CITY OF CRYSTAL LAKE
AGENDA
CITY COUNCIL
REGULAR MEETING

City of Crystal Lake
100 West Woodstock Street, Crystal Lake, IL
City Council Chambers
September 6, 2016
7:30 p.m.

1. Call to Order

2. Roll Call

3. Pledge of Allegiance

4. Approval of Minutes – August 16, 2016 Regular City Council Meeting

5. Accounts Payable

6. Public Presentation
The public is invited to make an issue oriented comment on any matter of public concern not otherwise on the agenda. The public comment may be no longer than 5 minutes in duration. Interrogation of the City staff, Mayor or City Council will not be allowed at this time, nor will any comment from the Council. Personal invectives against City staff or elected officials are not permitted.

7. Mayor's Report

8. City Council Reports

9. Consent Agenda

a) Crystal Lake Beer Company, 150 N. Main Street – Request for a one time temporary variance to the Class "26" liquor license to allow for the sale of beer in a tent at an Oktoberfest festival on September 16 & 17, 2016.
b) Chicago Title Land Trusts 1004004149 & 1004004152 & Reinhardt/Kirk Annexation Public Hearings continuation to the September 20, 2016 regular City Council meeting for the Annexation Public Hearings.

10. CVS Pharmacy #10628, 177 W Virginia St. – City Code Amendment to increase the number of Class "13" Liquor Licenses from the current permitted 23 licenses to 24 licenses.

11. Athletico, 6500 Northwest Highway-Final PUD Amendment to allow a total of 125 square feet of wall signs on a multi tenant building.

12. Crystal Lake Plaza Massage, 16 W Crystal Lake Plaza – Special Use Permit to allow a massage establishment and a variation to allow the business to close at 10:00 p.m.

13. Hughes & Sons Signs Company, 652 W. Terra Cotta - Annexation Public Hearing and approval of an Annexation Agreement, Adoption of the Annexation Ordinance, Rezoning to W-Watershed upon Annexation, and Special Use Permits for outdoor storage of materials, equipment and vehicles and for two wireless communication towers.

14. Geske & Sons Asphalt Paving, 400 E. Terra Cotta - Annexation Public Hearing and approval of an Annexation Agreement, Adoption of the Annexation Ordinance, Rezoning to M-Manufacturing Planned Unit Development District upon Annexation, and a Special Use Permit for outdoor storage of materials, equipment and vehicles.

15. **Copley Roofing, 4709 Route 176 - Annexation Public Hearing and approval of an Annexation Agreement, Adoption of the Annexation Ordinance, Rezoning to M-Manufacturing Planned Unit Development District upon Annexation, and Special Use Permits for outdoor storage of materials, equipment and vehicles and a recycling collection center.**

16. **ASR Properties, Inc., 5219 E. Terra Cotta Ave. - Annexation Public Hearing and approval of an Annexation Agreement, Adoption of the Annexation Ordinance, Rezoning to B-2 General Commercial upon Annexation, and Special Use Permits for outdoor storage of materials, equipment and vehicles and for major auto repair.**

17. **Overly, 390 E. Terra Cotta Ave., Harms, 845 E. Terra Cotta Ave. - Annexation of Surrounded Properties.**

18. **Intergovernmental Agreement between the City of Crystal Lake and the Board of Education of Prairie Grove Consolidated School District 46 for the indemnification of the use of school impact fees.**

19. **City Code Amendments for Special Events and Food Trucks.**

20. **Crystal Lake Stormwater Management Ordinance Amendment.**

21. **Resolution authorizing the execution of an agreement with Midwest Petroleum Development Crystal Lake, Inc., for the construction of water main underneath Route 14, north of Route 176.**

22. **Bid award and Resolution authorizing the execution of a contract with R.A. Mancini Inc. for Route 14 Water Main Crossing North of Route 176.**

23. **Bid award and Resolution authorizing the execution of a contract with Sidewalks Plus USA, for the 2016 Sidewalk Saw Cutting Program.**

24. **Resolution authorizing the execution of Suburban Purchasing Cooperative Contracts #129 & #150 Vehicle Purchase for 2017 Ford Escape and 2016 Ford Transit Van.**

25. **Council Inquiries and Requests.**

26. **Adjourn to Executive Session for the purpose of discussing matters of pending and probable litigation, the sale, purchase or lease of real property, collective bargaining, and personnel.**

27. **Reconvene to Regular Session.**

28. **Adjourn.**

If special assistance is needed in order to participate in a City of Crystal Lake public meeting, please contact Brad Mitchell, Assistant to the City Manager, at 815-459-2020, at least 24 hours prior to the meeting, if possible, to make arrangements.

Agenda Item No: 9a

City Council
Agenda Supplement

Meeting Date: September 6, 2016

Item: Crystal Lake Beer, 150 N. Main St. – One time temporary variance to allow the sale of beer in a tent.

Staff Recommendation: City Council Discretion:

1. Motion to allow a temporary variance to the Class "26" Liquor License to allow beer to be sold in a tent at a Oktoberfest festival event on September 16 & 17, 2016.
2. Motion to deny the petitioner's request.

Staff Contact: Eric Helm, Deputy City Manager

Background:
The City has received a request from Crystal Lake Beer Company, located at 150 N. Main St, to allow for a temporary variance to their Class "26" liquor license. A Class "26" liquor license allows for the retail sale of beer manufactured at such premises for consumption on the premises, both the interior of the building and an open unroofed area immediately contiguous to the building or structure. The petitioner is asking for this variance to allow for the sale of beer in a tent at their Oktoberfest festival on September 16 and 17 from 3:00 p.m.-11:00 p.m. Their current license only allows for the sale and consumption of beer in an open unroofed area adjacent to their building or structure. Attached is a letter of request from the petitioner.

If the Council chooses to deny this request, the petitioner will be required to limit their sales and service of beer to the patio area that is adjacent to their property.

The Council approved a similar temporary variance for the petitioner's Oktoberfest at the City Council meeting on September 1, 2015 and their Maibock Festival on April 5, 2016.

Crystal Lake Beer Company is currently the only holder of a "Class 26" liquor license.

Votes Required to Pass:
Simple majority


N. Main St.
Prairie Street
PIQ
Gate St.
Forge Fitness
LaRosita
Second St
First St
N Main St
Ellsworth St
Gates St
Railroad St
Grant St
Beardsley St

Agenda Item No: 9b

City Council
Agenda Supplement

Meeting Date: September 6, 2016

Item: Chicago Title Land Trusts 1004004149 & 1004004152 (Whiskey Business and Shopping Center) and Reinhardt/Kirk Annexation Public Hearing Continuation

Recommendation: Motion to continue the 1) Chicago Title Land Trusts 1004004149 & 1004004152 and 2) Reinhardt/Kirk request to the September 20, 2016 City Council meeting for the Annexation Public Hearings.

Staff Contact: Michelle Rentzsch, Community Development Director

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Background:

Chicago Title Land Trusts- The petitioner is requesting the annexation of three parcels that total approximately 3.04 acres, located at 4616 Route 176, 4709 Route 176 and lot 13 on Reiland Drive. The parcels are improved with Whiskey Business, a commercial retail shopping center, auto repair business and outdoor storage.

Reinhardt/Kirk- The property is contiguous with the above property and consists of one parcel that totals approximately 0.28 acres, located at 851 Reiland Drive. The property would be involuntarily annexed after the annexation of the Chicago Title Land Trusts.

City staff respectfully requests that this matter be continued to the September 20, 2016, City Council meeting for the Annexation Public Hearing in order to continue to work with the petitioner on the annexation agreement.

Votes Required to Pass: A simple majority vote.

Agenda Item No: 10

City Council
Agenda Supplement

Meeting Date: September 6, 2016

Item: City Code Amendment to Increase the Number of Class "13" Liquor Licenses – Applicant: CVS Pharmacy #10628

Staff Recommendation: Motion to adopt an ordinance increasing the number of Class "13" Liquor Licenses from the current permitted 23 licenses to 24 licenses.

Staff Contact: Eric Helm, Deputy City Manager

Background:
The City has received a request from CVS Pharmacy, a new establishment located at 177 West Virginia Street, for the Council to consider the adoption of an ordinance providing for an amendment to the liquor license restriction provisions of the City Code, increasing the number of Class "13" liquor licenses from the current 23 licenses to 24 licenses.

The City Code permits the issuance of a Class "13" liquor license for the sale of alcoholic liquors on the premises specified in the license in packages only but not for consumption on the premises where sold between the hours of 7:00 a.m. and 1:00 a.m. Monday, Tuesday, Wednesday, Thursday, Friday, and 7:00 a.m. Saturday and 2:00 a.m. Sunday, and 7:00 a.m. Sunday and 2:00 a.m. Monday.

The applicant holds a liquor license with the City of Crystal Lake for their establishment at 1305 Randall Road but does not currently hold a liquor license at their new location. A fingerprint/background search revealed no criminal history under the applicants' names nor for their registered agent.

Other establishments currently holding a Class "13" liquor license include: 7-Eleven (Terra Cotta), Bucky's Express (not yet issued), Casey's General Store (not yet issued), Convenient Food Mart, Cost Plus World Market, Crystal Lake Food & Liquor, CVS Pharmacy (Randall Rd), Fresh Market, Fresh Thyme Farmer's Market, General Store, Joseph's Marketplace, LaRosita of Mesos Group, Midwest Petroleum, Mobil Mart, Murphy's Oil, Oak Street Food & Liquor, Open Pantry/Shell, Osco Drug, Sam's Club, Target, Walgreens (Rte. 14), Walgreens (Rte. 31), Wal-Mart.



Votes Required to Pass:
Simple majority

Ord. No.
File No. 255L

DRAFT

The City of Crystal Lake Illinois

AN ORDINANCE AMENDING THE CODE OF THE CITY OF CRYSTAL LAKE

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE, McHENRY COUNTY, ILLINOIS, as follows:

SECTION I: That CHAPTER 329 LIQUOR LICENSES Section 329-6 Limitations on licenses shall be amended as follows:

Class 13 License shall be increased from 23 to 24.

SECTION II: That this Ordinance shall be in full force and effect from and after its passage and approval according to law.

SECTION III: That all Ordinances and parts of Ordinances in conflict herewith are hereby repealed.

DATED at Crystal Lake, Illinois, this 6th day of September, 2016.

City of Crystal Lake, an
Illinois municipal corporation

_____
Aaron T. Shepley, Mayor

SEAL

ATTEST:

_____
Nick Kachiroubas, City Clerk

Passed: September 6, 2016
Approved: September 6, 2016

Agenda Item No: 11

City Council
Agenda Supplement

Meeting Date:	September 6, 2016
Item:	Athletico – 6500 Northwest Highway
Request:	A Final PUD Amendment to allow a total of ~~137.4~~ **125** square feet of wall signs on a multi-tenant building.
Petitioner:	Karen Dodge, petitioner
PZC Recommendation:	To approve the PZC recommendation and adopt an ordinance granting the Final PUD Amendment to allow 125 square feet of wall signs on the multi-tenant outbuilding at 6500 Northwest Highway.
Staff Contact:	Michelle Rentzsch, Community Development Director

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Background:

- Existing Use: Athletico is a new tenant in the multi-tenant outlot building of the Crystal Lake Plaza.
- Background: In 2009, a Final PUD Amendment for Crystal Lake Plaza was approved. The amendment allowed for a façade renovation and approval of a master sign plan. The outlot building was not included in the master sign plan; therefore, the maximum allowable sign for a tenant building unit is 50 square feet for a single sign and 75 square feet total for a corner tenant.
- Amended Request: The petitioner requested a Final PUD Amendment to allow a total of 137.4 square-feet of wall signs, a variation of 62.4 feet. At the PZC meeting, the petitioner agreed to reduce the total wall sign square footage to 125 square feet, a variation of 50 feet.
- **Condition #2**: This outlot building has never been architecturally upgraded to match the remainder of the shopping center. The approval for the variation suggests a condition that the outlot building's façade be updated. The owner doesn't have a timeframe for these renovations. The email from the owner explaining their point on this is included at the end of the packet.

PZC Highlights:

- The PZC felt that 125 square feet was acceptable given the number of units the petitioner will occupy.
- The petitioner felt the change to 125 square feet was reasonable.

- The PZC felt that the Findings of Fact had been met.

The PZC recommended **approval (6-0)** of the petitioner's request with the following conditions:

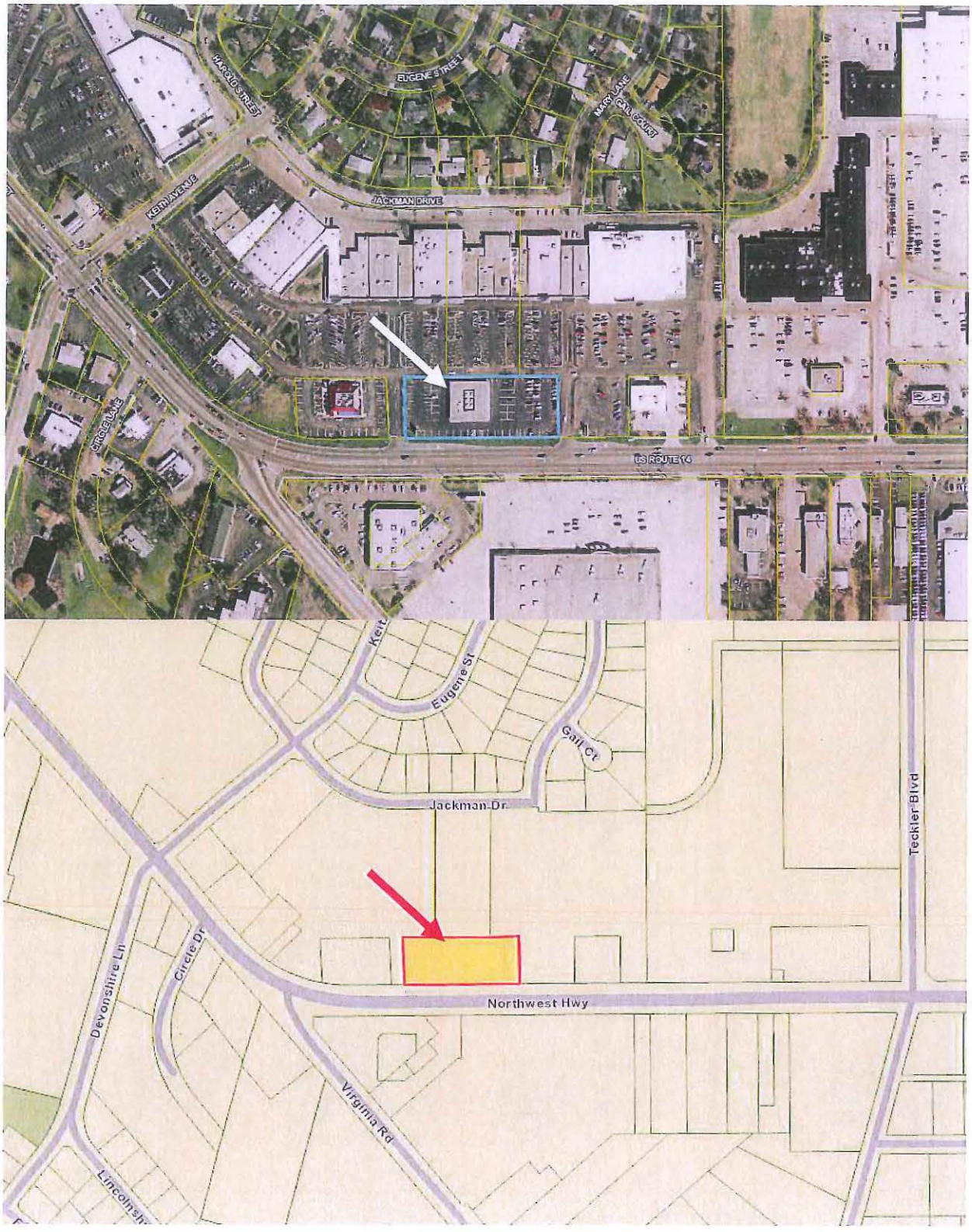
1. Approved plans, to reflect staff and advisory board comments, as approved by the City Council:
   A. Application (Municipal Resolutions, dated 07/26/16, received 07/28/16)
   B. Sign Package (South Water Signs, dated 03/07/16, received 07/28/16)

2. Work with staff ~~**to incorporate an awning element into**~~ **on updating** the façade for this outbuilding. **(Revised by PZC)**

3. The petitioner shall comply with all of the requirements of the Community Development Department.

Votes Required to Pass: A simple majority vote.

Athletico – Crystal Lake Plaza Outbuilding 6500 Northwest Highway



Ord. No. .....
File No. ....

DRAFT

The City of Crystal Lake Illinois

AN ORDINANCE GRANTING AN AMENDMENT TO THE FINAL PUD FOR ATHLETICO PHYSICAL THERAPY

WHEREAS, pursuant to the terms of the Petition (File #2016-38) before the Crystal Lake Planning and Zoning Commission, the Petitioner has requested an Amendment to the Final Planned Unit Development for Athletico Physical Therapy to allow Final PUD Amendment to allow a total of 125 square feet of wall signs on a multi-tenant building; and

WHEREAS, the Planning and Zoning Commission of the City of Crystal Lake, pursuant to notice duly published on July 30, 2016 in the Northwest Herald, held a public hearing at 7:30 p.m., on August 17, 2016 at City Hall at 100 W. Woodstock Street, Crystal Lake, Illinois to consider the proposed Amendment to the Final Planned Unit Development; and

WHEREAS, on August 17, 2016, the Planning and Zoning Commission, having fully heard and considered the testimony of all those present at the public hearing who wished to testify, made findings of fact as required by law and recommended to the Mayor and City Council of the City of Crystal Lake that the proposed Amendment to the Final Planned Unit Development be approved, all as more specifically set forth in that certain Report of the Planning and Zoning Commission in Case #2016-38, dated as of August 18, 2016; and

WHEREAS, it is in the best interests of the City of Crystal Lake that the Amendment to the Final Planned Unit Development be granted as requested in said Petition,

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE, McHENRY COUNTY, ILLINOIS, as follows:

SECTION I: That a Final PUD Amendment be granted to permit Final PUD Amendment to allow a total of 125 square feet of wall signs on a multi-tenant building for the property located at 6500 Northwest Highway Unit F (19-05-382-005, 19-05-382-008,19-05-382-010, 19-05-382-011; 19-05-453-001, 19-05-453-012), Crystal Lake, Illinois.

SECTION II: That the Final PUD Amendment be granted with the following conditions:

1. Approved plans, to reflect staff and advisory board comments, as approved by the City Council:
   A. Application (Municipal Resolutions, dated 07/26/16, received 07/28/16)
   B. Sign Package (South Water Signs, dated 03/07/16, received 07/28/16)

2. Work with staff on updating the façade for this outbuilding.

3. The petitioner shall comply with all of the requirements of the Community Development Department.

SECTION III: That the City Clerk be and is hereby directed to amend all pertinent records of the City of Crystal Lake to show the granting of a Planned Unit Development Amendment in accordance with the provisions of this Ordinance, as provided by law.

SECTION IV: That this Ordinance shall be in full force and effect from and after its passage, approval and publication as provide by law.

DATED at Crystal Lake, Illinois, this 6th day of September, 2016.

City of Crystal Lake, an
Illinois municipal corporation

_____
Aaron T. Shepley, Mayor

SEAL

ATTEST:

_____
Nick Kachiroubas, City Clerk

Passed: September 6, 2016
Approved: September 6, 2016

Agenda Item No: 12

City Council
Agenda Supplement

Meeting Date:	September 6, 2016
Item:	Crystal Lake Plaza Massage – 16W Crystal Lake Plaza
Request:	1) Special Use Permit to allow a massage establishment; and 2) Variation from Article 2-400(C)(65) to allow the business to close at 10:00 p.m.
Petitioner:	Andy Yu, petitioner
PZC Recommendation:	To approve the PZC recommendation and adopt an ordinance granting a special use permit for a massage establishment and a variation to allow the business to close at 10pm at 16W Crystal Lake Plaza.
Staff Contact:	Michelle Rentzsch, Community Development Director

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Background:

- Existing Use: The Crystal Lake Plaza is a commercial shopping center. The subject unit is currently vacant.
- Background: The petitioner will operate a foot massage business only. The State of Illinois does not require foot masseuses to have a state license for massage therapy.

Key Factors:

- Request: The petitioner is requesting a special use permit for a massage establishment and a variation for Article 2-400 to allow the business to close at 10:00 p.m., a variation of one hour.
- UDO Standard:
  - Massage establishments are required to obtain a special use permit. The special use permit requires all massage establishments to comply with certain criteria.
  - Massage establishments are held to limited hours of operation per the UDO criteria. No massage establishment shall be kept open for any purpose between the hours of 9:00 p.m. and 8:00 a.m. This criterion is consistent with other communities' restrictions on hours of operations for massage establishments.

PZC Highlights:

- The PZC discussed the proposed hours of operations and agreed that 10:00 p.m. is an acceptable closing time for this business, in lieu of the ordinance requirement of 9:00 p.m.
- The PZC stated that the Findings of Fact have been met.

The Planning and Zoning Commission recommended **approval (6-0)** of the petitioner's request with the following conditions of approval:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
   A. Application (Yu, dated 06/28/16, received 06/30/16)
   B. Floor Plan (Yu, received 06/30/16)
   C. Certificate of Program (received 06/30/16)

2. The hours of operation for the massage establishment can be 8:00 a.m. to 10:00 p.m.

3. Business records, including the names of clients and the services provided, must be readily available to inspect without prior notice.

4. All massage establishments subject to this section are declared to be public places, and shall not, during business hours, have the doors to the exits and entrances of such establishment locked or obstructed in any way so as to prevent free ingress and egress of persons; provided, however, that such doors may be closed.

5. Persons under 18 years of age are not permitted in a massage establishment, unless accompanied by his/her parent or legal guardian.

6. At least 75% of the window area of the massage establishment shall be visible, installed with clear, nonreflective windows. Blocking of windows with drapes, blinds or shelving is prohibited.

7. No residential use is permitted within the massage establishment at any time.

8. Alcohol is not permitted ~~**to be served**~~ in ~~**a massage**~~ **the** establishment at any time. **(Revised by PZC)**

9. The applicant consents to unannounced inspections by the City, its agents or employees for the purpose of determining of the provisions of this section are met.

10. Upon the petitioner's sale, transfer or relocation of this massage establishment, this special use will be considered null and void.

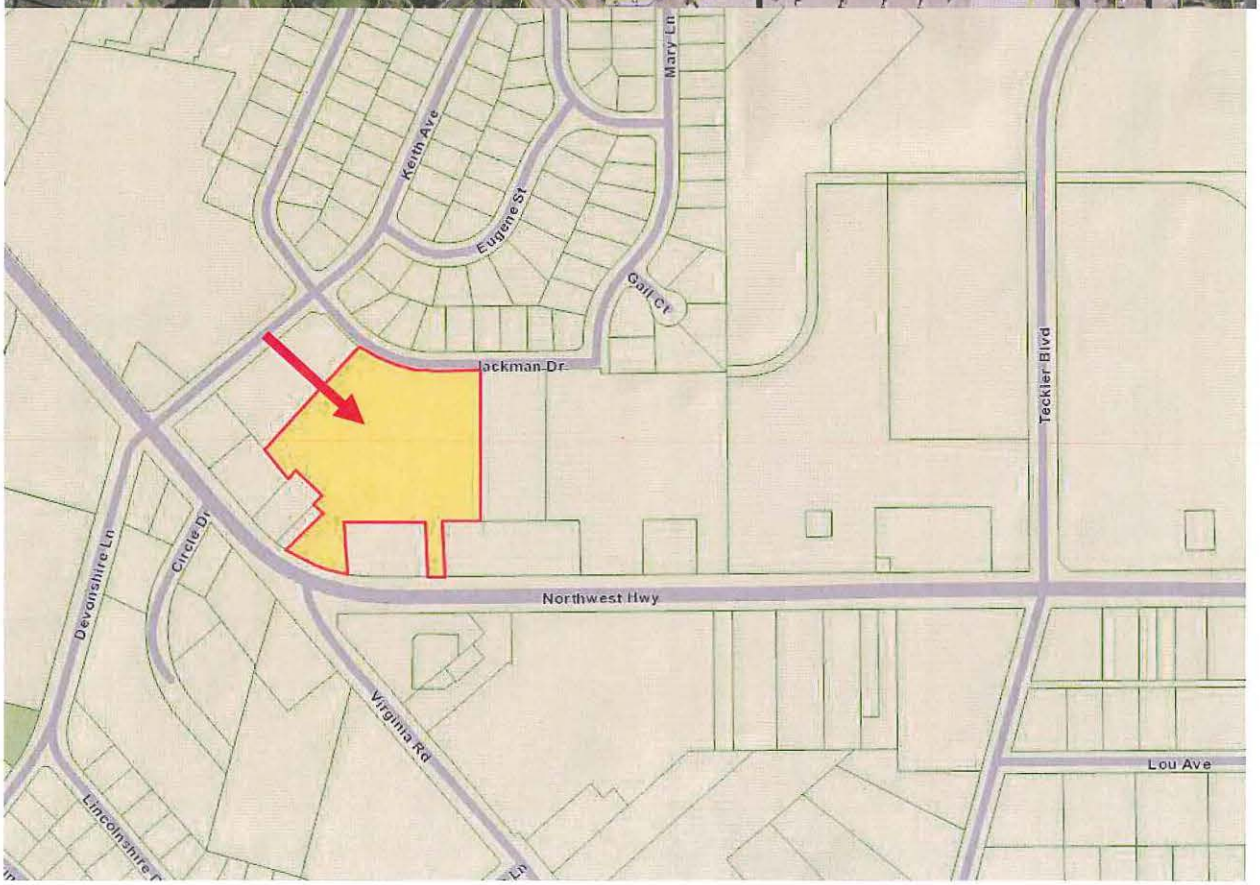
11. If the business plan for the foot spa expands to include body massage, the petitioner shall submit all massage licenses to the City prior to commencing body massages.

12. The petitioner shall address all of the review comments and requirements of the Community Development, Fire and Police Departments.

Votes Required to Pass: A simple majority vote.

Crystal Lake Plaza Massage – 16W Crystal Lake Plaza





Ord. No. .....
File No. ....

DRAFT

The City of Crystal Lake Illinois

AN ORDINANCE GRANTING A SPECIAL USE PERMIT AND VARIATION AT 16W CRYSTAL LAKE PLAZA

WHEREAS, pursuant to the terms of a Petition (File #2016-28) before the Crystal Lake Planning and Zoning Commission, the Petitioner has requested the issuance of a Special Use Permit to allow a massage establishment; and a Variation from Article 2-400(C)(65) to allow the business to be open at 8 a.m. and close at 10 p.m. for the property located at 16W Crystal Lake Plaza; and

WHEREAS, the Planning and Zoning Commission of the City of Crystal Lake, pursuant to notice duly published on July 28, 2016 in the Northwest Herald, held a public hearing at 7:30 p.m., on August 17, 2016 at City Hall at 100 W. Woodstock Street, Crystal Lake, Illinois to consider the proposed Special Use Permit and Variation; and

WHEREAS, on August 17, 2016, the Planning and Zoning Commission, having fully heard and considered the testimony of all those present at the public hearing who wished to testify, made findings of fact as required by law and recommended to the Mayor and City Council of the City of Crystal Lake that the proposed Special Use Permit be approved, all as more specifically set forth in that certain Report of the Planning and Zoning Commission in Case #2016-28, dated as of August 18, 2016; and

WHEREAS, it is in the best interests of the CITY OF CRYSTAL LAKE that the Special Use Permit and Variation be issued as requested in said Petition.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE, McHENRY COUNTY, ILLINOIS, as follows:

Section I: That a Special Use Permit to allow a massage establishment; and a Variation from Article 2-400(C)(65) to allow the business to be open at 8 a.m. and close at 10 p.m. for the property commonly known as 16W Crystal Lake Plaza (19-05-382-011), Crystal Lake, Illinois.

Section II: Said Special Use and Variation are issued with the following conditions:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:

A. Application (Yu, dated 06/28/16, received 06/30/16)
B. Floor Plan (Yu, received 06/30/16)
C. Certificate of Program (received 06/30/16)

2. The hours of operation for the massage establishment can be 8 a.m. to 10 p.m.

3. Business records, including the names of clients and the services provided, must be readily available to inspect without prior notice.

4. All massage establishments subject to this section are declared to be public places, and shall not, during business hours, have the doors to the exits and entrances of such establishment locked or obstructed in any way so as to prevent free ingress and egress of persons; provided, however, that such doors may be closed.

5. Persons under 18 years of age are not permitted in a massage establishment, unless accompanied by his/her parent or legal guardian.

6. At least 75% of the window area of the massage establishment shall be visible, installed with clear, nonreflective windows. Blocking of windows with drapes, blinds or shelving is prohibited.

7. No residential use is permitted within the massage establishment at any time.

8. Alcohol is not permitted in the establishment at any time.

9. The applicant consents to unannounced inspections by the City, its agents or employees for the purpose of determining of the provisions of this section are met.

10. Upon the petitioner's sale, transfer or relocation of this massage establishment, this special use will be considered null and void.

11. If the business plan for the foot spa expands to include body massage, the petitioner shall submit all massage licenses to the City prior to commencing body massages.

12. The petitioner shall address all of the review comments and requirements of the Community Development, Fire and Police Departments.

Section III: That the City Clerk be and is hereby directed to amend all pertinent records of the City of Crystal Lake to show the issuance of a Special Use Permit and Variation in accordance with the provisions of this Ordinance, as provided by law.

Section IV: That this Ordinance shall be in full force and effect from and after its passage,

approval and publication as provide by law.

DATED at Crystal Lake, Illinois, this 6th day of September, 2016.

City of Crystal Lake, an
Illinois municipal corporation

_____

Aaron T. Shepley, Mayor

SEAL

ATTEST:

_____

Nick Kachiroubas, City Clerk

Passed: September 6, 2016
Approved: September 6, 2016

Agenda Item No: 13

City Council
Agenda Supplement

Meeting Date: September 6, 2016

ANNEXATION PUBLIC HEARING

Item: Hughes Annexation

Requests:
1) Rezoning upon annexation to W- Watershed,
2) Special Use Permit for outdoor storage of materials, equipment, and vehicles and
3) Special Use Permit for two wireless communications towers.

Petitioner: Joe Gottemoller, attorney, on behalf of Dennis, Patricia and Kathryn Hughes
652 W. Terra Cotta Ave

Recommendation: Motion to:
1) Adopt an ordinance authorizing execution of the annexation agreements.
2) Adopt the annexation ordinance.
3) Approve the Planning and Zoning Commission recommendations and adopt an ordinance for rezoning upon annexation to the W- Watershed district with M – Manufacturing uses and granting special use permits for outdoor storage of materials, equipment and vehicles and for two wireless communication towers for the property located at 652 W. Terra Cotta Ave.

Staff Contact: Michelle Rentzsch, Community Development Director

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Background:
Existing Use: The property is currently improved with Hughes & Sons Signs Company and its ancillary outdoor storage of vehicles, equipment and materials. An auto repair business is also located on the property.

History: This property is a county island, surrounded by the City. City staff contacted the property owner and encouraged them to file an application for annexation.

Key Factors:

- The petitioner is requesting to zone the property to W- Watershed with M – Manufacturing uses and special use permits to allow two wireless communication towers and outdoor storage of materials, equipment and vehicles.

  There are two annexation agreements for this petition since the two properties are held in separate ownership. The parcel with the auto repair business is under the ownership of Hughes Partnership and the parcel with Hughes Signs is under the ownership of a trust.

PZC Highlights:

- The PZC stated the Findings of Fact have been met.

The Planning and Zoning Commission recommended **approval (6-0)** of the petitioner's request with the following conditions of approval:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
   A. Application (Gottemoller, received 07/12/16)
   B. Petition to Annex (Gottemoller, received 07/12/16)
   C. Petition to Zone (Gottemoller, received 07/12/16)

2. The outdoor storage of vehicles should only be on an approved surface, the parking of vehicles on the grass is prohibited.

3. The petitioner shall comply with all the watershed requirements and would need to take precautions to ensure any outdoor storage would not contaminate the surface and ground water that flows to the lake, including, but not limited to, using mats under any leaking vehicles and not storing any hazardous materials on site.

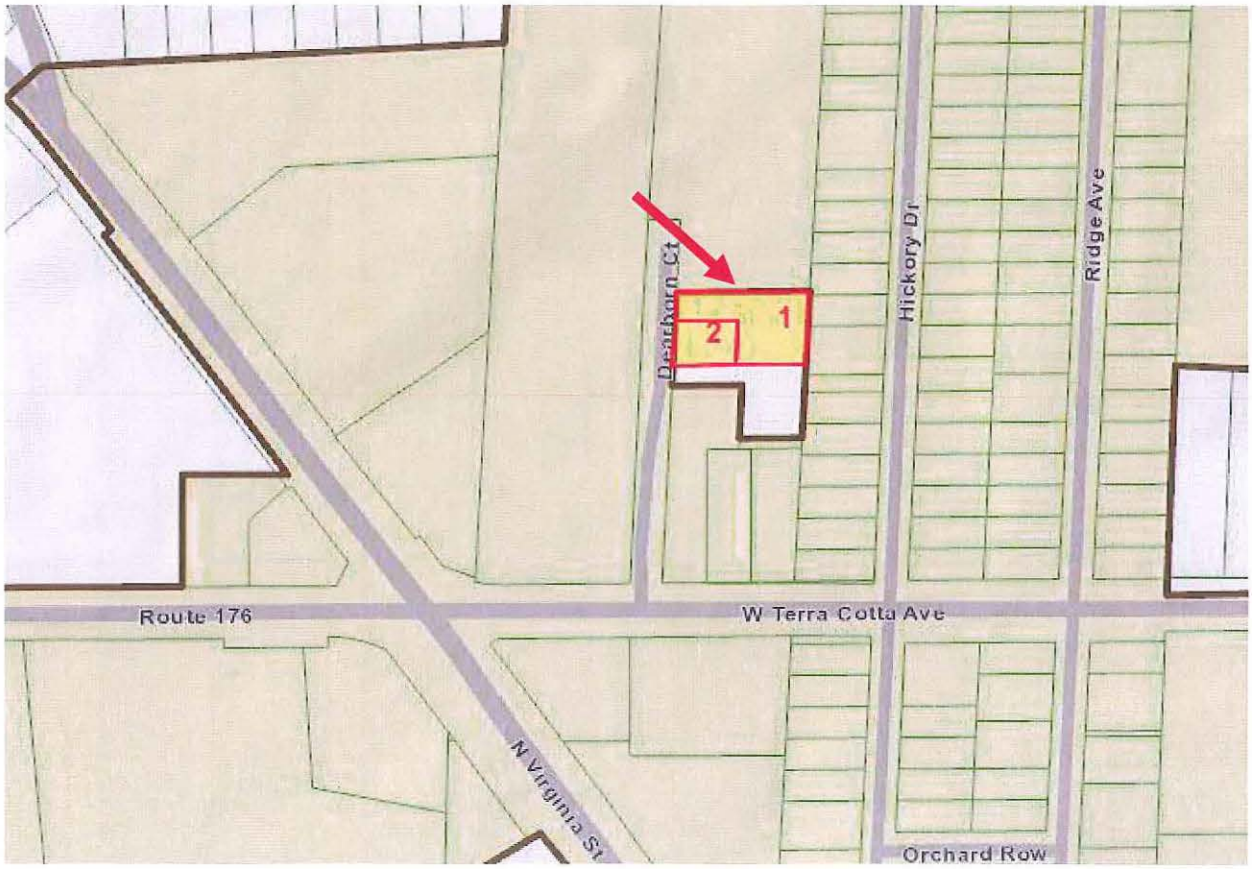
4. The petitioner shall comply with the requirements of the Community Development Department.

The draft annexation agreements are attached. The petitioner requests that the existing conditions be accepted for the term of the agreement. The petitioner is requesting a twenty (20) year annexation agreement term. This document has been reviewed by an attorney and staff and is an acceptable format.

Votes Required to Pass: A super majority vote (5 votes) is required to approve the annexation agreement.

Hughes – PIQ


US ROUTE 14
US ROUTE 14
ILLINOIS ROUTE 176
DEARBORN COURT
HICKORY DRIVE
RIDGE AVENUE


1
2
Dearborn Ct
Hickory Dr
Ridge Ave
Route 176
W Terra Cotta Ave
N Virginia St
Orchard Row

Ord. No. .....
File No. ....

DRAFT

The City of Crystal Lake Illinois

AN ORDINANCE AUTHORIZING THE EXECUTION OF AN ANNEXATION AGREEMENT

WHEREAS, Hughes Partnership (hereinafter, "the Owner") is the record title owner of a certain tract of land located in Nunda Township in unincorporated McHenry County, Illinois, and legally described in Exhibit A attached hereto and by this reference incorporated herein and made a part hereof (the "Subject Property"); and

WHEREAS, there are no electors residing on the subject property; and

WHEREAS, the Subject Property consists of approximately 0.23 acres and is depicted as Parcel B on the plat of annexation attached as Exhibit B attached hereto (the "Plat of Annexation"); and

WHEREAS, the Subject Property is contiguous to the corporate limits of the City and is not within the corporate limits of any municipality; and

WHEREAS, the Owner desires and proposes to have the Subject Property annexed to the City of Crystal Lake pursuant to and in accordance with the provisions of Section 7-1-8 of the Illinois Municipal Code (the "Annexation"); and

WHEREAS, prior to approval of the Annexation, the City and the Owner desire to establish by agreement terms for the Annexation of the Subject Property; and

WHEREAS, pursuant to the provisions of Section 11-15.1-1 *et seq.* of the Illinois Municipal Code, a proposed annexation agreement, in substance and form substantially the same as the agreement attached hereto as Exhibit C, was submitted to the Corporate Authorities of the City of Crystal Lake and, pursuant to notice published in the Northwest Herald on August 21, 2016, as provided by statute, a public hearing was held thereon by the Corporate Authorities commencing on September 6, 2016.

WHEREAS, the Mayor and City Council of the City of Crystal Lake have found and determined that it is in the best interests of the City that an annexation agreement with the Owner be approved and the execution and attestation of such agreement be authorized;

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE, MCHENRY ILLINOIS, AS FOLLOWS:

SECTION I: The foregoing recitals are incorporated as though fully set forth herein.

SECTION II: That the Mayor be and he is hereby authorized and directed to execute, and the City Clerk is directed to attest, the Annexation Agreement, a copy of which is attached hereto and made a part hereof as Exhibit C.

SECTION III: That this Ordinance shall be in full force and effect from and after its passage, approval and publication as provide by law.

AYES:

NAYS:

ABSENT:

PASSED this 6th day of September, 2016.

APPROVED by me this 6th day of September, 2016.

City of Crystal Lake, an
Illinois municipal corporation

_____
Aaron T. Shepley, Mayor

SEAL

ATTEST:

_____
Nick Kachiroubas, City Clerk

Passed: September 6, 2016
Approved: September 6, 2016

EHIBIT A
LEGAL DESCRIPTION OF SUBJECT PROPERTY

Parcel 2: Part of the Northeast Quarter of Section 31, Township 44 North, Range 8 East of the Third Principal Meridian described as follows: commencing at the intersection of the North and South Quarter section line of said Section 31 with the Northerly right of way line of Illinois Route 176, and running thence easterly, along said Northerly right of way line, a distance of 360.00 feet; thence North, parallel with said North and South Quarter section line, a distance of 410.00 feet to the place of beginning; thence continuing North, along the last described course, a distance of 85.00 feet; thence easterly, parallel with the aforesaid Northerly right of way line, a distance of 120.00 feet, thence south, parallel with the aforesaid Quarter section line, a distance of 85.00 feet; thence westerly, parallel with the Northerly right of way line aforesaid, a distance of 120.00 feet to the place o beginning, in McHenry County, Illinois.

PIN No: 14-31-252-002
Common Address: 652 W. Terra Cotta Ave, Crystal Lake, Il 60014

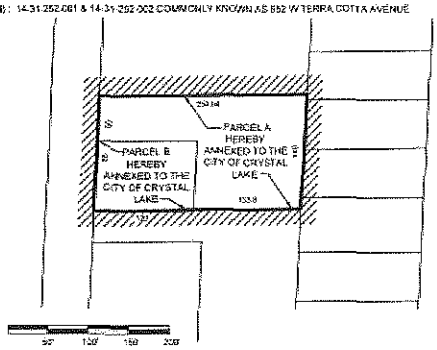
EXHIBIT B
PLAT OF ANNEXATION

PLAT OF ANNEXATION

PARCEL A: THAT PART OF THE NORTHEAST QUARTER OF SECTION 31, TOWNSHIP 44 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE INTERSECTION OF THE CENTER LINE OF STATE ROUTE 176 WITH THE NORTH AND SOUTH CENTER LINE OF SAID SECTION AND RUNNING THENCE EASTERLY ALONG SAID CENTER LINE, 368 FEET; THENCE NORTHERLY, PARALLEL WITH THE NORTH AND SOUTH CENTER LINE OF SAID SECTION, 547 FEET FOR THE PLACE OF BEGINNING; THENCE CONTINUING NORTHERLY ALONG SAID PARALLEL LINE, 55 FEET; THENCE EASTERLY, PARALLEL WITH THE CENTER LINE OF STATE ROUTE 176 FOR A DISTANCE OF 254.04 FEET TO THE WEST LINE OF LEONARD HEIGHTS SUBDIVISION, ACCORDING TO THE PLAT THEREOF RECORDED MARCH 16, 1926 AS DOCUMENT NO. 82665 IN BOOK 9 OF PLATS, PAGE 42; THENCE SOUTHERLY ALONG SAID WEST LINE, 140 FEET TO A POINT, 452 FEET NORTHERLY OF THE CENTER LINE OF STATE ROUTE 176 (MEASURED ALONG SAID WEST LINE); THENCE WESTERLY 133.8 FEET PARALLEL WITH THE CENTER LINE OF STATE ROUTE 176 TO A POINT, 480 FEET WESTERLY OF THE NORTH AND SOUTH CENTER LINE OF SAID SECTION (MEASURED PARALLEL WITH THE CENTER LINE OF STATE ROUTE 176); THENCE NORTHERLY PARALLEL WITH THE NORTH AND SOUTH CENTER LINE OF SAID SECTION, 85 FEET; THENCE WESTERLY PARALLEL WITH THE CENTER LINE OF STATE ROUTE 176 FOR A DISTANCE OF 120 FEET TO THE PLACE OF BEGINNING, IN MCHENRY COUNTY, ILLINOIS

PARCEL B: PART OF THE NORTHEAST QUARTER OF SECTION 31, TOWNSHIP 44 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: COMMENCING AT THE INTERSECTION OF THE NORTH AND SOUTH QUARTER SECTION LINE OF SAID SECTION 31 WITH THE NORTHERLY RIGHT OF WAY LINE OF ILLINOIS ROUTE 176, AND RUNNING THENCE EASTERLY, ALONG SAID NORTHERLY RIGHT OF WAY LINE A DISTANCE OF 368.00 FEET; THENCE NORTH, PARALLEL WITH SAID NORTH AND SOUTH QUARTER SECTION LINE, A DISTANCE OF 410.00 FEET TO THE PLACE OF BEGINNING; THENCE CONTINUING NORTH, ALONG THE LAST DESCRIBED COURSE, A DISTANCE OF 85.00 FEET; THENCE EASTERLY, PARALLEL WITH THE AFORESAID NORTHERLY RIGHT OF WAY LINE, A DISTANCE OF 120.00 FEET; THENCE SOUTH, PARALLEL WITH THE AFORESAID QUARTER SECTION LINE, A DISTANCE OF 85.00 FEET; THENCE WESTERLY, PARALLEL WITH THE NORTHERLY RIGHT OF WAY LINE AFORESAID, A DISTANCE OF 120.00 FEET TO THE PLACE O BEGINNING, IN MCHENRY COUNTY, ILLINOIS

PROPERTY INDEX NUMBER(S) (PIN) : 14-31-252-001 & 14-31-252-002 COMMONLY KNOWN AS 852 W TERRA COTTA AVENUE



APPROVED:
DATED: 5/22/16

LEGEND

PREPARED BY:	City of Crystal Lake
	Community Development
	100 West Woodstock St
	Crystal Lake, Illinois 60014
DRAWN BY:	BD
CHECKED BY:	BD
COMPLETION DATE:	5/23/16

City of Crystal Lake
ILLINOIS

SHEET 1 OF 1

EXHIBIT C
ANNEXATION AGREEMENT

Ord. No. .....
File No. ....

DRAFT

The City of Crystal Lake Illinois

AN ORDINANCE AUTHORIZING THE EXECUTION OF AN ANNEXATION AGREEMENT

WHEREAS, Home State Bank Trust 5331 (hereinafter, "the Owner") is the record title owner of a certain tract of land located in Nunda Township in unincorporated McHenry County, Illinois, and legally described in Exhibit A attached hereto and by this reference incorporated herein and made a part hereof (the "Subject Property"); and

WHEREAS, there are no electors residing on the subject property; and

WHEREAS, the Subject Property consists of approximately 0.59 acres and is depicted as Parcel A on the plat of annexation attached as Exhibit B attached hereto (the "Plat of Annexation"); and

WHEREAS, the Subject Property is contiguous to the corporate limits of the City and is not within the corporate limits of any municipality; and

WHEREAS, the Owner desires and proposes to have the Subject Property annexed to the City of Crystal Lake pursuant to and in accordance with the provisions of Section 7-1-8 of the Illinois Municipal Code (the "Annexation"); and

WHEREAS, prior to approval of the Annexation, the City and the Owner desire to establish by agreement terms for the Annexation of the Subject Property; and

WHEREAS, pursuant to the provisions of Section 11-15.1-1 *et seq.* of the Illinois Municipal Code, a proposed annexation agreement, in substance and form substantially the same as the agreement attached hereto as Exhibit C, was submitted to the Corporate Authorities of the City of Crystal Lake and, pursuant to notice published in the Northwest Herald on August 21, 2016, as provided by statute, a public hearing was held thereon by the Corporate Authorities commencing on September 6, 2016.

WHEREAS, the Mayor and City Council of the City of Crystal Lake have found and determined that it is in the best interests of the City that an annexation agreement with the Owner be approved and the execution and attestation of such agreement be authorized;

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE, MCHENRY ILLINOIS, AS FOLLOWS:

SECTION I: The foregoing recitals are incorporated as though fully set forth herein.

SECTION II: That the Mayor be and he is hereby authorized and directed to execute, and the City Clerk is directed to attest, the Annexation Agreement, a copy of which is attached hereto and made a part hereof as Exhibit C.

SECTION III: That this Ordinance shall be in full force and effect from and after its passage, approval and publication as provide by law.

AYES:

NAYS:

ABSENT:

PASSED this 6th day of September, 2016.

APPROVED by me this 6th day of September, 2016.

City of Crystal Lake, an
Illinois municipal corporation

_____
Aaron T. Shepley, Mayor

SEAL

ATTEST:

_____
Nick Kachiroubas, City Clerk

Passed: September 6, 2016
Approved: September 6, 2016

EHIBIT A
LEGAL DESCRIPTION OF SUBJECT PROPERTY

Parcel A: That part of the Northeast Quarter of Section 31, Township 44 North, Range 8 East of the Third Principal Meridian, described as follows: commencing at the intersection of the center line of State Route 176 with the North and South center line of said Section and running thence Easterly along said center line, 360 feet; thence northerly, parallel with the North and south center line of said Section, 547 feet for the place of beginning; thence continuing Northerly along said parallel line, 55 feet; thence Easterly, parallel with the center line of State Route 176 for a distance of 254.04 feet to the West line of Leonard Heights Subdivision, according to the Plat thereof recorded March 15, 1928 as document no. 82565 in Book6 of Plats, page 42; thence southerly along said west line, 140 feet to a point, 462 feet northerly of the center line of State Route 176 (measured along said west line); thence westerly 133.8 feet parallel with the center line of State Route 176 to a point, 480 feet westerly of the north and south center line of said Section (measured parallel with the center line of State Route 176); thence northerly parallel with the north and south center line of said Section, 85 feet; thence westerly parallel with the center line of State Route 176 for a distance of 120 feet to the place of beginning, in McHenry County, Illinois.

PIN No: 14-31-252-001
Common Address: 652 W. Terra Cotta Ave, Crystal Lake, Il 60014

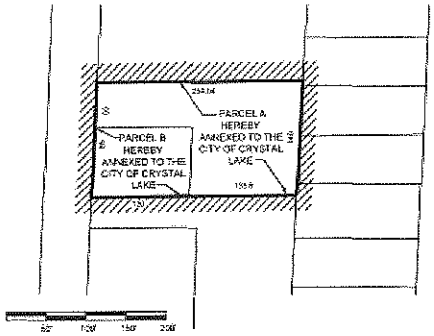
EXHIBIT B
PLAT OF ANNEXATION

PLAT OF ANNEXATION

PARCEL A: THAT PART OF THE NORTHEAST QUARTER OF SECTION 31, TOWNSHIP 44 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE INTERSECTION OF THE CENTER LINE OF STATE ROUTE 176 WITH THE NORTH AND SOUTH CENTER LINE OF SAID SECTION AND RUNNING THENCE EASTERLY ALONG SAID CENTER LINE, 868 FEET; THENCE NORTHERLY, PARALLEL WITH THE NORTH AND SOUTH CENTER LINE OF SAID SECTION, 547 FEET FOR THE PLACE OF BEGINNING; THENCE CONTINUING NORTHERLY ALONG SAID PARALLEL LINE, 55 FEET; THENCE EASTERLY, PARALLEL WITH THE CENTER LINE OF STATE ROUTE 176 FOR A DISTANCE OF 254.04 FEET TO THE WEST LINE OF LEONARD HEIGHTS SUBDIVISION, ACCORDING TO THE PLAT THEREOF RECORDED MARCH 15, 1928 AS DOCUMENT NO. 92565 IN BOOK 6 OF PLATS, PAGE 42; THENCE SOUTHERLY ALONG SAID WEST LINE, 140 FEET TO A POINT, 462 FEET NORTHERLY OF THE CENTER LINE OF STATE ROUTE 176 (MEASURED ALONG SAID WEST LINE); THENCE WESTERLY 133.8 FEET PARALLEL WITH THE CENTER LINE OF STATE ROUTE 176 TO A POINT, 460 FEET WESTERLY OF THE NORTH AND SOUTH CENTER LINE OF SAID SECTION (MEASURED PARALLEL WITH THE CENTER LINE OF STATE ROUTE 176); THENCE NORTHERLY PARALLEL WITH THE NORTH AND SOUTH CENTER LINE OF SAID SECTION, 85 FEET; THENCE WESTERLY PARALLEL WITH THE CENTER LINE OF STATE ROUTE 176 FOR A DISTANCE OF 120 FEET TO THE PLACE OF BEGINNING, IN MCHENRY COUNTY, ILLINOIS

PARCEL B: PART OF THE NORTHEAST QUARTER OF SECTION 31, TOWNSHIP 44 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: COMMENCING AT THE INTERSECTION OF THE NORTH AND SOUTH QUARTER SECTION LINE OF SAID SECTION 31 WITH THE NORTHERLY RIGHT OF WAY LINE OF ILLINOIS ROUTE 176 AND RUNNING THENCE EASTERLY, ALONG SAID NORTHERLY RIGHT OF WAY LINE, A DISTANCE OF 369.00 FEET; THENCE NORTH, PARALLEL WITH SAID NORTH AND SOUTH QUARTER SECTION LINE, A DISTANCE OF 410.00 FEET TO THE PLACE OF BEGINNING; THENCE CONTINUING NORTH, ALONG THE LAST DESCRIBED COURSE, A DISTANCE OF 85.00 FEET; THENCE EASTERLY, PARALLEL WITH THE AFORESAID NORTHERLY RIGHT OF WAY LINE, A DISTANCE OF 120.00 FEET; THENCE SOUTH, PARALLEL WITH THE AFORESAID QUARTER SECTION LINE, A DISTANCE OF 85.00 FEET; THENCE WESTERLY, PARALLEL WITH THE NORTHERLY RIGHT OF WAY LINE AFORESAID, A DISTANCE OF 120.00 FEET TO THE PLACE O BEGINNING, IN MCHENRY COUNTY, ILLINOIS

PROPERTY INDEX NUMBER(S) (PIN): 14-31-252-001 & 14-31-252-002 COMMONLY KNOWN AS 652 W TERRA COTTA AVENUE



APPROVED:

Date 8/29/16

LEGEND

PREPARED BY:
City of Crystal Lake
Community Development
100 West Woodstock St
Crystal Lake, Illinois 60014

DRAWN BY	DCI
CHECKED BY	EC
COMPLETION DATE	8/23/16

City of Crystal Lake

SHEET 1 OF 1

EXHIBIT C
ANNEXATION AGREEMENT

Ord. No. .....
File No. ....

DRAFT

The City of Crystal Lake Illinois

AN ORDINANCE ZONING CERTAIN PROPERTY "W" WATERSHED DISTRICT with Manufacturing Uses AND GRANTING SPECIAL USE PERMITS

WHEREAS, Home State Bank Trust 5331 and Hughes Partnership (hereinafter, the "Owner") is the owner of property legally described in Exhibit A, attached hereto (hereinafter, the "Subject Property"); and

WHEREAS, pursuant to an application filed by the Owner, the Planning and Zoning Commission of the City of Crystal Lake, pursuant to notice duly published on July 19, 2016 in the Northwest Herald, held a public hearing at 7:30 p.m., on August 3, 2016 at City Hall at 100 W. Woodstock Street, Crystal Lake, Illinois to consider the proposed zoning of the Subject Property to "W" Watershed District with "M" Manufacturing uses and granting of and Special Use Permits for: A. Outdoor storage of material, equipment, and vehicles, and B. Two wireless communications towers; and

WHEREAS, on August 3, 2016, the Planning and Zoning Commission, having fully heard and considered the testimony of all those present at the public hearing who wished to testify, made findings of fact as required by law and recommended to the Mayor and City Council of the City of

Crystal Lake that the zoning of the Property be changed to "W" Watershed with manufacturing uses and Special Use Permits for: A. Outdoor storage of material and equipment, and B. Two wireless communications towers all as more specifically set forth in that certain Report of the Planning and Zoning Commission in Case #2012-89, dated as of August 4, 2016; and

WHEREAS, the City Council of the City of Crystal Lake, pursuant to notice duly published on August 21, 2016 in the Northwest Herald, held a public hearing at 7:30 p.m., on September 6, 2016 at City Hall at 100 W. Woodstock Street, Crystal Lake, Illinois to consider the proposed annexation of the subject property; and

WHEREAS, said territory is the subject of a certain Annexation Agreement; and

WHEREAS, said territory has been duly annexed by ordinance to the City of Crystal Lake; and

WHEREAS, it is in the best interests of the City of Crystal Lake that and Special Use Permits for: A. Outdoor storage of material and equipment, and B. Two wireless communications towers; and

WHEREAS, by the terms of said Annexation Agreement, said territory is to be zoned "W" Watershed zoning with manufacturing uses; and

WHEREAS, it is in the best interests of the City of Crystal Lake that the property legally described herein below be classified and zoned as indicated.

NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE, McHENRY COUNTY, ILLINOIS, as follows:

SECTION I: Recitals: The foregoing recitals are hereby incorporated by reference as though fully set forth herein.

SECTION II: That the Subject Property is hereby zoned and classified "W" Watershed district with manufacturing uses.

SECTION III: That and Special Use Permits for: A. Outdoor storage of material, equipment and vehicles, and B. Two wireless communications towers for Parcel A only are hereby granted for the Subject Property subject to the following conditions:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
   A. Application (Gottemoller, received 07/12/16)
   B. Petition to Annex (Gottemoller, received 07/12/16)
   C. Petition to Zone (Gottemoller, received 07/12/16)

2. The outdoor storage of vehicles should only be on an approved surface, the parking of vehicles on the grass is prohibited.

3. The petitioner shall comply with all the watershed requirements and would need to take precautions to ensure any outdoor storage would not contaminate the surface and ground water that flows to the lake, including, but not limited to, using mats under any leaking vehicles and not storing any hazardous materials on site.

4. The petitioner shall comply with the requirements of the Community Development Department.

SECTION IV: That the City Clerk is hereby directed to amend the official zoning map of the City of Crystal Lake and all pertinent records of the City of Crystal Lake to show the Special Use Permits and zoning classification of the above-described property in accordance with the provisions of this Ordinance, as provided by law.

SECTION V: That this Ordinance shall be in full force and effect from and after its passage, approval and publication as provide by law.

AYES:

NAYS:

ABSENT:

PASSED this 6th day of September, 2016.

APPROVED by me this 6th day of September, 2016.

City of Crystal Lake, an
Illinois municipal corporation

_____
Aaron T. Shepley, Mayor

SEAL

ATTEST:

_____
Nick Kachiroubas, City Clerk

Passed: September 6, 2016
Approved: September 6, 2016

EXHIBIT A

Parcel 1: That part of the Northeast Quarter of Section 31, Township 44 North, Range 8 East of the Third Principal Meridian, described as follows: commencing at the intersection of the center line of State Route 176 with the North and South center line of said Section and running thence Easterly along said center line, 360 feet; thence northerly, parallel with the North and south center line of said Section, 547 feet for the place of beginning; thence continuing Northerly along said parallel line, 55 feet; thence Easterly, parallel with the center line of State Route 176 for a distance of 254.04 feet to the West line of Leonard Heights Subdivision, according to the Plat thereof recorded March 15, 1928 as document no. 82565 in Book6 of Plats, page 42; thence southerly along said west line, 140 feet to a point, 462 feet northerly of the center line of State Route 176 (measured along said west line); thence westerly 133.8 feet parallel with the center line of State Route 176 to a point, 480 feet westerly of the north and south center line of said Section (measured parallel with the center line of State Route 176); thence northerly parallel with the north and south center line of said Section, 85 feet; thence westerly parallel with the center line of State Route 176 for a distance of 120 feet to the place of beginning, in McHenry County, Illinois.

Parcel 2: Part of the Northeast Quarter of Section 31, Township 44 North, Range 8 East of the Third Principal Meridian described as follows: commencing at the intersection of the North and South Quarter section line of said Section 31 with the Northerly right of way line of Illinois Route 176, and running thence easterly, along said Northerly right of way line, a distance of 360.00 feet; thence North, parallel with said North and South Quarter section line, a distance of 410.00 feet to the place of beginning; thence continuing North, along the last described course, a distance of 85.00 feet; thence easterly, parallel with the aforesaid Northerly right of way line, a distance of 120.00 feet, thence south, parallel with the aforesaid Quarter section line, a distance of 85.00 feet; thence westerly, parallel with the Northerly right of way line aforesaid, a distance of 120.00 feet to the place o beginning, in McHenry County, Illinois.

PIN No: 14-31-252-001 & 14-31-252-002
Common Address: 652 W. Terra Cotta Ave, Crystal Lake, Il 60014

Agenda Item No: 14

City Council
Agenda Supplement

Meeting Date: September 6, 2016

ANNEXATION PUBLIC HEARING

Item: Geske & Sons Asphalt Paving Annexation

Requests:
1) Rezoning upon annexation to M- Manufacturing Planned Unit Development District, and
2) Special Use Permit for outdoor storage of materials, equipment and vehicles.

Petitioner: Joe Gottemoller, attorney, on behalf of the Geske Family
400 E. Terra Cotta Ave

Recommendation: Motion to:
1) Adopt an ordinance authorizing execution of the annexation agreement.
2) Adopt the annexation ordinance.
3) Approve the Planning and Zoning Commission recommendations and adopt an ordinance for rezoning upon annexation to the M- Manufacturing Planned Unit Development district and granting a special use permit for outdoor storage of materials, equipment and vehicles for the property located at 400 E. Terra Cotta Avenue.

Staff Contact: Michelle Rentzsch, Community Development Director

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Background:

Existing Use: The property is currently occupied by Geske & Sons Asphalt Paving and its ancillary outdoor storage of materials, vehicles and equipment. The primary use of this property is the office for the paving businesses and outdoor storage of the vehicles. Asphalt processing is not conducted at this property.

History: This property is a county island, surrounded by the City. City staff contacted the property owner and encouraged them to file an application for annexation.

Key Factors:

- The petitioner is requesting to zone the property to M – Manufacturing Planned Unit Development District and a special use permit to allow outdoor storage of materials, equipment and vehicles.
- The petitioner conducts routine maintenance and washes the vehicles at the property. This is an ancillary use for the property.

PZC Highlights:

- The PZC stated the Findings of Fact have been met.

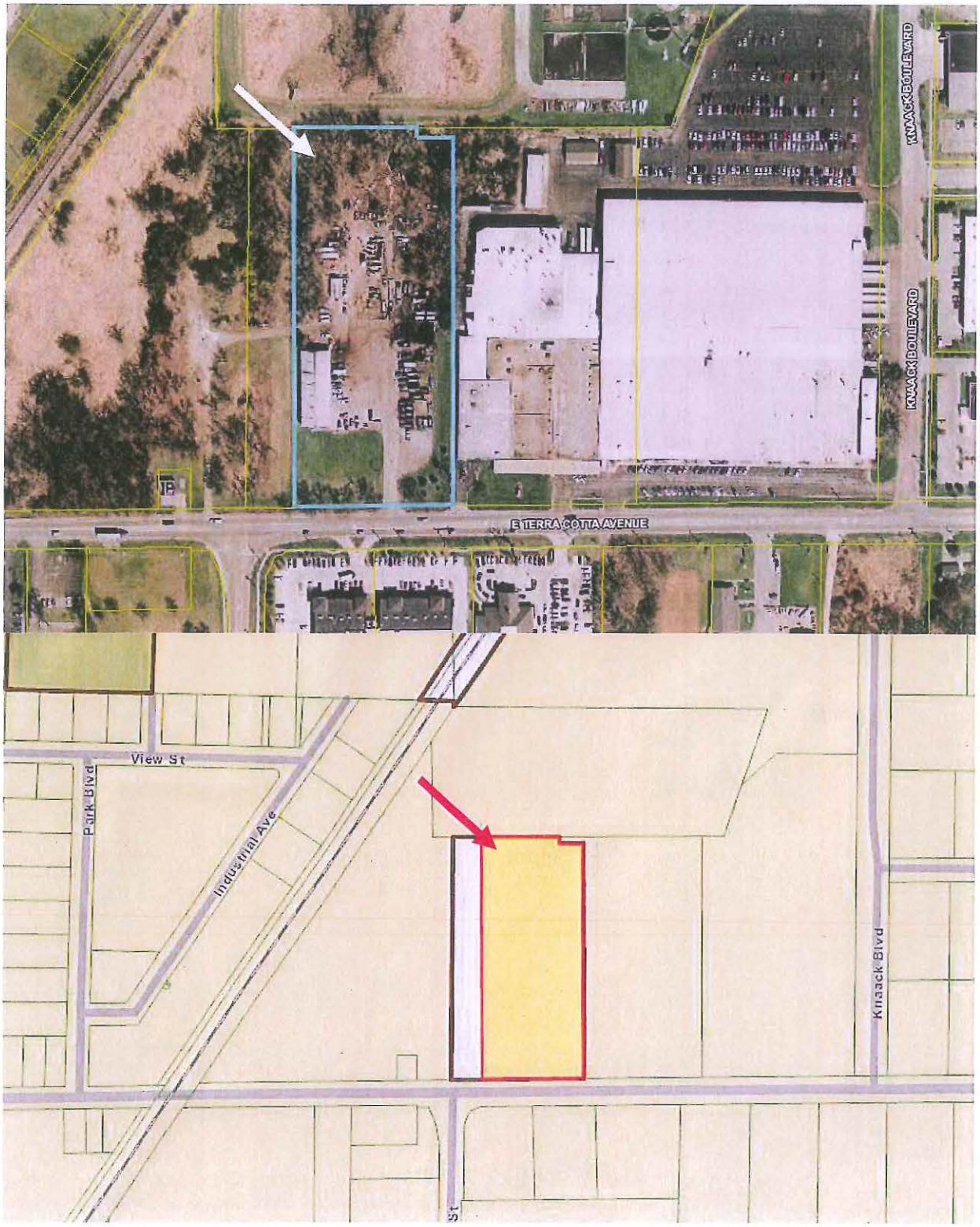
The Planning and Zoning Commission recommended **approval (6-0)** of the petitioner's request with the following conditions of approval:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
   A. Petition to Annex (Gottemoller, received 07/13/16)
2. The outdoor storage of vehicles should only be on an approved surface, the parking of vehicles on grass is prohibited.
3. The petitioner shall comply with the requirements of the Community Development Department.

The draft annexation agreement is attached. The petitioner requests that the existing conditions be accepted for the term of the agreement. The petitioner is requesting a twenty (20) year annexation agreement term. This document has been reviewed by an attorney and staff and is an acceptable format.

Votes Required to Pass: A super majority vote (5 votes) is required to approve the annexation agreement.

Geske - 400 E. Terra Cotta Ave PIQ



Ord. No. .....
File No. ....

DRAFT

The City of Crystal Lake Illinois

AN ORDINANCE AUTHORIZING THE EXECUTION OF AN ANNEXATION AGREEMENT

WHEREAS, Home State Bank Trust 4905 (hereinafter, "the Owner") is the record title owner of a certain tract of land located in Nunda Township in unincorporated McHenry County, Illinois, and legally described in Exhibit A attached hereto and by this reference incorporated herein and made a part hereof (the "Subject Property"); and

WHEREAS, there are no electors residing on the subject property; and

WHEREAS, the Subject Property consists of approximately 5.23 acres and is depicted on the plat of annexation attached as Exhibit B attached hereto (the "Plat of Annexation"); and

WHEREAS, the Subject Property is contiguous to the corporate limits of the City and is not within the corporate limits of any municipality; and

WHEREAS, the Owner desires and proposes to have the Subject Property annexed to the City of Crystal Lake pursuant to and in accordance with the provisions of Section 7-1-8 of the Illinois Municipal Code (the "Annexation"); and

WHEREAS, prior to approval of the Annexation, the City and the Owner desire to establish by agreement terms for the Annexation of the Subject Property; and

WHEREAS, pursuant to the provisions of Section 11-15.1-1 *et seq*. of the Illinois Municipal Code, a proposed annexation agreement, in substance and form substantially the same as the agreement attached hereto as Exhibit C, was submitted to the Corporate Authorities of the City of Crystal Lake and, pursuant to notice published in the Northwest Herald on August 21, 2016, as provided by statute, a public hearing was held thereon by the Corporate Authorities commencing on September 6, 2016.

WHEREAS, the Mayor and City Council of the City of Crystal Lake have found and determined that it is in the best interests of the City that an annexation agreement with the Owner be approved and the execution and attestation of such agreement be authorized;

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE, MCHENRY ILLINOIS, AS FOLLOWS:

SECTION I: The foregoing recitals are incorporated as though fully set forth herein.

SECTION II: That the Mayor be and he is hereby authorized and directed to execute, and the City Clerk is directed to attest, the Annexation Agreement, a copy of which is attached hereto and made a part hereof as Exhibit C

SECTION III: That this Ordinance shall be in full force and effect from and after its passage, approval and publication as provide by law.

AYES:

NAYS:

ABSENT:

PASSED this 6th day of September, 2016.

APPROVED by me this 6th day of September, 2016.

City of Crystal Lake, an
Illinois municipal corporation

_____

Aaron T. Shepley, Mayor

SEAL

ATTEST:

_____

Nick Kachiroubas, City Clerk

Passed: September 6, 2016
Approved: September 6, 2016

EHIBIT A
LEGAL DESCRIPTION OF SUBJECT PROPERTY

That part of the Northeast Quarter of Section 33, Township 44 North, Range 8 East of the Third Principal Meridian, described as follows: Beginning at the center of said Section 33; thence Easterly along the South line of said Northeast Quarter, 93.7 feet to the point of beginning; thence North 1 degree 13 minutes 58 seconds East along a line parallel with the West line of said Northeast Quarter, 756.35 feet; thence South 89 degrees 32 minutes 32 seconds East, 234.76 feet; thence South 1 degree 13 minutes 58 seconds East, 20.00 feet; thence South 89 degrees 32 minutes 32 second East, 71.91 feet; thence South 1 degree 13 minutes 58 seconds West, 734.00 feet to the South line of said Northeast Quarter; thence Westerly along said South line, 306.71 feet to the point of beginning, in McHenry County, Illinois.

PIN No: 14-33-251-009
Common Address: 400 E. Terra Cotta Ave, Crystal Lake, Il 60014

EXHIBIT B
PLAT OF ANNEXATION

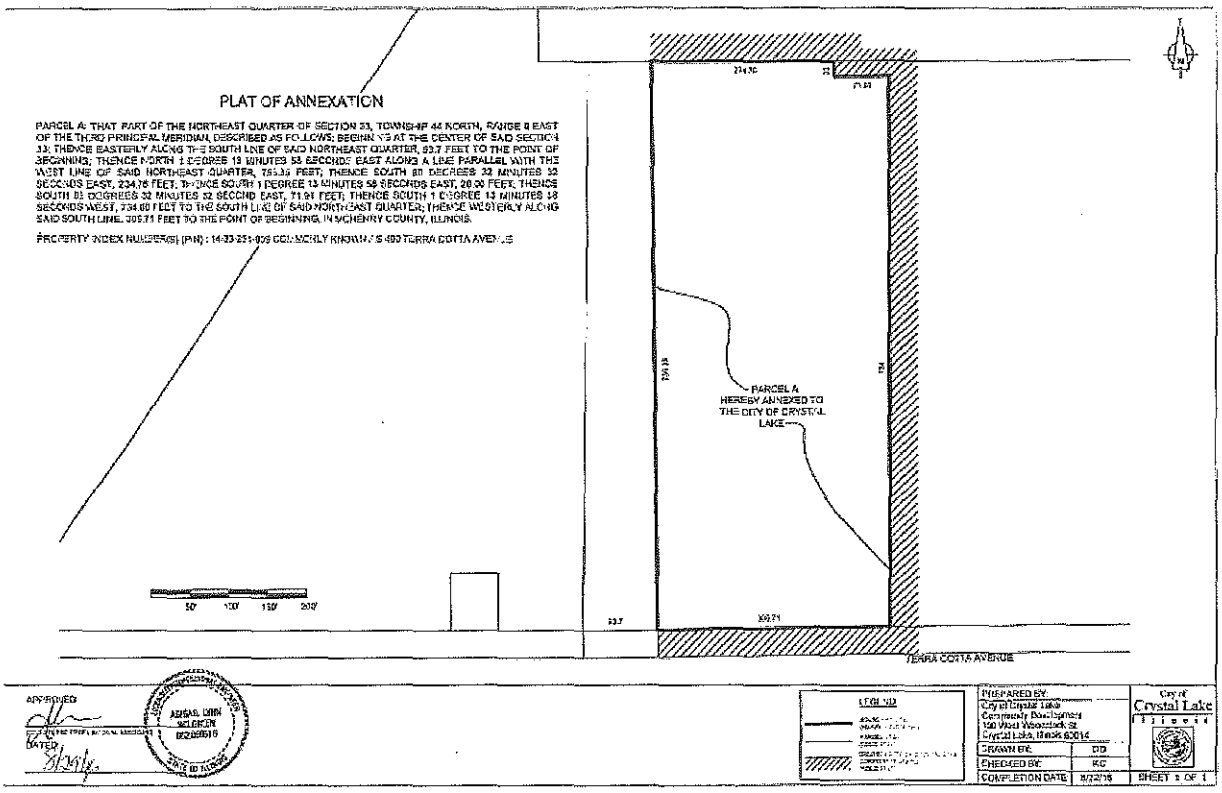


EXHIBIT C
ANNEXATION AGREEMENT

Ord. No. .....
File No. ....

DRAFT

The City of Crystal Lake Illinois

AN ORDINANCE ANNEXING CERTAIN TERRITORY TO THE CITY OF CRYSTAL LAKE, McHENRY COUNTY, ILLINOIS

WHEREAS, a written Petition, signed by the legal owners of all land within the territory hereinafter described, has been filed with the City Clerk of the City of Crystal Lake, McHenry County, Illinois, requesting that said territory be annexed to the City of Crystal Lake; and

WHEREAS, the said territory is not within the corporate limits of any municipality but is contiguous to the City of Crystal Lake; and

WHEREAS, said territory is not part of any public library district; and

WHEREAS, legal notices regarding the intention of the City to annex said territory have been sent to all public bodies required to receive such notice by State statute; and

WHEREAS, all Petitions, documents and other necessary legal requirements are in full compliance with the requirements of the Statues of the State of Illinois, specifically 65 ILCS 5/7-1-8; and

WHEREAS, annexation of the territory by the City is also authorized under, and is in compliance with the requirements of, Section 7-1-10 of the Illinois Municipal Code, 65ILCS 5/7-1-10; and

WHEREAS, it is in the best interests of the City of Crystal Lake that said territory be annexed thereto.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE, McHENRY COUNTY, ILLINOIS, as follows:

SECTION I: The foregoing recitals are hereby incorporated into and made a part of this Ordinance as if fully set forth.

SECTION II: That the territory legally described in Exhibit "A" attached hereto and made a part hereof, be and the same is hereby annexed to the City of Crystal Lake, McHenry County, Illinois.

SECTION III: That the City Clerk of the City of Crystal Lake is hereby directed to record in the Office of the Recorder of Deeds of McHenry County, Illinois, being the County in which the aforesaid annexed territory is situated, a certified copy of this Ordinance together with an accurate map of the territory hereby annexed, said map being attached hereto and made a part hereof and labeled Exhibit "B". Additionally, the City Clerk is authorized and directed to cause a certified copy of this Ordinance, together with an accurate map to be filed in the Office of the County Clerk of McHenry County, Illinois.

SECTION IV: That this Ordinance shall be in full force and effect from and after its passage and approval.

AYES:

NAYS:

ABSENT:

PASSED this 6th day of September, 2016.

APPROVED by me this 6th day of September, 2016.

City of Crystal Lake, an
Illinois municipal corporation

_____

Aaron T. Shepley, Mayor

SEAL

ATTEST:

_____

Nick Kachiroubas, City Clerk

Passed: September 6, 2016
Approved: September 6, 2016

CERTIFICATION

I, NICK KACHIROUBAS, do hereby certify that I am the duly elected, authorized and acting City Clerk of the City of Crystal Lake, County of McHenry, and State of Illinois, and that as such City Clerk I am the keeper of the records and minutes of the proceedings of the Mayor and Councilmembers to the said City.

I do hereby certify that the following "AN ORDINANCE ANNEXING CERTAIN TERRITORY TO THE CITY OF CRYSTAL LAKE, McHENRY COUNTY, ILLINOIS" is a true and correct copy of Ordinance Number _____ duly passed and approved at a regular meeting of said Mayor and Council; held on the _____ day of _____ 20__, at which time ___ councilmembers were present and ___ councilmembers were absent.

Motion was made by Councilmember _____ and seconded by Councilmember _____ that the following Ordinance be passed and approved. Upon roll-call vote, ___ councilmembers voted AYE and _____ councilmembers voted NAY; whereupon said Ordinance was declared duly passed and was thereupon approved by the Mayor.

_____
CITY CLERK

(SEAL)

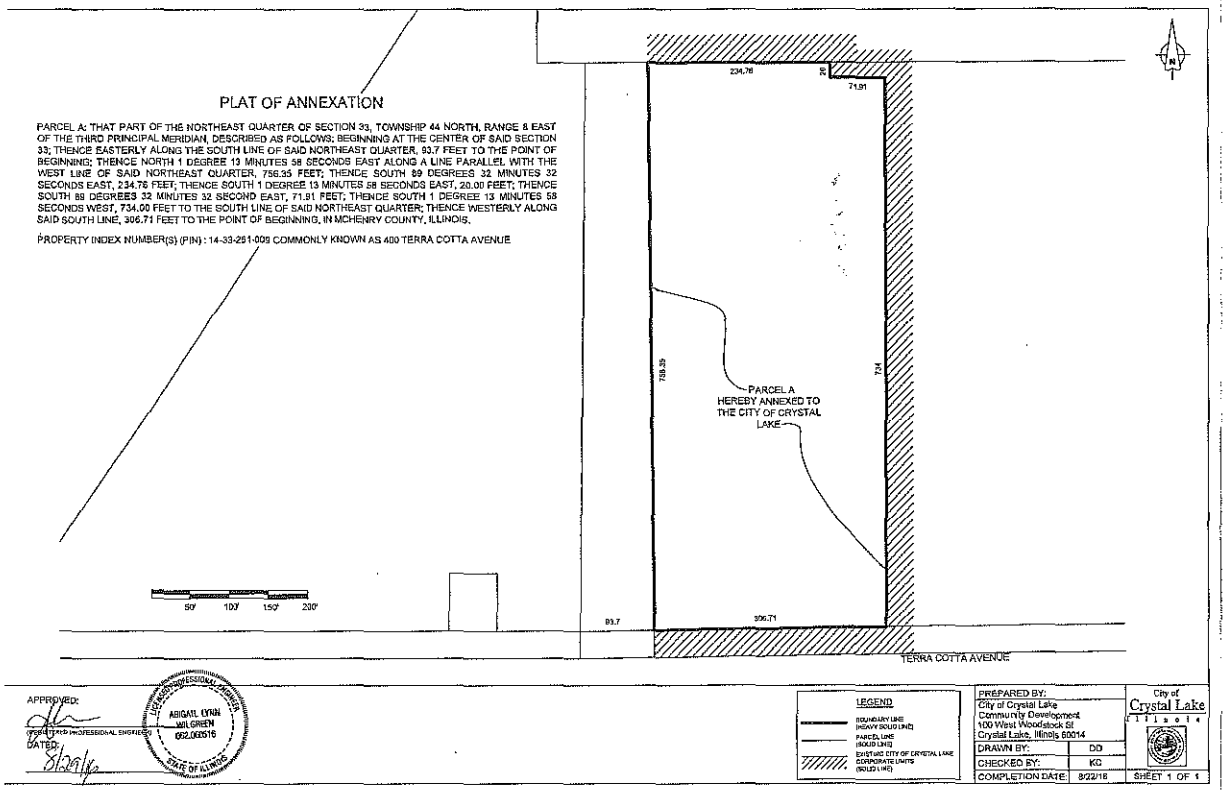
Return to:
City of Crystal Lake
100 W. Woodstock Street
Crystal Lake, IL 60014

Exhibit A

That part of the Northeast Quarter of Section 33, Township 44 North, Range 8 East of the Third Principal Meridian, described as follows: Beginning at the center of said Section 33; thence Easterly along the South line of said Northeast Quarter, 93.7 feet to the point of beginning; thence North 1 degree 13 minutes 58 seconds East along a line parallel with the West line of said Northeast Quarter, 756.35 feet; thence South 89 degrees 32 minutes 32 seconds East, 234.76 feet; thence South 1 degree 13 minutes 58 seconds East, 20.00 feet; thence South 89 degrees 32 minutes 32 second East, 71.91 feet; thence South 1 degree 13 minutes 58 seconds West, 734.00 feet to the South line of said Northeast Quarter; thence Westerly along said South line, 306.71 feet to the point of beginning, in McHenry County, Illinois.

PIN No: 14-33-251-009
Common Address: 400 E. Terra Cotta Ave, Crystal Lake, Il 60014

Exhibit B
Plat of Annexation



Ord. No. .....
File No. ....

DRAFT

The City of Crystal Lake Illinois

AN ORDINANCE ZONING CERTAIN PROPERTY "M-PUD" MANUFACTURING PLANNED UNIT DEVELOPMENT DISTRICT AND GRANTING A SPECIAL USE PERMIT for OUTDOOR STORAGE

WHEREAS, Home State Bank Trust 4905 (hereinafter, the "Owner") is the owner of property legally described in Exhibit A, attached hereto (hereinafter, the "Subject Property"); and

WHEREAS, pursuant to an application filed by the Owner, the Planning and Zoning Commission of the City of Crystal Lake, pursuant to notice duly published on July 19, 2016 in the Northwest Herald, held a public hearing at 7:30 p.m., on August 3, 2016 at City Hall at 100 W. Woodstock Street, Crystal Lake, Illinois to consider the proposed zoning of the Subject Property to "M-PUD" Manufacturing Planned Unit Development District and granting of a Special Use Permit for outdoor storage of materials, equipment and vehicles; and

WHEREAS, on August 3, 2016, the Planning and Zoning Commission, having fully heard and considered the testimony of all those present at the public hearing who wished to testify, made findings of fact as required by law and recommended to the Mayor and City Council of the City of Crystal Lake that the zoning of the Property be changed to "M-PUD" Manufacturing Planned Unit Development and a Special Use Permit for outdoor storage of materials, equipment and vehicles all

as more specifically set forth in that certain Report of the Planning and Zoning Commission in Case #2016-31, dated as of August 4, 2016; and

WHEREAS, the City Council of the City of Crystal Lake, pursuant to notice duly published on August 21, 2016 in the Northwest Herald, held a public hearing at 7:30 p.m., on September 6, 2016 at City Hall at 100 W. Woodstock Street, Crystal Lake, Illinois to consider the proposed annexation of the subject property; and

WHEREAS, said territory is the subject of a certain Annexation Agreement; and

WHEREAS, said territory has been duly annexed by ordinance to the City of Crystal Lake; and

WHEREAS, it is in the best interests of the City of Crystal Lake that a Special Use Permit for outdoor storage of materials, equipment and vehicles; and

WHEREAS, by the terms of said Annexation Agreement, said territory is to be zoned "M-PUD" Manufacturing Planned Unit Development zoning; and

WHEREAS, it is in the best interests of the City of Crystal Lake that the property legally described herein below be classified and zoned as indicated.

NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE, McHENRY COUNTY, ILLINOIS, as follows:

SECTION I: Recitals: The foregoing recitals are hereby incorporated by reference as though fully set forth herein.

SECTION II: That the Subject Property is hereby zoned and classified "M-PUD" Manufacturing Planned Unit Development district.

SECTION III: That a Special Use Permit for outdoor storage of materials, equipment and vehicles is hereby granted for the Subject Property for outdoor storage of material and equipment subject to the following conditions:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
   A. Petition to Annex (Gottemoller, received 07/13/16)

2. The outdoor storage of vehicles should only be on an approved surface, the parking of vehicles on grass is prohibited.

3. The petitioner shall comply with the requirements of the Community Development Department

SECTION IV: That the City Clerk is hereby directed to amend the official zoning map of the City of Crystal Lake and all pertinent records of the City of Crystal Lake to show the Special Use Permit and zoning classification of the above-described property in accordance with the provisions of this Ordinance, as provided by law.

SECTION V: That this Ordinance shall be in full force and effect from and after its passage, approval and publication as provide by law.

AYES:

NAYS:

ABSENT:

PASSED this 6th day of September, 2016.

APPROVED by me this 6th day of September, 2016.

City of Crystal Lake, an
Illinois municipal corporation

_____

Aaron T. Shepley, Mayor

SEAL

ATTEST:

_____

Nick Kachiroubas, City Clerk

Passed: September 6, 2016
Approved: September 6, 2016

EXHIBIT A

That part of the Northeast Quarter of Section 33, Township 44 North, Range 8 East of the Third Principal Meridian, described as follows: Beginning at the center of said Section 33; thence Easterly along the South line of said Northeast Quarter, 93.7 feet to the point of beginning; thence North 1 degree 13 minutes 58 seconds East along a line parallel with the West line of said Northeast Quarter, 756.35 feet; thence South 89 degrees 32 minutes 32 seconds East, 234.76 feet; thence South 1 degree 13 minutes 58 seconds East, 20.00 feet; thence South 89 degrees 32 minutes 32 second East, 71.91 feet; thence South 1 degree 13 minutes 58 seconds West, 734.00 feet to the South line of said Northeast Quarter; thence Westerly along said South line, 306.71 feet to the point of beginning, in McHenry County, Illinois.

PIN No: 14-33-251-009
Common Address: 400 E. Terra Cotta Ave, Crystal Lake, Il 60014

Agenda Item No: 15

City Council
Agenda Supplement

Meeting Date: September 6, 2016

ANNEXATION PUBLIC HEARING

Item: Copley Roofing Annexation

Requests:
1) Rezoning upon annexation to M- Manufacturing Planned Unit Development District,
2) Special Use Permit for a recycling collection center, and
3) Special Use Permit for outdoor storage of materials, equipment and vehicles.

Petitioner: Joe Gottemoller, attorney, on behalf of Charles Copley
4709 Route 176

Recommendation: Motion to:
1) Adopt an ordinance authorizing execution of the annexation agreement.
2) Adopt the annexation ordinance.
3) Approve the Planning and Zoning Commission recommendations and adopt an ordinance for rezoning upon annexation to the M- Manufacturing Planned Unit Development district and granting special use permits for a recycling collection center and outdoor storage of materials, equipment and vehicles for the property located at 4709 Route 176.

Staff Contact: Michelle Rentzsch, Community Development Director

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Background:
Existing Use: The property is currently occupied by Copley Roofing and its ancillary materials recycling collection center and outdoor storage of materials, vehicles and equipment.

The property owner is in the process of cleaning up his property.

History: This property is a county island, surrounded by the City. City staff contacted the property owner and encouraged them to file an application for annexation.

Key Factors:

- The petitioner is requesting to zone the property to M – Manufacturing Planned Unit Development District and special use permits to allow a recycling collection center and outdoor storage of materials, equipment and vehicles.
- The lease termination date is October 31, 2035 for the billboard on the subject property. The annexation agreement contains language that the billboard must be taken down after this 20-year term.

PZC Highlights:

- A neighbor expressed a concern with the noise from the property during the day. Mr. Copley believed it was from cleaning up the property.
- The PZC stated the Findings of Fact have been met.

The Planning and Zoning Commission recommended **approval (6-0)** of the petitioner's request with the following conditions of approval:

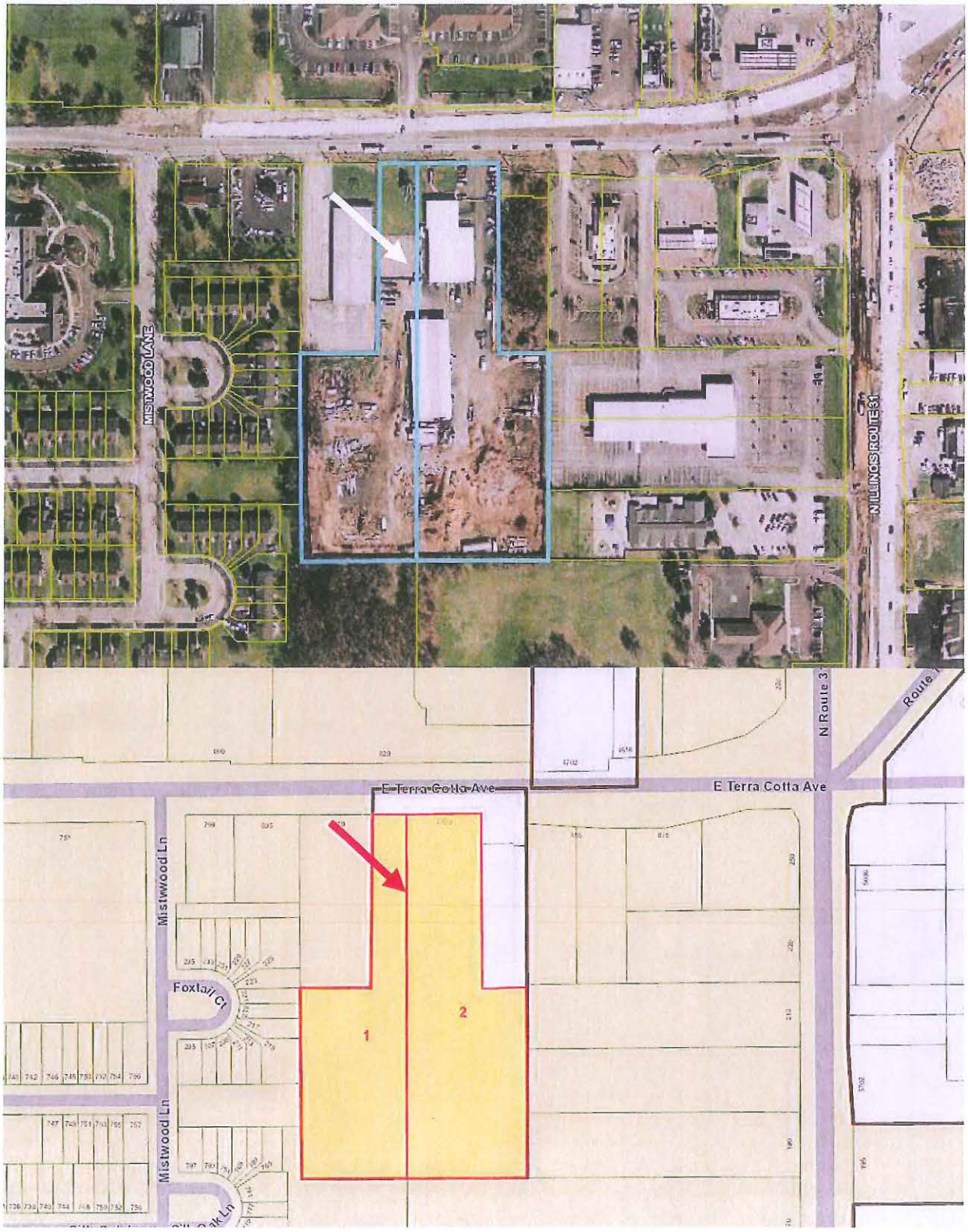
1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
   A. Petition to Annex (Gottemoller, received 07/12/16)
2. The outdoor storage of vehicles should only be on an approved surface, the parking of vehicles on the grass is prohibited.
3. The petitioner shall comply with the requirements of the Community Development Department.

The draft annexation agreement is attached. The petitioner requests that the existing conditions be accepted for the term of the agreement. The petitioner is requesting a twenty (20) year annexation agreement term. This document has been reviewed by an attorney and staff and is an acceptable format.

The petitioner does not agree with the proposed language regarding the removal of the billboard at the termination of the current lease.

Votes Required to Pass: A super majority vote (5 votes) is required to approve the annexation agreement.

Copley - 4709 Route 176 PIQ



Ord. No. .....
File No. ....

DRAFT

The City of Crystal Lake Illinois

AN ORDINANCE AUTHORIZING THE EXECUTION OF AN ANNEXATION AGREEMENT

WHEREAS, Charles Copley Trust and Renee Copley Trust (hereinafter, "the Owner") is the record title owner of a certain tract of land located in Nunda Township in unincorporated McHenry County, Illinois, and legally described in Exhibit A attached hereto and by this reference incorporated herein and made a part hereof (the "Subject Property"); and

WHEREAS, there are no electors residing on the subject property; and

WHEREAS, the Subject Property consists of approximately 6.02 acres and is depicted on the plat of annexation attached as Exhibit B attached hereto (the "Plat of Annexation"); and

WHEREAS, the Subject Property is contiguous to the corporate limits of the City and is not within the corporate limits of any municipality; and

WHEREAS, the Owner desires and proposes to have the Subject Property annexed to the City of Crystal Lake pursuant to and in accordance with the provisions of Section 7-1-8 of the Illinois Municipal Code (the "Annexation"); and

WHEREAS, prior to approval of the Annexation, the City and the Owner desire to establish by agreement terms for the Annexation of the Subject Property; and

WHEREAS, pursuant to the provisions of Section 11-15.1-1 *et seq.* of the Illinois Municipal Code, a proposed annexation agreement, in substance and form substantially the same as the agreement attached hereto as Exhibit C, was submitted to the Corporate Authorities of the City of Crystal Lake and, pursuant to notice published in the Northwest Herald on August 21, 2016, as provided by statute, a public hearing was held thereon by the Corporate Authorities commencing on September 6, 2016.

WHEREAS, the Mayor and City Council of the City of Crystal Lake have found and determined that it is in the best interests of the City that an annexation agreement with the Owner be approved and the execution and attestation of such agreement be authorized;

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE, MCHENRY ILLINOIS, AS FOLLOWS:

SECTION I: The foregoing recitals are incorporated as though fully set forth herein.

SECTION II: That the Mayor be and he is hereby authorized and directed to execute, and the City Clerk is directed to attest, the Annexation Agreement, a copy of which is attached hereto and made a part hereof as Exhibit C

SECTION III: That this Ordinance shall be in full force and effect from and after its passage, approval and publication as provide by law.

AYES:

NAYS:

ABSENT:

PASSED this 6th day of September, 2016.

APPROVED by me this 6th day of September, 2016.

City of Crystal Lake, an
Illinois municipal corporation

_____

Aaron T. Shepley, Mayor

SEAL

ATTEST:

_____

Nick Kachiroubas, City Clerk

Passed: September 6, 2016
Approved: September 6, 2016

EHIBIT A
LEGAL DESCRIPTION OF SUBJECT PROPERTY

Parcel A: That part of the Southwest Quarter of Section 34, Township 44 North, Range 8 East of the Third Principal Meridian, described as follows: Beginning at a point on the north line of the said Southwest Quarter at a point 842.19 feet South 87 degrees 33 minutes 46 seconds west of the northeast corner of said Southwest Quarter thence South 1 degree 47 minutes 39 seconds east parallel with the east line of the said Southwest Quarter 783.28 feet to an intersection with a line which is 250 feet north from and parallel with the north line of the south 17.00 acres and 129 square rods of the north half of the Southwest Quarter aforesaid; thence East along said parallel line, 240 feet; thence north 1 degree 47 minutes 39 seconds west 783.28 feet to the north line of the Southwest Quarter; thence west along said north line of the Southwest Quarter 240.01 feet to the place of beginning, in McHenry County, Illinois (except the east 90 feet of the north 400.03 feet thereof).

That part of the Southwest Quarter of Section 34, Township 44, Range 8 East of the Third Principal Meridian, described as follows: Commencing at the northeast corner of said Southwest Quarter, and running thence west along the north line thereof, a distance of 842.19 feet to the point of beginning; thence continuing west, along said north line, 219.61 feet to the northeast corner of a certain tract of land conveyed to Herman Benson and wife deed recorded April 17, 1946 in Book 278 of Deeds, on Page 440; thence south along the east line of said tract so conveyed, and along said east line extended, a distance of 782.70 feet to an intersection with a line which is 250 feet north from and parallel with the north line of the south 17.00 acres and 129 square rods of the north half of the Southwest Quarter aforesaid; thence east along said parallel line, 211.83 feet; thence north parallel with the east line of the Southwest Quarter a distance of 783.28 feet to the point of beginning (except that part thereof described as follows: commencing at the northeast corner of said southwest quarter and thence running along the north line thereof south 87 degrees 33 minutes 46 seconds west a deed distance of 911.80 feet, more or less, to the point of beginning, thence continuing south 87 degrees 33 minutes 46 seconds west along said north line, 150 feet to the northeast corner of a certain tract of land conveyed to Herman Benson and wife by deed recorded April 17, 1946 in Book 278 of Deeds, Page 440 in McHenry County, Illinois; thence south along the east line of said tract so conveyed and as monumented and

along said east line extended, a distance of 400 feet; thence north 87 degrees 33 minutes 46 seconds east along a line parallel with the said north line of the southwest quarter, 144.00 feet; thence north 1 degree 34 minutes 40 seconds west, a distance of 400.04 feet to the point of beginning), in McHenry County, Illinois.

PIN No: 14-34-326-059 & 14-34-326-060
Common Address: 4709 IL Route 176, Crystal Lake, Il 60014

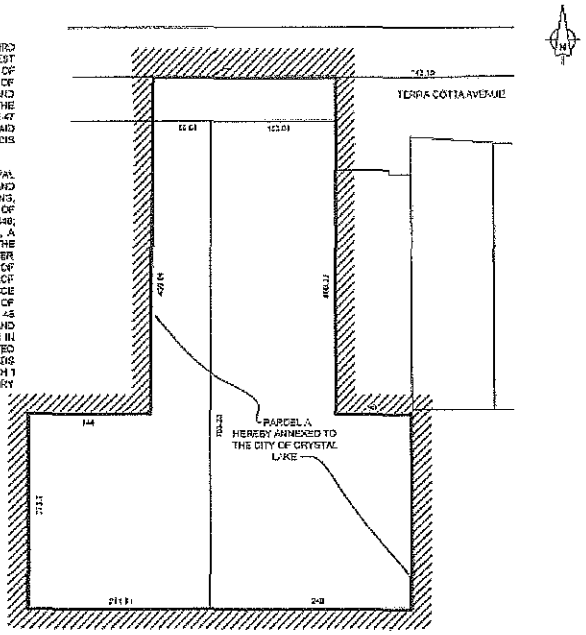
EXHIBIT B
PLAT OF ANNEXATION

PLAT OF ANNEXATION

PARCEL A: THAT PART OF THE SOUTHWEST QUARTER OF SECTION 34, TOWNSHIP 44 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE NORTH LINE OF THE SAID SOUTHWEST QUARTER AT A POINT 542.19 FEET SOUTH 87 DEGREES 33 MINUTES 48 SECONDS WEST OF THE NORTHEAST CORNER OF SAID SOUTHWEST QUARTER THENCE SOUTH 1 DEGREE 47 MINUTES 39 SECONDS EAST PARALLEL WITH THE EAST LINE OF THE SAID SOUTHWEST QUARTER 792.28 FEET TO AN INTERSECTION WITH A LINE WHICH IS 250 FEET NORTH FROM AND PARALLEL WITH THE NORTH LINE OF THE SOUTH 17.00 ACRES AND 128 SQUARE RODS OF THE NORTH HALF OF THE SOUTHWEST QUARTER AFORESAID; THENCE EAST ALONG SAID PARALLEL LINE, 248 FEET; THENCE NORTH 1 DEGREE 47 MINUTES 39 SECONDS WEST 788.28 TO THE NORTH LINE OF THE SOUTHWEST QUARTER; THENCE WEST ALONG SAID NORTH LINE OF THE SOUTHWEST QUARTER 240.81 FEET TO THE PLACE OF BEGINNING, IN MCHENRY COUNTY, ILLINOIS (EXCEPT THE EAST 99 FEET OF THE NORTH 400.03 FEET THEREOF).

ALSO, THAT PART OF THE SOUTHWEST QUARTER OF SECTION 34, TOWNSHIP 44, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF SAID SOUTH-WEST QUARTER, AND RUNNING THENCE WEST ALONG THE NORTH LINE THEREOF, A DISTANCE OF 542.19 FEET TO THE POINT OF BEGINNING, THENCE CONTINUING WEST, A DISTANCE OF 240.81 FEET ALONG SAID NORTH LINE, 210.81 FEET TO THE NORTHEAST CORNER OF A CERTAIN TRACT OF LAND CONVEYED TO CLARA OLSON AND WIFE DEED RECORDED APRIL 17, 1945 IN BOOK 276 OF DEEDS, ON PAGE 446; THENCE SOUTH ALONG THE EAST LINE OF SAID TRACT SO CONVEYED, AND ALONG SAID EAST LINE EXTENDED, A DISTANCE OF 792.70 FEET TO AN INTERSECTION WITH A LINE WHICH IS 250 FEET NORTH FROM AND PARALLEL WITH THE NORTH LINE OF THE SOUTH 17.00 ACRES AND 128 SQUARE RODS OF THE NORTH HALF OF THE SOUTHWEST QUARTER AFORESAID; THENCE EAST ALONG SAID PARALLEL LINE, 211.85 FEET; THENCE NORTH PARALLEL WITH THE EAST LINE OF THE SOUTHWEST QUARTER A DISTANCE OF 793.28 FEET TO THE POINT OF BEGINNING (EXCEPT THAT PART THEREOF DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF SAID SOUTHWEST QUARTER AND THENCE RUNNING ALONG THE NORTH LINE THEREOF SOUTH 87 DEGREES 33 MINUTES 48 SECONDS WEST A DEED DISTANCE OF 911.03 FEET, MORE OR LESS, TO THE POINT OF BEGINNING, THENCE CONTINUING SOUTH 87 DEGREES 33 MINUTES 48 SECONDS WEST ALONG SAID NORTH LINE, 160 FEET TO THE NORTHEAST CORNER OF A CERTAIN TRACT OF LAND CONVEYED TO HERMAN BENSON AND WIFE BY DEED RECORDED APRIL 17, 1945 IN BOOK 276 OF DEEDS, PAGE 446 IN MCHENRY COUNTY, ILLINOIS; THENCE SOUTH ALONG THE EAST LINE OF SAID TRACT SO CONVEYED AND AS INCUMENTED AND ALONG SAID EAST LINE EXTENDED, A DISTANCE OF 400 FEET; THENCE NORTH 87 DEGREES 33 MINUTES 48 SECONDS EAST ALONG A LINE PARALLEL WITH THE SAID NORTH LINE OF THE SOUTHWEST QUARTER, 164.03 FEET; THENCE NORTH 1 DEGREE 34 MINUTES 40 SECONDS WEST, A DISTANCE OF 400.03 FEET TO THE POINT OF BEGINNING), IN MCHENRY COUNTY, ILLINOIS.

PROPERTY INDEX NUMBER(S) (PIN): 14-34-326-059 & 14-34-326-060 COMMONLY KNOWN AS 4709 IL ROUTE 176



APPROVED:
DATED: 8/30/16

LEGEND

PREPARED BY:
City of Crystal Lake
Community Development
100 West Woodstock St
Crystal Lake, Illinois 60014

DRAWN BY:	DD
CHECKED BY:	AC
COMPLETION DATE:	8/22/16

City of Crystal Lake Illinois

SHEET 1 OF 1

EXHIBIT C
ANNEXATION AGREEMENT

Ord. No. .....
File No. ....

DRAFT

The City of Crystal Lake Illinois

AN ORDINANCE ANNEXING CERTAIN TERRITORY TO THE CITY OF CRYSTAL LAKE, McHENRY COUNTY, ILLINOIS

WHEREAS, a written Petition, signed by the legal owners of all land within the territory hereinafter described, has been filed with the City Clerk of the City of Crystal Lake, McHenry County, Illinois, requesting that said territory be annexed to the City of Crystal Lake; and

WHEREAS, the said territory is not within the corporate limits of any municipality but is contiguous to the City of Crystal Lake; and

WHEREAS, said territory is not part of any public library district; and

WHEREAS, legal notices regarding the intention of the City to annex said territory have been sent to all public bodies required to receive such notice by State statute; and

WHEREAS, all Petitions, documents and other necessary legal requirements are in full compliance with the requirements of the Statues of the State of Illinois, specifically 65 ILCS 5/7-1-8; and

WHEREAS, annexation of the territory by the City is also authorized under, and is in compliance with the requirements of, Section 7-1-10 of the Illinois Municipal Code, 65ILCS 5/7-1-10; and

WHEREAS, it is in the best interests of the City of Crystal Lake that said territory be annexed thereto.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE, McHENRY COUNTY, ILLINOIS, as follows:

SECTION I: The foregoing recitals are hereby incorporated into and made a part of this Ordinance as if fully set forth.

SECTION II: That the territory legally described in Exhibit "A" attached hereto and made a part hereof, be and the same is hereby annexed to the City of Crystal Lake, McHenry County, Illinois.

SECTION III: That the City Clerk of the City of Crystal Lake is hereby directed to record in the Office of the Recorder of Deeds of McHenry County, Illinois, being the County in which the aforesaid annexed territory is situated, a certified copy of this Ordinance together with an accurate map of the territory hereby annexed, said map being attached hereto and made a part hereof and labeled Exhibit "B". Additionally, the City Clerk is authorized and directed to cause a certified copy of this Ordinance, together with an accurate map to be filed in the Office of the County Clerk of McHenry County, Illinois.

SECTION IV: That this Ordinance shall be in full force and effect from and after its passage and approval.

AYES:

NAYS:

ABSENT:

PASSED this 6th day of September, 2016.

APPROVED by me this 6th day of September, 2016.

City of Crystal Lake, an
Illinois municipal corporation

_____

Aaron T. Shepley, Mayor

SEAL

ATTEST:

_____

Nick Kachiroubas, City Clerk

Passed: September 6, 2016
Approved: September 6, 2016

CERTIFICATION

I, NICK KACHIROUBAS, do hereby certify that I am the duly elected, authorized and acting City Clerk of the City of Crystal Lake, County of McHenry, and State of Illinois, and that as such City Clerk I am the keeper of the records and minutes of the proceedings of the Mayor and Councilmembers to the said City.

I do hereby certify that the following "AN ORDINANCE ANNEXING CERTAIN TERRITORY TO THE CITY OF CRYSTAL LAKE, McHENRY COUNTY, ILLINOIS" is a true and correct copy of Ordinance Number _____ duly passed and approved at a regular meeting of said Mayor and Council; held on the _____ day of _____ 20__, at which time ___ councilmembers were present and ___ councilmembers were absent.

Motion was made by Councilmember _____ and seconded by Councilmember _____ that the following Ordinance be passed and approved. Upon roll-call vote, ___ councilmembers voted AYE and _____ councilmembers voted NAY; whereupon said Ordinance was declared duly passed and was thereupon approved by the Mayor.

_____
CITY CLERK

(SEAL)

Return to:
City of Crystal Lake
100 W. Woodstock Street
Crystal Lake, IL 60014

EXHIBIT A

Parcel A: That part of the Southwest Quarter of Section 34, Township 44 North, Range 8 East of the Third Principal Meridian, described as follows: Beginning at a point on the north line of the said Southwest Quarter at a point 842.19 feet South 87 degrees 33 minutes 46 seconds west of the northeast corner of said Southwest Quarter thence South 1 degree 47 minutes 39 seconds east parallel with the east line of the said Southwest Quarter 783.28 feet to an intersection with a line which is 250 feet north from and parallel with the north line of the south 17.00 acres and 129 square rods of the north half of the Southwest Quarter aforesaid; thence East along said parallel line, 240 feet; thence north 1 degree 47 minutes 39 seconds west 783.28 feet to the north line of the Southwest Quarter; thence west along said north line of the Southwest Quarter 240.01 feet to the place of beginning, in McHenry County, Illinois (except the east 90 feet of the north 400.03 feet thereof).

That part of the Southwest Quarter of Section 34, Township 44, Range 8 East of the Third Principal Meridian, described as follows: Commencing at the northeast corner of said Southwest Quarter, and running thence west along the north line thereof, a distance of 842.19 feet to the point of beginning; thence continuing west, along said north line, 219.61 feet to the northeast corner of a certain tract of land conveyed to Herman Benson and wife deed recorded April 17, 1946 in Book 278 of Deeds, on Page 440; thence south along the east line of said tract so conveyed, and along said east line extended, a distance of 782.70 feet to an intersection with a line which is 250 feet north from and parallel with the north line of the south 17.00 acres and 129 square rods of the north half of the Southwest Quarter aforesaid; thence east along said parallel line, 211.83 feet; thence north parallel with the east line of the Southwest Quarter a distance of 783.28 feet to the point of beginning (except that part thereof described as follows: commencing at the northeast corner of said southwest quarter and thence running along the north line thereof south 87 degrees 33 minutes 46 seconds west a deed distance of 911.80 feet, more or less, to the point of beginning, thence continuing south 87 degrees 33 minutes 46 seconds west along said north line, 150 feet to the northeast corner of a certain tract of land conveyed to Herman Benson and wife by deed recorded April 17, 1946 in Book 278 of Deeds, Page 440 in McHenry County, Illinois; thence south along the east line of said tract so conveyed and as monumented and along said east line extended, a distance of 400 feet; thence north 87 degrees 33 minutes 46 seconds east along a line parallel with the said north line of the southwest quarter, 144.00 feet; thence north 1 degree 34 minutes 40 seconds west, a

distance of 400.04 feet to the point of beginning), in McHenry County, Illinois.

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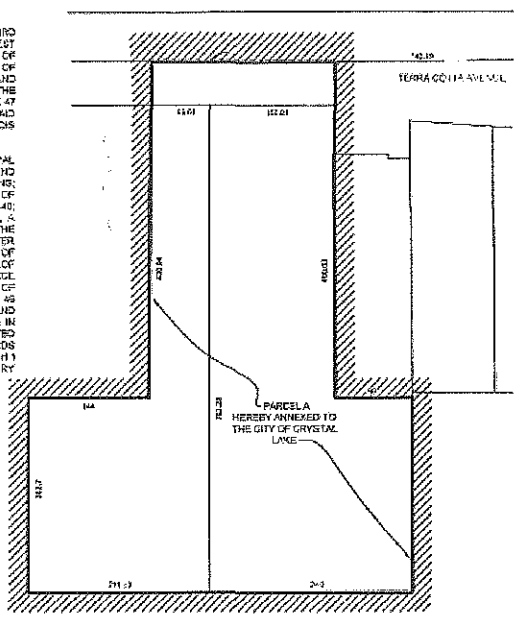
EXHIBIT B
Plat of Annexation

PLAT OF ANNEXATION

PARCEL A: THAT PART OF THE SOUTHWEST QUARTER OF SECTION 34, TOWNSHIP 44 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE NORTH LINE OF THE SAID SOUTHWEST QUARTER AT A POINT 842.19 FEET SOUTH 87 DEGREES 33 MINUTES 48 SECONDS WEST OF THE NORTHEAST CORNER OF SAID SOUTHWEST QUARTER THENCE SOUTH 1 DEGREE 47 MINUTES 39 SECONDS EAST PARALLEL WITH THE EAST LINE OF THE SAID SOUTHWEST QUARTER 783.28 FEET TO AN INTERSECTION WITH A LINE WHICH IS 250 FEET NORTH FROM AND PARALLEL WITH THE NORTH LINE OF THE SOUTH 17.00 ACRES AND 129 SQUARE RODS OF THE NORTH HALF OF THE SOUTHWEST QUARTER AFORESAID; THENCE EAST ALONG SAID PARALLEL LINE, 240 FEET; THENCE NORTH 1 DEGREE 47 MINUTES 39 SECONDS WEST 783.28 TO THE NORTH LINE OF THE SOUTHWEST QUARTER; THENCE WEST ALONG SAID NORTH LINE OF THE SOUTHWEST QUARTER 240.01 FEET TO THE PLACE OF BEGINNING, IN MCHENRY COUNTY, ILLINOIS (EXCEPT THE EAST 50 FEET OF THE NORTH 400.03 FEET THEREOF).

ALSO, THAT PART OF THE SOUTHWEST QUARTER OF SECTION 34, TOWNSHIP 44, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS, COMMENCING AT THE NORTHEAST CORNER OF SAID SOUTHWEST QUARTER, AND RUNNING THENCE WEST ALONG THE NORTH LINE THEREOF, A DISTANCE OF 842.19 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING WEST, ALONG SAID NORTH LINE, 218.81 FEET, TO THE NORTHEAST CORNER OF A CERTAIN TRACT OF LAND CONVEYED TO HERMAN BENSON AND WIFE DEED RECORDED APRIL 17, 1945 IN BOOK 278 OF DEEDS, ON PAGE 440; THENCE SOUTH ALONG THE EAST LINE OF SAID TRACT SO CONVEYED, AND ALONG SAID EAST LINE EXTENDED, A DISTANCE OF 792.70 FEET TO AN INTERSECTION WITH A LINE WHICH IS 250 FEET NORTH FROM AND PARALLEL WITH THE NORTH LINE OF THE SOUTH 17.00 ACRES AND 129 SQUARE RODS OF THE NORTH HALF OF THE SOUTHWEST QUARTER AFORESAID; THENCE EAST ALONG SAID PARALLEL LINE, 211.85 FEET; THENCE NORTH PARALLEL WITH THE EAST LINE OF THE SOUTHWEST QUARTER A DISTANCE OF 783.28 FEET TO THE POINT OF BEGINNING (EXCEPT THAT PART THEREOF DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF SAID SOUTHWEST QUARTER AND THENCE ALONG ALONG THE NORTH LINE THEREOF SOUTH 87 DEGREES 33 MINUTES 48 SECONDS WEST A DEED DISTANCE OF 811.00 FEET, MORE OR LESS, TO THE POINT OF BEGINNING, THENCE CONTINUING SOUTH 87 DEGREES 33 MINUTES 48 SECONDS WEST ALONG SAID NORTH LINE, 100 FEET TO THE NORTHEAST CORNER OF A CERTAIN TRACT OF LAND CONVEYED TO HERMAN BENSON AND WIFE BY DEED RECORDED APRIL 17, 1945 IN BOOK 278 OF DEEDS, PAGE 440 IN MCHENRY COUNTY, ILLINOIS; THENCE SOUTH ALONG THE EAST LINE OF SAID TRACT SO CONVEYED AND AS MONUMENTED AND ALONG SAID EAST LINE EXTENDED, A DISTANCE OF 420 FEET; THENCE NORTH 87 DEGREES 33 MINUTES 48 SECONDS EAST ALONG A LINE PARALLEL WITH THE SAID NORTH LINE OF THE SOUTHWEST QUARTER, 144.00 FEET; THENCE NORTH 1 DEGREE 34 MINUTES 40 SECONDS WEST, A DISTANCE OF 400.84 FEET TO THE POINT OF BEGINNING), IN MCHENRY COUNTY, ILLINOIS.

PROPERTY INDEX NUMBER(S) (PIN): 14-34-326-002 & 14-34-326-009 COMMONLY KNOWN AS 4709 IL ROUTE 176



APPROVED:
DATED: 8/22/16

LEGEND

PREPARED BY:	
City of Crystal Lake Community Development 100 West Woodstock St Crystal Lake, Illinois 60014	
DRAWN BY:	DO
CHECKED BY:	KC
COMPLETION DATE:	8/22/16

City of Crystal Lake Illinois

SHEET 1 OF 1

Ord. No. .....
File No. ....

DRAFT

The City of Crystal Lake Illinois

AN ORDINANCE ZONING CERTAIN PROPERTY "M-PUD" MANUFACTURING PLANNED UNIT DEVELOPMENT DISTRICT AND GRANTING SPECIAL USE PERMITS

WHEREAS, Charles Copley Trust and Renee Copley Trust (hereinafter, the "Owner") is the owner of property legally described in Exhibit A, attached hereto (hereinafter, the "Subject Property"); and

WHEREAS, pursuant to an application filed by the Owner, the Planning and Zoning Commission of the City of Crystal Lake, pursuant to notice duly published on July 19, 2016 in the Northwest Herald, held a public hearing at 7:30 p.m., on August 3, 2016 at City Hall at 100 W. Woodstock Street, Crystal Lake, Illinois to consider the proposed zoning of the Subject Property to "M-PUD" Manufacturing Planned Unit Development District and granting of Special Use Permits for: A. Recycling collection center, and B. Outdoor storage of materials, equipment and vehicles; and

WHEREAS, on August 3, 2016, the Planning and Zoning Commission, having fully heard and considered the testimony of all those present at the public hearing who wished to testify, made findings of fact as required by law and recommended to the Mayor and City Council of the City of Crystal Lake that the zoning of the Property be changed to "M-PUD" Manufacturing Planned Unit

Development and Special Use Permits for: A. Recycling collection center, and B. Outdoor storage of materials, equipment and vehicles all as more specifically set forth in that certain Report of the Planning and Zoning Commission in Case #2012-84, dated as of August 4, 2016; and

WHEREAS, the City Council of the City of Crystal Lake, pursuant to notice duly published on August 21, 2016 in the Northwest Herald, held a public hearing at 7:30 p.m., on September 6, 2016 at City Hall at 100 W. Woodstock Street, Crystal Lake, Illinois to consider the proposed annexation of the subject property; and

WHEREAS, said territory is the subject of a certain Annexation Agreement; and

WHEREAS, said territory has been duly annexed by ordinance to the City of Crystal Lake; and

WHEREAS, it is in the best interests of the City of Crystal Lake that Special Use Permits for: A. Recycling collection center, and B. Outdoor storage of materials, equipment and vehicles; and

WHEREAS, by the terms of said Annexation Agreement, said territory is to be zoned "M-PUD" Manufacturing Planned Unit Development zoning; and

WHEREAS, it is in the best interests of the City of Crystal Lake that the property legally described herein below be classified and zoned as indicated.

NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE, McHENRY COUNTY, ILLINOIS, as follows:

SECTION I: Recitals: The foregoing recitals are hereby incorporated by reference as though fully set forth herein.

SECTION II: That the Subject Property is hereby zoned and classified "M-PUD" Manufacturing Planned Unit Development district.

SECTION III: That Special Use Permits for: A. Recycling collection center, and B. Outdoor storage of materials, equipment and vehicles are hereby granted for the Subject Property subject to the following conditions:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
   A. Petition to Annex (Gottemoller, received 07/12/16)

2. The outdoor storage of vehicles should only be on an approved surface, the parking of vehicles on the grass is prohibited.

3. The petitioner shall comply with the requirements of the Community Development Department.

SECTION IV: That the City Clerk is hereby directed to amend the official zoning map of the City of Crystal Lake and all pertinent records of the City of Crystal Lake to show the (OTHER REQUEST – SUP, VAR – DON'T LIST SPECIFICS) and zoning classification of the above-described property in accordance with the provisions of this Ordinance, as provided by law.

SECTION V: That this Ordinance shall be in full force and effect from and after its passage, approval and publication as provide by law.

AYES:

NAYS:

ABSENT:

PASSED this 6th day of September, 2016.

APPROVED by me this 6th day of September, 2016.

City of Crystal Lake, an
Illinois municipal corporation

_____

Aaron T. Shepley, Mayor

SEAL

ATTEST:

_____

Nick Kachiroubas, City Clerk

Passed: September 6, 2016
Approved: September 6, 2016

EXHIBIT A

Parcel A: That part of the Southwest Quarter of Section 34, Township 44 North, Range 8 East of the Third Principal Meridian, described as follows: Beginning at a point on the north line of the said Southwest Quarter at a point 842.19 feet South 87 degrees 33 minutes 46 seconds west of the northeast corner of said Southwest Quarter thence South 1 degree 47 minutes 39 seconds east parallel with the east line of the said Southwest Quarter 783.28 feet to an intersection with a line which is 250 feet north from and parallel with the north line of the south 17.00 acres and 129 square rods of the north half of the Southwest Quarter aforesaid; thence East along said parallel line, 240 feet; thence north 1 degree 47 minutes 39 seconds west 783.28 feet to the north line of the Southwest Quarter; thence west along said north line of the Southwest Quarter 240.01 feet to the place of beginning, in McHenry County, Illinois (except the east 90 feet of the north 400.03 feet thereof).

That part of the Southwest Quarter of Section 34, Township 44, Range 8 East of the Third Principal Meridian, described as follows: Commencing at the northeast corner of said Southwest Quarter, and running thence west along the north line thereof, a distance of 842.19 feet to the point of beginning; thence continuing west, along said north line, 219.61 feet to the northeast corner of a certain tract of land conveyed to Herman Benson and wife deed recorded April 17, 1946 in Book 278 of Deeds, on Page 440; thence south along the east line of said tract so conveyed, and along said east line extended, a distance of 782.70 feet to an intersection with a line which is 250 feet north from and parallel with the north line of the south 17.00 acres and 129 square rods of the north half of the Southwest Quarter aforesaid; thence east along said parallel line, 211.83 feet; thence north parallel with the east line of the Southwest Quarter a distance of 783.28 feet to the point of beginning (except that part thereof described as follows: commencing at the northeast corner of said southwest quarter and thence running along the north line thereof south 87 degrees 33 minutes 46 seconds west a deed distance of 911.80 feet, more or less, to the point of beginning, thence continuing south 87 degrees 33 minutes 46 seconds west along said north line, 150 feet to the northeast corner of a certain tract of land conveyed to Herman Benson and wife by deed recorded April 17, 1946 in Book 278 of Deeds, Page 440 in McHenry County, Illinois; thence south along the east line of said tract so conveyed and as monumented and along said east line extended, a distance of 400 feet; thence north 87 degrees 33 minutes 46 seconds east along a line parallel with the said north line of the southwest quarter,

144.00 feet; thence north 1 degree 34 minutes 40 seconds west, a distance of 400.04 feet to the point of beginning), in McHenry County, Illinois.

PIN No: 14-34-326-059 & 14-34-326-060
Common Address: 4709 IL Route 176, Crystal Lake, Il 60014

Agenda Item No: 16

City Council
Agenda Supplement

Meeting Date: September 6, 2016

ANNEXATION PUBLIC HEARING

Item: ASR Properties, Inc. Annexation

Requests:
1) Rezoning upon annexation to B-2 General Commercial,
2) Special Use Permit for major auto repair, and
3) Special Use Permit for outdoor storage of materials, equipment and vehicles.

Petitioner: Vidura Randunne, ASR Properties, Inc.,
5219 E. Terra Cotta Ave

Recommendation: Motion to:
1) Adopt an ordinance authorizing execution of the annexation agreement.
2) Adopt the annexation ordinance.
3) Approve the Planning and Zoning Commission recommendations and adopt an ordinance for rezoning upon annexation to the B-2 General Commercial district and granting special use permits for major auto repair and outdoor storage of materials, equipment and vehicles for the property located at 5219 E. Terra Cotta Avenue.

Staff Contact: Michelle Rentzsch, Community Development Director

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Background:

Existing Use: The property is currently occupied by multiple tenants, including a furniture store, an auto repair shop and outdoor storage.

History: This property is a county island, surrounded by the City. City staff contacted the property owner and encouraged them to file an application for annexation.

Key Factors:

- The petitioner is requesting to zone the property to B-2 General Commercial and special use permits to allow major auto repair and outdoor storage of materials, equipment and vehicles.
- The two existing freestanding signs would be allowed to remain and would be considered non-conforming structures.

PZC Highlights:

- The petitioner asked about the second condition and agreed with the PZC to work with staff to comply with the condition.
- The PZC stated the Findings of Fact have been met.

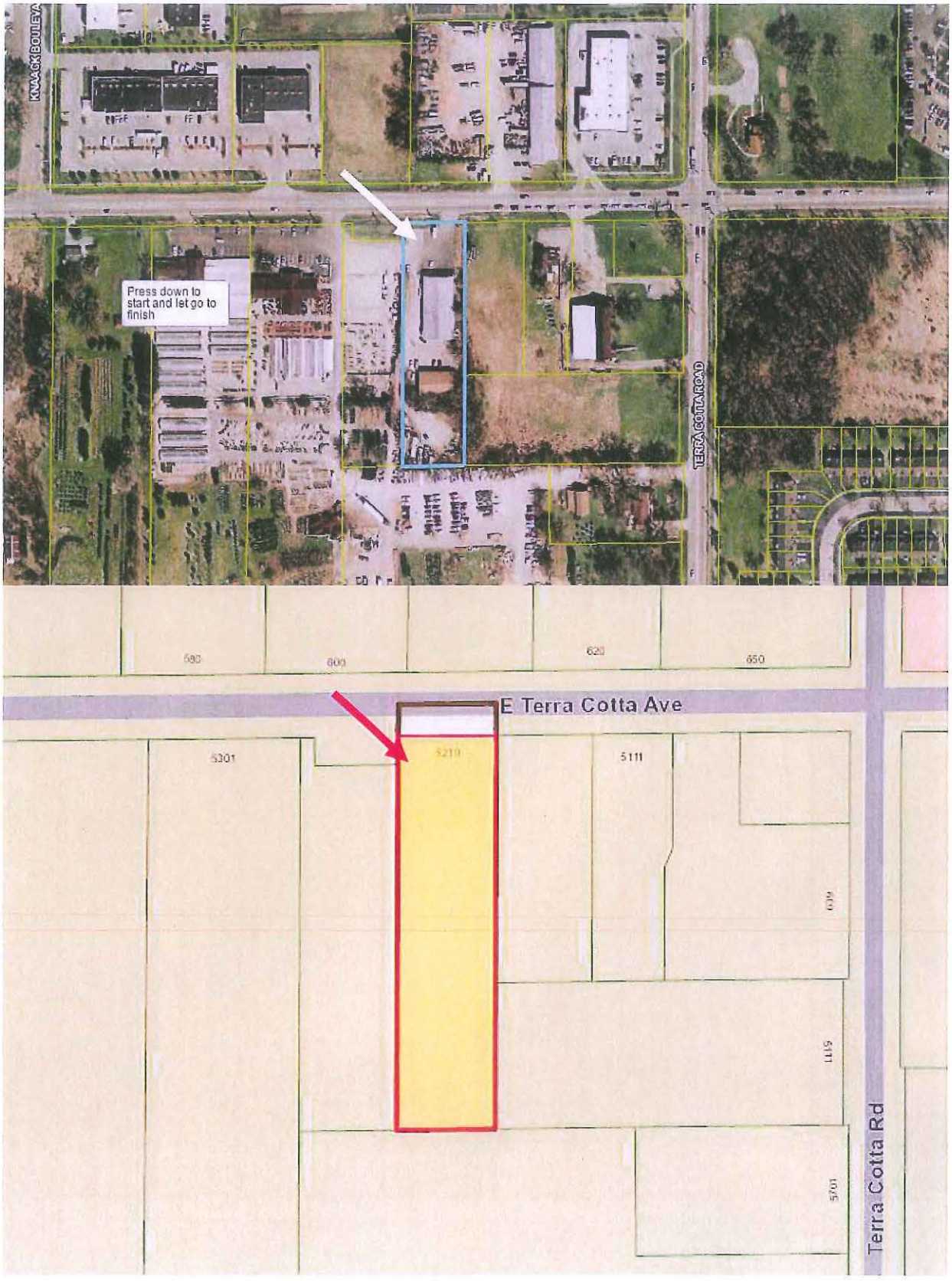
The Planning and Zoning Commission recommended **approval (6-0)** of the petitioner's request with the following conditions of approval:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
   A. Petition to Annex (Randunne, received 07/11/16)
2. The outdoor storage should only be on an approved surface, the parking of vehicles on the grass is prohibited.
3. The petitioner shall comply with the requirements of the Community Development Department.

The draft annexation agreement is attached. The petitioner requests that the existing conditions be accepted for the term of the agreement. The petitioner is requesting a twenty (20) year annexation agreement term. This document has been reviewed by an attorney and staff and is an acceptable format.

Votes Required to Pass: A super majority vote (5 votes) is required to approve the annexation agreement.

ASR Properties, INC. - 5219 E. Terra Cotta Ave PIQ



Ord. No. .....
File No. ....

DRAFT

The City of Crystal Lake Illinois

AN ORDINANCE AUTHORIZING THE EXECUTION OF AN ANNEXATION AGREEMENT

WHEREAS, ASR Properties, Inc. (hereinafter, "the Owner") is the record title owner of a certain tract of land located in Nunda Township in unincorporated McHenry County, Illinois, and legally described in Exhibit A attached hereto and by this reference incorporated herein and made a part hereof (the "Subject Property"); and

WHEREAS, there are no electors residing on the subject property; and

WHEREAS, the Subject Property consists of approximately 1.52 acres and is depicted on the plat of annexation attached as Exhibit B attached hereto (the "Plat of Annexation"); and

WHEREAS, the Subject Property is contiguous to the corporate limits of the City and is not within the corporate limits of any municipality; and

WHEREAS, the Owner desires and proposes to have the Subject Property annexed to the City of Crystal Lake pursuant to and in accordance with the provisions of Section 7-1-8 of the Illinois Municipal Code (the "Annexation"); and

WHEREAS, prior to approval of the Annexation, the City and the Owner desire to establish by agreement terms for the Annexation of the Subject Property; and

WHEREAS, pursuant to the provisions of Section 11-15.1-1 *et seq.* of the Illinois Municipal Code, a proposed annexation agreement, in substance and form substantially the same as the agreement attached hereto as Exhibit C, was submitted to the Corporate Authorities of the City of Crystal Lake and, pursuant to notice published in the Northwest Herald on August 21, 2016, as provided by statute, a public hearing was held thereon by the Corporate Authorities commencing on September 6, 2016.

WHEREAS, the Mayor and City Council of the City of Crystal Lake have found and determined that it is in the best interests of the City that an annexation agreement with the Owner be approved and the execution and attestation of such agreement be authorized;

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE, MCHENRY ILLINOIS, AS FOLLOWS:

SECTION I: The foregoing recitals are incorporated as though fully set forth herein.

SECTION II: That the Mayor be and he is hereby authorized and directed to execute, and the City Clerk is directed to attest, the Annexation Agreement, a copy of which is attached hereto and made a part hereof as Exhibit C

SECTION III: That this Ordinance shall be in full force and effect from and after its passage, approval and publication as provide by law.

AYES:

NAYS:

ABSENT:

PASSED this 6th day of September, 2016.

APPROVED by me this 6th day of September, 2016.

City of Crystal Lake, an
Illinois municipal corporation

_____

Aaron T. Shepley, Mayor

SEAL

ATTEST:

_____

Nick Kachiroubas, City Clerk

Passed: September 6, 2016
Approved: September 6, 2016

EHIBIT A
LEGAL DESCRIPTION OF SUBJECT PROPERTY

The East half of that part of the following described property: That part of the Northeast Quarter of the Southeast Quarter of Section 33, Township 44 North, Range 8 East of the Third Principal Meridian, described as follows: Commencing at the Northeast corner of the Southeast Quarter of said Section 33 and thence running West along the North line of the Southeast Quarter, 730 feet to the place of beginning; thence South parallel with the East line of said Southeast Quarter, 531.0 feet; thence East parallel with the North line of the Southeast Quarter, 250.0 feet; thence North parallel with the East line of said Southeast Quarter, 531.0 feet to a point on the North line of said Southeast Quarter, thence West 250 feet along the North line of said Southeast Quarter to the place of beginning, in McHenry County, Illinois.

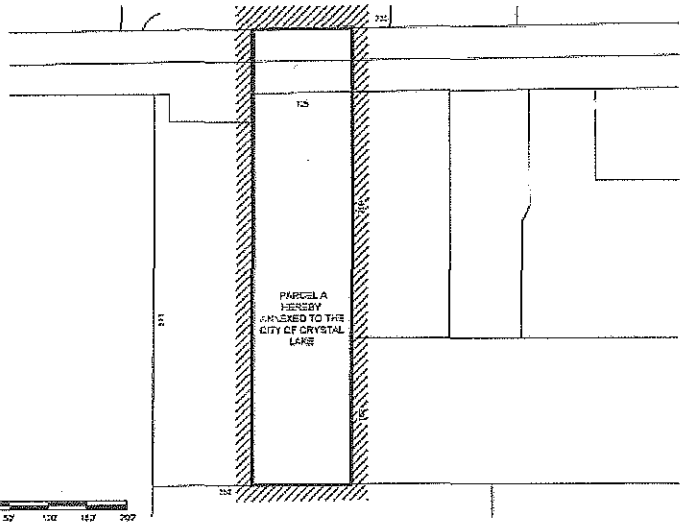
PIN No: 14-33-426-018
Common Address: 5219 E. Terra Cotta Ave, Crystal Lake, Il 60014

EXHIBIT B
PLAT OF ANNEXATION

PLAT OF ANNEXATION

PARCEL A: THE EAST HALF OF THAT PART OF THE FOLLOWING DESCRIBED PROPERTY: THAT PART OF THE NORTH-EAST QUARTER OF THE SOUTH-EAST QUARTER AND THAT PART OF THE NORTHEAST QUARTER OF SECTION 33, TOWNSHIP 44 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING 467 NORTH OF THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 33 AND THENCE RUNNING WEST ALONG THE NORTH LINE OF TERRA COTTA AVENUE, 730 FEET TO THE PLACE OF BEGINNING; THENCE SOUTH PARALLEL WITH THE EAST LINE OF SAID SOUTHEAST QUARTER, 577.0 FEET; THENCE EAST PARALLEL WITH THE NORTH LINE OF THE SOUTHEAST QUARTER, 208.0 FEET; THENCE NORTH PARALLEL WITH THE EAST LINE OF SAID SOUTHEAST QUARTER, 571.0 FEET TO A POINT ON THE NORTH LINE OF TERRA COTTA AVENUE, THENCE WEST 250 FEET ALONG THE NORTH LINE OF SAID TERRA COTTA AVENUE, BEING PARALLEL WITH THE NORTHLINE OF THE SOUTHEAST QUARTER, TO THE PLACE OF BEGINNING, IN MCHENRY COUNTY, ILLINOIS.

PROPERTY INDEX NUMBER(S) (PIN) : 14-33-426-018 COMMONLY KNOWN AS 5218 S. TERRA COTTA AVENUE



APPROVED:

DATED:

PREPARED BY:	City of Crystal Lake
	Community Development
	100 W. Historic Dist. St.
	Crystal Lake, IL (815) 459-2020
DRAWN BY:	CD
CHECKED BY:	AC
COMPLETION DATE:	9/22/16

City of Crystal Lake

SHEET 1 OF 1

EXHIBIT C
ANNEXATION AGREEMENT

Ord. No. .....
File No. ....

DRAFT

The City of Crystal Lake Illinois

AN ORDINANCE ANNEXING CERTAIN TERRITORY TO THE CITY OF CRYSTAL LAKE, McHENRY COUNTY, ILLINOIS

WHEREAS, a written Petition, signed by the legal owners of all land within the territory hereinafter described, has been filed with the City Clerk of the City of Crystal Lake, McHenry County, Illinois, requesting that said territory be annexed to the City of Crystal Lake; and

WHEREAS, the said territory is not within the corporate limits of any municipality but is contiguous to the City of Crystal Lake; and

WHEREAS, said territory is not part of any public library district; and

WHEREAS, legal notices regarding the intention of the City to annex said territory have been sent to all public bodies required to receive such notice by State statute; and

WHEREAS, all Petitions, documents and other necessary legal requirements are in full compliance with the requirements of the Statues of the State of Illinois, specifically 65 ILCS 5/7-1-8; and

WHEREAS, annexation of the territory by the City is also authorized under, and is in compliance with the requirements of, Section 7-1-10 of the Illinois Municipal Code, 65ILCS 5/7-1-10; and

WHEREAS, it is in the best interests of the City of Crystal Lake that said territory be annexed thereto.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE, McHENRY COUNTY, ILLINOIS, as follows:

SECTION I: The foregoing recitals are hereby incorporated into and made a part of this Ordinance as if fully set forth.

SECTION II: That the territory legally described in Exhibit "A" attached hereto and made a part hereof, be and the same is hereby annexed to the City of Crystal Lake, McHenry County, Illinois.

SECTION III: That the City Clerk of the City of Crystal Lake is hereby directed to record in the Office of the Recorder of Deeds of McHenry County, Illinois, being the County in which the aforesaid annexed territory is situated, a certified copy of this Ordinance together with an accurate map of the territory hereby annexed, said map being attached hereto and made a part hereof and labeled Exhibit "B". Additionally, the City Clerk is authorized and directed to cause a certified copy of this Ordinance, together with an accurate map to be filed in the Office of the County Clerk of McHenry County, Illinois.

SECTION IV: That this Ordinance shall be in full force and effect from and after its passage and approval.

AYES:

NAYS:

ABSENT:

PASSED this 6th day of September, 2016.

APPROVED by me this 6th day of September, 2016.

City of Crystal Lake, an
Illinois municipal corporation

_____

Aaron T. Shepley, Mayor

SEAL

ATTEST:

_____

Nick Kachiroubas, City Clerk

Passed: September 6, 2016
Approved: September 6, 2016

CERTIFICATION

I, NICK KACHIROUBAS, do hereby certify that I am the duly elected, authorized and acting City Clerk of the City of Crystal Lake, County of McHenry, and State of Illinois, and that as such City Clerk I am the keeper of the records and minutes of the proceedings of the Mayor and Councilmembers to the said City.

I do hereby certify that the following "AN ORDINANCE ANNEXING CERTAIN TERRITORY TO THE CITY OF CRYSTAL LAKE, McHENRY COUNTY, ILLINOIS" is a true and correct copy of Ordinance Number _____ duly passed and approved at a regular meeting of said Mayor and Council; held on the _____ day of _____ 20__, at which time ___ councilmembers were present and ___ councilmembers were absent.

Motion was made by Councilmember _____ and seconded by Councilmember _____ that the following Ordinance be passed and approved. Upon roll-call vote, ___ councilmembers voted AYE and _____ councilmembers voted NAY; whereupon said Ordinance was declared duly passed and was thereupon approved by the Mayor.

_____
CITY CLERK

(SEAL)

Return to:
City of Crystal Lake
100 W. Woodstock Street
Crystal Lake, IL 60014

Exhibit A
Legal Description

The East half of that part of the following described property: That part of the Northeast Quarter of the Southeast Quarter of Section 33, Township 44 North, Range 8 East of the Third Principal Meridian, described as follows: Commencing at the Northeast corner of the Southeast Quarter of said Section 33 and thence running West along the North line of the Southeast Quarter, 730 feet to the place of beginning; thence South parallel with the East line of said Southeast Quarter, 531.0 feet; thence East parallel with the North line of the Southeast Quarter, 250.0 feet; thence North parallel with the East line of said Southeast Quarter, 531.0 feet to a point on the North line of said Southeast Quarter, thence West 250 feet along the North line of said Southeast Quarter to the place of beginning, in McHenry County, Illinois.

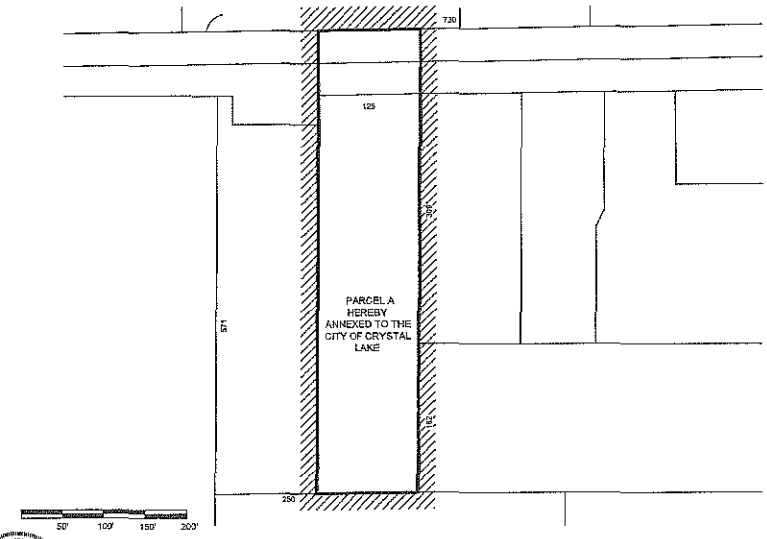
PIN No: 14-33-426-018
Common Address: 5219 E. Terra Cotta Ave, Crystal Lake, Il 60014

Exhibit B
Plat of Annexation

PLAT OF ANNEXATION

PARCEL A: THE EAST HALF OF THAT PART OF THE FOLLOWING DESCRIBED PROPERTY: THAT PART OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER AND THAT PART OF THE NORTHEAST QUARTER OF SECTION 33, TOWNSHIP 44 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING 40FT NORTH OF THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 33 AND THENCE RUNNING WEST ALONG THE NORTH LINE OF TERRA COTTA AVENUE, 730 FEET TO THE PLACE OF BEGINNING; THENCE SOUTH PARALLEL WITH THE EAST LINE OF SAID SOUTHEAST QUARTER, 577.0 FEET; THENCE EAST PARALLEL WITH THE NORTH LINE OF THE SOUTHEAST QUARTER, 250.0 FEET; THENCE NORTH PARALLEL WITH THE EAST LINE OF SAID SOUTHEAST QUARTER, 571.0 FEET TO A POINT ON THE NORTH LINE OF TERRA COTTA AVENUE, THENCE WEST 250 FEET ALONG THE NORTH LINE OF SAID TERRA COTTA AVENUE, BRING PARALLEL WITH THE NORTHLINE OF THE SOUTHEAST QUARTER, TO THE PLACE OF BEGINNING, IN MCHENRY COUNTY, ILLINOIS.

PROPERTY INDEX NUMBER(S) (PIN) : 14-33-426-018 COMMONLY KNOWN AS 5219 E TERRA COTTA AVENUE



APPROVED:

REGISTERED PROFESSIONAL ENGINEER

DATED: 8/29/16

ABIGAIL LYNN WILBREDEN 062.063515 STATE OF ILLINOIS

LEGEND

- BOUNDARY LINE (HEAVY SOLID LINE)
- PARCEL LINE (SOLID LINE)
- EXISTING CITY OF CRYSTAL LAKE CORPORATE LIMITS (SOLID LINE)

PREPARED BY:	City of Crystal Lake Community Development 100 West Woodstock St. Crystal Lake, Illinois 60014
DRAWN BY:	DD
CHECKED BY:	KG
COMPLETION DATE:	8/22/16

City of Crystal Lake Illinois

SHEET 1 OF 1

Ord. No. .....
File No. ....

DRAFT

The City of Crystal Lake Illinois

AN ORDINANCE ZONING CERTAIN PROPERTY "B-2" GENERAL COMMERCIAL DISTRICT AND GRANTING SPECIAL USE PERMITS

WHEREAS, ASR Properties, Inc. (hereinafter, the "Owner") is the owner of property legally described in Exhibit A, attached hereto (hereinafter, the "Subject Property"); and

WHEREAS, pursuant to an application filed by the Owner, the Planning and Zoning Commission of the City of Crystal Lake, pursuant to notice duly published on August 2, 2016 in the Northwest Herald, held a public hearing at 7:30 p.m., on August 17, 2016 at City Hall at 100 W. Woodstock Street, Crystal Lake, Illinois to consider the proposed zoning of the Subject Property to "B-2" General Commercial District and granting of Special Use Permits for: A Major auto repair; and B. Outdoor storage of materials, equipment and vehicles; and

WHEREAS, on August 17, 2016, the Planning and Zoning Commission, having fully heard and considered the testimony of all those present at the public hearing who wished to testify, made findings of fact as required by law and recommended to the Mayor and City Council of the City of Crystal Lake that the zoning of the Property be changed to "B-2" General Commercial District and granting of Special Use Permits for: A Major auto repair; and B. Outdoor storage of materials,

equipment and vehicles all as more specifically set forth in that certain Report of the Planning and Zoning Commission in Case #2016-35, dated as of August 18, 2016; and

WHEREAS, the City Council of the City of Crystal Lake, pursuant to notice duly published on August 21, 2016 in the Northwest Herald, held a public hearing at 7:30 p.m., on September 6, 2016 at City Hall at 100 W. Woodstock Street, Crystal Lake, Illinois to consider the proposed annexation of the subject property; and

WHEREAS, said territory is the subject of a certain Annexation Agreement; and

WHEREAS, said territory has been duly annexed by ordinance to the City of Crystal Lake; and

WHEREAS, it is in the best interests of the City of Crystal Lake that Special Use Permits; and

WHEREAS, by the terms of said Annexation Agreement, said territory is to be zoned "B-2" General Commercial zoning; and

WHEREAS, it is in the best interests of the City of Crystal Lake that the property legally described herein below be classified and zoned as indicated.

NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE, McHENRY COUNTY, ILLINOIS, as follows:

SECTION I: Recitals: The foregoing recitals are hereby incorporated by reference as though fully set forth herein.

SECTION II: That the Subject Property is hereby zoned and classified "B-2" General Commercial district.

SECTION III: That Special Use Permits are hereby granted for the Subject Property for outdoor storage of material and equipment subject to the following conditions:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
   A. Petition to Annex (Randunne, received 07/11/16)

2. The outdoor storage should only be on an approved surface, the parking of vehicles on the grass is prohibited.

3. The petitioner shall comply with the requirements of the Community Development Department.

SECTION IV: That the City Clerk is hereby directed to amend the official zoning map of the City of Crystal Lake and all pertinent records of the City of Crystal Lake to show the Special Use Permits and zoning classification of the above-described property in accordance with the provisions of this Ordinance, as provided by law.

SECTION V: That this Ordinance shall be in full force and effect from and after its passage, approval and publication as provide by law.

AYES:

NAYS:

ABSENT:

PASSED this 6th day of September, 2016.

APPROVED by me this 6th day of September, 2016.

City of Crystal Lake, an
Illinois municipal corporation

_____

Aaron T. Shepley, Mayor

SEAL

ATTEST:

_____

Nick Kachiroubas, City Clerk

Passed: September 6, 2016
Approved: September 6, 2016

EXHIBIT A

The East half of that part of the following described property: That part of the Northeast Quarter of the Southeast Quarter of Section 33, Township 44 North, Range 8 East of the Third Principal Meridian, described as follows: Commencing at the Northeast corner of the Southeast Quarter of said Section 33 and thence running West along the North line of the Southeast Quarter, 730 feet to the place of beginning; thence South parallel with the East line of said Southeast Quarter, 531.0 feet; thence East parallel with the North line of the Southeast Quarter, 250.0 feet; thence North parallel with the East line of said Southeast Quarter, 531.0 feet to a point on the North line of said Southeast Quarter, thence West 250 feet along the North line of said Southeast Quarter to the place of beginning, in McHenry County, Illinois.

PIN No: 14-33-426-018
Common Address: 5219 E. Terra Cotta Ave, Crystal Lake, Il 60014

Agenda Item No: 17

City Council
Agenda Supplement

Meeting Date: September 6, 2016

Item: Annexation of Surrounded Properties

Recommendation: 1) Motion to adopt an annexation ordinance for the Overly property, a vacant parcel at 390 E. Terra Cotta Avenue, as legally described in the annexation ordinance;
2) Motion to adopt an annexation ordinance for the Harms property, a vacant parcel at 845 E. Terra Cotta Avenue, as legally described in the annexation ordinance; and

Staff Contact: Michelle Rentzsch, Director of Community Development

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Background: As part of the Centennial Strategic Plan, the City Council identified a key strategy in development and reinvestment in the community by exploring annexation opportunities.

> *Pursue annexation of strategic properties in order to provide better realignment of corporate boundaries.*

Key Factors:

- These properties are completely surrounded by the City and could be involuntarily annexed.
- The City has been able to work with a number of property owners over the past years to get them to successfully annex with a voluntary petition. Because the City asked them, these following properties have voluntarily annexed to the City: Gary Reece (Heartland Cabinets), Smith Cartage, Blomsness Thebault, Athans Company, Parrish, U-Haul and Querhammer Funeral Home. A few others (Whiskey Business and the neighboring strip center, Hughes Signs, Geske & Sons, Copley Roofing, and ASR – a strip center next to Countryside) are also on the agenda for voluntary annexation.
- In July of 2016, the final letters (attached) were sent to the remaining 15 properties that have not voluntarily annexed to the City. These properties are completely surrounded by the City and have been asked repeatedly since 2012 to annex.

Benefits to annexing these completely surrounded parcels:

- These annexations would secure the sales tax from these properties as they develop in the future;
- These annexations would ensure that no additional billboards, cell towers, or other potential undesirable land uses are established on this lot which is internal to our community; and
- These annexations would ensure parity for those property owners that voluntarily annexed when the City asked that of them.

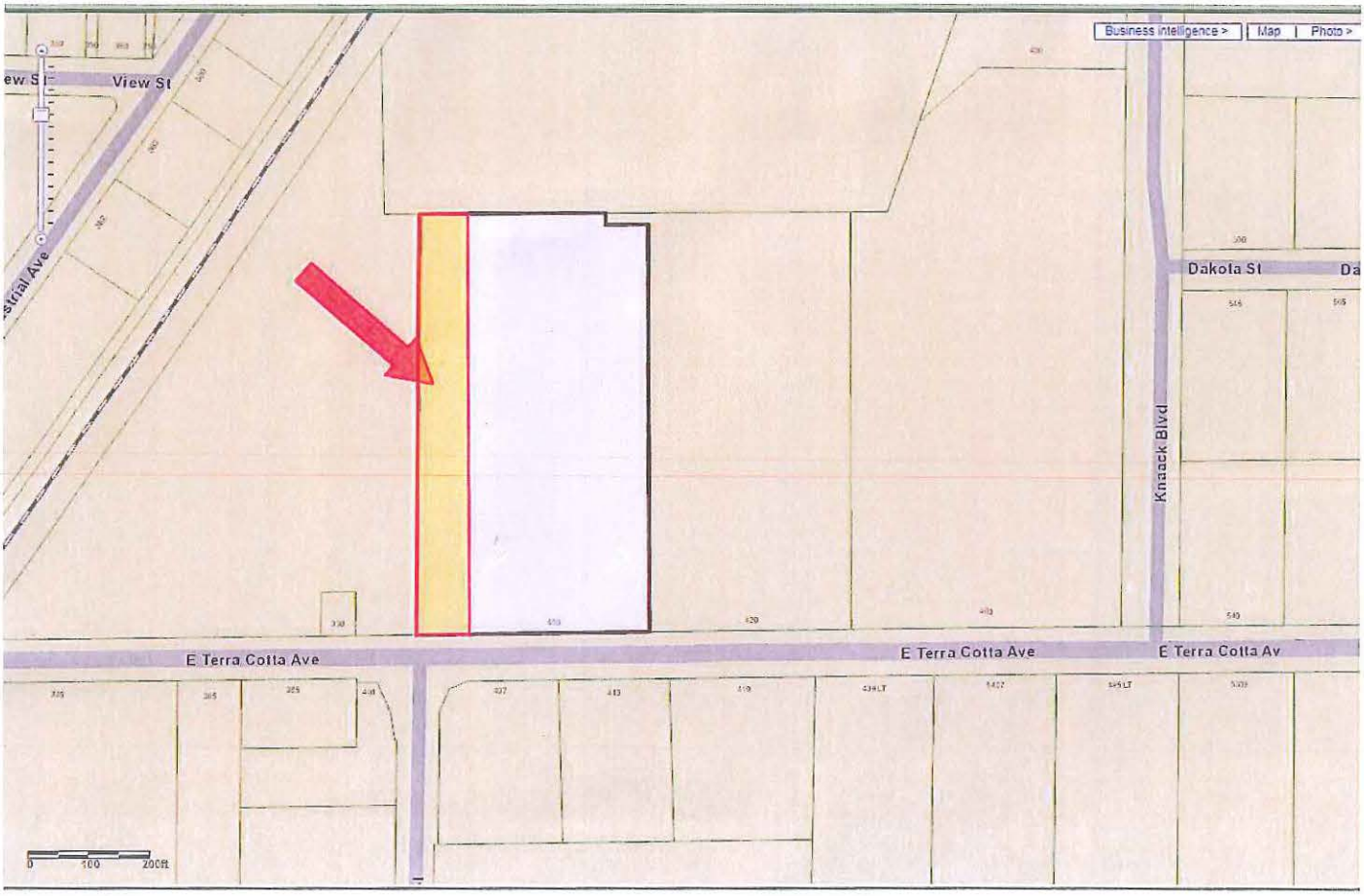
Overly is a 1.45 acre parcel located at 390 E. Terra Cotta Avenue and is a vacant lot that is located west of the Geske property and east of the City's lift station along Route 176. Not more than 50% of the property owners have signed the petition to annex, which does not satisfy the statutory requirement. Mr. Overly is a one-quarter owner of this property and has not forwarded along the City's letters until this most recent legal notice was delivered. The other two owners are not in the area and did not sign the petition for voluntary annexation. The property owners are looking to sell the property and the new owner could rezone to the appropriate zoning district once a use is decided for the site.

Gail Harms is a .6-acre parcel located at 845 E. Terra Cotta Avenue and is a vacant heavily treed lot located west of Burger King and east of the Copley property. Back in 2014, Mrs. Harms called in response to a letter and that time she responded that she had no interest in annexation. Since then, there has been no further response to the City's letters.

Votes Required to Pass: Simple majority vote (4 votes) necessary to adopt an annexation ordinance pursuant to 65 ILCS 5/7-1-13.

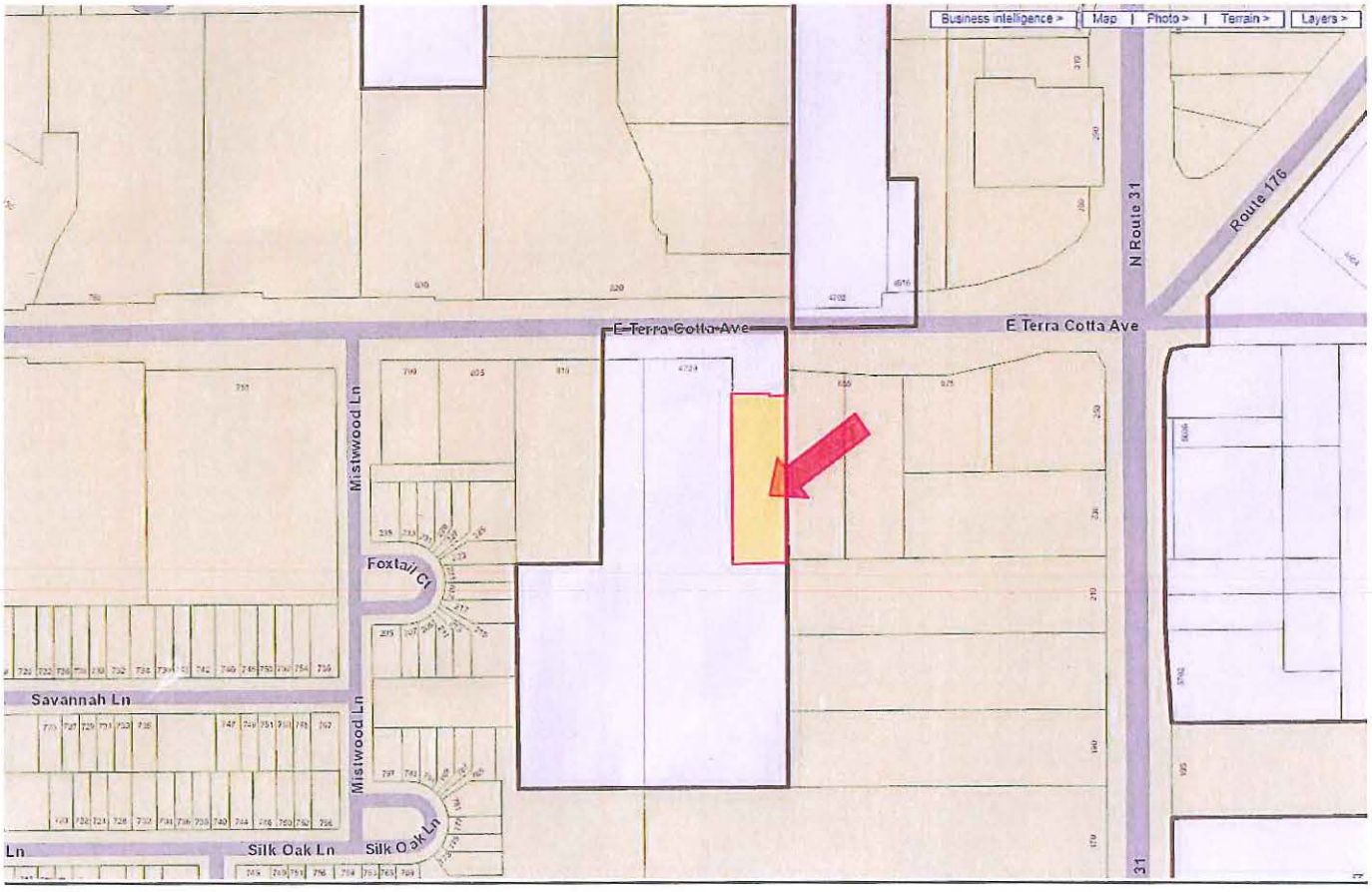
OVERLY – PIQ


PARK BOULEVARD
E TERRA COTTA AVENUE
KNAACK BOULEVARD
Press down to start and let go to finish


Business Intelligence >
Map
Photo >
View St
Dakota St
Knaack Blvd
E Terra Cotta Ave
E Terra Cotta Ave
E Terra Cotta Av

HARMS – PIQ




Business intelligence >
Map
Photo >
Terrain >
Layers >
E Terra Cotta Ave
E Terra Cotta Ave
N Route 31
Route 176
Mistwood Ln
Foxtail Ct
Savannah Ln
Mistwood Ln
Silk Oak Ln
Silk Oak Ln
31

Ord. No. .....
File No. ....

DRAFT

The City of Crystal Lake Illinois

AN ORDINANCE ANNEXING CERTAIN TERRITORY TO THE CITY OF CRYSTAL LAKE, McHENRY COUNTY, ILLINOIS

WHEREAS, there exists certain unincorporated territory that is legally described in Exhibit A and depicted in Exhibit B attached hereto and made a part hereof (the "***Territory***"), which Territory is not more than 60 acres and is wholly surrounded by the corporate limits of the City of Crystal Lake (the "***City***"); and

WHEREAS, the Territory is currently located within the Crystal Lake Rural Fire Protection District, and the City provides fire and library services within its corporate limits; and

WHEREAS, the Territory is also located within Nunda Township, and the County of McHenry; and

WHEREAS, the Mayor and City Council of the City have determined that the Territory qualifies for annexation pursuant to 65 ILCS 5/7-1-13, and have therefore caused a notice that the City is contemplating annexation of the Territory pursuant to 65ILCS 5/7-1-13 (the "*Notice*," a copy of which is attached hereto as Exhibit C) to be delivered via certified mail to the owners of record or properties located within the Territory at least 15 days prior to the passage of this Ordinance; and

WHEREAS, the Mayor and City Council of the City have also caused such Notice to be published in the *Northwest Herald*, a newspaper of general circulation within the Territory, not less than ten (10) days prior to the passage of this Ordinance; and

WHEREAS, in accordance with Division 7-1 of the Illinois Municipal Code, 65 ILCS 5/7-1-1 *et seq.*, the Mayor and City Council of the City of Crystal Lake have also caused the Notice to be sent by certified mail, not less than ten (10) days prior to the passage of this Ordinance, to: the Nunda Township Supervisor; Nunda Township Road Commissioner; the Trustees of Nunda Township; the Trustees of the Crystal Lake Rural Fire Protection District, the County Board of the County of McHenry [in care of the County Board Chair, and County Clerk]; and

WHEREAS, an Affidavit that service via certified mail of said Notice as hereinabove described is attached hereto as Exhibit D and made a part hereof; and

WHEREAS, the Mayor and City Council of the City have determined that it is in the best interests of the City and its residents that said Territory be annexed thereto.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE, COUNTY OF MCHENRY, STATE OF ILLINOIS, AS FOLLOWS:

SECTION I: That the Territory legally described in Exhibit A to this Ordinance be and the same is hereby annexed to the City of Crystal Lake, McHenry County, Illinois.

SECTION II: That the City Clerk of the City is hereby authorized and directed to record in the Office of the Recorder of Deeds of McHenry County, Illinois, a certified copy of this Ordinance (including all exhibits attached hereto).

SECTION III: That this Ordinance shall be in full force and effect from the after its passage and approval, and when a certified copy thereof, together with Exhibits A-D are recorded in the Office of the Recorder of Deeds of McHenry County, Illinois, and filed in the Office of the County Clerk of McHenry County, Illinois; and thereupon said Territory shall be subject to the jurisdiction of the City of Crystal Lake.

AYES:

NAYS:

ABSENT:

PASSED this 6th day of September, 2016.

APPROVED by me this 6th day of September, 2016.

City of Crystal Lake, an
Illinois municipal corporation

_____
Aaron T. Shepley, Mayor

SEAL

ATTEST:

_____
Nick Kachiroubas, City Clerk

Passed: September 6, 2016
Approved: September 6, 2016

Ord. No. .....
File No. ....

DRAFT

The City of Crystal Lake Illinois

AN ORDINANCE ANNEXING CERTAIN TERRITORY TO THE CITY OF CRYSTAL LAKE, McHENRY COUNTY, ILLINOIS

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WHEREAS, the Territory is currently located within the Crystal Lake Rural Fire Protection District, and the City provides fire and library services within its corporate limits; and

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WHEREAS, the Mayor and City Council of the City have determined that the Territory qualifies for annexation pursuant to 65 ILCS 5/7-1-13, and have therefore caused a notice that the City is contemplating annexation of the Territory pursuant to 65ILCS 5/7-1-13 (the "*Notice*," a copy of which is attached hereto as Exhibit C) to be delivered via certified mail to the owners of record or properties located within the Territory at least 15 days prior to the passage of this Ordinance; and

WHEREAS, the Mayor and City Council of the City have also caused such Notice to be published in the *Northwest Herald*, a newspaper of general circulation within the Territory, not less than ten (10) days prior to the passage of this Ordinance; and

WHEREAS, in accordance with Division 7-1 of the Illinois Municipal Code, 65 ILCS 5/7-1-1 *et seq.*, the Mayor and City Council of the City of Crystal Lake have also caused the Notice to be sent by certified mail, not less than ten (10) days prior to the passage of this Ordinance, to: the Nunda Township Supervisor; Nunda Township Road Commissioner; the Trustees of Nunda Township; the Trustees of the Crystal Lake Rural Fire Protection District, the County Board of the County of McHenry [in care of the County Board Chair, and County Clerk]; and

WHEREAS, an Affidavit that service via certified mail of said Notice as hereinabove described is attached hereto as Exhibit D and made a part hereof; and

WHEREAS, the Mayor and City Council of the City have determined that it is in the best interests of the City and its residents that said Territory be annexed thereto.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE, COUNTY OF MCHENRY, STATE OF ILLINOIS, AS FOLLOWS:

SECTION I: That the Territory legally described in Exhibit A to this Ordinance be and the same is hereby annexed to the City of Crystal Lake, McHenry County, Illinois.

SECTION II: That the City Clerk of the City is hereby authorized and directed to record in the Office of the Recorder of Deeds of McHenry County, Illinois, a certified copy of this Ordinance (including all exhibits attached hereto).

SECTION III: That this Ordinance shall be in full force and effect from the after its passage and approval, and when a certified copy thereof, together with Exhibits A-D are recorded in the Office of the Recorder of Deeds of McHenry County, Illinois, and filed in the Office of the County Clerk of McHenry County, Illinois; and thereupon said Territory shall be subject to the jurisdiction of the City of Crystal Lake.

AYES:

NAYS:

ABSENT:

PASSED this 6th day of September, 2016.

APPROVED by me this 6th day of September, 2016.

City of Crystal Lake, an
Illinois municipal corporation

_____

Aaron T. Shepley, Mayor

SEAL

ATTEST:

_____

Nick Kachiroubas, City Clerk

Passed: September 6, 2016
Approved: September 6, 2016

Agenda Item No: 18

City Council
Agenda Supplement

Meeting Date: September 6, 2016

Item: Intergovernmental Agreement between the City of Crystal Lake and the Board of Education of Prairie Grove Consolidated School District Number 46 on the Indemnification of the Use of School Impact Fees.

Recommendation: Motion to adopt a resolution authorizing the City Manager to execute an intergovernmental agreement between the City of Crystal Lake and the Board of Education of Prairie Grove Consolidated School District Number 46 for the indemnification of the use of school impact fees.

Staff Contact: Michelle Rentzsch, Director of Community Development

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Background:
As defined in the Unified Development Ordinance, the City collects school impact fees from residential developers in Crystal Lake. The derivation of the fee is outlined in the UDO and the fee is collected when building permits are issued. The ordinance also specifies how the impact fees can be used. When the City collects these impact fees, the City distributes all funds collected to the school districts.

Over the past few years, Illinois municipalities have been sued for the improper use of impact fee revenues by school districts. This agreement will protect the City by indemnifying the City in the event of any such litigation. Further changes are being reviewed regarding the amount of impact fee collected. The amount of impact fee collected is based on many variables and as those variables change, the amount of impact fee must be adjusted. Suggested changes to the school impact fee will be presented to the City Council in the near future.

There are certain areas of incorporated Crystal Lake that lie within the boundary of Prairie Grove District 46. The agreement was authored by special counsel for the City, Vic Filippini, and was approved by School District 46's Board of Education on September 9, 2016. The City Council has previously approved the same agreement between the City and Districts 47 and 155. The City is currently working with Woodstock School District 200 to finalize their indemnity agreement.

Votes Required to Pass:
A simple majority vote.

DRAFT

The City of Crystal Lake Illinois

RESOLUTION

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE that the City Manager be authorized to execute an intergovernmental agreement between the City of Crystal Lake and the Board of Education of Prairie Grove Consolidated School District Number 46 for the indemnification of the use of school impact fees.

DATED at Crystal Lake, Illinois, this 6th day of September, 2016.

CITY OF CRYSTAL LAKE, an Illinois Municipal Corporation

BY: _____
MAYOR

SEAL

ATTEST:

_____
CITY CLERK

PASSED: September 6, 2016

APPROVED: September 6, 2016

Agenda Item No: 19

City Council
Agenda Supplement

Meeting Date: September 6, 2016

Item: City Code Amendments for Special Events and Food Trucks

Recommendation: Motion to adopt an ordinance amending various sections of the City Code.

Staff Contact: Michelle Rentzsch, Director of Community Development

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Background:

Special Events Code Amendment

Currently, there are separate chapters in the City Code that govern carnivals, circuses, festivals, and parades and open air meetings. Additionally, the temporary use permit section of the Unified Development Ordinance governs some special event types. Also, there is some ambiguity about how to review and approve certain types of special events, such as run/walk events versus other types of special events. These separate processes and Code sections can lead to confusion among the public when applying for event approvals and difficulty for staff in tracking the reviews and approvals for events. For example, it is not always clear when an event needs City Council approval or how it should be classified.

In surveying other communities in the area for ideas on how to unify the review and approval process for special events, the best concepts from those ordinances were used to draft this proposed chapter of the City Code called Special Events. This chapter would replace all of the other chapters listed above and create a single code section for these approvals.

The proposed Code creates a Special Event Permit that will be coordinated by the Community Development Department. The code creates two categories for special events: Major and Minor.

A Major Special Event is one that meets one or more of the following criteria:

1) Closes roads, streets, or City blocks
2) Requires demarcation of temporary no parking – tow zones
3) Requires the issuance of multiple permits or licenses

4) Requires City services, such as Police crowd control, the presence of a Fire Rescue ambulance unit, or Street Division clean-up
5) Uses City property
6) Is a gun show
7) Is designated a Major Special Event by the Director of Community Development

Major Special Events are reviewed by the various City departments, and then will be presented to City Council with either a recommendation to approve with conditions or to deny.

Minor Special Events do not need City Council review; the Director of Community Development can approve them administratively, similar to how some temporary use permits are currently processed.

Food Truck Code Amendment

Increasingly, food trucks are a popular option for special event organizers to provide food for attendees at special events. However, the City's current code is very restrictive when it comes to regulating food trucks. The regulations for food trucks are currently located in the Temporary Use portion of the UDO. Since most Temporary Use Permit types will now be processed as Special Events, the regulations regarding Food Trucks were also examined.

Under the old Code, only three individual food trucks could be allowed to operate on private property in the City per year. This Code had no allowances for food trucks used in conjunction with special events or if a single establishment wanted to offer more than three types of food vendors in a year. This is very restrictive and provides few options for special event organizers.

The proposed Code moves the approval for food trucks on private property to Chapter 385: Peddlers, Solicitors and Transient Vendors and creates a new permit type for mobile food trucks operating on private property. Food trucks that are part of a special event do not require a separate approval as they would be approved as part of the special event. This allows for more flexibility for special event organizers to provide food options for the attendees of their events.

The Code keeps the same conditions regarding the operation and approval of the food truck, and adds the ability for the City to review and approve the location of the food truck on the property to ensure that it does not block access on the property and that it is parked on an appropriate surface. The process for ice cream trucks, which operate in the roadways, remains the same process that has been instituted for years.

The proposed Code changes were reviewed by Special Counsel and found in an acceptable format.

Votes Required to Pass:

Simple majority of City Council present.

DRAFT

The City of Crystal Lake Illinois

AN ORDINANCE AMENDING VARIOUS CHAPTERS THE CODE

OF THE CITY OF CRYSTAL LAKE, ILLINOIS

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE as follows:

SECTION I: That Chapter 453 – Special Events of the City Code of the City of Crystal Lake is hereby created and shall read as follows:

Chapter 453 – Special Events

§ 453-1. Definitions.

For purposes of this chapter, the following terms shall have the meanings indicated:

APPLICANT
Any natural person, syndicate, association, partnership, firm, club, company, corporation, limited liability company, institution, agency, government corporation, municipal corporation, district or other political subdivision, or any officers, agents, employees or other representative, acting either for himself or for any other person in any capacity; or any other entity recognized by law as the subject of rights and duties other than the City of Crystal Lake who submits an application pursuant to this Chapter.

APPLICATION
Forms provided by the City for major or minor special events.

BLOCK PARTY
Any outdoor party or gathering organized by a group of neighbors that is held on private property primarily for residents of a specific neighborhood.

CARNIVAL
Any aggregation of shows or riding devices, games of skill or chance, or any combination of shows and riding devices, or any combination of several enterprises, such as Ferris wheels, tilt-a-whirls, carousels, roller coasters, giant swings, or other riding devices, whether carried on or engaged in or conducted in any field, park, or in a building or enclosure, and whether carried on, engaged in or conducted as one (1) enterprise or by several concessionaires, and whether one (1) admission fee is charged for admission to all such shows or entertainments, or separate fee for admission is charged for each amusement.

CARNIVAL RIDES
Riding devices including, but not limited to, Ferris Wheels, tilt-a-whirls, carousels, roller coasters, and giant swings.

CIRCUS
A show consisting of acrobats, trained animals, clowns, or similar forms of entertainment that is held in an arena, which may be open air or enclosed in a tent or building.

CITY
The City of Crystal Lake and its officers, agents, employees, and representatives.

CITY PROPERTY
Public streets, sidewalks, right-of-way, or other property owned or controlled by the City.

CITY SERVICES
Services provided by City departments including, but not limited to public safety, crowd control, traffic control, management of the event site, road closures, demarcation of no-parking tow zones, inspection services, garbage removal, and production of event materials, and City website information.

CODE
The Crystal Lake Municipal Code.

FESTIVAL
An organized series of series of concerts, plays, movies, or other types of entertainment held on one day or consecutive days in one geographic location.

FILM PRODUCTION EVENT
The use of City Property for the purpose of producing, videotaping, or filming of commercials, movies, television programs, and/or other media, commercial, not-for-profit, educational or artistic activities.

GUN SHOW
An event where vendor(s) gather at one location to display and sell guns, ammunition, and/or other firearm related materials, generally lasting no more than a few days.

MAJOR SPECIAL EVENT
A special event or film production event held on public and/or private property including, but not limited to, parades, festivals, carnivals, circuses, and athletic events which meet at least one the following criteria: (a) closure of roads, streets, or City blocks; (b) demarcation of temporary "No Parking, Tow Zones"; (c) issuances of multiple permits or licenses; (d) provision of City services as defined herein; (e) use of City Property; (f) is a Gun Show; (g) designated a Major Special Event by the Director of Community Development.

MINOR SPECIALEVENT
A special event or film production event including, but not limited to events such as neighborhood parades, outdoor sales events, open air gatherings, or athletic events that do not require closure of road, streets, or City blocks. Minor special events are events that do not require provision of City services as defined herein.

OPEN AIR GATHERINGS
Any organized assembly of citizens held outdoors and upon any public property where the number of participants expected may reasonably be assumed to exceed 50. Examples include but are not limited to rallies, demonstrations, and picnics.

OUTDOOR SALES EVENT
Any sales event of a limited duration that is held outside on private property in conjunction with a special promotion or holiday season. Examples include but are not limited to tent sales, sidewalk sales, farm or garden produce stand sales, or holiday tree and decorative greenery sales.

PARADE
Any parade, march, ceremony, show, exhibition, pageant, or procession of any kind, or any similar display, in or upon any street, park, or other public place in the City.

SPECIAL EVENT
An event held on public and/or private property outside of the normal and intended use of that property, that have a defined and limited duration, are open to viewing or participation of the general public or involve a large gathering of people outside of normal operations, and occur once or only a few times per year. Examples of special event include, but are not limited to: carnivals, festivals, gun shows, circuses, parades, open air gatherings, film productions events, religious tent meetings, outdoor sales events, and athletic events such as 5K run/walks, bicycle races or organized rides, or triathlons, or any other event that requires City approval as determined by the Director of Community Development.

§ 453-2. Exemptions
The following are exempt from obtaining a major or minor special event permit, unless city services are required of or required by the City of Crystal Lake:

A. The City of Crystal Lake.

B. The Crystal Lake Park District for events wholly on Park District Property.

C. Educational institutions approved or authorized by the State of Illinois for events wholly on their property.

D. Film Production Exemptions: Schools, businesses, places of worship, and residents using their own premises for producing films for their own educational, family, or training purposes; individuals filming on public or private property for personal, non-commercial purposes; and the filming of actual news events or stories within the City of Crystal Lake are exempt from obtaining a major or minor special event permit.

E. Events at Three Oaks Recreation Area. See Chapter 383 for events at Three Oaks Recreation Area.

F. Block parties that do not request a full closure of a road, street, or City block

G. Sidewalk Sales. See Chapter 440 for sidewalk sales.

§ 453-3. Permits.

A. A special event permit shall be required for all special events held in the City prior to the start of the event. A special event permit application shall be submitted to the Director of Community Development. The Director of Community Development shall designate the permit application as a major or minor special event application and shall timely advise the applicant of the designation.

B. The application shall be accurately and completely filled out prior to submission, and shall include, but not be limited to, the following information:

(1) A complete and accurate description of the special event for which the permit is applied and an estimate of anticipated attendees and/or participants.

(2) Information regarding whether admission fees or charges are to be assessed to attendees or participants.

(3) Information regarding whether alcohol consumption is planned, and if so, the hours, location, and type of alcohol planned to be served.

(4) A description of provision for refuse needs for the special event which shall be in compliance with City policies and Code provisions and State law.

(5) A description of restroom availability and maintenance for the special event.

(6) A description of the type and nature of any entertainment, including but not limited to music acts, carnival rides, and games of chance.

(7) A certificate of general liability insurance, naming the City and its officers, employees, agents and representatives as additional insureds, in a form and amount determined by the Director of Community Development, or a designee, may be required. Whenever a certificate of insurance is required, an additional insured endorsement shall also be provided.

(8) A hold harmless agreement in such form as may be approved by the City Attorney for special events held on City property.

(9) Information describing in detail the accessibility plans for the special event.

(10) Information pertaining to the use of City amenities for the special event as described in Section 1 of this Article.

(11) Information regarding requests for City services associated with the special event.

(12) A list of all vendors participating in the event.

(13) Film production application shall also provide information regarding the length of the production, and the hours the filming will occur each day, number of production staff, number, and types of vehicles required, and a parking plan for production vehicles.

C. Applications for a special event permit shall be made no less than 14 days before the beginning of the special event. Applications submitted late may be considered on a case by case basis, but may be denied for untimeliness.

D. An individual or entity submitting an application for a special event permit must be vested with the legal authority to bind the applicant and may be requested to supply evidence to that effect. Said individual or representative shall certify and swear to the accuracy of all statements and information contained in the application and that the applicant is qualified in all respects to receive the permits applied for.

E. The permit fee for a special event permit of $50 shall be collected upon submittal of the application.

F. The Director of Community Development will forward the special event application to the various departments within the City for review of the special event. The departments shall review and submit recommendations for any requirements or conditions for issuing the permit. The applicant is responsible for meeting all requirements or conditions of the special event permit.

G. The Director of Community Development may require the Applicant provide additional information beyond the information required in the Application before issuance of a special event permit in order to ensure the general health, safety, and welfare of the public during the special event.

§ 453-4. Major Special Events

A. In addition to the requirements set forth in this Code and as set in the major special event permit application, events may be subject to additional conditions or restrictions deemed necessary and appropriate by the City. The requirements and fees for issuance of each such permit or license shall remain as otherwise provided for in the Code.

B. Notification of Major Special Event: An applicant for a major special event permit shall, at its cost, provide written notification of the proposed special event, including a narrative summary of the event, to residents and businesses which may be affected by such special event. The Community Development Department shall

review and approve the narrative and the scope of notice proposed by the applicant and shall inform the applicant of the date the application shall be considered by the City Council so that such date may be included in the notification. Such notice shall be provided not less than two (2) weeks, and not more than four (4) weeks, prior to City Council consideration of the application.

C. City Council Consideration: A request for a major special event permit shall be submitted to the City Council by the Director of Community Development for review and consideration. The City Council, taking into consideration whether the special event is to be held for a lawful purpose, whether there is a reasonable basis to believe that it will tend to cause a breach of the peace or unduly interfere with the public use of public right-of-way or other public property, or whether it will unduly interfere with the peace and quiet of the residents of the City, may approve the permit, deny the permit, or approve the permit subject to such conditions or restrictions as it deems appropriate.

D. Issuance of Major Special Event Permit: A major special event permit shall be issued after it has been approved by the City Council. All permits or licenses needed for the major special event, other than a liquor license if applicable, shall be included in the issuance of the major special event permit if the applicant has paid the required fees and otherwise complied with the requirements for each such permit or license. All special conditions and restrictions will be communicated to the applicant in writing when the permit is issued.

E. Chargeback for Major Special Events:

(1). After a major special event has been concluded , the City shall issue the applicant a bill for costs incurred by the City, including but not limited to reasonable personnel costs attributable to the major special event and for any damage caused to public property. The applicant shall be responsible for payment of said bill in full within the timeframe specified on the bill. Failure to timely pay bills for charge back services may serve as a basis in denial of future permits to the applicant or the applicant's organization.

(2). At its discretion, the City Council may waive the payment of costs incurred by the City for the special event, including fees for Police and Fire Rescue personnel.

§ 453-5 Minor Special Events.

A. In addition to the requirements set forth in this Code and as set in the minor special event permit application, minor special events may be subject to additional conditions or restrictions deemed necessary and appropriate by the City.

B. The Director of Community Development shall review applications for proposed minor special events and any requirements or conditions therefore. In the event the Director of Community Development denies the permit, written notification of the denial and the reasons for a denial shall be provided to the applicant.

C. Issuance Of Minor Special Event Permit: Upon approval of the application, as set forth herein, and after payment of any required fees, the Director of Community Development shall issue the minor special event permit. All special conditions and

restrictions will be communicated to the applicant in writing when the permit is issued.

§ 453-6 Special Event Conditions

The approval of any special event shall be subject to the following conditions:

A. All special events must comply with State law and with the City Code, ordinances, rules, regulations, and policies.

B. There shall be in every permitted premises for major special events not less than two (2) exits leading to the outside, each not less than three (3) feet in width and, if doors are present, they are required to open outward.

C. Occupancy at a special event shall be in compliance with City and State law.

D. The nature and intensity of the event must be planned so that the event will be compatible with the existing development in the area of the event. The event shall not significantly or materially be detrimental to the public health, safety, and welfare, or injurious to property or improvements in the surrounding area, including, but not limited to, excess traffic, parking, noise, pedestrian safety, and adverse effects on neighboring areas.

E. Parking areas, both on and off street, for a particular event, are to be of adequate size, properly located, and the entrance and exit drives shall be laid out to prevent traffic hazards and nuisances. For major special events the applicant shall coordinate with the City Engineer to provide maps and information relative to parking and accessible parking.

F. A special event permittee shall allow free and unobstructed access to the premises during the pre-inspection and permitting phases of event approval by authorized City personnel while acting on City business.

G. Any activity occupying or using any street, public place, or public right-of-way in the City may be allowed only in accordance with the provisions of this Code where applicable.

H. Security to be provided for a major special event, whether provided by private security personnel and/or by the Crystal Lake Police Department shall be evaluated and coordinated with the Crystal Lake Police Department. Security may be provided by private security personnel and/or by members of the Crystal Lake Police Department. If Crystal Lake Police are used to assist with security for an event, the applicant shall be responsible for their costs, which will be assessed as part of the charge back provided for in Section 4E of this Article.

I. If the sale or distribution of food and beverages are proposed at a special event, said use must be approved by the McHenry County Department of Health.

I. Smoking on event premises shall be in compliance with State law.

J. All special events permitted under this Chapter shall post signs, clearly and conspicuously, at all entrance(s) to the special event in conformity with the Firearm Concealed Carry Act, 430 ILCS 66/65 et. seq., as amended from time to time.

K. Special events that include fundraising activities shall comply with City and State law.

L. Carnivals, carnival rides, and circuses must comply with City and State law.

M. If consumption of alcohol is proposed, said use must comply with City and State law.

N. If animal use or exhibition is proposed, said use must comply with City and State law.

O. The applicant will be wholly responsible for keeping the site of the special event clean; free of trash, papers, and other debris. Trash containers in adequate number shall be placed in convenient locations for the use of the public.

P. The applicant shall obtain any necessary limited duration sign permits for promotional and informational signage in connection with the special event.

Q. In addition to the specific regulations, standards, and time limitations set forth in the Code, all special events shall be subject to such conditions and restrictions on their location and operation as deemed necessary from time to time by the City Manager or his designee.

R. Carnivals must comply with the following conditions:

(1) The carnival must be operated or sponsored by a not-for-profit group.

(2) No gambling devices, lottery, number or paddle wheel, number boards, punch boards, or other games of chance shall be operated or used in connection with a Carnival, with the exception of video gaming terminals that have been lawfully approved and operating in accordance with Chapter 268-3 of this Code.

(3) No lewd, lascivious, or indecent show or attraction making indecent exposure of the person or suggesting lewdness or immortality

(4) The Applicant must include the following as part of the application for a special event:

(a) Names of two municipalities in which the firm conducting the carnival has recently conducted a carnival.

(b) Whether the carnival operator, or any firm, corporation or association which he/she is employed by or represents, has ever been convicted of a violation of this chapter or any ordinance of any other municipality regulating carnivals and, if so, the location of such violation.

(c) Whether any accidents involving personal injuries to carnival attendees or staff has occurred during the operation of any carnival operated by the carnival operator in the previous five years. If yes, the carnival operator shall include information about any accidents

(d) Proof of a valid amusement ride permit issued by the Illinois Department of Labor.

(e) A statement verifying that the carnival operator does not employ any child sex offenders.

(f) A statement verifying that none of the carnival operator's employees are fugitives from Illinois or any other state's law enforcement agencies.

(g) An accurate and comprehensive list of carnival workers, including, for example, driver's license information, social security information, etc. The carnival operator shall also keep this list on site and available for inspection.

(h) A statement verifying that the carnival operator has conducted a criminal background check on each employee.

(i) A statement verifying that the carnival operator conducts pre-employment or random drug testing of employees.

(k) The carnival operator must provide proof of insurance separate from the Applicant.

(5) All carnival employees must keep government-issued photo identification (such as a state-issued identification card or driver's license) on their person at all times during the public event. The government-issued identification must be presented at any time to an officer of the City upon request.

(6) No employee, agent or other representative of the carnival may live, sleep, or otherwise remain overnight on the premises of the carnival. Persons providing security on the site may receive an exemption from the Police Department for this requirement.

(7) The carnival operator must display a valid amusement ride permit issued by the Illinois Department of Labor on the operator's equipment.

§ 453-7. Inspections.

A. The City's Community Development Department, Fire Rescue Department, and Police Department shall be advised of proposed special events as part of the permit review. Prior to the issuance of a permit for a special event, the aforesaid departments may conduct such inspections and investigations as they deem necessary to verify information provided by the applicant, and to evaluate and ensure compliance with City Code requirements and State law in order to promote public health, safety, and welfare.

B. Individual vendors may only participate if it is determined that they are in compliance with applicable State law and City Code provisions.

C. The City may inspect the event premises and participating vendors at any time prior to the beginning of the event and during the event to ensure continued compliance with City Code, State law, and specific permit conditions, if applicable.

§ 453-8. Denial of Permit.

An Applicant may be denied a special event permit under any of the following conditions:

A. The applicant has previously failed to comply with the provisions of a special event permit

B. The applicant has been convicted of a violation of any provision of this chapter

C. The applicant has failed to qualify for any other license required by the Code of Ordinances of the City.

D. The City determines that it is unable to provide City Services requested by the applicant.

The Director of Community Development has the final authority to deny a Minor Special Event permit. The City Council has the final authority to deny a Major Special Event permit.

§ 453-8. Revocation of Permit.

The City Manager, Police Chief, Fire Rescue Chief, or the Director of Community Development may revoke any issued Special Event permits under any of the following conditions:

A. The Applicant is found in violation of this chapter, or of the statute of the State of Illinois or ordinances of the City of Crystal Lake relating to the public health, safety, or fire protection.

B. The Applicant has made a false material statement in the application

C. The Applicant fails to comply with any of the provisions of this chapter or the terms or conditions of the permit issued pursuant to this chapter.

SECTION II: That Chapter 385-17 – Definitions is hereby amended as follows:

Chapter 385-17 – Definitions.

A. Definition. As used in this article, the following terms shall have the meanings indicated:

TRANSIENT MERCHANT

Any person who is engaged temporarily in the retail sale of goods, wares or merchandise in the City of Crystal Lake, and who, for the purpose of conducting such business, occupies any building, room, vehicle, structure of any kind or vacant lot. However, this article does not apply to any person selling goods, wares or merchandise which are raised, produced or manufactured by him/her, to any person selling vegetables, fruit or perishable farm products at an established City market, to any person operating a store or refreshment stand adjacent to property owned by him/her or upon which he/she resides. This article does not apply to any person operating a City-permitted food truck or to any person holding a valid license issued by McHenry County or the City of Crystal Lake to engage in retail sales.

SECTION III: That Chapter 385 Article V – Food Trucks of the City Code of the City of Crystal Lake is hereby created and shall read as follows:

Article V: Food Trucks

§ 385-33. Definitions.

For purposes of this chapter, the following terms shall have the meanings indicated:

Food Truck: A motorized vehicle that is equipped with facilities for cooking, preparing, and selling food.

Special Event: See Chapter 453 for the definition of a special event and for special event approval.

§ 385-34. Application, Issuance of Permit.

A. Food Trucks on Private Property: Food trucks that request to operate on privately property shall submit for a Food truck permit from the Community Development Department. The request for a Food truck permit shall be make of a form available from the Community Development Department

1. Each Truck operating on a single property requires a separate permit.
2. Each permit shall be valid for one truck at one location. Trucks requesting to operate on multiple properties require a separate permit for each property.

§ 385-35. Conditions of Approval.

All food trucks as subject to the following conditions:

A. All permits for operating as a food truck will be valid for one year with an effective date of January 1 and an expiration date of December 31.

B. Food trucks may operate on private property in any zoning district other than residential districts with the exception of Food Trucks operating as part of an approved Special Event.

C. Food trucks may not operate within the City for more than eight hours during any twenty-four hour period, but in no case to exceed the hours of operation for the business on the property for which the food truck is located,with the exception of food trucks operating as part of an approved Special Event.

D. The food truck's Illinois business tax (IBT) number shall be provided to the Finance Department. The point of sale shall be noted as Crystal Lake for sales tax.

E. Proof of McHenry County Health Department approval must be provided to the Community Development Department prior to beginning operation.

F. For food trucks operating on private property, the applicant must provide proof in writing that the property owner has granted permission for the food truck to operate.

G. All food truck vehicles shall have an annual inspection by the Fire Prevention Bureau prior to use within the City.

H. If liquid propane gas is used, the following conditions shall be met:

(1) Cooking and warming equipment shall be in good working condition and cleaned of grease or other combustible material.

(2) Portable liquid propone gas containers, piping, valves and fittings which are located outside and are being used to fuel equipment shall be adequately protected to prevent tampering, damage by vehicles or other hazards and shall be located in an approved location. Portable liquid gas containers shall be securely fastened in place by use of an approved method to prevent unauthorized movement, tipping, or regulator damage.

(3) Fittings, valves, and hoses used with liquid propone gas equipment shall be maintained in good working condition. When, in the opinion of the Fire Code Official, an unsafe condition exists with the fitting, valve, or hose used by the equipment, it shall be replaced or the equipment shall not be used.

(4) Liquid propane gas containers shall be stored within a suitable enclosure or otherwise protected against tampering.

(5) A Type I hood shall be installed at or above all commercial cooking appliances and domestic cooling appliances used for commercial purposed that produce grease-laden vapors. (Reference: 2006IFC Section 609.2).

(6) Combustible materials shall be kept a minimum of three feet from cooking appliances.

(7) Provide a fire extinguisher of minimum size 2A10BC in the cooking area. Cooking equipment involving vegetable or animal oils and fats shall be protected by a Class K rated portable fire extinguisher.

I. Food trucks must provide receptacles for refuse and properly dispose of all waste.

J. Food trucks must provide evidence of insurance.

K. Food trucks must comply with all noise regulations of the City

L. Food trucks may not provide seating or tables for their customers, with the exception of Food Trucks operating as part of an approved Special Event.

M. Food trucks are allowed to display signage that is painted or permanently affixed to the vehicle. Food Trucks are not allowed to display any additional signs, such as freestanding sandwich boards.

N. Food trucks may not have amplified sound or music emanating from the vehicle.

O. As part of the application, the applicant shall provide a site plan that shows the location that the food truck will operate.

P. Food trucks shall be parked on a suitable surface, as determined by the City Engineer, for the duration of its operation.

Q. Food trucks shall be not be allowed to park in fire lanes, handicap parking spaces, or in any other location that will impede traffic flow or create unsafe conditions for pedestrians.

§ 385-36: Fees:

The fee for each license required by this article shall be $50. All fees required pursuant to this article shall be paid to the Director of Finance of the City of Crystal Lake.

§ 385-37: Exemptions:
Food Trucks shall be exempt from obtaining a permit under one or more of the following conditions:

A. The food truck is operating under contract with the City of Crystal Lake.

B. The food truck is contracted by the Crystal Lake Park District and operating solely on Park District Property.

C. The food truck is contracted by an educational institution approved or authorized by the State of Illinois and operating solely on their property.

D. The food truck is operating as part of an approved Special Event.

E. Ice cream trucks; see Chapter 504 Article II.

All food trucks, regardless of whether they meet one or more of the above criteria, shall still be required to meet the requirements of Chapter 385-35.

§ 385-38. Denial of License
An Applicant may be denied a food truck License under any of the following conditions:

A. The applicant has previously failed to comply with the provisions of a food truck permits

B. The applicant has been convicted of a violation of any provision of this chapter

C. The applicant has failed to qualify for any other license required by the Code of Ordinances of the City.

§ 385-39. Revocation of License
The Director of Community Development may revoke any issued Food Truck license under any of the following conditions:

A. The applicant is found in violation of this chapter, or of the statute of the State of Illinois or ordinances of the City of Crystal Lake relating to the public health, safety, or fire protection.

B. The applicant has made a false material statement in the application

C. The applicant fails to comply with any of the provisions of this chapter or the terms or conditions of the permit issued pursuant to this chapter.

D. The property owner communicates to the City in writing that the food truck no longer has permission to operate.

SECTION IV: That the following chapters of the City Code of the City of Crystal Lake be deleted in their entirety:

- Chapter 193. Carnivals.
- Chapter 209. Circuses.
- Chapter 246. Festivals.
- Chapter 379. Parades and Open Air Meetings.

SECTION V: That this Ordinance shall be in full force and effect from the date of passing according to law.

SECTION VI: That all Ordinances and parts of Ordinances in conflict herewith are hereby repealed.

DATED at Crystal Lake, Illinois, this 6th day of September, 2016.

CITY OF CRYSTAL LAKE, an Illinois Municipal Corporation

BY: _____
AARON T. SHEPLEY, MAYOR

SEAL

ATTEST:

_____
NICK KACHIROUBAS, CITY CLERK

PASSED: September 6, 2016

APPROVED: September 6, 2016

Published in pamphlet form by the authority of the Mayor and City Council of the City of Crystal Lake.

Agenda Item No: 20

City Council
Agenda Supplement

Meeting Date: September 6, 2016

Item: Crystal Lake Stormwater Management Ordinance Amendment

Recommendation: Motion to adopt the ordinance amending portions of the City Code Chapter 595: Stormwater Management

Staff Contact: Abigail Wilgreen, City Engineer

Background:
The McHenry County Stormwater Management Ordinance (SMO) was adopted in 2004 to minimize the effect of development on stormwater runoff throughout the County. Since 2005, the City has been certified by McHenry County to enforce the Stormwater Management Ordinance. As a certified community under the McHenry County Stormwater Management Ordinance (SMO), the City can regulate development under its own Crystal Lake Stormwater Ordinance (CLSO). One of the requirements to remain a certified community is that the City must maintain a stormwater ordinance that is at least as restrictive as the County's SMO. The City adopted its current ordinance at the end of 2004, and it took effect on January 1, 2005. The current CLSO is based largely on and is very similar to the previous SMO. Over the years amendments to the CLSO and SMO have been approved by City Council and McHenry County, respectively.

McHenry County amended the SMO on December 1, 2014 after a comprehensive review and revisions. The City amended City Code Chapter 595 to include the McHenry County revisions effective December 1, 2015.

During the first year since the adoption of the amended SMO, McHenry County found that minor clarifications/revisions, general clarifications and federal and state mandates needed to be incorporated. McHenry County amended the SMO to include these items on April 5, 2016.

The attached ordinance outlines the various amendments to the City Code Chapter 595 which are a requirement by McHenry County. Also, the summary below details the intent of each change; many of the changes are included to correct grammatical errors or formatting errors, to incorporate provisions for culverts and bridges for urban and rural areas and finally, to specifically acknowledge the Crystal Lake Watershed. If the stormwater management ordinance is not amended, then the City will lose its ability to enforce the stormwater ordinance, which would result in all stormwater regulation being handled by the County. Staff recommends approval of the ordinance amendments.

Stormwater Ordinance
Summary of Changes

Section	Summary of Change
§ 595-5B(2)	*Consistency Change*: Ordinance distinguishes "wetland" and "waters" as subsets of Isolated Waters of McHenry County (IWMC) and Waters of the United States (WOTUS). For consistency and to ensure all types of IWMC and WOTUS are treated equally, modification to the section is necessary.
§ 595-9C(11)(b)	*Customer Service Change*: As written, to qualify for a General Permit #1 all decks shall be stand-alone structures. This may hinder applicants that are not in a flood hazard areas as deck designs routinely attach decks to structures. Revise to allow applicants the option of attaching decks to buildings that are not in a flood hazard area.
§ 595-10B(1)(b)	*Consistency Change*: Re-number sub-paragraphs for consistency as two were inadvertently merged and remove extraneous "and" in new sub-paragraph (16).
§ 595-10B(7)	*Consistency Change*: Move a sub-paragraph to the "Terms and Conditions for Specified Development" section for consistency with General Permit #1 provisions. The subsequent sub-paragraph is renumbered in logical order.
§ 595-25 Table 3	*Further Clarification:* Currently a General Permit waives the requirements for Soil Erosion Sediment Control (SE/SC). These projects may be sizable and should be required to provide the minimum amount of SE/SC measures and inspections during construction.
§ 595-25D(3)	*State (IDNR) Requirement:* Clarification on what "0.5 inch" refers to in the Stormwater Ordinance. Revised language based on NPDES ILR10 permit language.
§ 595-27H(1)(b)[3]	*Further Clarification:* The new "Bridge and Culvert" section of the Stormwater Ordinance allows for increases in upstream flood heights greater than 0.1 foot. Therefore, the caveat was placed in this section to account for the revised ordinance language.
§ 595-27I	*Consistency Change*: The City brought forward this change to McHenry County as it was inadvertently removed from the County ordinance. This change was included in the City Code amendment in December 1, 2015. The modification this time is grammatical in nature to match exactly what McHenry County has in their stormwater ordinance section.
§ 595-27M(2)(c)	*Further Clarification:* The text has been modified to meet the intent of the provision.
§ 595-27O	*Further Clarification:* The current Stormwater Ordinance does not have any provisions with respect to construction of on-stream structures (dams). The new provisions will provide guidance on the appropriate permitting requirements for these types of projects.
§ 595-27P	*Further Clarification:* The current Stormwater Ordinance does not have any provisions with respect to permitting of bridge or culvert construction. The new provisions will provide guidance on the appropriate permitting requirements for these types of projects.

§ 595 Appendix 9: McHenry County Watersheds	*Further Clarification to Show the Crystal Lake Watershed*: § 595-26H(1)(a) refers to Appendix 9 as depicting the "Crystal Lake Watershed" boundary map. The map is updated for consistency.
§ 595 Appendix 10: McHenry County Watershed Plans	*Further Clarification:* The Boone Dutch Creek Watershed Plan should be completed by CMAP within six months.
§ 595 Appendix 12: Definitions	*Consistency Change:* Remove definition of Adequate Downstream Stormwater Capacity from the Stormwater Ordinance as it is not referenced in any provisions in the new Stormwater Ordinance. The old Stormwater Ordinance referenced definition in Release Rates and Discharges provisions.
§ 595 Appendix 12: Definitions	*Consistency Change*: "Direction" removed from definition of Development for consistency as the most recent revision to the Stormwater Ordinance removed "any development that results in change in the direction of stormwater runoff from a site" as a criteria for Regulated Development.
§ 595 Appendix 12: Definitions	*Further Clarification:* The new "Bridge and Culvert" section of the Stormwater Ordinance allows for different criteria in "urban" versus "rural" areas. This definition is necessary to define those areas that would be considered "rural."
§ 595-7, Table 1 & 2	*Consistency Change:* With the addition of new Section A.3.d to the "Terms and Conditions for Specified Development" of the General Permit #1 provisions, minor modifications are necessary to the table for consistency.
§ 595-9C(4)	*Further Clarification*: Add a new section to the "Terms and Conditions for Specified Development" of the General Permit #1 provisions. Currently this type of work is exempt from needing a permit, unless additional work was being proposed in conjunction with the maintenance work. If this were the case, all work would then be required to obtain an individual permit (no part would be exempted or would receive a General Permit #1). This section would allow for road and bridge maintenance projects to fall under the General Permit #1 umbrella if additional proposed work could also obtain a General Permit #1.
§ 595 Appendix 1: Permitting Flow Charts	*Consistency Change:* Correct minor errors in the flowcharts to provide consistent language and references to main text of the Ordinance.

Votes Required to Pass: A simple majority vote.

The City of Crystal Lake Illinois

DRAFT

AN ORDINANCE AMENDING CHAPTER 595 OF THE CODE

OF THE CITY OF CRYSTAL LAKE, ILLINOIS

WHEREAS, the County of McHenry, pursuant to the powers granted to it by 55 ILCS 5/5-1062, adopted the McHenry County Stormwater Management Ordinance on or about November 18, 2014, effective December 1, 2014 (hereinafter "County Ordinance"), establishing rules and regulations for floodplain and stormwater management throughout the County of McHenry and superseding any less restrictive municipal rules and regulations therein; and,

WHEREAS, the County of McHenry, pursuant to the powers granted to it by 55 ILCS 5/5-1062, adopted a resolution approving amendments to the County Ordinance on or about November 18, 2014, effective December 1, 2014, amended April 5, 2016 and,

WHEREAS, the City of Crystal Lake has previously adopted Chapter 595 of the City of Crystal Lake Code which regulates stormwater management and enables the City to be a certified community under the County Ordinance; and

WHEREAS, the Mayor and City Council of the City of Crystal Lake find it to be in the best interests of the City to require all development to meet, at least, the minimum standards prescribed by the County Ordinance to the fullest extent practicable; and,

WHEREAS, the City must adopt a stormwater management ordinance that is at least as restrictive as the County Ordinance in order to maintain its status as a certified community; and

WHEREAS, there exist unique conditions in the City of Crystal Lake whereby it is in the best interests to require additional regulations above and beyond the minimum standards prescribed by the County Ordinance.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE as follows:

SECTION I: That Section 595-5B(2) be amended to read as follows:

(2) Any development located partially or completely within the boundary of a wetland or waters; or

SECTION II: That Section 595-9C(11)(b) be amended to read as follows:

(b) If either the existing building or proposed deck is within a flood hazard area, the deck shall be constructed as a stand-alone structure and shall not be attached to an existing building.

SECTION III: That Section 595-10B(1)(b) be amended to read as follows:

(b) For regulated development disturbing 20,000 square feet or more, the development plan shall be prepared by a licensed professional engineer and include the following additional information:

[1] A benchmark referenced to NAVD88;

[2] Existing contours extending 100 feet beyond the development site, with a maximum contour interval of one foot;

[3] Existing spot elevations demonstrating drainage patterns;

[4] Top of foundation and lowest entry elevation of all existing buildings within 100 feet of the development site;

[5] All existing impervious areas such as roadways, structures, parking lots, driveways, sidewalks, pathways, trails;

[6] The existing stormwater management system, including storm sewers, drain tiles, culverts, and inlets on the development site and 100 feet beyond the development site. Information regarding the invert and rim elevations, pipe sizes, pipe lengths, and material type shall be provided;

[7] Existing utilities, including sanitary sewer, water main, on-site waste disposal system, well, or any other utilities that exist on the site and 100 feet beyond the development site. On development sites where an infiltration facility is proposed, existing water supply wells shall be shown 200 feet beyond the development site. Information regarding the invert and rim elevations, pipe sizes, pipe lengths, and material type shall be provided;

[8] Location and limits of all existing and proposed deed or plat restrictions;

[9] Existing trees and vegetation areas on the development site;

[10]Proposed contours throughout the development site, with a maximum contour interval of one foot;

[11] Proposed spot elevations demonstrating drainage patterns;

[12]Top of foundation, lowest floor, low opening elevation, and floodproofing elevations of all proposed structures adjacent to a stormwater management facility or along an overland flow path;

[13] All proposed impervious areas such as roadways, structures, parking lots, driveways, sidewalks, pathways, trails;

[14] The proposed stormwater management system, including pipes, drain tiles, culverts, and inlets on the development site. Information regarding the invert and rim elevations, pipe sizes, pipe lengths, and material type shall be provided;

[15] Proposed utilities, including sanitary sewer, storm sewer, water main, on-site waste disposal system, well, or any other utilities on the site. Information regarding the invert and rim elevations, pipe sizes, pipe lengths, and material type shall be provided;

[16] Design details for proposed stormwater management system, including, but not limited to major and minor stormwater systems; and

[17] Cross-sections for overland flow paths, sufficient to demonstrate compliance with the freeboard requirements of this Ordinance.

SECTION IV: That Section 595-10B(7) be amended to become Section 595-10C(1) and shall read as follows:

(1) Disturbance of vegetation shall be kept to a minimum during construction to prevent erosion and sedimentation. The Enforcement Officer may add requirements or conditions as necessary to control soil erosion and sedimentation.

SECTION V: That Section 595-10B(8) be renumbered as Section 595-10B(7)

SECTION VI: That Section 595-24C be amended to read as follows:

C. A Letter of No Impact or a Wetland Determination Report, prepared by a wetland specialist, shall be submitted for all WOTUS and IWMC on the development site, if applicable.

SECTION V: That Table 3 in 595-25 be amended to read as follows:

Table 3. Applicability of Soil Erosion and Sediment Control Performance Standards**

Type of Development	Basic Requirements A.1	Requirements for Development Disturbing 1 acre or More A.2	Channel Requirements A.3	Inspections and Maintenance Requirements A.4	Notification Requirements A.5	Special Precautions A.6

General Permit	Waived*	N/A	Waived*	Waived*	Waived*	Waived*
Minor	X	N/A	If Channel Construction Included	X	X	X
Intermediate	X	N/A	If Channel Construction Included	X	X	X
Major	X	X	If Channel Construction Included	X	X	X
Public Road	X	If Dev $\geq$ 1 ac	If Channel Construction Included	X	X	X
Mining	X[5]	If Dev $\geq$ 1 ac	If Channel Construction Included	X	X	X
Flood Hazard Area	X	If Dev $\geq$ 1 ac	If Channel Construction Included	X	X	X
Wetland	X	If Dev $\geq$ 1 ac	If Channel Construction Included	X	X	X

[5] Requirements may be waived by the enforcement officer for portions of the development site that do not drain off site.

* Refer to the Performance Standards and Terms and Conditions of Specified Development of the specific General Permit.

** See the Crystal Lake Watershed Design Manual and Crystal Lake Watershed Stormwater Management Program Implementation Plan for Soil Erosion and Sediment Control Performance Standards in the Crystal Lake Watershed.

SECTION VI: That Section 595-25D(3) be amended to read as follows:

(3) Regulated development disturbing one acre or more.

(a) For regulated development disturbing one acre or more, a qualified inspector (provided by the applicant) shall inspect the development site at the following intervals:

1. Upon completion of installation of soil erosion and sediment control measures (including perimeter controls and diversions), prior to proceeding with any other earth disturbance or grading;
2. After stripping and clearing;
3. After rough grading;

4. After final grading;

5. After seeding and landscaping;

6. After final stabilization and landscaping, prior to removal of sediment controls;

7. At least once every seven calendar days; and

8. Within 24 hours of the end of a storm that is a 0.5 inch or greater rain event or a discharge due to snowmelt.

(b) Inspections may be reduced to once per month when construction activities have ceased due to frozen conditions. Weekly inspections will recommence when construction activities are conducted, or if there is a 0.5 inch or greater rain event, or a discharge due to snowmelt occurs.

SECTION VII: That Section 595-27H(1)(b)[3] be amended to read as follows:

[3] Not exceed 0.1 foot upstream flood height increase for the base flood event, except as allowed by the bridge and culvert standards of this Ordinance.

SECTION VIII: That Section 595-27I be amended to read as follows:

I. Additional standards for designated floodways.

(1) The only development in a designated floodway which will be allowed is an appropriate use which will not cause a rise in the BFE, and which will not create a damaging or potentially damaging increase in flood heights or velocity or be a threat to public health and safety and welfare or impair the natural hydrologic and hydraulic functions of the floodway or channel, or permanently impair existing water quality or aquatic habitat. Construction impacts shall be minimized by appropriate mitigation methods as called for in this Ordinance. Only those appropriate uses listed in 17 Ill. Adm. Code Part 3708 will be allowed. The approved appropriate uses are as follows:

(a) Flood control structures, dikes, dams and other public works or private improvements relating to the control of drainage, flooding, erosion or water quality or habitat for fish and wildlife.

(b) Structures or facilities relating to the use of, or requiring access to, the water or shoreline, such as pumping and treatment facilities, and facilities and improvements related to recreational boating, commercial shipping and other functionally water-dependent uses.

(c) Storm and sanitary sewer relief outfalls.

(d) Underground and overhead utilities.

(e) Recreational facilities such as playing fields and trail systems, including any related fencing (at least 50% open when viewed from any one direction) built parallel to the direction of flood flows, and including open-air pavilions and toilet facilities (four-stall maximum) that will not block flood flows nor reduce floodway storage.

(f) Detached garages, storage sheds, or other nonhabitable accessory buildings that will not block flood flows nor reduce floodway storage.

(g) Bridges, culverts, roadways, sidewalks, railways, runways and taxiways and any modification thereto.

(h) Parking lots built at or below existing grade where either:

[1] The depth of flooding at the base flood event will not exceed 1.0 foot; or

[2] The depth of flooding can be greater than 1.0 foot for parking lots used for short-term outdoor recreational use facilities, provided the applicant agrees to restrict access during overbank flooding events and agrees to accept liability for all damage caused by vehicular access during all overbank flooding events.

(i) Designated floodway regrading, without fill, to create a positive nonerosive slope toward a channel.

(j) Floodproofing activities to protect previously existing lawful buildings, including the construction of watertight window wells, elevating buildings, or construction of floodwalls around residential, commercial or industrial principal buildings where the outside toe of the floodwall shall be no more than 10-feet away from the exterior wall of the existing building, and which are not considered substantial improvements to the building.

(k) The replacement, reconstruction, or repair of a damaged building, provided that the outside dimensions are not increased and provided that the building protection standards are met if the replacement, reconstruction, or repair is a substantial improvement or if the building is considered substantially damaged.

(l) Modifications to an existing building that would not increase the enclosed floor area of the building below the BFE, and which will not block flood flows, including, but not limited to, fireplaces, bay windows, decks, patios and second-story additions. Substantial improvements shall meet the building protection standards.

(2) Appropriate uses do not include the construction or placement of any new buildings, fill, building additions, buildings on stilts, excavation or channel modifications done to accommodate otherwise nonappropriate uses in the floodway, fencing (including landscaping or planting designed to act as a fence) and storage of materials except as specifically defined above as an appropriate use.

(3) Development of an appropriate use will be considered permissible provided that the development meets the following criteria:

1) (a) All effective designated floodway conveyance lost due to the development will be replaced for all flood events up to and including the base flood event. In calculating effective designated floodway conveyance, the following factors shall be taken into consideration:

a) [1] $K = (1.486/n)(AR^{2/3})$

where "n" is Manning's roughness factor, "A" is the effective flow area of the cross-section, and "R" is the ratio of the area to the wetted perimeter.

b) [2] The same Manning's "n" value shall be used for both existing and proposed conditions unless a recorded maintenance agreement with a federal, state, or local unit of government can assure the proposed conditions will be maintained or the land cover is changing from a vegetative to a nonvegetative land cover.

c) [3] Transition sections shall be provided and used in calculations of effective designated floodway conveyance. The following expansion and contraction ratios shall be used (unless alternate ratios are approved by IDNR/OWR) for excavations in the designated floodway, between cross-sections with rapid expansions and contractions, and when matching the designated floodway boundary on an adjoining property:

[a] Water will expand no faster than at a rate of one horizontal foot for every four feet of the flooded stream's length.

[b] Water will contract no faster than at a rate of one horizontal foot for every one foot of the flooded stream's length.

[c] Water will not expand or contract faster than one vertical foot for every 10 feet of flooded stream's length.

[d] All cross-sections used in the calculations shall be located perpendicular to the flood flows.

[e] In the design of excavations in the designated floodway, erosion or scour protection shall be provided on land upstream and downstream of proposed transition sections.

SECTION IX: That Section 595-27M(2)(c) be amended to read as follows:

(c) For regulated development in a riverine flood hazard area:

[1] Hydraulically equivalent compensatory storage volume shall be provided at ratios at least equal to:

[a] 1.5 times the flood storage volume lost or displaced; or

[b] 1.2 times the flood storage volume lost or displaced, provided that as-built plans are submitted.

[2] For a public road development that cannot reasonably provide the compensatory storage volume required by this Ordinance:

The hydraulically equivalent compensatory storage volume required at a minimum 1:1 ratio may be waived by the enforcement officer as long as the total compensatory storage ratio is at least equal to 1:1. The waiver shall be the minimum necessary to afford relief. Any compensatory storage within a designated floodway shall be approved by IDNR/OWR.

The additional compensatory storage volume required beyond a 1:1 ratio may be waived by the enforcement officer. The waiver shall be the minimum necessary to afford relief.

[3] Any additional compensatory storage volume required beyond a 1:1 ratio may be provided above or below the ten-year flood elevation.

[4] The compensatory storage area shall be located in close proximity to the fill area and shall drain freely and openly to the channel.

SECTION X: That Section 595-27O be created and shall read as follows:

O. Standards for on-stream structures built for the purpose of backing up water.

(1) Any water surface profile increase shall:

(a) Be contained within the banks of the water body; or

(b) Be contained within the development site, property in which the applicant has an ownership interest, or a deed or plat restriction; or

(c) Not exceed 0.1 foot upstream flood height increase for all events up to and including the base flood event.

(2) All dams and impoundment structures shall meet the applicable requirements of 17 Ill. Adm. Code Part 3702 (Construction and Maintenance of Dams).

(3) If the proposed activity involves a modification of the channel or floodway to accommodate an impoundment, it shall be demonstrated that:

(a) The impoundment is determined to be in the public interest by providing flood control, public recreation, or regional stormwater detention;

(b) The impoundment will not prevent the migration of indigenous fish species which require access to upstream areas as part of their life cycle, such as for spawning;

(c) The impoundment will not cause or contribute to degraded water quality or habitat conditions. Impoundment design should include gradual bank slopes, appropriate bank stabilization measure, and a pre-sedimentation basin; and

(d) A nonpoint source control plan has been implemented in the upstream watershed to control the effects of sediment runoff as well as minimize the input of nutrients, oil and grease, metals and other pollutants. If there is more than one municipality in the upstream watershed, the municipality in which the impoundment is constructed should coordinate with upstream municipalities to ensure comprehensive watershed control.

SECTION XI: That Section 595-27P be created and shall read as follows:

P. Bridge and culvert standards.

(1) Designated floodways.

(a) New bridges and culverts

[1] Any water surface profile increase shall:

[a] Be contained within the banks of the water body; or

[b] Be contained within the development site, property in which the applicant has an ownership interest, or a deed or plat restriction; or

[2] The proposed structure shall not result in an increase of upstream flood stages greater than 0.1 foot for all flood events up to and including the base flood event; and

If the proposed construction will increase upstream flood stages greater than 0.1 foot within a designated floodway, the applicant shall contact IDNR/OWR to obtain a permit for a dam or waiver.

(b) Reconstruction or modification of existing bridges, culverts and approach roads.

[1] The bridge or culvert and roadway approach reconstruction or modification shall be constructed with no more than 0.1 foot increase in backwater over the existing flood profile for all flood frequencies up to and including the base flood event, if the existing bridge or culvert is not a source of flood damage.

[2] If the existing bridge or culvert and roadway approach is a source of flood damage to buildings in the upstream floodplain, the applicant's engineer shall evaluate the feasibility of redesigning the structure to reduce the existing backwater, taking into consideration the effects on flood stages on upstream and downstream properties.

[3] The determination as to whether or not the existing crossing is a source of flood damage and should be redesigned must be prepared in accordance with 17 Ill. Adm. Code Part 3708 (Floodway Construction in Northeastern Illinois) and submitted to IDNR/OWR for review and concurrence before a permit is issued.

(2) Non-designated floodways and flood-prone areas.

(a) New bridges and culverts.

[1] Documentation must be provided that the proposed crossing will not cause demonstrable flood damage; and

[2] Any water surface profile increase shall:

[a] Be contained within the banks of the water body; or

[b] Be contained within the development site, property in which the applicant has an ownership interest, or a deed or plat restriction; or

[3] In urban areas, the water surface profile increase would not exceed 0.5 foot at the structure, nor 0.1 foot at a point 1,000 feet upstream of the structure, for all flood events up to and including the base flood event, as determined by the horizontal projection of the increase and the slope of the

hydraulic grade line for the existing and proposed conditions hydraulic models; or

[4] In rural areas, the water surface profile increase would not exceed 1.0 foot at the structure, nor 0.5 foot at a point 1,000 feet upstream of the structure, for all flood events up to and including the base flood event, as determined by the horizontal projection of the increase and the slope of the hydraulic grade line for the existing and proposed conditions hydraulic models; and

[5] Any increase in the average channel velocity would not be beyond the scour velocity of the predominant soil type of the channel; or

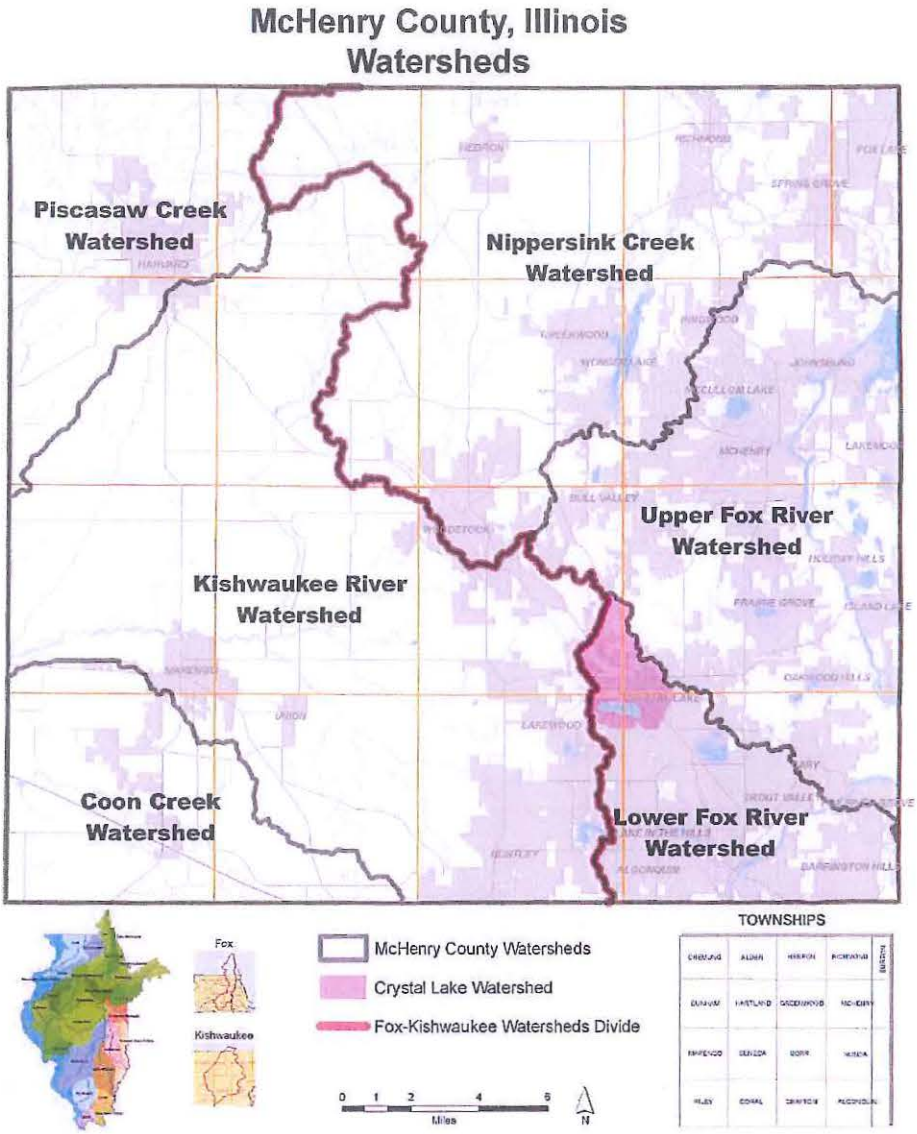
[6] Increased scour, erosion and sedimentation would be prevented by the use of rip-rap or other design measures.

(b) Reconstruction or modification of existing bridges, culverts and approach roads.

[1] The reconstruction (including approach roads) shall be no more restrictive to normal and flood flows than the existing bridge or culvert crossing; and

[2] Documentation must be provided that the existing crossing has not caused demonstrable flood damage. In the case of public projects, certification by a District Engineer of the Department of Transportation's Division of Highways, a County Engineer (if a registered professional engineer), or a Municipal Engineer (if a registered professional engineer) that the existing crossing has not caused demonstrable flood damage will be adequate documentation.

SECTION XII: That the map of McHenry County Watersheds in Appendix 9 be replaced with the following map:



SECTION XIII: That the list of watershed plan listed in Appendix 10 be amended to add the Boone Dutch Creek watershed plan.

SECTION XIV: That the definition for Adequate Downstream Stormwater Capacity in Chapter 595 Appendix 12 be deleted.

SECTION XV: That the definition of Development in Chapter 595Appendix 12 be amended to read as follows:

DEVELOPMENT: Any man-made change to real estate by private property owners or public agencies including, but not limited to:

A. Construction, reconstruction, repair or remodeling, maintenance or placement of a building or any addition to a building, including "ag exempt" buildings;

B. Installing a manufactured home on a site, preparing a site for a manufactured home, or installing a recreational vehicle or travel trailer on a site for more than 180 days (if the recreational vehicle or travel trailer is on the site for less than 180 days, it must be fully licensed and ready for highway use);

C. Drilling, mining, installing utilities, construction of roads, bridges, or similar projects;

D. Demolition of a structure or redevelopment of a site;

E. Construction or erection of levees, walls, fences, dams, or culverts;

F. Channel modification;

G. Filling, dredging, grading, excavating, paving, or other alterations of the ground surface;

H. Storage of materials;

I. Extensive removal of vegetation; or

J. Any other activity of man that changes the height or velocity of flood or surface water.

SECTION XVI: That the definition of Hydrologically Disturbed in Chapter 595 Appendix 12 be amended to read as follows:

HYDROLOGICALLY DISTURBED: An area where the land surface has been cleared, grubbed, compacted, graded, excavated, filled or otherwise modified in a manner that changes runoff volumes or rates.

SECTION XVII: That the definition of Rural Area in Chapter 595 Appendix 12 be amended to read as follows:

RURAL AREA: The rural area designation within nondesignated floodways shall be determined by IDNR/OWR. In flood-prone areas, all residential, commercial or other nonresidential land uses that are not defined as or included within an Urban Area, as defined by the U.S. Department of Commerce, Census Bureau (USCB) or as approved by the enforcement officer.

SECTION XVII: That the definition of Urban Area in Chapter 595 Appendix 12 be amended to read as follows:

URBAN AREA: The urban area designation within nondesignated floodways shall be determined by IDNR/OWR. In flood-prone areas, any densely developed residential, commercial or other nonresidential land uses in which the U.S. Department of Commerce, Census Bureau (USCB) census block or tract contains a population density of at least 2,500 people, at least 1,500 of which reside outside institutional group quarters or as approved by the enforcement officer. Urbanized areas and urban clusters, as defined by the USCB, are subsets of urban areas. A map of all urban areas of the county can be found on the USCB website: http://tigerweb.geo.census.gov/tigerweb/.

SECTION XVIII: That Tables 1 and 2 in Section 595-7 be amended to read as follows:

TABLE 1 Regulation of Routine Projects

Project Type	Exempt	General Permit	Individual Permit
Building Maintenance	Refer to Appendix 12: Maintenance of Existing Buildings	N/A	Refer to Appendix 12: Substantial Improvement
New Single Family Home	N/A	Refer to § 595-10, General Permit 2	All Other Development Regulated by § 595-5
Road Maintenance	Refer to Appendix 12: Maintenance of Roads and Trails	Refer to § 595-9, General Permit 1	All Other Development Regulated by § 595-5
Trails	Refer to Appendix 12: Maintenance of Roads and Trails	Refer to § 595-9, General Permit 1	All Other Development Regulated by § 595-5
Driveways	Refer to Appendix 12: Other Maintenance Activities	Refer to § 595-9, General Permit 1	All Other Development Regulated by § 595-5
Parking Lots	Refer to Appendix 12: Other Maintenance Activities	N/A	All Other Development Regulated by Article II, Section B
Culverts, Storm Sewers, and Drain Tiles	Refer to Appendix 12: Other Maintenance Activities	Refer to § 595-9, General Permit 1	All Other Development Regulated by § 595-5
Bridges	Refer to Appendix 12: Other Maintenance Activities	Refer to §595-9, General Permit 1	All Other Development Regulated by § 595-5
Dredging	Refer to Appendix 12: Other Maintenance Activities	Refer to § 595-9, General Permit 1	All Other Development Regulated by § 595-5
Removal of an Obstruction	Refer to Appendix 12: Other Maintenance Activities	Refer to § 595-9, General Permit 1	All Other Development Regulated by § 595-5
Stormwater Management Facilities	Refer to Appendix 12: Other Maintenance Activities	N/A	All Other Development Regulated by § 595-5
Gardening and Landscaping	Refer to § 595-6, Exempted Development	N/A	All Other Development Regulated by § 595-5
Tillage and Similar Agricultural Practices	Refer to § 595-6, Exempted Development	N/A	All Other Development Regulated by § 595-5
Implementing a NRCS Conservation Plan	Refer to § 595-6, Exempted Development	N/A	All Other Development Regulated by § 595-5

Project Type	Exempt	General Permit	Individual Permit
Demolition	Refer to § 595-6, Exempted Development	N/A	All Other Development Regulated by § 595-5
Onsite Waste Disposal Systems and Wells	Refer to § 595-6, Exempted Development	Refer to § 595-9, General Permit 1	All Other Development Regulated by § 595-5
Sewer and Water Service Lines	Refer to Article II, Section C: Exempted Development	N/A	All Other Development Regulated by § 595-5
Underground and Overhead Utilities	Refer to Appendix 12: Other Maintenance Activities	Refer to § 595-9, General Permit 1	All Other Development Regulated by § 595-5
Seawalls	N/A	Refer to § 595-9, General Permit 1	All Other Development Regulated by § 595-5
Shoreline and Streambank Stabilization	N/A	Refer to § 595-9, General Permit 1	All Other Development Regulated by § 595-5
Boat Docks	N/A	Refer to § 595-9, General Permit 1	All Other Development Regulated by § 595-5
Signposts, Poles Fencing, and Guardrails	N/A	Refer to § 595-9, General Permit 1	All Other Development Regulated by § 595-5
Decks	N/A	Refer to § 595-9, General Permit 1	All Other Development Regulated by § 595-5
Pools	N/A	Refer to § 595-9, General Permit 1	All Other Development Regulated by § 595-5
Material Storage	N/A	Refer to § 595-9, General Permit 1	All Other Development Regulated by § 595-5
Wetland Restoration and Enhancement	N/A	Refer to § 595-9, General Permit 1	All Other Development Regulated by § 595-5

Table 2 (Page 12)

TABLE 2 Summary of General Permit 1			
Type of Regulated Development	**Applicability**	**Authorization**	**Terms and Conditions**
Underground and Overhead Utilities	Subsection A	Subsection B	Subsection C(1) and (2)
Storm Sewer Outfalls, Drain Tile Outfalls, and Outlet Channels	Subsection A	Subsection B	Subsection C(1) and (2)

Road Maintenance and Bridges	Subsection A	Subsection B	Subsection C(1) and C(4)
Sidewalks, Trails, Driveways, and Patios	Subsection A	Subsection B	Subsection C(1) and C(5)
Boardwalks	Subsection A	Subsection B	Subsection C(1) and C(6)
Seawalls	Subsection A	Subsection B	Subsection C(1) and C(7)
Other Shoreline and Streambank Protection	Subsection A	Subsection B	Subsection C(1) and C(8)
Minor Non-Commercial Boat Docks	Subsection A	Subsection B	Subsection C(1) and C(9)
Signposts, Poles, Fencing, and Guardrails	Subsection A	Subsection B	Subsection C(1) and C(10)
Minor Modification of Culverts, Storm Sewers, and Drain Tiles	Subsection A	Subsection B	Subsection C(1) and C(11)
Decks	Subsection A	Subsection B	Subsection C(1) and C(12)
Topsoil and Sand Restoration	Subsection A	Subsection B	Subsection C(1) and C(13)
Pools	Subsection A	Subsection B	Subsection C(1) and C(14)
Replacement Onsite Waste Disposal Systems	Subsection A	Subsection B	Subsection C(1) and C(15)
Material Storage	Subsection A	Subsection B	Subsection C(1) and C(16)
Dredging	Subsection A	Subsection B	Subsection C(1) and C(17)
Wetland Restoration and Enhancement	Subsection A	Subsection B	Subsection C(1) and C(18)

SECTION XIX: That the following be inserted as Section 595-9C(4) and existing Subsections A(4) through A(17) be renumbered as A(5) through A(17) respectively:

(4) Maintenance of existing roads and bridges. To be authorized by this General Permit Number 1, maintenance of existing roads and bridges shall meet the following criteria:

(a) Rehabilitative maintenance, such as milling and overlaying, that does not increase the impervious area and does not increase the surface elevation. Maintenance also includes increasing the surface elevation, with the following limitations:

[1] Resurfacing outside flood hazard areas;

[2] Resurfacing within flood-prone areas;

[3] Resurfacing within the flood fringe, provided the difference between the elevation of the road or bridge surface after resurfacing and the elevation of the road or bridge surface on the effective date of this Ordinance is not more than two inches.

(b) Repair, not including in-kind replacement, of an existing bridge outside the designated floodway.

SECTION XX: That the Permitting Flowchart in Chapter 595 Appendix 1 be replaced with the following flowchart:

Agenda Item No: 21

City Council
Agenda Supplement

Meeting Date: September 6, 2016

Item: Agreement with Midwest Petroleum Development Company Crystal Lake, Inc., for the construction of water main underneath Route 14, north of Route 176.

Staff Recommendation: Motion to adopt a resolution authorizing the City Manager to execute an agreement with Midwest Petroleum Development Crystal Lake, Inc., for the construction of water main underneath Route 14, north of Route 176.

Staff Contact: Abigail Wilgreen, City Engineer

Background:
On June 21, 2011, the City Council annexed the property at the northwest corner of Routes 14 and 176. This property has a combination BP Gas Station and McDonalds. In the fall of 2014, the property owner connected to the City's sewer system. They also attempted to connect to the City's water system but had difficulties. Several attempts were made to directionally bore underneath Route 14 to connect to the existing water main on the east side of Route 14, but it was unsuccessful due to the presence of auger refusal.

Last fall, the City took advantage of the construction of the Route 14 improvement to install a casing pipe using an open cut. The casing pipe would serve as a sleeve that a future water main could use to provide access to properties on the west side of Route 14. Using existing agreements and contracts, the City was able to use IDOT's contractor to install the casing pipe. The owner of the BP/McDonald's property, Midwest Petroleum Development Crystal Lake, participated in the cost of the installation. This agreement was approved by the City Council on September 15, 2015.

Now that the casing pipe has been installed, the City has been working with Midwest Petroleum to facilitate the installation of the water main. Since this portion of the connection will be owned and maintained by the City, Midwest Petroleum requested that the City agree to coordinate the installation of a new water main under Route 14. The private connection from the water main to the building will be completed separately by Midwest Petroleum.

Since the water main is for the benefit of the BP/McDonalds Property, the City has requested that Midwest Petroleum agree to pay for the installation of the water main. They agreed to fund the installation that is adequate for their property, which would be an eight-inch diameter water main. However, if the properties to the north and west were to annex and redevelop, the eight-inch water main may not be adequate. To assist with the future redevelopment of the existing vacant properties north and west of the BP/McDonalds property, it is recommended that a 12-inch diameter water main be installed at this time. This size of water main should be adequate to serve these properties.

Midwest Petroleum has agreed to pay the necessary costs to install an 8-inch main, and the City would pay the additional costs to install the 12-inch main. Through the bidding of the water main construction, the City is able to quantify the cost difference accurately. The cost difference could then be collected from the other properties that connect to the water main upon annexation and redevelopment.

An agreement to memorialize Midwest Petroleum's participation for paying for the water main is attached. Based on the as-bid quantities, Midwest Petroleum's share is $108,128.00, and the City's share is $16,170.00. However, the final amounts will be determined by the final quantities of the unit items, so those figures could vary. The agreement outlines that Midwest Petroleum's final share shall be based upon the as-constructed costs. The agreement was reviewed by the Midwest Petroleum's attorney and the City's special counsel and has been deemed acceptable.

Votes Required to Pass:
Simple majority of City Council present.

The City of Crystal Lake Illinois

DRAFT

RESOLUTION

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE that the City Manager be authorized to execute the agreement for the installation of a water main underneath Route 14 with Midwest Petroleum Development Company Crystal Lake, Inc.

DATED this 6th day of September, 2016.

CITY OF CRYSTAL LAKE, an Illinois Municipal Corporation

BY: _____
MAYOR

SEAL

ATTEST:

_____
CITY CLERK

PASSED: September 6, 2016

APPROVED: September 6, 2016

Agenda Item No: 22

City Council
Agenda Supplement

Meeting Date: September 6, 2016

Item: Route 14 Water Main Crossing North of Route 176 Bid Award

Staff Recommendation: Motion to award the Route 14 Water Main Crossing North of Route 176 bid to the lowest responsive and responsible bidder, R.A. Mancini, Inc., in the bid amount of $124,298.00 and adopt a resolution authorizing the City Manager to execute a contract with R.A. Mancini, Inc., allowing for a 10 percent contingency.

Staff Contact: Abigail Wilgreen, City Engineer

Background:
On August 29, 2016, the City opened and publicly read the bids received for the Route 14 Water Main Crossing North of Route 176 construction. The City received three bids and the results are tabulated below.

Firm	*Amount of Bid*
R.A. Mancini, Inc.[1] Lakemoor, IL	$124,298.00
Maneval Construction, Inc. Grayslake, IL	$128,463.00
Berger Excavating, Inc. Wauconda, IL	$132,900.00

[1] Indicates Recommended Lowest Responsive and Responsible Bidder.

This project will construct a water main in an already constructed casing pipe underneath Route 14 just north of Route 176. The water main will service the BP/McDonalds at the northwest corner of the intersection, and would benefit other properties to the north and west in the future. The owner of the BP/McDonalds property, Midwest Petroleum Developers Crystal Lake, has agreed to fund a significant portion of the cost, with the City paying the remainder. The remainder could then be charged to the future developers of other benefitting properties in the area. Based on the as-bid quantities, Midwest Petroleum's share is $108;128.00, and the City's share is $16,170.00.

The City sent a notice of the bid to several different contractors and standard bid advertisement procedures were followed. References were contacted for R.A. Mancini and all of them had good experiences with this contractor.

Votes Required to Pass:
Simple majority vote

The City of Crystal Lake Illinois

DRAFT

RESOLUTION

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE that the City Manager be authorized to execute the contract with R.A. Mancini, Inc., for the Route 14 Water Main Crossing North of Route 176 construction in the amount of $124,298.00. The City Manager is additionally authorized to approve up to 10 percent in justifiable contract amendments from a contingency allowance.

DATED this 6th day of September, 2016.

CITY OF CRYSTAL LAKE, an Illinois Municipal Corporation

BY: _____
Mayor

SEAL

ATTEST:

_____
City Clerk

PASSED: September 6, 2016

APPROVED: September 6, 2016

Agenda Item No: 23

City Council
Agenda Supplement

Meeting Date: September 6, 2016

Item: 2016 Sidewalk Saw Cutting Program Bid Award

Staff Recommendation: Motion to award the 2016 Sidewalk Saw Cutting Program bid to the lowest responsive and responsible bidder, Sidewalks Plus USA, in the bid amount of $55,000.00, and adopt a resolution authorizing the City Manager to execute the contract with Sidewalks Plus USA, and allowing for a 10 percent contingency.

Staff Contact: Abigail Wilgreen, City Engineer

Background:
On August 24, 2016, the City opened and publicly read bids received for the 2016 Sidewalk Saw Cutting Program. The City received two bids and the results are tabulated below.

Firm	*Amount of Bid*[2]
Sidewalks Plus USA[1] Las Vegas, NV	$55,000.00
Safe Step Hortonville, WI	$75,950.00

[1] Indicates Recommended Lowest Responsive and Responsible Bidder
[2] Corrected Bid Amount Based on Submitted Unit Prices with Adjusted Quantities

Standard bid advertisement procedures were followed and the bid was sent directly to nineteen contractors. A comparison of the unit price per cut showing 2015 vs. 2016 is as follows:

Item	*2016*	*Number of Cuts (assuming $55,000)*	*2015*	*Number of Cuts (assuming $55,000)*
Price Per Cut	$55.00	1,000	$65.00	846

Sidewalk saw cutting is a relatively new process of eliminating sidewalk trip hazards due to displacement. The saw cutting process horizontally saws off trip hazards which are displaced, bringing the location in compliance with American Disabilities Act standards. Sidewalk cutting as compared to the traditional removal and replacement is:

Item	*Remove and Replace*	*Saw Cutting (Machine)*
Quicker (Approximate Time Frame)	5-7 days (concrete to cure)	½ hour
Cost Effective (Approximate Cost to Remove One Trip Hazard)	$200	$55-$65
Number of Trip Hazard Removals (assume $52,000 budget)	260 locations	800-1000 locations
Impact to Trees	Roots need to be cleanly cut	None
Impact to Adjacent Homeowners/Businesses	Sidewalk closed for up to a week	Minimal

Not all trip hazard locations can be eliminated using sidewalk cutting, such as displacements over 2.5 inches and severe cracking or spalling; therefore, full removal and replacement will still be necessary at some locations.

Due to advantageous prices, quantities have been increased to saw cut additional sidewalk locations beyond what was included in the original bid but within budget. This project is included in the proposed Fiscal Year 2016-2017 Budget and the sidewalk cutting will take place this fall.

Votes Required to Pass:
Simple majority

The City of Crystal Lake Illinois

DRAFT

RESOLUTION

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE that the City Manager be authorized to execute the contract with Sidewalks Plus USA, for the 2016 Sidewalk Saw Cutting Program in the amount of $55,000.00. The City Manager is additionally authorized to approve up to 10 percent in justifiable contract amendments from a contingency allowance.

DATED this 6th day of September, 2016.

CITY OF CRYSTAL LAKE, an Illinois Municipal Corporation

BY: _____
Mayor

SEAL

ATTEST:

_____
City Clerk

PASSED: September 6, 2016

APPROVED: September 6, 2016

Agenda Item No: 24

City Council
Agenda Supplement

Meeting Date:	September 6, 2016
Item:	Vehicle Purchase-Suburban Purchasing Cooperative Contract #129, a 2017 Ford Escape and Contract #150, a 2016 Ford Transit Van.
Staff Recommendation:	Motion to adopt a resolution authorizing the City Manager to execute an agreement with Currie Motors, in Frankfort, IL, for the purchase of one (1) Ford Escape in the amount submitted through the Suburban Purchasing Cooperative, Contract #129 and the purchase of one (1) Ford Transit Van in the amount submitted through the Suburban Purchasing Cooperative, Contract #150.
Staff Contact:	Victor Ramirez, Director of Public Works

Background:
The Public Works Department requested fleet vehicle replacements as part of the Fiscal Year 2016/2017 Budget. The 2017 Ford Escape will replace a 2003 Chevrolet Impala with 91,000 miles and a 2016 Ford Transit Van will replace a 2003 Chevrolet Express van with 123,000 miles. The existing vehicles will be declared as surplus once the new units are integrated into the fleet.

As members of the Suburban Purchasing Cooperative Program, the City is able to take advantage of the cooperative members' leveraged contract. This program allows members to combine purchasing power, which significantly reduces costs. All items that are bid through the Cooperative follow the same public procurement statutes that the City follows during the competitive, sealed bidding process.

Recommendation:
The Public Works Department recommends purchasing the two Ford vehicles for a combined total of $46,595. The Ford Escape will be purchased for $22,875 while the Ford Transit Van will be purchased for $23,720 from Currie Motors in Frankfort, IL. Both will be purchased through the Suburban Purchasing Cooperative Program. Funds have been budgeted for these purchases.

Votes Required to Pass:
Simple Majority

DRAFT

RESOLUTION

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE that the City Manager is authorized to execute a Purchase Agreement between the CITY OF CRYSTAL LAKE and Currie Motors (Frankfort, IL) for the purchase of one (1) Ford Escape and one (1) Ford Transit Van in the submitted amounts.

DATED this 6th day of September, 2016.

CITY OF CRYSTAL LAKE, an
Illinois municipal corporation,

By:_____
MAYOR

SEAL

ATTEST

_____
CITY CLERK

PASSED: September 6, 2016
APPROVED: September 6, 2016