the City will have Pledged Revenues (as defined in the Ordinance) available for the purpose of paying the principal of and the interest on the Series 2020 Bonds up to and including December 1, 2022; and

WHEREAS, it is necessary and in the best interest of the City that the tax heretofore levied for the year 2021 to pay the principal of and interest on the Series 2020 Bonds be abated:

NOW, THEREFORE, Be it Ordained by the City Council of the City of Genoa, DeKalb County, Illinois, as follows:

SECTION 1: Abatement of Tax for Series 2020 Bonds: The tax heretofore levied for the year 2021 in the Ordinance for the Series 2020 Bonds in the amount of \$209,534.50 is hereby abated in its entirety.

SECTION 2: Filing of Ordinance: Forthwith upon the adoption of this ordinance, the City Clerk shall file a certified copy hereof with the County Clerk of DeKalb County, Illinois and it shall be the duty of said County Clerk to abate said tax levied for the year 2021 in accordance with the provisions hereof.

SECTION 3: Effective Date: This ordinance shall be in full force and effect forthwith upon its passage by the City Council and signing and approval by the Mayor.

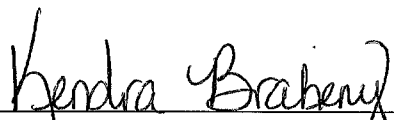
PASSED by the City Council of the City of Genoa, Illinois at a regular meeting of the City Council thereof held on December 1, 2021, and approved by me as Mayor on the same day.

Alderman Name	Aye	Nay	Abstain	Absent
Pam Wesner	✓			
Christopher Pulley				✓
Melissa Freund	✓			
James Stevenson	✓			
Courtney Winter	✓			
Chuck Cravatta	✓			
Brent Holcomb	✓			
Mayor Jonathon Brust				

APPROVED:


Mayor Jonathon Brust



ATTEST: 
City Clerk Kendra Braheny

Adopted: 12-1-2021

Approved: 12-1-2021

Published: 12-1-2021

FILED

DEC 08 2021

DeKalb County Clerk

CERTIFICATION

I, Kendra Braheny, do hereby certify that I am the duly elected, acting and qualified Clerk of the City of Genoa, DeKalb County, Illinois, and that as such Clerk, I am the keeper of the records and minutes and proceedings of the Mayor and City Council of said City of Genoa.

I do hereby further certify that at a regular meeting of the Mayor and City Council of the City of Genoa, held on the 1st day of December, 2021, the foregoing Ordinance entitled *An Ordinance abating the tax heretofore levied for the year 2021 to pay the principal of and interest on \$2,500,000 General Obligation Bonds, Series 2020 of the City of Genoa, Illinois*, was duly adopted by the Mayor and City Council of the City of Genoa.

The pamphlet form of Ordinance No. 2021- 38, including the Ordinance and a cover sheet thereof, was prepared, and a copy of such Ordinance was posted in the City Hall, commencing on the 1st day of December, 2021, and continuing for at least 10 days thereafter. Copies of such Ordinance were also available for public inspection upon request in the office of the City Clerk.

I do further certify that the original, of which the attached is a true and correct copy, is entrusted to me as the Clerk of said City for safekeeping, and that I am the lawful custodian and keeper of the same.

GIVEN under my hand and seal of the City of Genoa, DeKalb County, this 1st day of December, 2021.



Kendra Braheny
Kendra Braheny, Clerk
City of Genoa,
DeKalb County, Illinois