



## City Council Meeting – April 21, 2025

### Council Questions & Staff Responses

Before each City Council meeting, questions that have been posed by the City Council relating to the agenda for that evening will be posted to the City's website. Below are the responses to this week's questions.

#### **Agenda Item 8. Municipal Bills for Payment**

##### **a) United Airlines - \$1,827.07, airfare for training**

*Q: What happened with the charges for United regarding travel for GIS Staff?*

A: One employee was able to select a seat, whereas the other paid for seat selection. Given that airlines have changed their ticketing policies over the years, it is likely we will need to review our policies as they relate to air travel reimbursement. As a footnote, the charge for the seat assignment has been refunded.

##### **b) Fox River Study Group - \$5,545, 2025 Group Water Quality Study**

*Q: Where will the results from the 2025 Group Water Quality Study from the Fox River Study Group be published?*

A: The National Pollutant Discharge Elimination System (NPDES) permit for the wastewater treatment plant requires the City to participate in the Fox River Study Group. As part of the requirement, the City must submit the Fox River Study Group annual report to the Illinois EPA. Attached is the 2024 report that was submitted last month.

#### **Agenda Item 9. Committee of the Whole Items of Business**

##### **a. Consider Ordinance No. 2025-07 Amending Title 4 (Business and License Regulations), Chapter 2 (Liquor Control), Section 10 (Restrictions on Issuance) of the Geneva City Code.**

*Q: If we were to maintain existing language with regards to liquor license holders holding elected office, is it possible to add language that stipulates what constitutes a conflict of interest and require recusal?*

A: The state statute provides the following language within this restriction:

Notwithstanding any provision of this paragraph to the contrary, an alderperson or member of a city council may have a direct interest in the manufacture, sale, or distribution of alcoholic liquor as long as he or she is not a law-enforcing public official or a mayor. To prevent any conflict of interest, the elected official with the direct interest in the manufacture, sale, or distribution of alcoholic liquor shall not participate in any meetings, hearings, or decisions on matters impacting the manufacture, sale, or distribution of alcoholic liquor. Furthermore, the mayor of a city with a population of 55,000 or less may have an interest in the manufacture, sale, or distribution of alcoholic liquor as long as the council or board over which he or she

presides has made a local liquor control commissioner appointment that complies with the requirements of Section 4-2 of this Act.

*Q: Can the City Council require any member of a council or a commission to recuse themselves? If so, under what circumstances?*

A: By definition, recusal is to remove oneself from participation to avoid a conflict of interest. Generally, the City Council may punish its members for disorderly conduct. With the concurrence of two-thirds of the alderpersons then holding office, it may expel an alderperson, but not a second time for the same reason. The City Council may also compel the attendance of absentees at a properly called meeting under penalties, including a fine for failure to attend, which have been previously established by ordinance.

*Q: If a liquor license holder were to run for office under the pre-2016 language, would they be considered to have lied on their application, or would they just need to have transferred or otherwise relinquished their license before taking office?*

A: The Statement of Candidacy requires candidates to affirm their residence, that they are a qualified voter therein, that they are legally qualified to hold such office, and that they have filed a Statement of Economic Interests as required by the Illinois Governmental Ethics Act. The issue of being a liquor license holder only becomes a disqualifying event (under the pre-2016 language) if the candidate was sworn into office without relinquishing any liquor license they may hold in that jurisdiction.

*Q: What is the full review process for a liquor license violation?*

A: The Revocation of Suspension hearing procedure can be found in the [Geneva City Code at 4-2-30](#).

*Q: What is the adjudication process for other violations, such as moving violations or fire code violations?*

A: Moving violations are either handled through our local prosecutor or the Kane County State's Attorney. In either case, the violator is issued a citation. The violator is issued a court date and can either plead guilty or contest the violation. The City has adopted the Illinois Vehicle Code in ordinance, so the majority of our tickets and DUI cases are written under local ordinance, and therefore, appear in front of our local prosecutor. Our local prosecutor, or a Kane County Assistant State's Attorney if it is a state charge (not written under local ordinance), prosecutes the case in front of the judge.

Parking tickets and other ordinance violations are adjudicated through a local hearing (adjudication officer). If a violator wishes to contest the violation, the hearing officer hears the case and makes a determination. If the hearing officer finds in favor of the City, then the violator is assessed a fine. The violator may then appeal the case to the circuit court if they disagree with the hearing officer's decision.

Similarly, Fire Code violations that are unresolved go through an adjudication process. This process is a hearing before a trained hearing officer (see above). Any final decision by a hearing officer that a code violation does or does not exist shall constitute a final determination for purposes of judicial review under the Illinois administrative review law.

**\*j. Approve Resolution No. 2025-37 Authorizing the Execution of a Service Agreement with Clarke Environmental Mosquito Management, Inc. to Conduct the FY26 Mosquito Abatement Program in an Amount Not to Exceed \$56,444.**

*Q: Do they apply all four ULV community special event treatments for Swedish Days and not for other summer events?*

A: No. The treatments are an option for any of the designated special events as needed.

*Q: Were all four ULV community-wide treatments applied last year?*

A: No, two aerial ULV applications were conducted last year as a result of human cases of West Nile Virus in the area.

**Agenda Item 10. Presentation of Ordinances and Resolutions**

**a. Approve Ordinance No. 2025-12 Granting a Variation to Reduce Street Yard Parking Setback along Woodlawn Street.**

**b. Approve Ordinance No. 2025-13 Granting a Special Use Permit for a Restaurant and Relief from the Interior Parking Lot Landscaping Requirements at 427 E. State St.**

*Q: Was a stormwater study included as part of this review?*

A: No. The proposed amount of disturbed area is small enough that it does not warrant a review under the Kane County Stormwater Ordinance.

*Q: Can a fence be added to the vegetative screen along the north property line to prevent headlights from being directed at residential properties?*

A: Yes. The zoning ordinance requires a visual year-round screen at a minimum height of 6 feet. The screen can be accomplished through a combination of a berm, landscaping, and/or fencing. The applicant is proposing Emerald Arborvitae to meet this requirement, but fencing may be added.

*Q: Can parking be restricted along both sides of Woodlawn Street near East State Street?*

A: Parking is currently restricted on the west side of Woodlawn Street near East State Street. There are a total of five residential properties along Woodlawn Street between East State and Summit streets. Two properties have one-car garages and one-lane driveways. One property has a one-lane driveway leading to a two-car garage in the rear yard. The properties at the intersection of Woodlawn and Summit streets have driveways off Summit but have their front doors oriented toward Woodlawn. Placing parking restrictions on both sides of Woodlawn Street may put additional parking pressure on Summit Street or further north on Woodlawn.

*Q: Can the trash enclosure be relocated further south and away from the adjoining residential property?*

A: Yes. The trash enclosure is proposed in an oversized space at the northern end of the parking lot. There does appear to be room to relocate the trash enclosure to the parking space just north of the drive aisle to the neighboring property and restripe the lot to maintain the same number of spaces.

**c. Approve Resolution No. 2025-38 Authorizing Execution of Amendment to Professional Services Agreement with CDM Smith in the amount of \$215,000**

**for a total not-to-exceed amount of \$2,144,719 for Phase II Improvements at the Wastewater Treatment Plant.**

*Q: When are we expected to go out for bid on this project?*

A: The earliest to go to bid would be around January 2026.

*Q: Would funding be pursued via referendum?*

A: This project is anticipated to be funded with low-interest loans from Illinois EPA, which are issued similar to bonds. While subject to a potential backdoor referendum, the City does not go to referendum unless initiated by a petition of voters, residents or property owners of such governmental unit, to determine whether an action by the governing body of such governmental unit shall be effective, adopted or rejected. Bonds that are subject to backdoor referendum do not require voter approval unless a petition is signed by a specified number of registered voters during a specified 30-day period. The loan is repaid through user fees (rate structure).

## 2024 Annual Report to Illinois EPA

Updated and Submitted March 2025



### 2024 Key Accomplishments

- The FRSG began its 23rd year of its all-volunteer water quality monitoring program in April 2024. This data collection includes monthly monitoring of 7 mainstem locations and 7 tributary locations along a 67-mile stretch of the Fox River from Johnsborg to Yorkville. Laboratory analysis and data management are donated as in-kind services by the City of Elgin, the Fox River Water Reclamation District, and the Fox Metro Water Reclamation District. These data have been utilized to support the ongoing modeling efforts and to periodically assess water quality trends.
- The FRSG spent much time and effort in 2024 negotiating on behalf of the NPDES permittees for updated FRSG Special Condition Language that reflects the work completed and work underway. This work was previously outlined in our 2022 Update of the Fox River Implementation Plan.
- FRSG continued to work with the Army Corps of Engineers to complete their Fox River Habitat and Connectivity Study. This study recommends future action related to the impact of dams on the fauna, habitat, water quality, and human use of the Fox River. The Corps anticipates finalizing its report in 2025.
- FRSG hosted a Lunch & Learn session with Illinois State Water Survey staff on the 2023 Water Quality Trends Report they prepared for our group. ISWS staff walked participants through the Tableau Dashboard that allows one to view water quality trends by site, water quality constituent, season and trend period (5-, 10- and 25-year). The platform also hosts searchable water quality data factsheets for each constituent studied, outputs by monitoring sites, and data analysis by site and parameter. This evaluation in trends in water temperature, specific conductance and turbidity as well as levels of chloride and chlorophyll a (a measure of algae in the water) indicates predominantly stable or improving trends in water quality parameters across the Fox River watershed, from the Stratton Dam to the river's mouth at the Illinois River. These results are confirmation of the impact of our collective effort to reduce pollution in the Fox River and show progress towards our goal to remove the river from the Illinois EPA's list of impaired waters.
- Additional monitoring is also continuing at the upstream boundary of the group's study area. The FRSG authorized an additional three-year contract through September 30, 2027 with the USGS to collect more real-time data at the Stratton Dam at the water quality monitoring station installed by USGS in August 2018 at the dam ([USGS Station #05549500](#)). During the growing season, continuous measurements of temperature, pH, conductivity, dissolved oxygen, chlorophyll a, blue-green algae and turbidity are collected at this station.

### Board of Directors:

Karen Clementi, Treasurer,  
Fox Metro Water Reclamation  
District (Oswego)  
[kclementi@foxmetro.org](mailto:kclementi@foxmetro.org)

Eric Johnson, Fox River Water  
Reclamation District (Elgin)  
[ejohnson@frwr.com](mailto:ejohnson@frwr.com)

Rob Linke, Chair,  
Kane County  
[linkerobert@kanecountyil.gov](mailto:linkerobert@kanecountyil.gov)

Art Malm,  
Friends of the Fox River  
[apmalm@gmail.com](mailto:apmalm@gmail.com)

Debra Ness  
City of Elgin  
[ness\\_d@cityofelgin.org](mailto:ness_d@cityofelgin.org)

Alyse Olson  
Fox River Ecosystem  
Partnership  
[aolson.kcswcd@gmail.com](mailto:aolson.kcswcd@gmail.com)

Cindy Skrukud, Vice-Chair,  
Sierra Club  
[cskrukud@gmail.com](mailto:cskrukud@gmail.com)

Tim Wilson, Secretary,  
Tri-Cities  
(Batavia, Geneva, St. Charles)  
[twilson@stcharles.gov](mailto:twilson@stcharles.gov)

Brian Witkowski,  
Assistant Secretary  
City of Aurora  
[witkowskib@aurora.il.us](mailto:witkowskib@aurora.il.us)

The USGS is also collecting in-situ measurements at the Stratton Dam to characterize the upstream boundary condition. The discrete samples are collected on a monthly basis during station equipment calibration and are analyzed for chlorophyll a, Nitrogen-Ammonia, Nitrogen Nitrate + Nitrite, Total Nitrogen (includes filtered organics), Phosphate-Orthophosphate, and Total Phosphorus. Since August 2018, the USGS has been utilizing the blue-green algae sensing capabilities of the chlorophyll sensor to report that data at the station's website. At the FRSG's 2024 annual meeting, USGS staff reported they had identified blue-green algae blooms during visits to the site in July, August and October of 2023 and August and September of 2024. Bloom samples from Oct. 4, 2023, Aug. 13, 2024, and Sept. 17, 2024 were sent in for toxin analysis and the October and August samples exceeded the national recommended human health recreational criterion of 8.00 ug/L for microcystin.

## 2024 Public Outreach Efforts

FRSG helped organize and present at the 12th annual bistate Fox River Summit, which was held in Burlington, Wisconsin, in March. Programs from 2016 to present can be found at [www.southeastfoxriver.org/foxriversummit](http://www.southeastfoxriver.org/foxriversummit).

The FRSG's annual meeting was held in Elgin on October 31, 2024. Slides of the six presentations can be found online at: [foxriverstudygroup.org/meetings](http://foxriverstudygroup.org/meetings)

The FRSG hosted the following Lunch and Learn sessions:

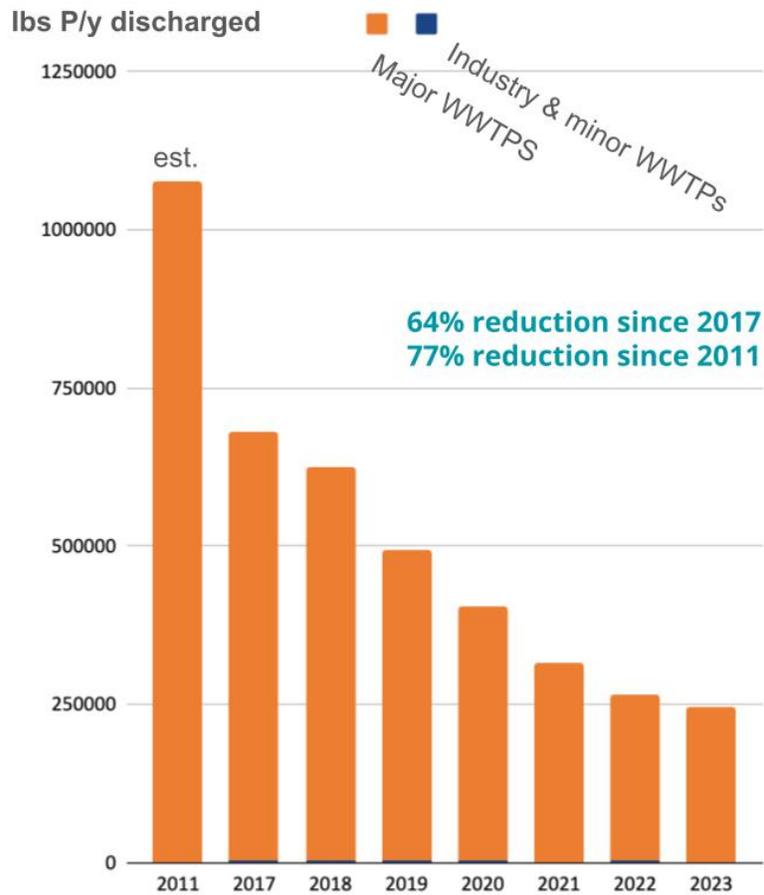
- [ISWS Trends Report](#)- presented by Elias Getahun and Atticus Zavelle, February 29, 2024, [Link to Trends Report folder](#)
- Dr. Andrew Margenot April 18, 2024 [presentation](#) on his UIUC lab's work on streambank erosion and historic soil resampling effort
- Mohammed Haque & Bartlett Durand May 23, 2024 presentation: "[Developing a Nutrient Trading Pilot Program in the Fox River Watershed](#)"

## Illinois Nutrient Loss Reduction Strategy: Point Source Nutrient Reductions

The major (discharge > 1 mgd) wastewater treatment facilities were issued permits with phosphorus reduction requirements during the previous permit cycle. In late 2018 and extending into 2019, the Fox River permits were issued with updated phosphorus compliance schedules. To our knowledge wastewater treatment facilities met their phosphorus limit of 1.0 mg/l annual average by various dates through 2023. Phosphorus discharge optimization plan (PDOP) requirements were added to most major permits during this permit cycle, requiring a comprehensive study of potential phosphorus input reductions and operational improvements at the wastewater treatment plants. These PDOPs were completed and submitted to IEPA by major permittees watershed-wide.

Trevor Sample of IEPA provides the FRSG with data for Fox River watershed dischargers from the dataset that he now compiles on annually for the Illinois Nutrient Loss Reduction Strategy. These data show the progress being made in the Fox River watershed in reducing phosphorus inputs by the wastewater sector. Most major WWTPs completed reductions to meet the 1 mg/l annual mean TP limit and 75% load reduction target included in the first FRIP (2015) by the end of 2022. The chart on the following page shows that wastewater facilities continued to maintain low phosphorus inputs to the Fox River after that date. Compilation of the 2024 data is scheduled to be completed in May 2025.

## Wastewater Total Phosphorus Reductions in the Fox River Watershed 2024 Update



### Financial Solvency

The FRSG is a 501c3 not-for-profit organization. Independent audits are performed annually to ensure proper financial management and a copy of the most recent audit is available upon request. FRSG continues to be funded by member agencies in the watershed at the rate of 25¢ per capita. At the beginning of each year, a contribution request is sent to communities. FRSG maintains a sufficient balance to fund activities and these funds are allocated to completing the action items described above. In 2024, the group also updated our budget and long-term financial plan.

## **Financial and In-Kind Supporters**

The Fox River Study Group greatly appreciates the continued support from:

### **2024 Financial Support**

Village of Algonquin  
City of Aurora  
Village of Barrington  
City of Batavia  
Village of Cary  
Village of Carpentersville  
Village of East Dundee  
Village of Elburn  
City of Elgin  
Fox River Water Reclamation District  
City of Geneva  
Village of Gilberts  
Kane County  
Lake in the Hills Sanitary District  
Northern Moraine Water Reclamation District  
City of Plano  
Village of Sandwich  
City of St. Charles  
Yorkville-Bristol Sanitary District  
Village of Wauconda  
City of Yorkville

### **Ongoing In-Kind Support**

Village of Algonquin  
City of Crystal Lake  
City of Elgin  
Environmental Defenders of McHenry County  
Fox Metro Water Reclamation District  
Fox River Water Reclamation District  
Friends of the Fox River  
Northern Moraine Water Reclamation District  
Illinois EPA  
Illinois Department of Natural Resources  
Illinois State Water Survey  
City of St. Charles  
Sierra Club  
Yorkville-Bristol Sanitary District