CITY OF CRYSTAL LAKE
REVISED AGENDA*
CITY COUNCIL
REGULAR MEETING

City of Crystal Lake
100 West Woodstock Street, Crystal Lake, IL
City Council Chambers
April 19, 2022
7:00 p.m.

1. **Call to Order**

2. **Roll Call**

3. **Pledge of Allegiance**

4. **Approval of Minutes – April 5, 2022 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. **Class 16 Temporary Liquor License Requests – Crystal Lake Park District 2022 Events**
   b. **Class 20 Temporary Liquor License Request – On Angels' Wings**

10. **Quarry Cable Park 2022 Use Fees and The Cottage on the Beach 2022 Concession Menu**

11. **241 Edgewater Drive - Variation from Article 3 Front Yard Setback to allow a deck to encroach 11.2 feet into the required 71.2-foot front yard setback**

12. **161 Liberty Road – Sign Variation for a second free-standing sign**

13. **88 Railroad Street, Unit B – Crystal Lake Junction, Variation from the required parking of 16 on-site spaces to allow 11 spaces**

14. **City Code Amendment to Decrease the Number of Class 25 Liquor Licenses and Increase the Number of Class 24 Liquor Licenses – Applicant: Railroad Street PJC LLC, d/b/a Crystal Lake Junction, located at 88 Railroad Street, Unit B**

15. **City Code Amendment to Increase the Number of Class 24 Liquor Licenses – Applicant: Om Swami Crystal Lake Inc., d/b/a Papa Savarios, located at 540 E. Terra Cotta Avenue, Unit A**

16. **150 N. Main Street – Crystal Lake Brewing, Special Use Permit (SUP) Amendment to allow an expanded outdoor seating area**

17. **Liquor Code Amendments to Class 26 requirements for outdoor liquor sales and consumption**

18. Designation and Auction of Surplus Vehicle Lift

19. Bid Award - Cleaning Services

20. Bid Award - Unleaded Gasoline and Diesel Fuel

21. Bid Award - 2022 Crack Sealing, Municipal Partnership Initiative

22. Financial Software Package Renewal

23. Proposal Award – Enterprise Resource Planning Software Service Agreement

24. Proposed Amendment to Chapter 397 Pollution, Section 5 Bonfires or Recreational Burning, including changes to the following: 397-5 A(2), B (1) Notification (b), and other items in Section B

25. Randall Road Improvements Resolution

26. Ordinance providing for the issuance of not to exceed $18,000,000 General Obligation Bonds for the purpose of financing capital improvements within the City and refunding certain outstanding bonds of the City, providing for the levy and collection of a direct annual tax for the payment of the principal of and interest on said bonds, authorizing the sale of said bonds to the purchasers thereof and providing for the execution of an escrow agreement in connection with such issuance; and the adoption a Resolution authorizing the development of a financing plan of said issuance

27. Council Inquiries and Requests

28. 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

29. Reconvene to Regular Session

30. Adjourn

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

*Originally posted 4/14/22 at 5:20 p.m.

Agenda Item No: 9a

City Council
Agenda Supplement

Meeting Date:	April 19, 2022
Item:	Class 16 Temporary Liquor License Requests – Crystal Lake Park District 2022 Events
Staff Recommendation:	Motion to approve issuance of twenty-one (21) Class 16 Temporary Liquor Licenses to the Crystal Lake Park District for the Park District's 2022 events.
Staff Contact:	Eric Helm, Deputy City Manager Melanie Nebel, Executive Assistant

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Background:
The City has received a request from the Crystal Lake Park District for the issuance of Temporary Liquor Licenses for the Park District's 2022 events. The Park District is requesting twenty-one (21) Class 16 Temporary Liquor Licenses for the scheduled events.

The 2022 events include softball tournaments at Lippold Park on April 26-28, May 4-6, May 9-11, May 18-20, May 24-26, June 6-8, June 16-18, June 22-24, June 27-29, July 6-8, July 28-30, August 3-5, August 11-13, August 22-24, September 2-3, September 8-10, September 12-14, September 22-24, October 4-6, October 15, and October 29.

Section 329-5-P of the City Code - Class 16 Temporary Liquor License - authorizes the retail sale of beer and wine for consumption upon the premises specified in the license where sold for a period not to exceed three (3) days for special events sponsored by a not-for-profit organization.

The Park District has submitted the required application forms, certificates of insurance and fees for the twenty-one (21) Class 16 Temporary Liquor Licenses.

Votes Required to Pass:
Simple majority

Agenda Item No: 9b

City Council
Agenda Supplement

Meeting Date:	April 19, 2022
Item:	Class 20 Temporary Liquor License Request - On Angels' Wings
Staff Recommendation:	Motion to approve issuance of a Class 20 Temporary Liquor License to On Angels' Wings.
Staff Contact:	Eric T. Helm, Deputy City Manager Melanie Nebel, Executive Assistant

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Background:
The City received a request from On Angels' Wings for the issuance of a Class 20 Temporary Liquor License in order to offer wine as part of a cork pull, in the package only, as a raffle prize for a fundraiser on Saturday, April 30, 2022. While raffle licenses are approved administratively per the City Code, the issuance of a temporary liquor license requires consideration by the City Council.

The organization will need a temporary liquor license as the awarding of alcoholic liquor as a raffle prize is considered the sale of alcohol by the State Liquor Control Act. The wine raffle prizes will be awarded at Hickory Hall, located at 406 Woodstock Street, on Saturday, April 30, 2022 and must be picked up by Monday, May 2, 2022.

Section 329-5-T of the City Code permits the issuance of a Class 20 Temporary Liquor License for the retail sale of alcoholic liquor on the premises in packages only but not for consumption on the premises specified in the license where sold. The license shall be issued to not-for-profit corporations or organizations qualified to do business in the State of Illinois. The license shall be for a period not to exceed three days and shall be issued only for special events sponsored by the not-for-profit corporation or organization requesting the license.

On Angels' Wings has met all application requirements for a temporary liquor license. The organization received their raffle license on March 25, 2022 with a condition of needing to obtain a temporary liquor license before the cork pull on April 30, 2022.

Votes Required to Pass:
Simple majority

Agenda Item No: 10

City Council
Agenda Supplement

Meeting Date: April 19, 2022

Item: The Quarry Cable Park 2022 Use Fees and The Cottage on the Beach 2022 Concession Menu.

Staff Recommendation: 1. Motion to adopt a Resolution approving the 2022 Use Fees per section 5.02 of the property use agreement between Quarry Cable Park, LLC and the City of Crystal Lake, and;

2. Motion to adopt a Resolution approving the 2022 Concession Menu per section 9(a) of the Concessionaire Lease Agreement between the Cottage on the Beach and the City of Crystal Lake.

Staff Contact: Eric T. Helm, Deputy City Manager
Nick Hammonds, Assistant to the City Manager

The Quarry Cable Park 2022 Pricing:

Per section 5.02 of the City's Property Use Agreement with Quarry Cable Park, LLC, the concessionaire must submit their proposed fees for the use of the facility by members of the public. The 2021 fees and the proposed 2022 fees are depicted in the below table. The proposed fees are in compliance with the terms of the property use agreement.

The Quarry Cable Park Use Fees / Rates				
		2021	*2022*	
RATES	2hr	$40	*$50*	
	All day	$60	*$70*	
RENTAL	Helmet	$8	*$8*	
	Life Vest	$20	*$10*	
	Standard Board	$20	*$20*	
	Demo Board	$40	*$40*	
MULTI-RIDE	5 pk (2-Hour)	$175	*$225*	Save $25
	5 pk (All-Day)	$250	*$300*	Save $50
	10 pk (2-Hour)	$350	*$450*	Save $50
	10 pk (All-Day)	$525	*$625*	Save $75
SEASON	Q Pass Unlimited	$850	*$850*	
	Parking	Additional	*Additional*	

Section 5.02 of the property use agreement states that "the Use Fees shall be based upon the prevailing market rate for similar facilities." It also states that the City's approval of the use fees cannot be unreasonably withheld. Based on a sampling of several similar cable parks, it is the determination of City Staff that the 2022 Quarry Cable Park fees at the Three Oaks Recreation Area are in line with the prevailing market at other cable park facilities.

Sample of Cable Park Pricing	2 hour pass	4 hour pass	All Day
Action Wake Park, MI	$40	$50	$60
Hydrous Cable Park, Allen, TX	$40	$80	NA
Wake Nation, Fairfield, OH	$40	$45	$50
The Quarry Cable Park, Crystal Lake, IL	$50	-	$70

The Cottage on the Beach 2022 Menu:

Per section 9(a) of the Concessionaire Lease Agreement with the Cottage on the Beach, the concessionaire (the Cottage on the Beach) must submit their proposed menu, including a description and price for each food item, 30 days prior to the concessions opening date. The 2021 proposed menu and pricing are depicted in the below tables. The proposed menu is in compliance with the Concessionaire Lease Agreement. Higher costs for beef and the Illinois minimum wage increase have factored into the increased 2022 menu prices.

The Cottage on the Beach Proposed Menu				
	2021	*2022*	*2022*	*2022*
Menu Item	Single Item	*Single Item*	*Small Combo (Fries and Drink)*	*Large Combo (Fries and Drink)*
Quarter Pound Hamburger	$6.00	*$7.00*	*$10.00*	*$11.00*
Quarter Pound Cheeseburger	$6.25	*$8.00*	*$11.00*	*$12.00*
Grilled Chicken Sandwich	$6.00	*$7.00*	*$10.00*	*$11.00*
Hot Dog	$4.00	*$4.00*	*$7.00*	*$8.00*
Chicken Tenders (3)	$6.00	*$5.00*	*$8.00*	*$9.00*
Fries	$2.50	*$4.00*		
Cheese Fries	$3.25	*$5.00*		
Pretzel Bites with Cheese	$6.00	*$6.00*		
Nachos with Cheese	$4.00	*$5.00*		
Chips	$1.00	*$1.00*		
Sundae	$6.00	*$6.00*		
Cookie Sandwiches	$5.00	*$5.00*		
Packaged Ice Cream	$5.00	*$5.00*		
Single Scoop Cone	$3.00	*$3.00*		
Double Scoop Cone	$4.00	*$4.00*		
Rootbeer Float	$4.00	*$4.00*		
Sherbet Tubes	$4.00	*$4.00*		
Ice Pops	$2.00	*$2.00*		
21 oz Fountain Drink	$2.00	*$2.50*		
32 oz Fountain Drink	$2.50	*$3.50*		
Island Oasis Smoothies	$4.00	*$5.00*		
Juice Box	$2.00	*$2.00*		
Milk	$2.00	*$2.00*		

Votes Required to Pass:

Simple majority vote of the City Council.

22R-___

RESOLUTION

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE that per section 5.02 of the Property Use Agreement between the City of Crystal Lake and Quarry Cable Park, LLC, the City approves the 2022 Use Fees/Rates for the use of the Facilities by members of the public, and that per section 9(a) of the Concessionaire Lease Agreement between the City of Crystal Lake and the Cottage on the Beach, the City approves the 2022 Concession Menu.

The approved Use Fees are depicted in the below table.

The Quarry Cable Park Use Fees / Rates				
		2021	*2022*	
RATES	2hr	$40	*$50*	
	All day	$60	*$70*	
RENTAL	Helmet	$8	*$8*	
	Jacket	$20	*$10*	
	Standard Board	$20	*$20*	
	Demo Board	$40	*$40*	
MULTI-RIDE	5 pk (2-Hour)	$175	*$225*	Save $25
	5 pk (All-Day)	$250	*$300*	Save $50
	10 pk (2-Hour)	$350	*$450*	Save $50
	10 pk (All-Day)	$525	*$625*	Save $75
SEASON	Q Pass Unlimited	$850	*$850*	
	Parking	Additional	*Additional*	

The approved Concession Menu is depicted in the below table.

The Cottage on the Beach Proposed Menu				
	2021	*2022*	*2022*	*2022*
Menu Item	Single Item	*Single Item*	*Small Combo (Fries and Drink)*	*Large Combo (Fries and Drink)*
Quarter Pound Hamburger	$6.00	*$7.00*	*$10.00*	*$11.00*
Quarter Pound Cheeseburger	$6.25	*$8.00*	*$11.00*	*$12.00*
Grilled Chicken Sandwich	$6.00	*$7.00*	*$10.00*	*$11.00*
Hot Dog	$4.00	*$4.00*	*$7.00*	*$8.00*
Chicken Tenders (3)	$6.00	*$5.00*	*$8.00*	*$9.00*
Fries	$2.50	*$4.00*		
Cheese Fries	$3.25	*$5.00*		
Pretzel Bites with Cheese	$6.00	*$6.00*		
Nachos with Cheese	$4.00	*$5.00*		
Chips	$1.00	*$1.00*		

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Sundae	$6.00	*$6.00*		
Cookie Sandwiches	$5.00	*$5.00*		
Packaged Ice Cream	$5.00	*$5.00*		
Single Scoop Cone	$3.00	*$3.00*		
Double Scoop Cone	$4.00	*$4.00*		
Rootbeer Float	$4.00	*$4.00*		
Sherbet Tubes	$4.00	*$4.00*		
Ice Pops	$2.00	*$2.00*		
21 oz Fountain Drink	$2.00	*$2.50*		
32 oz Fountain Drink	$2.50	*$3.50*		
Island Oasis Smoothies	$4.00	*$5.00*		
Juice Box	$2.00	*$2.00*		
Milk	$2.00	*$2.00*		

DATED this 19th day of April, 2022.

CITY OF CRYSTAL LAKE, an
Illinois municipal corporation,

By:_____
MAYOR

SEAL

ATTEST

_____
CITY CLERK

PASSED: April 19, 2022
APPROVED: April 19, 2022

Draft

Agenda Item No: 11

City Council
Agenda Supplement

Meeting Date: April 19, 2022

Item: REPORT OF THE PLANNING & ZONING COMMISSION

Request: Variation from Article 3 Front Yard Setback to allow a deck to encroach 11.2 feet into the required 71.2-foot front yard setback

Gerry Meyer, petitioner
241 Edgewater Drive

PZC Recommendation: To approve the Planning and Zoning Commission (PZC) recommendation and adopt an Ordinance granting a variation to allow a deck to encroach into the front yard setback at 241 Edgewater Drive.

Staff Contact: Kathryn Cowlin, Director of Community Development
Elizabeth Maxwell, City Planner

Background:

- This house was recently constructed along Crystal Lake.
- The house was constructed with a different average setback and the open deck was permitted to encroach 4 feet into that setback. Setbacks change based on the homes near the property, so the new average is farther from the lake, which causes more of the deck to be in the setback.
- The lot is unique because lots along the lake are subject to an average setback for the front yard (yard abutting the lake). In this instance the average setback is 71.2 feet back from the lake. This is more than three times what a typical rear yard setback for a standard residential home.

PZC Highlights:

The following discussion took place during the Planning and Zoning Commission hearing:

- The Commission understood the challenges of a lake lot and the average setback.
- The Commission thanked the petitioner for making the deck more accessible and felt that the increased size would not be a concern for the surrounding area.
- The PZC members found that the petition met the Findings of Facts.

The PZC recommended **approval (7-0)** of the petitioner's request with the following conditions:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
   A. Application (Meyer, received 03/15/22)
   B. Site Plan (Meyer. undated, received 02/11/21)

2. The deck shall remain unroofed and open on all sides.

3. The petitioner shall address all of the review comments and requirements of Community Development Department.

Votes Required to Pass: A simple majority.

Acknowledgement Form

Regarding the Variation at 241 Edgewater Drive. Please check one of the choices and sign below.

☑ I hereby acknowledge that I have read, understand, and agree to the staff review comments and recommended conditions contained in the staff report, city staff reviews, and consultant reviews (if applicable).

☐ I hereby acknowledge that I have read, understand, and agree to most of the staff review comments and recommended conditions contained in the staff report, city staff reviews, and consultant reviews (if applicable) but have concerns with the following items:

_____

_____

Petitioner's Name: _____ Date: 4/12/22
Signature

Recommended Conditions:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
   A. Application (Meyer, received 03/15/22)
   B. Site Plan (Meyer. undated, received 02/11/21)

2. The deck shall remain unroofed and open on all sides.

3. The petitioner shall address all of the review comments and requirements of Community Development Department.

PIQ MAP
241 Edgewater Drive



Ord. No.
File No.

The City of Crystal Lake Illinois

AN ORDINANCE GRANTING A SIMPLIFIED RESIDENTIAL VARIATION AT 241 EDGEWATER DRIVE

WHEREAS, pursuant to the terms of a Petition (File #PLN-2022-46) before the Crystal Lake Planning and Zoning Commission, the Petitioner has requested a Variation from the required 71.2-foot averaged front yard setback to allow a deck to encroach 11.2 feet at 241 Edgewater Drive; and

WHEREAS, the Planning and Zoning Commission of the City of Crystal Lake, pursuant to notice duly published on March 18, 2022 in the Northwest Herald, held a public hearing at 7:00 p.m., on April 6, 2022 at City Hall at 100 W. Woodstock Street, Crystal Lake, Illinois to consider the proposed deck encroachment; and

WHEREAS, on April 6, 2022, 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 Variation be approved, as documented in the minutes, and

WHEREAS, it is in the best interests of the CITY OF CRYSTAL LAKE that the 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 Variation to allow an 11.2-foot encroachment for an open deck be approved for the property commonly known as 241 Edgewater Drive (18-01-176-004), Crystal Lake, Illinois.

Section II: Said Variation is issued with the following conditions:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
   A. Application (Meyer, received 03/15/22)
   B. Site Plan (Meyer. undated, received 02/11/21)

2. The deck shall remain unroofed and open on all sides.

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3. The petitioner shall address all of the review comments and requirements of Community Development Department.

Section III: That the City Clerk be and is hereby directed that all pertinent records of the City of Crystal Lake to show the issuance of a Variations 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 19th day of April, 2022.

City of Crystal Lake, an
Illinois municipal corporation

_____
Haig Haleblian, MAYOR

SEAL

ATTEST:

_____
Nick Kachiroubas, CITY CLERK

Passed: April 19, 2022
Approved: April 19, 2022

Draft

#2022-46
241 Edgewater Drive – Variation
Project Review for Planning and Zoning Commission

Meeting Date: April 6, 2022

Request: Variation from Article 3 Front Yard Setback to allow a 5-foot extension to a deck, which will encroach 11.2 feet into the required 71.2-foot front yard setback.

Location: 241 Edgewater Drive

Acreage: Approximately 8,900 square feet

Existing Zoning: R-2 Single Family

Surrounding Properties:

North:	R-2 Single Family
South:	R-2 Single Family
East:	R-2 Single Family
West:	R-2 Single Family

Staff Contact: Elizabeth Maxwell (815.356.3615)

Background:

- The property is an existing single-family residential lot on Crystal Lake.
- The lot is unique because lots along the lake are subject to an average setback for the front yard (yard abutting the lake). In this instance the average setback is 71.2 feet back from the lake. This is more than three times what a typical rear yard setback for a standard residential home.
- The house was constructed with a different average setback and the open deck was permitted to encroach 4 feet into that setback. Setbacks change based on the homes near the property, so the new average is farther from the lake, which causes more of the deck to be in the setback.

Development Analysis:

General

- Request: The petitioner is requesting a variation from the averaged front yard setback of 71.2 feet for a portion of the deck to encroach 11.2 feet.
- Zoning: The site is zoned R-2 Single Family. This property is used as a single-family home.
- Land Use: The land use map shows the area as Urban Residential. This land use designation is appropriate for this use.

Project Analysis:

- The front yard setback was calculated to be 71.2 feet from the lake. This is based off the average setback of the homes within 400 feet.
- The extension of the deck is a small area to create a more standard shape area for better usage.

Comprehensive Land Use Plan 2030 Vision Summary Review:

The Comprehensive Plan designates the subject property as Urban Residential, which allows for existing and future single-family residential uses. The following goal is applicable to this request:

Land Use - Residential

Goal: Encourage a diversity of high quality housing in appropriate locations throughout the city that supports a variety of lifestyles and invigorates community character.

This can be accomplished with the following supporting action:

Supporting Action: Provide for a reasonable rate of residential growth, especially infill growth and mixed-use development which take advantage of existing City services.

Findings of Fact:

ZONING ORDINANCE VARIATION

The petitioner is requesting a variation from Article 3 to allow a deck extension, which will encroach 11.2 feet into the required 71.2-foot front yard.

The Unified Development Ordinance lists specific standards for the review and approval of a variation. The granting of a variation rests upon the applicant proving practical difficulty or hardship caused by the Ordinance requirements as they relate to the property. To be considered a zoning hardship, the specific zoning requirements; setbacks, lot width and lot area must create a unique situation on this property. It is the responsibility of the petitioner to prove hardship at the Planning and Zoning Commission public hearing.

Standards

When evidence in a specific case shows conclusively that literal enforcement of any provision of this Ordinance would result in a practical difficulty or particular hardship because:

a. The plight of the property owner is due to unique circumstances, such as, unusual surroundings or conditions of the property involved, or by reason of exceptional narrowness, shallowness or shape of a zoning lot, or because of unique topography, or underground conditions.

☒ *Meets* ☐ *Does not meet*

b. Also, that the variation, if granted, will not alter the essential character of the locality.

☒ *Meets* ☐ *Does not meet*

For the purposes of supplementing the above standards, the Commission may take into consideration the extent to which the following facts favorable to the application have been established by the evidence presented at the public hearing:

a. That the conditions upon which the application for variation is based would not be applicable generally to other property within the same zoning classification;

☒ *Meets* ☐ *Does not meet*

b. That the alleged difficulty or hardship has not been created by any person presently having interest in the property;

☒ *Meets* ☐ *Does not meet*

c. That the granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located; or

☒ *Meets* ☐ *Does not meet*

d. That the proposed variation will not impair an adequate supply of light or air to adjacent property, will not unreasonably diminish or impair the property values of adjacent property, will not unreasonably increase congestion in the public streets, substantially increase the danger of fire or otherwise endanger public safety.

☒ *Meets* ☐ *Does not meet*

Where the evidence is not found to justify such conditions, that fact shall be reported to the City Council with a recommendation that the variation be denied.

Recommended Conditions:

If a motion to recommend approval of the petitioner's request is made, it should be with the following conditions:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
   A. Application (Meyer, received 03/15/22)
   B. Site Plan (Meyer. undated, received 02/11/21)

2. The deck shall remain unroofed and open on all sides.

3. The petitioner shall address all of the review comments and requirements of Community Development Department.

Application for Simplified Residential Variation

Application Number: _____ FOR OFFICE USE ONLY

Project Name: _____

Date of Submission: _____

I. Applicant

Gerry Meyer

Name

241 Edgewater Drive

Street

Crystal Lake | IL | 60014

City | State | Zip Code

[redacted] | [redacted]

Telephone Number | Fax Number | E-mail address

II. Owner of Property (if different)

Name

Address | Telephone Number

III. Project Data

1. a. Location/Address: 241 Edgewater Drive, Crystal Lake, IL 60014

   b. PIN #: 18-01-176-004

2. Description of proposal/Reason for request (including how the standards for variation are met, any unique circumstance of the property, or particular hardship):

DESCRIBE THE UNIQUE CIRCUMSTANCES OF THE PROPERTY:

241 Edgewater Drive is unique in that the shoreline is not perpendicular to the property but instead cuts inward on the North side of the shoreline. My aging parents live with us many months of the year and require the use of a wheelchair on a daily basis. The current deck does not allow sufficient space (minimum 60 inches diameter outlined in the 2018 Illinois Accessibility Code) for a wheelchair to turn around, when a modest table and chairs for eating are on the deck. The proposal is to extend a portion of the deck an additional 5ft to give adequate area for those physically impaired to maneuver and enjoy the deck outdoor space.

IS THE HARDSHIP SELF-CREATED?

No

ARE THE CONDITIONS APPLICABLE TO OTHER PROPERTIES IN THE SAME ZONING CLASSIFICATION?

No

WILL THE VARIATION ALTER THE ESSENTIAL CHARACTER OF THE LOCALITY?

No

WILL THE VARIATION, IF GRANTED BE DETRIMENTAL TO PUBLIC WELFARE OR INJURIOUS TO OTHER PROPERTY?

No

WILL THE VARIATION AS PROPOSED IMPAIR ADEQUATE SUPPLY OF LIGHT OR AIR TO ADJACENT PROPERTY; DIMINISH PROPERTY VALUE; INCREASE CONGESTION IN PUBLIC STREETS; SUSBTANTIALLY INCREASE THE DANGER OF FIRE; OT ENDANGER PUBLIC SAFETY?

No impact to neighboring properties. Line of site to the lake remains unchanged.

3. List any previous variations that are approved for this property: None

IV. Signatures

PETITIONER: Print and Sign name (if different from owner) Date

As owner of the property in question, I hereby authorize the seeking of the above requested action.

Gerry Meyer 3/28/22

OWNER: Print and Sign name Date

NOTE: If the property is held in trust, the trust officer must sign this petition as owner. In addition, the trust officer must provide a letter that names all beneficiaries of the trust.

CRYSTAL LAKE PLANNING AND ZONING COMMISSION
WEDNESDAY, APRIL 6, 2022
HELD AT THE CRYSTAL LAKE CITY COUNCIL CHAMBERS

The meeting was called to order by Mr. Greenman at 7:00 p.m.

CALL TO ORDER

Mr. Greenman called the meeting to order. On roll call, members Atkinson, Greenman, Jouron, Repholz, Skluzacek and Teetsov were present. Member Gronow was absent.

Kathryn Cowlin, Director of Community Development, Michael Magnuson, Director of Public Works & Engineering, Elizabeth Maxwell, City Planner, Abigail Wilgreen, City Engineer and Commander Luke Behning were present from Staff.

Mr. Greenman said this meeting is being recorded for broadcast and future playback on the City's cable channel. He led the group in the Pledge of Allegiance.

2022-46 – 241 EDGEWATER DRIVE – RESIDENTIAL VARIATION

Variation from Article 3 Front Yard Setback to allow a 5-foot extension to a deck, which will encroach 11.2 feet into the required 71.2-foot front yard setback.

Mr. Gerry Meyer was present to represent the petition. He provided a presentation of the request. He stated because of the way the setback is calculated instead of a 5-foot variation, they need an 11.2-foot variation. They need a larger deck for accessibility, especially wheelchairs.

Mr. Greenman opened the public hearing. There being no one to speak on the request, he closed the public hearing.

Staff summarized the request.

Mr. Greenman asked the petitioner if he is okay with the conditions. Mr. Meyer responded yes.

Mr. Skluzacek stated he is okay with the request. It is far enough off the lake, and has no issues.

Mr. Jouron and Mr. Gronow stated they had no concerns with the request.

Mr. Atkinson stated he believes there is a hardship and does not have a concern.

Ms. Repholz and Ms. Teetsov stated they support the request. Ms. Teetsov stated she is happy they are making it accessible.

Mr. Greenman thanked the petitioner for the presentation. He stated the request met the Findings of Fact.

Mr. Skluzacek made a motion to approve the Variation with the following recommended conditions:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
    A. Application (Meyer, received 03/15/22)
    B. Site Plan (Meyer. undated, received 02/11/21)

2. The deck shall remain unroofed and open on all sides.

3. The petitioner shall address all of the review comments and requirements of Community Development Department.

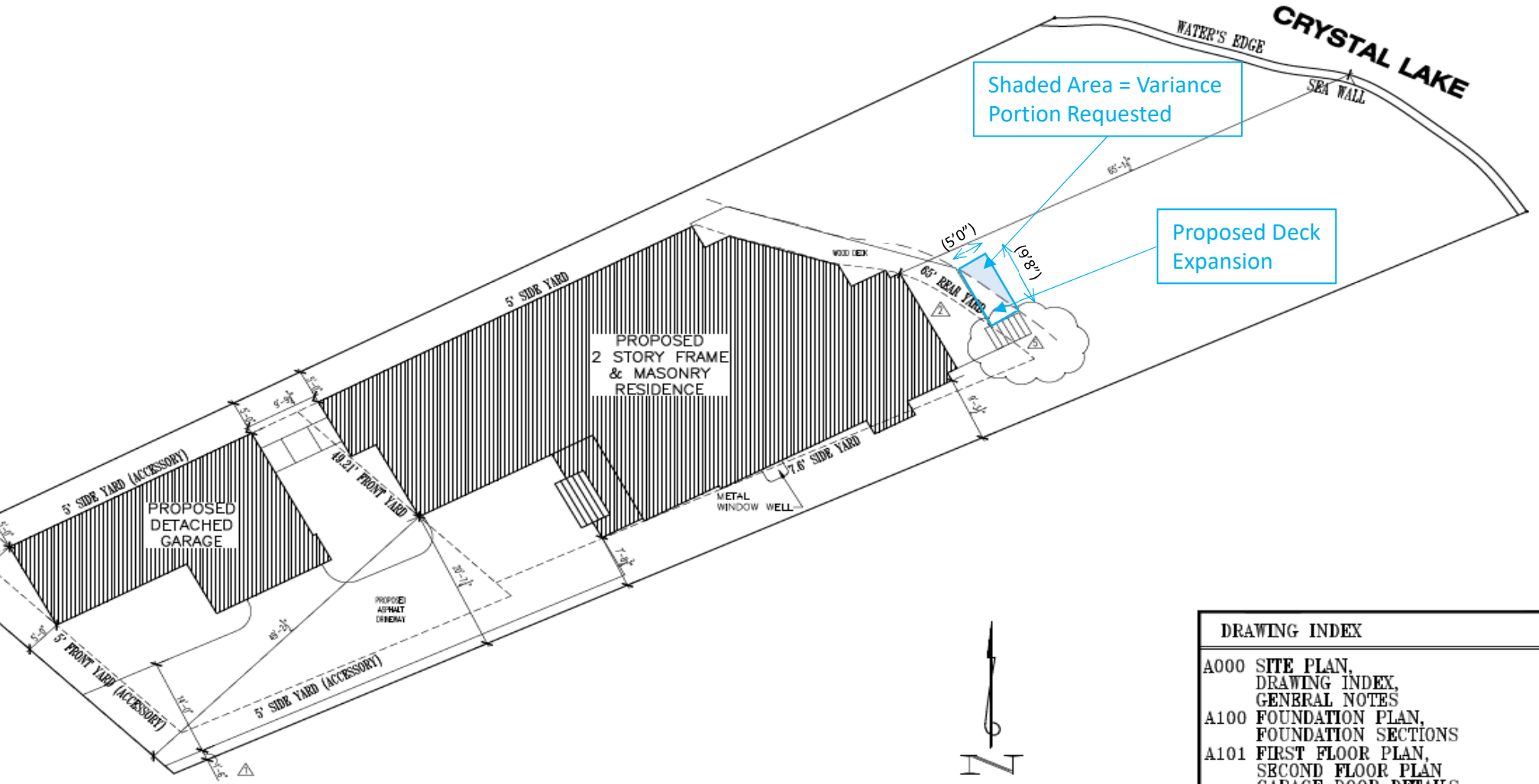
Mr. Atkinson seconded the motion. On roll call Members Atkinson, Jouron, Gronow, Repholz, Skluzacek, Teetsov, and Greenman voted aye. Motion passed 7-0.

ADJOURNMENT

Mr. Jouron made a motion to adjourn the meeting. Mr. Atkinson seconded the motion. On voice vote, all members voted aye. The meeting was adjourned at 12:07 a.m.

MEYER RESIDENCE

241 EDGEWATER DRIVE
CRYSTAL LAKE, IL 60014



1D / A000 SITE PLAN

1"=10'

DRAWING INDEX

A000 SITE PLAN,
DRAWING INDEX,
GENERAL NOTES
A100 FOUNDATION PLAN,
FOUNDATION SECTIONS
A101 FIRST FLOOR PLAN,
SECOND FLOOR PLAN
GARAGE DOOR DETAILS
A102 GARAGE-FIRST FLOOR PLAN,
GARAGE-FOUNDATION PLAN

Proposed Deck
Expansion

Agenda Item No: 12

City Council
Agenda Supplement

Meeting Date: April 19, 2022

Item: Sign Variation for a second free-standing sign

Petitioner: John Puntillo, petitioner
161 Liberty Road

Recommendation: City Council Discretion:
A. Motion to approve an Ordinance with the recommended conditions for the variations as requested.
B. Motion to deny the variation request.

Staff Contact: Kathryn Cowlin, Director of Community Development
Elizabeth Maxwell, City Planner

Background:

- This property was the former Turtle Wax Car Wash.
- The petitioner is looking to install a second free-standing sign on Liberty Road at the actual entrance/driveway to help customers find the entrance.

Analysis

- Developments are permitted one (1) free-standing monument-style sign per property.
- This use falls under the commercial sign standards for properties in Location C, which allows free-standing signs to be fifty (50) square feet and eight (8) feet in height. Both signs meet the use and location size and square footage requirements.
- The petitioner plans to install a free-standing sign at the corner of Liberty Road and Main Street as the main identification sign. A second free-standing sign is proposed along Liberty Road at the driveway entrance.

The City Council can grant a variation from the requirements of the Ordinance to overcome an exceptional condition which poses practical difficulty or particular hardship in such a way as to prevent the display of a sign as intended by the Ordinance and where the following standards are met:

A. The proposed variation will not serve merely as a convenience, but alleviate some demonstrable and unusual hardship.

B. The proposed variation will not be materially detrimental to the public welfare or injurious to other property or improvements in the neighborhood. The proposed variation will not by itself, or with other signs, contribute to the creation of a visual distraction which may lead to personal injury or a substantial reduction in the value of the property.

C. The proposed variation is in harmony with the intent, purpose and objectives of the Ordinance.

If a recommendation of approval is made, the following conditions are suggested:

1. Approved plans, as approved by the City Council:
   A. Application (Puntillo, received 04/06/22)
   B. Sign Plan (Sign Express, dated 03/15/22, received 04/06/22)
   C. Site Plan (Puntillo, undated, received 04/06/22)

2. The free-standing signs shall have a stone base as illustrated.

3. The signs shall meet all other aspects of the Unified Development Ordinance.

Votes Required to Pass: Simple majority vote

PIQ Map
161 Liberty Road



Ord. No.
File No.

The City of Crystal Lake Illinois

AN ORDINANCE GRANTING A SIGN VARIATION FOR SWIFT CAR WASH AT 161 LIBERTY ROAD

WHEREAS, pursuant to the terms of a Petition (File #PLN-2022-77) before the City of Crystal Lake, the Petitioner has requested a sign variation to allow a second free-standing sign for Swift Car Wash at 161 Liberty Road; and

WHEREAS, a hearing of the request was held before the City of Crystal Lake City Council on April 19, 2022 in the manner and in the form as prescribed by Ordinance and Statute; and

WHEREAS, as a result of said hearing, the City Council made a motion to approve the sign variation as requested; and

WHEREAS, it is in the best interests of the City of Crystal Lake that the sign variation be granted as requested,

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 sign variation be granted to allow a second free-standing sign for Swift Car Wash at 161 Liberty Road (19-09-104-019), Crystal Lake, Illinois.

Section II: Said sign variation is approved with the following conditions:

1. Approved plans, as approved by the City Council:
   A. Application (Puntillo, received 04/06/22)
   B. Sign Plan (Sign Express, dated 03/15/22, received 04/06/22)
   C. Site Plan (Puntillo, undated, received 04/06/22)

2. The free-standing signs shall have a stone base as illustrated.

3. The signs shall meet all other aspects of the Unified Development Ordinance.

Draft

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 the sign 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 19th day of April, 2022.

City of Crystal Lake, an
Illinois municipal corporation

_____
Haig Haleblian, MAYOR

SEAL

ATTEST:

_____
Nick Kachiroubas, City Clerk

Passed: April 19, 2022
Approved: April 19, 2022

Draft

City of Crystal Lake
Development Application
Ownership Sign-off Acknowledgement Form

The following information is related to a development application. As the owner of the property in question, I (we) acknowledge that the information provided in the submittal was reviewed and approved.

Owner Information

Name: SWRE Crystal Lake, LLC

Address: 905 Joliet Street, Suite 220

Dyer, IN 46311

Phone: 312-933-0704

E-mail: john@swiftwash.com

Project Name & Description: Swift Wash Crystal Lake

Installation of two monument signs: (i) corner of Main Street / Liberty Rd and

(ii) property entrance on Liberty Rd. Signs to be installed 10' from the property line.

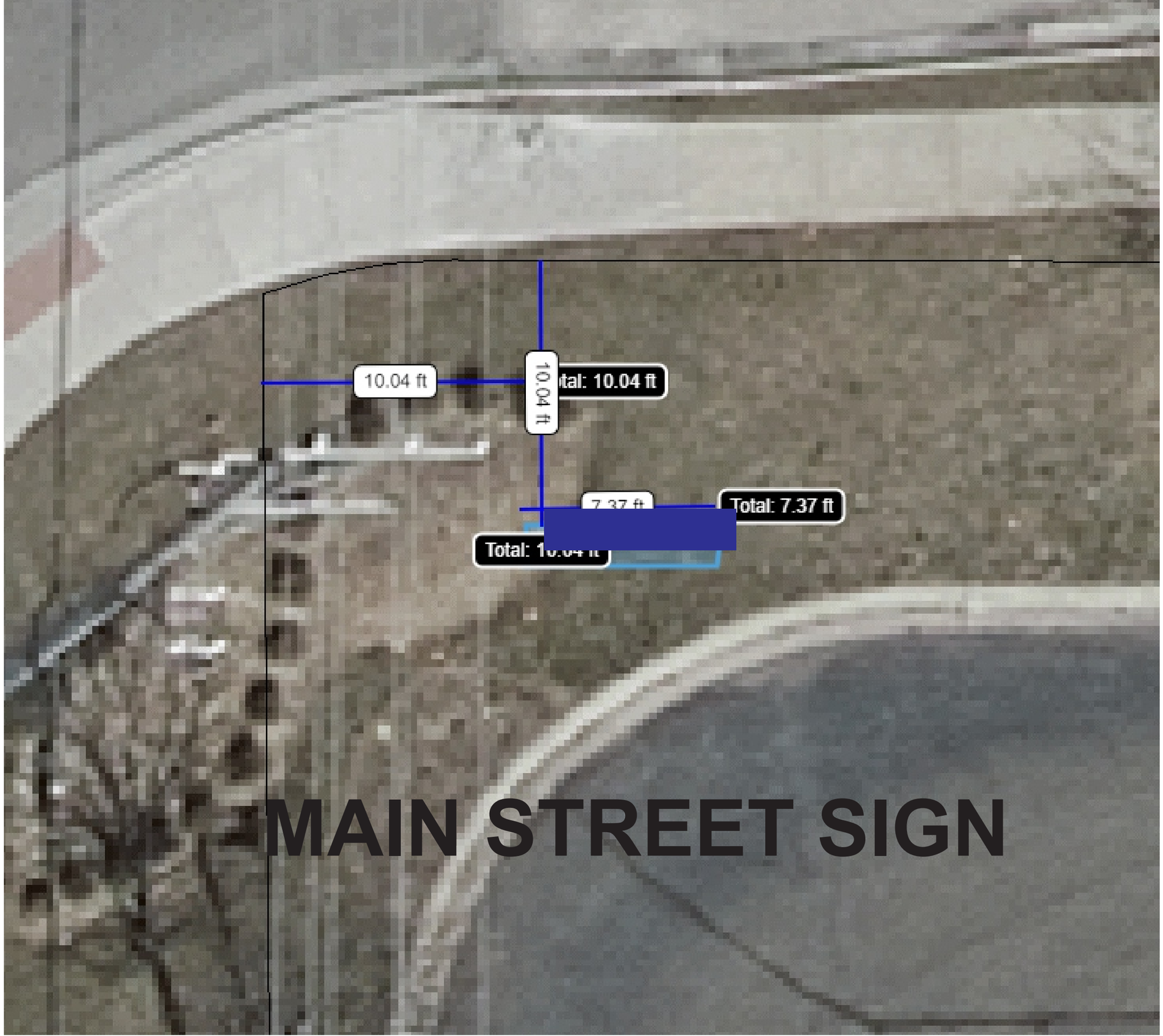
Project Address/Location: (ii) property entrance on Liberty Rd. Signs to be installed 10' from the property line.

Signature

3-31-22

Owner: Print and Sign name Date

NOTE: If the property is held in a trust, the trust officer must sign this petition as owner. In addition, the trust officer must provide a letter that names all beneficiaries of the trust.


10.04 ft
10.04 ft
Total: 10.04 ft
Total: 7.37 ft
MAIN STREET SIGN



SIGN-EXPRESS
LIGHTED SIGNS & LED DISPLAYS

SWIFT WASH CRYSTAL CITY	CONCEPTUAL	QUO-09882-F7N8M4	KARRIE ENDECOTT	03/15/2022	
CLIENT NAME	DRAWING NUMBER	PROPOSAL ID	SALES CONSULTANT	DRAWING DATE	REVISION DATE

161 LIBERTY ROAD CRYSTAL LAKE, IL 60014
INSTALL ADDRESS

CUSTOM SHAPED ROUTED IDENTIFICATION CABINET
DESCRIPTION

APPROVED BY

ARTIST: K ENDECOTT

1924 RANKIN RD. STE 300, HOUSTON, TX 77073
© 2020 ALL RIGHTS RESERVED

TOLL FREE: 800-888-5051
SIGN-EXPRESS.COM

UNDER ARTICLE 27 OF THE JOINT ETHICS COMMITTEE CODE OF FAIR PRACTICE FOR THE GRAPHIC ARTIST COMMUNICATIONS INDUSTRY: Examples of an artist's work furnished to a representative or a prospective buyer shall remain the property of the artist, shall not be reproduced in whole or in part without the expressed written consent or compensation and shall be returned in good condition if required Any violation of this code shall be punished to the full extent of the law Dimensions subject to minor changes due to detailed design considerations Sign Express will endeavor to closely match colors including PMS colors where specified We cannot guarantee exact matches



SIGN-EXPRESS
LIGHTED SIGNS & LED DISPLAYS

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SIGN-EXPRESS
LIGHTED SIGNS & LED DISPLAYS

SWIFT WASH CRYSTAL CITY	CONCEPTUAL	QUO-09882-F7N8M4	KARRIE ENDECOTT	03/15/2022	
CLIENT NAME	DRAWING NUMBER	PROPOSAL ID	SALES CONSULTANT	DRAWING DATE	REVISION DATE

161 LIBERTY ROAD CRYSTAL LAKE, IL 60014
INSTALL ADDRESS

CUSTOM SHAPED ROUTED IDENTIFICATION CABINET
DESCRIPTION

APPROVED BY

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Agenda Item No: 13

City Council
Agenda Supplement

Meeting Date: April 19, 2022

Item: REPORT OF THE PLANNING & ZONING COMMISSION

Request: Variation from the required parking of 16 on-site spaces to allow 11 spaces

Jim Tomasek, petitioner
88 Railroad, Unit B

PZC Recommendation: Motion to approve the Planning and Zoning Commission (PZC) recommendation and adopt an Ordinance granting a Variation from the required parking at 88 Railroad Street, unit B.

Staff Contact: Kathryn Cowlin, Director of Community Development
Elizabeth Maxwell, City Planner

Background

- The site contains an existing commercial building. The building was divided into two new restaurant tenants.
- Restaurants require parking spaces based on 1 space per 4 seats. Restaurants in Downtown Crystal Lake typically receive a variation for this requirement.
- The construction of a patio seating area adds additional seating, as well as removes some of the existing parking space creating the need for a parking variation.

Request

- A variation from the required parking to allow 11 spaces.

PZC Highlights

- Two of the neighboring building owners spoke during the public hearing. The owner of Matt's Tavern asked if the City could make Railroad Street customer parking. The attorney representing the adjoining property to the north asked that the access to the rear of the building not be blocked by parking.

- The PZC had mixed support of the request. The members were struggling to find the hardship to qualify for the Variation.
- One member noted that the majority of businesses in Downtown have had to ask for a variation from the parking requirements because there is no on-site parking, so this is no different. In addition, to the spaces that would remain on-site there are hundreds of spaces in nearby public parking lots.
- The Commission stated that the request met the Findings of Fact.

The Planning and Zoning Commission recommended **approval (5-2)** of the petitioner's request with the following conditions:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
   A. Application (Pence, received 04/01/22)
   B. Floor Plan (Proline Mechanical, dated 04/10/20, received 02/25/22)
   C. Outdoor Seating layout (Tomasek, undated, received 02/25/22)

2. The outdoor patio area shall close by 11:00 p.m.

3. Any expansion of the seating area or a change of use to a more intense use may require additional parking variations.

4. Clean up and restripe the parking lot to gain as many spaces as possible. Submit a plan to the City for review by August 1, 2022. The work shall be completed by November 1, 2022.

5. The petitioner shall address all of the review comments and requirements of Community Development Department.

Votes Required to Pass: A simple majority.

Acknowledgement Form

Regarding the Parking Variation at 88 Railroad Street. Please check one of the choices and sign below.

I hereby acknowledge that I have read, understand, and agree to the staff review comments and recommended conditions contained in the staff report, city staff reviews, and consultant reviews (if applicable).

I hereby acknowledge that I have read, understand, and agree to most of the staff review comments and recommended conditions contained in the staff report, city staff reviews, and consultant reviews (if applicable) but have concerns with the following items:

_____

_____

Petitioner's Name: _____ Date: 04/13/22
Signature

Recommended Conditions:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
   A. Application (Pence, received 04/01/22)
   B. Floor Plan (Proline Mechanical, dated 04/10/20, received 02/25/22)
   C. Outdoor Seating layout (Tomasek, undated, received 02/25/22)

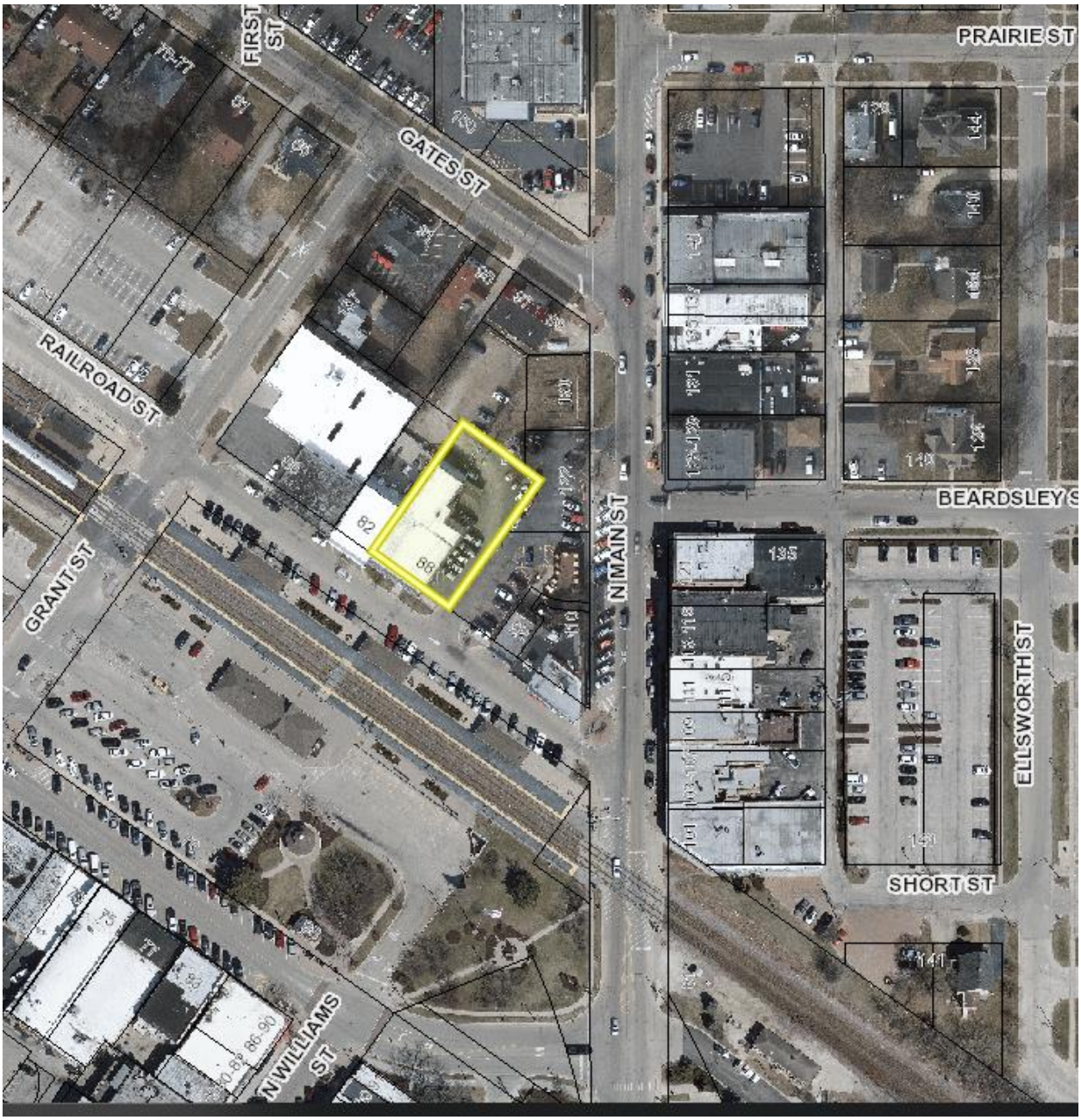
2. The outdoor patio area shall close by 11:00 p.m.

3. Any expansion of the seating area or a change of use to a more intense use may require additional parking variations.

4. Clean up and restripe the parking lot to gain as many spaces as possible. Submit a plan to the City for review by August 1, 2022. The work shall be completed by November 1, 2022.

5. The petitioner shall address all of the review comments and requirements of Community Development Department.

PIQ Map
88 Railroad Street



Ord. No.
File No.

The City of Crystal Lake Illinois

AN ORDINANCE GRANTING A VARIATION FOR THE JUNCTION AT 88 RAILROAD STREET

WHEREAS, pursuant to the terms of a Petition (File #PLN-2022-38) before the Crystal Lake Planning and Zoning Commission, the Petitioner has requested a Parking Variation for the Junction at 88 Railroad Street; and

WHEREAS, the Planning and Zoning Commission of the City of Crystal Lake, pursuant to notice duly published on March 19, 2022 in the Northwest Herald, held a public hearing at 7:00 p.m., on April 6, 2022 at City Hall at 100 W. Woodstock Street, Crystal Lake, Illinois to consider the proposed Variation; and

WHEREAS, on April 6, 2022, 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 Variation be approved, as documented in the minutes, and

WHEREAS, it is in the best interests of the CITY OF CRYSTAL LAKE that the 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 Parking Variation to allow 11 on-site spaces for the Junction at the property commonly known as at 88 Railroad Street, Unit B (14-32-434-010), Crystal Lake, Illinois is hereby approved.

Section II: Said Parking Variation is issued with the following conditions:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
   A. Application (Pence, received 04/01/22)
   B. Floor Plan (Proline Mechanical, dated 04/10/20, received 02/25/22)
   C. Outdoor Seating layout (Tomasek, undated, received 02/25/22)

2. The outdoor patio area shall close by 11:00 p.m.

Draft

3. Any expansion of the seating area or a change of use to a more intense use may require additional parking variations.

4. Clean up and restripe the parking lot to gain as many spaces as possible. Submit a plan to the City for review by August 1, 2022. The work shall be completed by November 1, 2022.

5. The petitioner shall address all of the review comments and requirements of 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 issuance of a 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 19th day of April, 2022.

City of Crystal Lake, an
Illinois municipal corporation

_____
Haig Haleblian, MAYOR

SEAL

ATTEST:

_____
Nick Kachiroubas, CITY CLERK

Passed: April 19, 2022
Approved: April 19, 2022

Draft

#2022-38
88 Railroad Street – Parking Variation
Project Review for Planning and Zoning Commission

Meeting Date: April 6, 2022

Request: Variation from the required parking of 16 on-site spaces to allow 11 spaces, a variation of 5 spaces.

Location: 88 Railroad Street

Acreage: Approximately 10,500 square feet

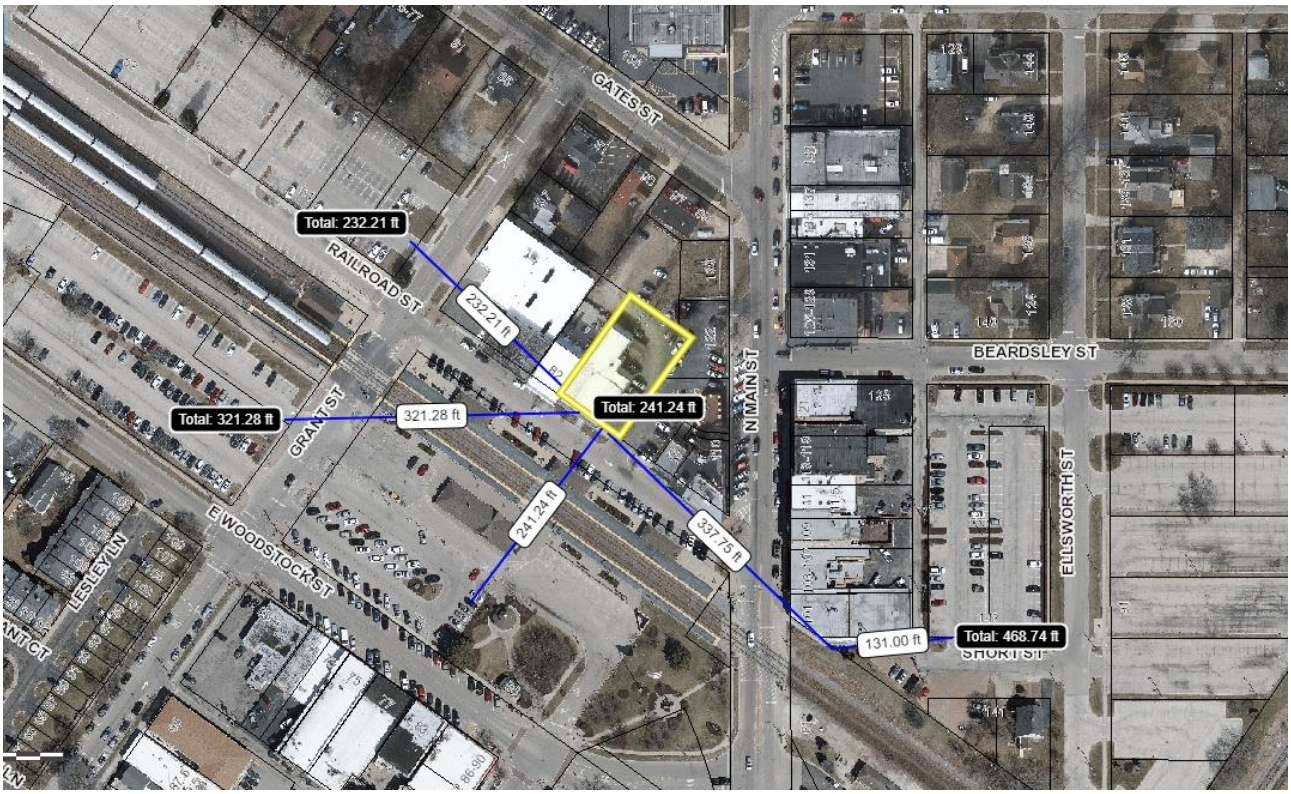
Existing Zoning: B-4 Mixed Use Business

Surrounding Properties:
North: B-4 Mixed Use Business
South: B-4 Mixed Use Business
East: B-4 Mixed Use Business
West: B-4 Mixed Use Business

Staff Contact: Elizabeth Maxwell (815.356.3615)

Background:

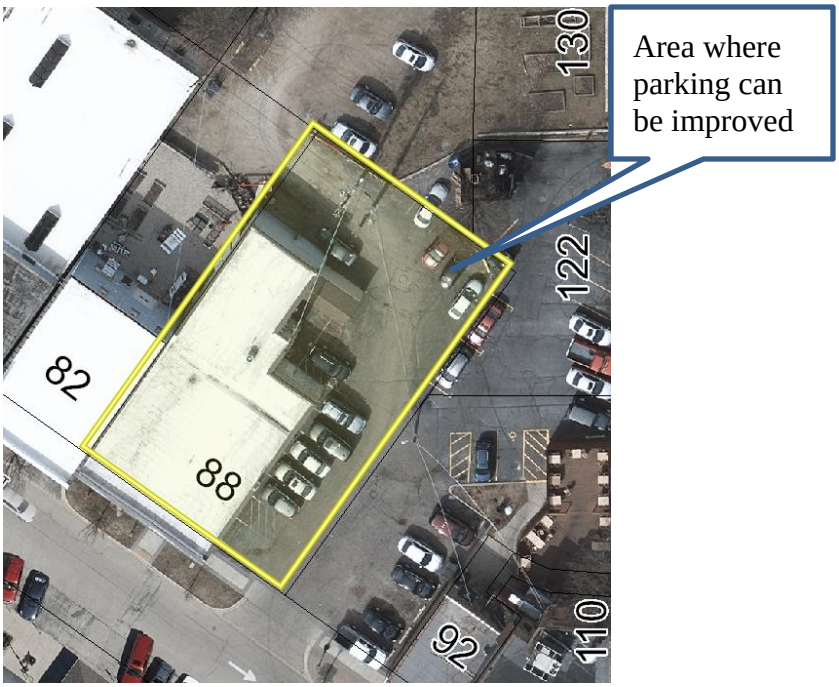
- The property currently has a two tenant retail building and parking lot.
- The nature of Downtowns is to have central parking areas, on-street parking and not individual parking lots for each user.
- In less than 500 feet, there is on-street parking and four separate parking lots providing over 550 parking spaces. Please reference the image on the next page and the attached Downtown Parking Map.
- The petitioner will be removing five spaces along the front of the building to allow for a permanent outdoor patio area.



Development Analysis:

General

- Request: The petitioner is requesting a variation from the required parking spaces.
- Zoning: The site is zoned B-4 Mixed-Use Business. This is the appropriate zoning district for this use.
- Land Use: The land use map shows the area as Commerce. This land use designation is appropriate for this use.
- Parking: There are two businesses in this building. Parking is based on 1 space per 4 seats for restaurants and there is a reduction for the Downtown District.
    - Moontime Smokin' Que, a barbeque restaurant, is located in the adjacent space and requires 9 spaces which is reduced to 6 spaces in the Downtown.
    - The Junction requires 22 spaces, which is reduced to 16 spaces in Downtown. The petitioner is requesting a variation to 11 spaces.



Comprehensive Land Use Plan 2030 Vision Summary Review:
The Comprehensive Plan designates the subject property as Commerce, which allows for existing and future commercial uses. The following goals are applicable to this request:

Land Use – Commerce

Goal: Maintain a dynamic and sustainable base of commercial uses that provides a solid tax base, goods, services, and jobs to the city, as well as the surrounding region through coordination in the Unified Development Ordinance, Comprehensive Land Use Plan, and Economic Development Strategic Plan.

This can be accomplished with the following supporting action:

Supporting Action: Promote, retain and attract businesses that provide a diverse tax base.

Economic Development – Attract and Retain Businesses

Goal: Establish marketing efforts to attract and retain businesses throughout the City.

This can be accomplished with the following supporting action:

Supporting Action: Continue to solicit the retail businesses which are most likely to succeed in various retail nodes in Crystal Lake.

Success Indicators: The number of retail businesses – grocer, restaurants, coffee/juice shops, apparel, electronics, and comparison goods – contacted, started, or relocated.

Findings of Fact:

ZONING ORDINANCE VARIATION

The petitioner is requesting a Variation from the required parking of 16 on-site spaces to allow 11 spaces, a variation of 5 spaces.

The Unified Development Ordinance lists specific standards for the review and approval of a variation. The granting of a variation rests upon the applicant proving practical difficulty or hardship caused by the Ordinance requirements as they relate to the property. To be considered a zoning hardship, the specific zoning requirements; setbacks, lot width and lot area must create a unique situation on this property. It is the responsibility of the petitioner to prove hardship at the Planning and Zoning Commission public hearing.

Standards

When evidence in a specific case shows conclusively that literal enforcement of any provision of this Ordinance would result in a practical difficulty or particular hardship because:

a. The plight of the property owner is due to unique circumstances, such as, unusual surroundings or conditions of the property involved, or by reason of exceptional narrowness, shallowness or shape of a zoning lot, or because of unique topography, or underground conditions.

   ☒ *Meets* ☐ *Does not meet*

b. Also, that the variation, if granted, will not alter the essential character of the locality.

   ☒ *Meets* ☐ *Does not meet*

For the purposes of supplementing the above standards, the Commission may take into consideration the extent to which the following facts favorable to the application have been established by the evidence presented at the public hearing:

a. That the conditions upon which the application for variation is based would not be applicable generally to other property within the same zoning classification;

   ☒ *Meets* ☐ *Does not meet*

b. That the alleged difficulty or hardship has not been created by any person presently having interest in the property;

   ☒ *Meets* ☐ *Does not meet*

c. That the granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located; or

   ☒ *Meets* ☐ *Does not meet*

d. That the proposed variation will not impair an adequate supply of light or air to adjacent property, will not unreasonably diminish or impair the property values of adjacent

property, will not unreasonably increase congestion in the public streets, substantially increase the danger of fire or otherwise endanger public safety.

☒ *Meets* ☐ *Does not meet*

Where the evidence is not found to justify such conditions, that fact shall be reported to the City Council with a recommendation that the variation be denied.

Recommended Conditions:

If a motion to recommend approval of the petitioner's request is made, it should be with the following conditions:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
   A. Application (Pence, received 04/01/22)
   B. Floor Plan (Proline Mechanical, dated 04/10/20, received 02/25/22)
   C. Outdoor Seating layout (Tomasek, undated, received 02/25/22)

2. The outdoor patio area shall close by 11:00 p.m.

3. Any expansion of the seating area or a change of use to a more intense use may require additional parking variations.

4. Clean up and restripe the parking lot to gain as many spaces as possible. Submit a plan to the City for review by August 1, 2022. The work shall be completed by November 1, 2022.

5. The petitioner shall address all of the review comments and requirements of Community Development Department.

City of Crystal Lake
Development Application
Ownership Sign-off Acknowledgement Form

The following information is related to a development application. As the owner of the property in question, I (we) acknowledge that the information provided in the submittal was reviewed and approved.

Owner Information

Name: Ralph A. Pence JR. manager Pence HIDES LLC.

Address: 88 Railroad Ave, C.L.

Phone: 630-918-9949

E-mail: ralph@prolinemechanical.com

Project Name & Description: Parking Variance

Project Address/Location: 88 Railroad St unit B

Signature

04/01/2022

Owner: Print and Sign name — Date

NOTE: If the property is held in a trust, the trust officer must sign this petition as owner. In addition, the trust officer must provide a letter that names all beneficiaries of the trust.

CRYSTAL LAKE PLANNING AND ZONING COMMISSION
WEDNESDAY, APRIL 6, 2022
HELD AT THE CRYSTAL LAKE CITY COUNCIL CHAMBERS

The meeting was called to order by Mr. Greenman at 7:00 p.m.

CALL TO ORDER

Mr. Greenman called the meeting to order. On roll call, members Atkinson, Greenman, Jouron, Repholz, Skluzacek and Teetsov were present. Member Gronow was absent.

Kathryn Cowlin, Director of Community Development, Michael Magnuson, Director of Public Works & Engineering, Elizabeth Maxwell, City Planner, Abigail Wilgreen, City Engineer and Commander Luke Behning were present from Staff.

Mr. Greenman said this meeting is being recorded for broadcast and future playback on the City's cable channel. He led the group in the Pledge of Allegiance.

2022-38 – 88 RAILROAD STREET – THE JUNCTION – PARKING VARIATION

Variation from the required parking of 16 on-site spaces to allow 11 spaces, a variation of 5 spaces.

Mr. Jim Tomasek was present to represent the petition. Mr. Tomasek stated he leased 88 Railroad Unit B. He is proposing permanent outdoor patio seating with approximately 20 seats adjacent to the building. It will bring a sense of community.

Mr. Greenman opened the public hearing.

Owner of Matt's Tavern at 92 Railroad Street stated parking in the area is shared. There are only a few spaces now and they cannot lose any more. They want Railroad Street to be converted to customer parking for the businesses instead of Metra parking. The commuter parking lots are 30% full.

Mr. James Campion at 8600 Route 14 was present to represent 82 Railroad Street. He stated the building has a loading dock behind and the only access behind is a prescriptive easement which they are in litigation over right now would not want spaces blocking access.

Mr. Greenman closed the public hearing.

Staff summarized the request.

Ms. Repholz stated she does not understand the hardship. Mr. Tomasek stated is it not a traditional hardship. They are working to enhance the Downtown.

Ms. Teetsov asked if the City has been looking at parking downtown, many other towns along the train line have parking garages. Ms. Cowlin stated just last fall, the City did a parking study and found that

there is a lot of available parking with high turnover, people need to walk a short distance, a parking garage is not warranted and staff is reviewing the Railroad Street suggestion. Ms. Teetsov recommended more signage about available parking in the area. Mr. Tomasek stated the typical table turnover is 90 minutes so two-hour parking works well.

Mr. Atkinson stated he is in support of the business, but parking is an issue there. They need to increase parking in this area.

Mr. Gronow and Mr. Jouron questioned if a hardship exists for this request.

Mr. Skluzacek stated there is plenty of parking downtown.

Mr. Greenman stated the way the ordinance is set up can cause undo harm to how to operate the business. Ms. Cowlin responded the Downtown encourages shared parking, as 75-80% of businesses Downtown would need a variation. This is no different.

Mr. Skluzacek made a motion to approve the Variation with the following recommended conditions:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
   A. Application (Pence, received 04/01/22)
   B. Floor Plan (Proline Mechanical, dated 04/10/20, received 02/25/22)
   C. Outdoor Seating layout (Tomasek, undated, received 02/25/22)

2. The outdoor patio area shall close by 11:00 p.m.

3. Any expansion of the seating area or a change of use to a more intense use may require additional parking variations.

4. Clean up and restripe the parking lot to gain as many spaces as possible. Submit a plan to the City for review by August 1, 2022. The work shall be completed by November 1, 2022.

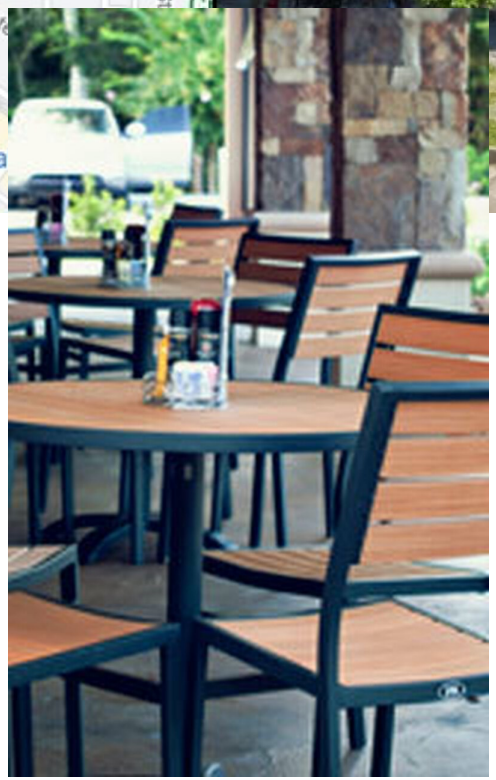
5. The petitioner shall address all of the review comments and requirements of Community Development Department.

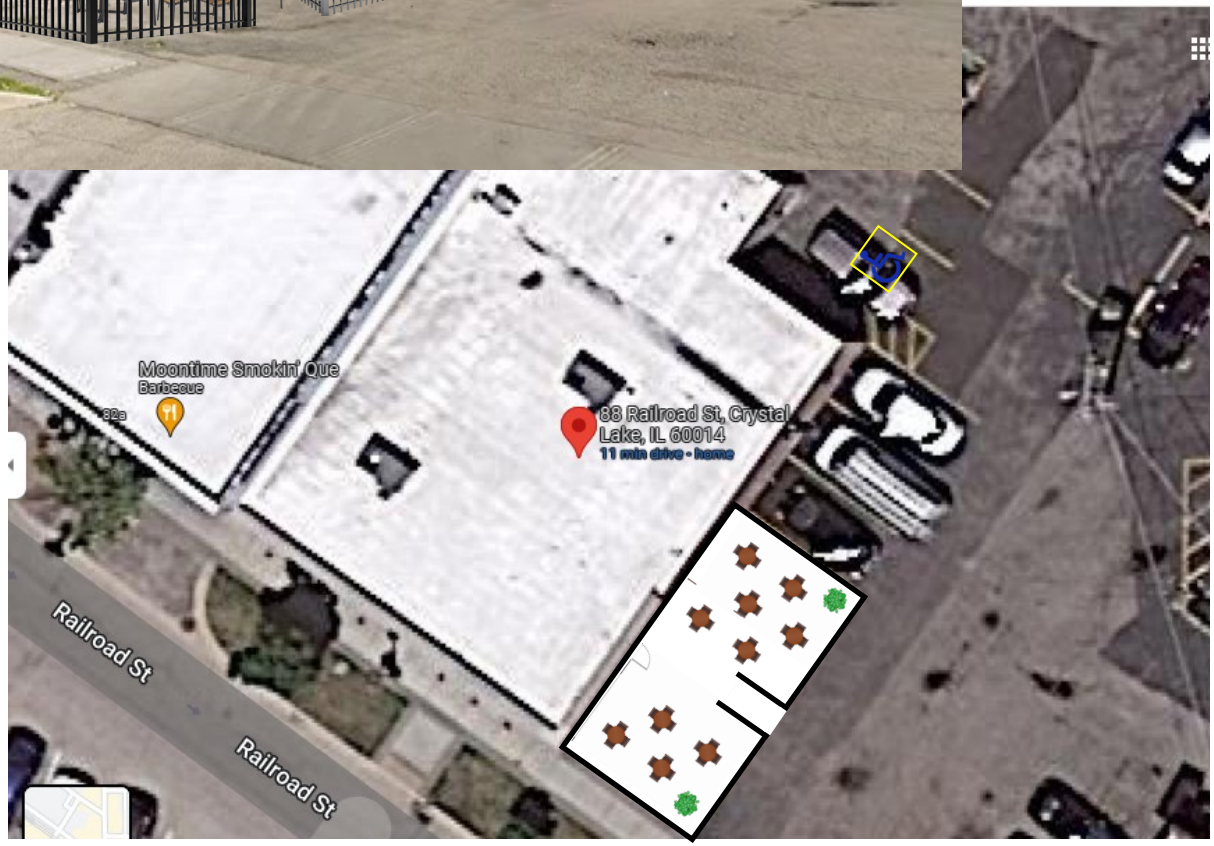
Mr. Jouron seconded the motion. On roll call Members Atkinson, Jouron, Skluzacek, Teetsov, and Greenman voted aye. Members Gronow and Repholz voted no. Motion passed 5-2.

ADJOURNMENT

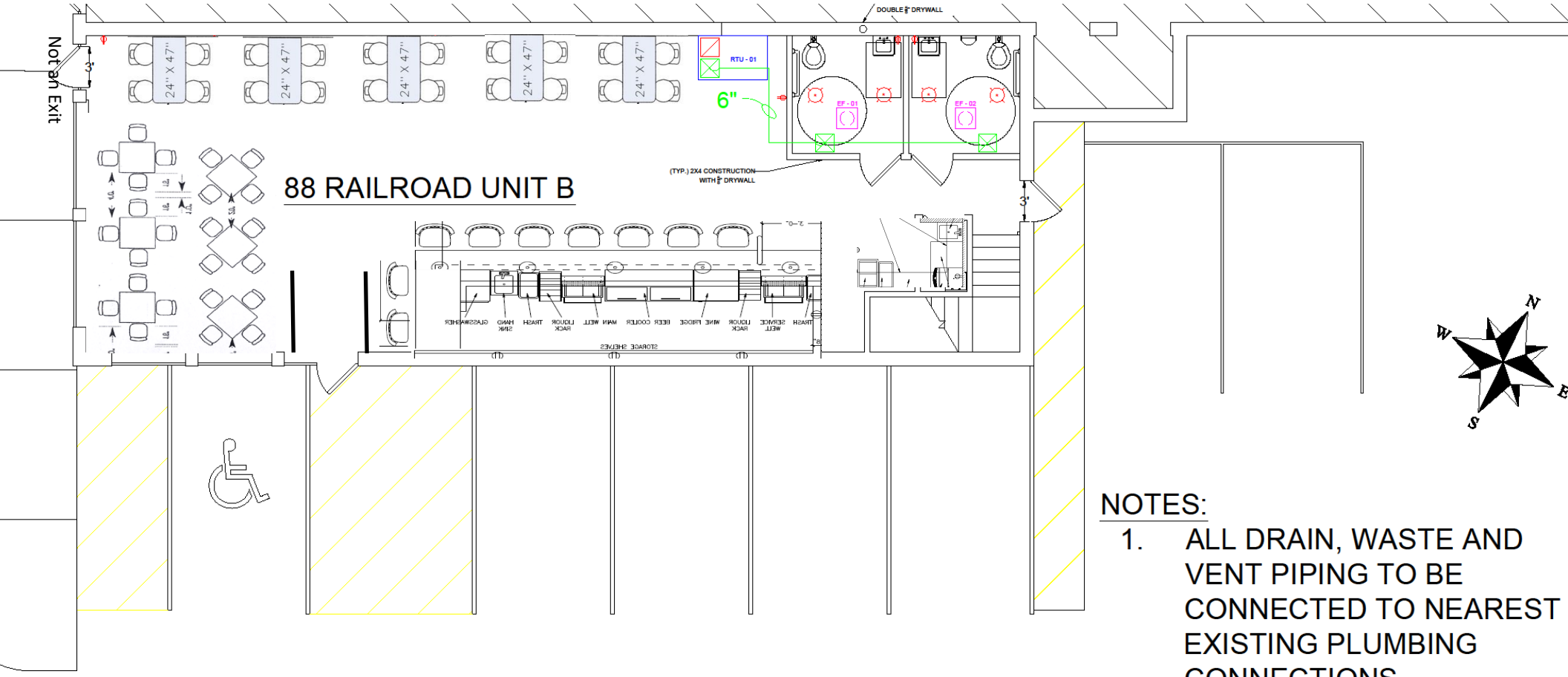
Mr. Jouron made a motion to adjourn the meeting. Mr. Atkinson seconded the motion. On voice vote, all members voted aye. The meeting was adjourned at 12:07 a.m.


RECLAIMED




Moontime Smokin' Que
Barbecue
88 Railroad St, Crystal Lake, IL 60014
11 min drive • home
Railroad St
Railroad St


THE
JUNCTION
BEER & BOURBON



NOTES:

1. ALL DRAIN, WASTE AND VENT PIPING TO BE CONNECTED TO NEAREST EXISTING PLUMBING CONNECTIONS

REVISIONS	APPROVED	DATE

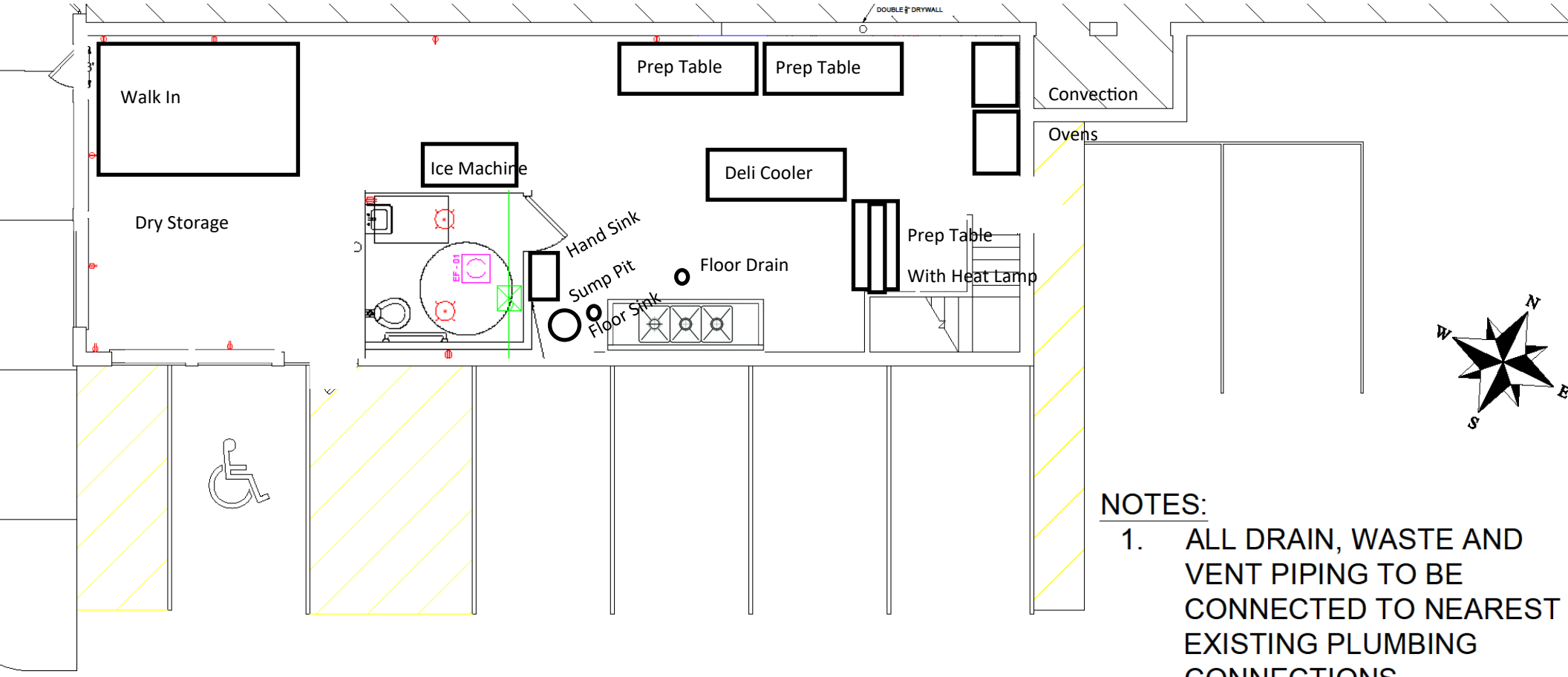
PROLINE MECHANICAL, INC.
2414 MILLENIUM DR. ELGIN, IL 60123
847-760-6700

DRAWN BY: D.T.S.	DATE:04/10/20	RELEASE TO PROD.		SCALE
CHECKER: R. PENCE	DATE	FILE REVISED BY	DATE	SHEET 1 OF 2

PROLINE MECHANICAL INC.

TITLE: 88 RAILROAD ST. UNIT A

DRAWING NUMBER 88RRB-001



NOTES:

1. ALL DRAIN, WASTE AND VENT PIPING TO BE CONNECTED TO NEAREST EXISTING PLUMBING CONNECTIONS

REVISIONS	APPROVED	DATE

PROLINE MECHANICAL, INC.
2414 MILLENIUM DR. ELGIN, IL 60123
847-760-6700

DRAWN BY: D.T.S.	DATE:04/10/20	RELEASE TO PROD.		SCALE
CHECKER: R. PENCE	DATE	FILE REVISED BY	DATE	SHEET 1 OF 2

PROLINE MECHANICAL INC.

TITLE: 88 RAILROAD ST. UNIT A

DRAWING NUMBER 88RRB-001

Upstairs

Dining tables

Lancaster Table & Seating 36" x 36" Solid Wood Live Edge Dining Height Table and 4 Chairs with Antique Walnut Finish

https://www.webstaurantstore.com/lancaster-table-seating-36-x-36-solid-wood-live-edge-dining-height-table-and-4-chairs-with-antique-walnut-finish/3493636WAD4C.html

Pub Tables

Lancaster Table & Seating 30" x 48" Antique Walnut Solid Wood Live Edge Bar Height Table

https://www.webstaurantstore.com/lancaster-table-seating-30-x-48-antique-walnut-solid-wood-live-edge-bar-height-table/3493048CLW37.html

Bar Stools

new Walnut Bentwood Bar Stools with PU Leather ,Blue,1 Piece

https://www.walmart.com/ip/Walnew-Walnut-Bentwood-Bar-Stools-with-PU-Leather-Blue-1-Piece/289269983?wmlspartner=wlpa&selectedSellerId=0

Flooring

AUBURN ACACIA RIGID CORE LUXURY VINYL PLANK - FOAM BACK

https://www.flooranddecor.com/duralux-performance-flooring/auburn-acacia-rigid-core-luxury-vinyl-plank---foam-back-100889203.html

Wall Tile (server station and gaming lower wall)

INK III POLISHED CERAMIC WALL TILE

https://www.flooranddecor.com/ceramic-tile/ink-iii-polished-ceramic-wall-tile-100866425.html?gclid=CjwKCAiAtouOBhA6EiwA2nLKHy-ZOuQTgwVjyEjqS-8Fg2bLp8JlOgpN2bywFnz5BH352wtfqrRezRoCPwIQAvD_BwE

Pendant Lighting

Emliviar 1-Light Farmhouse Pendant Light, 14" Industrial Metal Hanging Light Fixture, Antique Gold Finish, 4054L AG

https://www.amazon.com/Emliviar-1-Light-Farmhouse-Pendant-Industrial/dp/B07VMFFCGS/ref=sr_1_29?
key-words=gold+track+pendant+light&qid=1640209315&sprefix=gold+track+pendant+light%2Caps%2C120&sr=8-29

Kitchen

Convention Ovens

Electric Convection Oven - Economy Series Double Stack

https://www.centralrestaurant.com/Electric-Convection-Oven---Economy-Series-Double-Stack-c105p5734.html

Work Tables

Kratos 28W-001 18 Gauge, 430 Stainless Steel Worktable - 72"Wx30"D

https://www.centralrestaurant.com/Kratos-28W-001-18-Gauge-430-Stainless-Steel-Worktable---72-inWx30-inD-c86p6744642.html

Deli Cooler

Kratos Refrigeration 69K-762 94"W Pizza Prep Table, 12 Pan **Capacity**

https://www.centralrestaurant.com/Kratos-Refrigeration-69K-762-94-inW-Pizza-Prep-Table-12-Pan-Capacity-c97p540311.html

3 Compartment Sink

Kratos 29N-002 - 3 Compartment Sink - 18"Wx18"Lx14"H Bowl Size - (2) 18" Drain Boards

https://www.centralrestaurant.com/Kratos-29N-002---3-Compartment-Sink---18-inWx18-inLx14-inH-Bowl-Size---2-18-in-Drain-Boards-c251p21055870.html

Hand Sink

Kratos 28W-090 Hand Sink with Gooseneck Faucet - 9"Wx9"Dx5"H Bowl

https://www.centralrestaurant.com/Kratos-28W-090-Hand-Sink-with-Gooseneck-Faucet---9-inWx9-inDx5-inH-Bowl-c251p6779622.html








RAIL
CROSSING
ROAD
MELVIN












CROSSING
GIVE
WAY









Downtown Crystal Lake Parking Map

Looking for parking spaces when Williams Street is full? – Parking is available around the corner!



Updated 4/21/2021

Agenda Item No: 14

City Council
Agenda Supplement

Meeting Date: April 19, 2022

Item: City Code Amendment to Decrease the Number of Class 25 Liquor Licenses and Increase the Number of Class 24 Liquor Licenses – Applicant: Railroad Street PJC LLC, d/b/a Crystal Lake Junction, located at 88 Railroad Street, Unit B

Staff Recommendation: Motion to adopt an Ordinance decreasing the number of Class 25 liquor licenses from the currently permitted 9 licenses to 8 licenses, and increasing the number of Class 24 licenses from the currently permitted 4 licenses to 5 licenses in order to allow for the issuance of a new Class 24 liquor license to Railroad Street PJC LLC, d/b/a Crystal Lake Junction, located at 88 Railroad Street, Unit B

Staff Contact: Eric T. Helm, Deputy City Manager
Melanie Nebel, Executive Assistant

Background:
Railroad Street PJC LLC, d/b/a Crystal Lake Junction, will be opening soon at 88 Railroad Street, Unit B.

The owners have requested a change of liquor license class from a Class 25 liquor license to a Class 24 allow for the new business to sell alcoholic liquor inside the restaurant, as well as an open unroofed area immediately contiguous to the building or structure.

The Class 24 license authorizes the retail sale, on the premises specified, of alcoholic liquor, for consumption, on the premises, as well as the retail sale of alcoholic liquors in the original retail package, between the hours of 7:00 a.m. and 1:00 a.m. Sunday, Monday, Tuesday, Wednesday, Thursday, and 7:00 a.m. and 2:00 a.m. Friday and Saturday. A Class A type restaurant may be located on the premises. For the purposes of this license, premises shall include not only the interior of any building or structure but also an open unroofed area immediately contiguous to the building or structure where alcoholic beverages are served or consumed.

Any open unroofed area in which alcoholic beverages are served or consumed pursuant to this license shall conform to the following:

(a) The open unroofed area shall be particularly described and adjacent to and operated as a part of the premises licensed to sell alcoholic liquor on the premises and shall have obtained all permits or approvals required by the ordinances of the City Code, City or other governmental authority.

(b) The open unroofed area shall be no greater than 100% of the other floor space of the licensed premises.

(c) The open unroofed area shall have a maximum capacity as defined by the Liquor Commissioner, which shall be separately posted at the entrance to the open unroofed area.

(d) When the open unroofed area is located on private property, any part of the open unroofed area not blocked by a building shall be surrounded by a fence or other barrier approved by the Liquor Commissioner, which shall contain the required number of fire exits. All fences or other barriers shall comply with the ordinances of the City regarding vision, clearance and required distances from corners.

(e) All electrical wiring shall comply with the codes of the City.

(f) All combustible rubbish shall be stored in a noncombustible container, and the license holder shall be responsible for keeping the area in a clean and sightly condition.

(g) The noise emanating from any open unroofed area where alcoholic beverages are served pursuant to this license shall not violate any of the provisions of the City Code of Ordinances pertaining to noise.

(h) The license holder shall be responsible for preventing violations of this chapter.

(i) No open unroofed area where alcoholic beverages are served pursuant to this license shall be permitted within 100 feet of land zoned for residential purposes, except as may be approved by the Liquor Commissioner, subject to such conditions as the Liquor Commissioner may deem necessary to ensure that sales and consumption can be conducted in a safe manner and to minimize any impact upon such residentially zoned properties.

(2) The annual fee for such license shall be the sum of $1,950.

Current Class 24 License Holders:

Name	**Address**	**Zoning**
Benedicts la Strata	40 N. Williams Street	"B-4"
Café Olympic	90 N. Williams Street	"B-4"
Jude's	19 N. Williams Street	"B-4"
Cantina 52	52 N. Brink Street	"B-4"

The applicant has submitted all of the necessary paperwork.

The following conditions must be met prior to the license being issued:

- $1,000 Surety Bond to the City of Crystal Lake
- Certificate of Occupancy

The attached Ordinance approves a decrease in the number of Class 25 liquor licenses and an increase in the number of Class 24 liquor licenses in order to allow the owner, Railroad Street PJC LLC, d/b/a, Crystal Lake Junction, located at 88 Railroad Street, Unit B, to sell and serve alcohol at the establishment.

Votes Required to Pass:
Simple majority

Ord. No.
File No. 255 L

The City of Crystal Lake

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 as follows:

The number of Class 25 Liquor Licenses shall decrease from 9 to 8.

The number of Class 24 Liquor Licenses shall increase from 4 to 5.

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 19th day of April, 2022.

City of Crystal Lake, an
Illinois municipal corporation

_____
Haig Haleblian, MAYOR

SEAL

ATTEST

_____
Nick Kachiroubas, CITY CLERK

PASSED: April 19, 2022
APPROVED: April 19, 2022

Draft

Agenda Item No: 15

City Council
Agenda Supplement

Meeting Date: April 19, 2022

Item: City Code Amendment to Increase the Number of Class 24 Liquor Licenses – Applicant: Om Swami Crystal Lake, Inc., d/b/a Papa Savarios, located at 540 E. Terra Cotta Avenue, Unit A

Staff Recommendation: Motion to adopt an Ordinance increasing the number of Class 24 licenses from the currently permitted 5 licenses to 6 licenses in order to allow for the issuance of a new Class 24 liquor license to Om Swami Crystal Lake, Inc., d/b/a Papa Savarios, located at 540 E. Terra Cotta Avenue, Unit A

Staff Contact: Eric T. Helm, Deputy City Manager
Melanie Nebel, Executive Assistant

Background:
The new owner of Papa Savarios, located at 540 E. Terra Cotta Avenue, Unit A, Om Swami Crystal Lake, Inc., is requesting a Class 24 liquor license at the new business. The business owner plans to expand the business and hours of operations.

The Class 24 license authorizes the retail sale, on the premises specified, of alcoholic liquor, for consumption, on the premises, as well as the retail sale of alcoholic liquors in the original retail package, between the hours of 7:00 a.m. and 1:00 a.m. Sunday, Monday, Tuesday, Wednesday, Thursday, and 7:00 a.m. and 2:00 a.m. Friday and Saturday. A Class A type restaurant may be located on the premises. For the purposes of this license, premises shall include not only the interior of any building or structure but also an open unroofed area immediately contiguous to the building or structure where alcoholic beverages are served or consumed.

Any open unroofed area in which alcoholic beverages are served or consumed pursuant to this license shall conform to the following:

(a) The open unroofed area shall be particularly described and adjacent to and operated as a part of the premises licensed to sell alcoholic liquor on the premises and shall have obtained all permits or approvals required by the ordinances of the City Code, City or other governmental authority.

(b) The open unroofed area shall be no greater than 100% of the other floor space of the licensed premises.

(c) The open unroofed area shall have a maximum capacity as defined by the Liquor Commissioner, which shall be separately posted at the entrance to the open unroofed area.

(d) When the open unroofed area is located on private property, any part of the open unroofed area not blocked by a building shall be surrounded by a fence or other barrier approved by the Liquor Commissioner, which shall contain the required number of fire exits. All fences or other barriers shall comply with the ordinances of the City regarding vision, clearance and required distances from corners.

(e) All electrical wiring shall comply with the codes of the City.

(f) All combustible rubbish shall be stored in a noncombustible container, and the license holder shall be responsible for keeping the area in a clean and sightly condition.

(g) The noise emanating from any open unroofed area where alcoholic beverages are served pursuant to this license shall not violate any of the provisions of the City Code of Ordinances pertaining to noise.

(h) The license holder shall be responsible for preventing violations of this chapter.

(i) No open unroofed area where alcoholic beverages are served pursuant to this license shall be permitted within 100 feet of land zoned for residential purposes, except as may be approved by the Liquor Commissioner, subject to such conditions as the Liquor Commissioner may deem necessary to ensure that sales and consumption can be conducted in a safe manner and to minimize any impact upon such residentially zoned properties.

(2) The annual fee for such license shall be the sum of $1,950.

Current Class 24 License Holders:

Name	Address	Zoning
Benedicts la Strata	40 N. Williams Street	"B-4"
Café Olympic	90 N. Williams Street	"B-4"
Jude's	19 N. Williams Street	"B-4"
Cantina 52	52 N. Brink Street	"B-4"
Crystal Lake Junction	88 Railroad Street, Unit B	"B-4"

The applicant has submitted all of the necessary paperwork.

The following conditions must be met prior to the license being issued:

- Payment of Prorated License Fee

The attached Ordinance approves an increase in the number of Class 24 liquor licenses in order to allow the new owner, Om Swami Crystal Lake, Inc., d/b/a Papa Savarios, located at 540 E. Terra Cotta Avenue, Unit A, to sell and serve alcohol at the establishment.

Votes Required to Pass:
Simple majority

Ord. No.
File No. 255 L

The City of Crystal Lake

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 as follows:

The number of Class 24 Liquor Licenses shall increase from 5 to 6.

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 19th day of April, 2022.

City of Crystal Lake, an
Illinois municipal corporation

_____
Haig Haleblian, MAYOR

SEAL

ATTEST

_____
Nick Kachiroubas, CITY CLERK

PASSED: April 19, 2022
APPROVED: April 19, 2022

Draft

Agenda Item No: 16

City Council
Agenda Supplement

Meeting Date:	April 19, 2022
Item:	REPORT OF THE PLANNING & ZONING COMMISSION Crystal Lake Brewing
Request:	Special Use Permit Amendment to allow an expanded outdoor seating area
Petitioner:	John O'Fallon, petitioner 150 N. Main Street
PZC Recommendation:	To approve the Planning and Zoning Commission (PZC) recommendations and adopt an Ordinance granting the Special Use Permit Amendment to allow the expanded outdoor seating area for Crystal Lake Brewing at 150 N. Main Street.
Staff Contact:	Kathryn Cowlin, Director of Community Development Elizabeth Maxwell, City Planner

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Background:

- Crystal Lake Brewing received a Special Use Permit in December of 2014 for a Drinking Place to allow the tasting and tap room.
- A small outdoor seating area was later added. During the COVID-19 pandemic, due to limitations with indoor seating, additional tables and seating were set up outside in the parking lot. The temporary outdoor seating approval expired at the end of 2021.
- The success of this outdoor seating area and the popularity of outdoor seating in Downtown has prompted the petitioner to seek this outdoor area permanently.

PZC Highlights:

- Several members of the public attended the public hearing to speak about the request. Four members spoke with one opposed to the request who also submitted a letter and three in support of the request.

- During the public hearing, neighbors who supported the request asked if a crosswalk could be installed on Gates Street and Grant Street. The City is incorporating this improvement to the current intersection construction. Additional directional public parking lot signage was also added to Gates Street. The City received numerous emails in support of the request.
- The PZC was supportive of the expansion and thanked the petitioner for coming back with additional information to address their concerns.
- The PZC found that this request meets the Findings of Fact.

The PZC recommended **approval (7-0)** of the petitioner's request with the following conditions:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
   A. Application (O'Fallon, received 02/22/22)
   B. Outdoor Seating layout (O'Fallon, undated, received 02/22/22)
   C. Speaker layout (O'Fallon, received 03/24/22)

2. All conditions from Ordinance No.6976 shall remain applicable unless modified by this request.

3. Food trucks are not permitted to use amplified sound on the property.

4. The beer garden outdoor area shall close by 10:00 p.m. Sunday-Thursday and 11:00 p.m. Friday and Saturday.

5. The petitioner shall address all of the review comments and requirements of Community Development Department.

Votes Required to Pass: A simple majority.

Acknowledgement Form

Regarding the Special Use Permit Amendment at 150 N. Main Street. Please check one of the choices and sign below.

☒ I hereby acknowledge that I have read, understand, and agree to the staff review comments and recommended conditions contained in the staff report, city staff reviews, and consultant reviews (if applicable).

☐ I hereby acknowledge that I have read, understand, and agree to most of the staff review comments and recommended conditions contained in the staff report, city staff reviews, and consultant reviews (if applicable) but have concerns with the following items:

_____

_____

Petitioner's Name: _____ Date: April 12, 2022
Signature

Recommended Conditions:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
   A. Application (O'Fallon, received 02/22/22)
   B. Outdoor Seating layout (O'Fallon, undated, received 02/22/22)
   C. Speaker layout (O'Fallon, received 03/24/22)

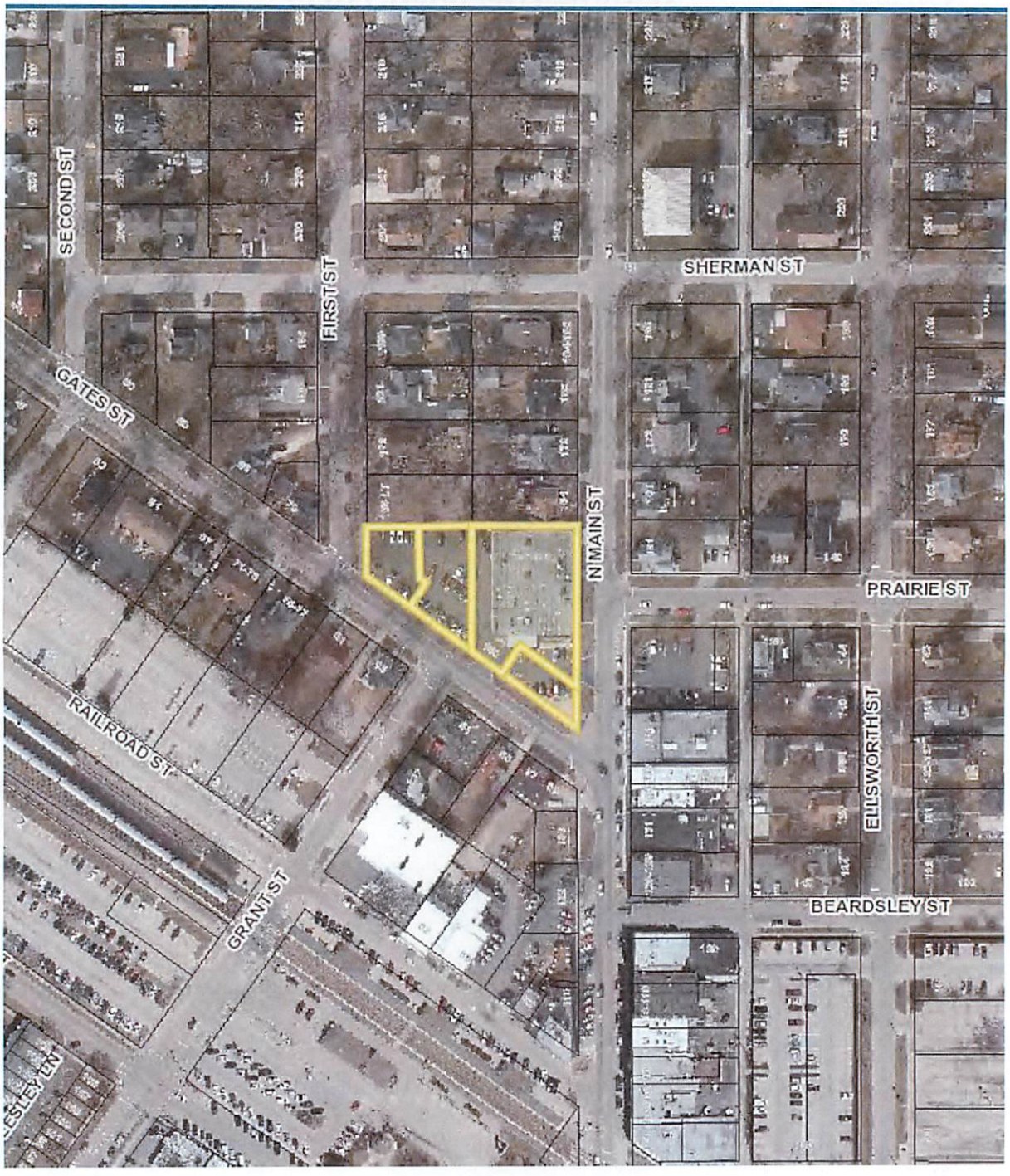
2. All conditions from Ordinance No.6976 shall remain applicable unless modified by this request.

3. Food trucks are not permitted to use amplified sound on the property.

4. The beer garden outdoor area shall close by 10:00 p.m. Sunday-Thursday and 11:00 p.m. Friday and Saturday.

5. The petitioner shall address all of the review comments and requirements of Community Development Department.

PIQ Map


SECOND ST
FIRST ST
SHERMAN ST
GATES ST
N MAIN ST
PRAIRIE ST
RAILROAD ST
ELLSWORTH ST
GRANT ST
BEARDSLEY ST

Ord. No.
File No.

The City of Crystal Lake Illinois

AN ORDINANCE GRANTING A SPECIAL USE PERMIT AMENDMENT FOR CRYSTAL LAKE BREWING AT 150 N. MAIN STREET

WHEREAS, pursuant to the terms of a Petition (File #PLN-2022-31) before the Crystal Lake Planning and Zoning Commission, the Petitioner has requested a Special Use Permit Amendment to allow to allow an expanded outdoor seating area for the Crystal Lake Brewing at 150 N. Main Street; and

WHEREAS, the Planning and Zoning Commission of the City of Crystal Lake, pursuant to notice duly published on February 26, 2022 in the Northwest Herald, held a public hearing at 7:00 p.m., on March 16, 2022, which was continued to April 6, 2022 at City Hall at 100 W. Woodstock Street, Crystal Lake, Illinois to consider the proposed Special Use Permit Amendment; and

WHEREAS, on April 6, 2022, 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 Amendment be approved, as documented in the minutes, and

WHEREAS, it is in the best interests of the CITY OF CRYSTAL LAKE that the Special Use Permit Amendment 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 Amendment to allow to allow an expanded outdoor seating area for Crystal Lake Brewing for the property commonly known as at 150 N. Main Street (14-32-431-006, -011, -012, -014), Crystal Lake, Illinois is hereby approved.

Section II: Said Special Use Permit Amendment is issued with the following conditions:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
   A. Application (O'Fallon, received 02/22/22)
   B. Outdoor Seating layout (O'Fallon, undated, received 02/22/22)
   C. Speaker layout (O'Fallon, received 03/24/22)

Draft

2. All conditions from Ordinance No.6976 shall remain applicable unless modified by this request.

3. Food trucks are not permitted to use amplified sound on the property.

4. The beer garden outdoor area shall close by 10:00 p.m. Sunday-Thursday and 11:00 p.m. Friday and Saturday.

5. The petitioner shall address all of the review comments and requirements of 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 issuance of a Special Use Permit 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 19th day of April, 2022.

City of Crystal Lake, an
Illinois municipal corporation

_____
Haig Haleblian, MAYOR

SEAL

ATTEST:

_____
Nick Kachiroubas, CITY CLERK

Passed: April 19, 2022
Approved: April 19, 2022

Draft

REVISED

#2022-31
150 N. Main Street – Special Use Permit Amendment
Project Review for Planning and Zoning Commission

Meeting Date:	April 6, 2022
Request:	Special Use Permit Amendment to allow an expanded outdoor seating area.
Location:	150 N. Main Street
Acreage:	Approximately 1 acres
Existing Zoning:	B-4 Mixed Use Business
Surrounding Properties:	North: B-4 and R-3B Multi-Family Residential South: B-4 and R-3B Multi-Family Residential East: B-4 and R-3B Multi-Family Residential West: R-3B Multi-Family Residential
Staff Contact:	Elizabeth Maxwell (815.356.3615)

Background:

- The property currently has a Special Use Permit for a Drinking Place.
- During COVID, they received temporary approval for the outdoor seating area. It was well-received by the patrons and the petitioner would like to make it a permanent feature.
- The driveway entrance along Main Street will be closed with the City's Main Street roadway widening project.
- The original public hearing was held on March 16th and the Commission noted concerns with noise.
- The petitioner has provided revised site plan illustrating the speaker locations.
- Staff has received 18 emails in support of the outdoor patio area.

Development Analysis:

General

- Request: The petitioner is requesting an Amendment to the Special Use Permit for the outdoor beer garden.
- Zoning: The site is zoned B-4 Mixed-Use Business. This is the appropriate zoning district for this use.

- Land Use: The land use map shows the area as Commerce. This land use designation is appropriate for this use.
- Parking: The existing seating requires 37 parking spaces. The petitioner is adding 62 seats for a total of 86 outdoor seats (includes existing outdoor patio area). This new seating requires an additional 21 spaces. The Downtown is allowed to provide 70% of the required parking, so this site would require 41 spaces. 41 parking spaces are provided.
- Site Plan. The petitioner provided an illustration of the new speakers how they could be at a lower volume and provide coverage of the area, which should reduce any possibility of significant noise being heard off the property.

Comprehensive Land Use Plan 2030 Vision Summary Review:
The Comprehensive Plan designates the subject property as Commerce, which allows for existing and future commercial uses. The following goal is applicable to this request:

Land Use – Commerce

Goal: Maintain a dynamic and sustainable base of commercial uses that provides a solid tax base, goods, services, and jobs to the city, as well as the surrounding region through coordination in the Unified Development Ordinance, Comprehensive Land Use Plan, and Economic Development Strategic Plan.

This can be accomplished with the following supporting action:

Supporting Action: Encourage mixed-use developments that allow people to live, work and play in the same area, as well as support the transfer of goods and services between businesses and limit the number of traffic trips generated.

Findings of Fact:
SPECIAL USE PERMIT
The petitioner has requested a Special Use Permit Amendment to allow an outdoor seating area. Special Uses require a separate review because of their potential to impact surrounding properties and the orderly development of the City. Section 2-400 B of the Unified Development Ordinance establishes standard for all Special Uses in Crystal Lake. The criteria are as follows:

1. The use is necessary or desirable, at the proposed location, to provide a service or facility which will further the public convenience and general welfare.

   ☒ *Meets* ☐ *Does not meet*

2. The use will not be detrimental to area property values.

   ☒ *Meets* ☐ *Does not meet*

3. The use will comply with the zoning districts regulations.

   ☒ *Meets* ☐ *Does not meet*

4. The use will not negatively impact traffic circulation.

   ☒ *Meets* ☐ *Does not meet*

5. The use will not negatively impact public utilities or municipal service delivery systems. If required, the use will contribute financially to the upgrading of public utilities and municipal service delivery systems.

   ☒ *Meets* ☐ *Does not meet*

6. The use will not negatively impact the environment or be unsightly.

   ☒ *Meets* ☐ *Does not meet*

7. The use, where possible will preserve existing mature vegetation, and provide landscaping and architecture, which is aesthetically pleasing, compatible or complementary to surrounding properties and acceptable by community standards.

   ☒ *Meets* ☐ *Does not meet*

8. The use will meet requirements of all regulating governmental agencies.

   ☒ *Meets* ☐ *Does not meet*

9. The use will conform to any conditions approved as part of the issued Special Use Permit.

   ☒ *Meets* ☐ *Does not meet*

10. The use will conform to the regulations established for specific special uses, where applicable.

    ☒ *Meets* ☐ *Does not meet*

Sidewalk or outdooring seating must comply with the following standards:

1. Outdoor seating areas must be adjacent to and provide direct access to and from the tenant space within the principal structure which the outside seating area serves.

   ☒ *Meets* ☐ *Does not meet*

2. Outdoor seating areas must be located 20 feet from the rear property line if adjacent to residentially zoned properties.

   ☒ *Meets* ☐ *Does not meet*

3. Outdoor seating areas shall not be located in the parking lot landscape islands.

   ☒ *Meets* ☐ *Does not meet*

4. The use of the additional area for outdoor seating will not decrease available parking below that required by the UDO for the food service use.

   ☒ *Meets* ☐ *Does not meet*

5. If outdoor seating areas are located within six feet from driveways, drive aisles and alleys, and within 10 feet from intersections, a sturdy and highly visible barrier shall be provided to protect the seating area.

   ☒ *Meets* ☐ *Does not meet*

6. A minimum of three feet of clear pedestrian passage, free of barriers and street trees, bike racks, lamp posts, sign posts, and any other fixtures or obstructions is required between the seating area and the edge of the sidewalk.

   ☒ *Meets* ☐ *Does not meet*

Recommended Conditions:

If a motion to recommend approval of the petitioner's request is made, it should be with the following conditions:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
   A. Application (O'Fallon, received 02/22/22)
   B. Outdoor Seating layout (O'Fallon, undated, received 02/22/22)
   C. Speaker layout (O'Fallon, received 03/24/22)

2. All conditions from Ordinance No.6976 shall remain applicable unless modified by this request.

3. Food trucks are not permitted to use amplified sound on the property.

4. The beer garden outdoor area shall close by 10:00 p.m. Sunday-Thursday and 11:00 p.m. Friday and Saturday.

5. The petitioner shall address all of the review comments and requirements of Community Development Department.

City of Crystal Lake
Development Application
Ownership Sign-off Acknowledgement Form

The following information is related to a development application. As the owner of the property in question, I (we) acknowledge that the information provided in the submittal was reviewed and approved.

Owner Information

Name: John OFallon

Address: 150 N. Main Street
Crystal Lake IL 60014

Phone: [redacted]

E-mail: [redacted]

Project Name & Description: CLB Beer Garden Perm. Expansion
Conversion of front parking lot area
into a permanent outdoor beer garden space

Project Address/Location: 150 N Main, CL 60014

Signature

John O'Fallon Feb 21 22

Owner: Print and Sign name Date

NOTE: If the property is held in a trust, the trust officer must sign this petition as owner. In addition, the trust officer must provide a letter that names all beneficiaries of the trust.

CRYSTAL LAKE PLANNING AND ZONING COMMISSION
WEDNESDAY, APRIL 6, 2022
HELD AT THE CRYSTAL LAKE CITY COUNCIL CHAMBERS

The meeting was called to order by Mr. Greenman at 7:00 p.m.

CALL TO ORDER

Mr. Greenman called the meeting to order. On roll call, members Atkinson, Greenman, Jouron, Repholz, Skluzacek and Teetsov were present. Member Gronow was absent.

Kathryn Cowlin, Director of Community Development, Michael Magnuson, Director of Public Works & Engineering, Elizabeth Maxwell, City Planner, Abigail Wilgreen, City Engineer and Commander Luke Behning were present from Staff.

Mr. Greenman said this meeting is being recorded for broadcast and future playback on the City's cable channel. He led the group in the Pledge of Allegiance.

2022-31 – 150 N. MAIN STREET – CRYSTAL LAKE BREWERY SPECIAL USE PERMIT AMENDMENT –

This is a continuation of the public hearing started on March 16, 2022 for the amendment to the Special Use Permit to allow an expanded outdoor seating area.

John O'Fallon and Beth Alberger were present to represent the petition. Mr. O'Fallon showed pictures of the space. The brewery is a 13,200 square foot former industrial building now used for brewing and a tap room. The outdoor area has rope lighting and the City expanded the lighting across the intersection. This use fits well with Downtown. Mr. O'Fallon went through the support letters and highlighted some of the things people said. Less than 20% of the overall area is being converted to outdoor area. The nook is separate from the main parking lot and lends itself to the outdoor area. The layout is organic and tables and chairs would be moved for bag tournament. Mr. O'Fallon took his own noise readings. The north side had nothing, and the east side across the street was very low approximately 54 dB. When vehicles drive by, the numbers jump to 65 dB and 75 dB. He discussed the police calls and reports. They will change the speaker system to a set of three so it can be lower with the same or better distribution. He showed the site rendering and noted this is their grand vision. He noted the City is adding a crosswalk and signage.

Mr. Greenman opened the public hearing.

Mr. Frank Corey at 95 Gates submitted a letter of objection. He stated the brewery added speakers in 2015, which is when the problems started. The noise ordinance states that all exterior speakers must be turned off after 10pm. They have been in continuous violation of this ordinance. He stated just because there were support letters and people like it, it does not mean that some people do not like it. Downtown should be looked at like it is a shopping mall.

Ms. Kelly Fraser at 71 Gates Street stated she has lived in her home for about a year. She stated her family loves the brewery and that it is very family friendly. There is no noise at Gates Street and First Street, and there is more noise from Duke's and Lebami's. Her family likes to sit outside, and there is a sense of community. Everyone who orders food is supporting other businesses as well.

Mr. Kevin Fraser at 71 Gates Street stated he has lived in Crystal Lake his whole life. This company cares so much about the community and other local businesses. It is a great place to be. He hopes it can continue.

Ms. Susan Platek at 173 First Street stated she has lived there 38 years. She stated she has watched Downtown flourish over the years. During COVID, everyone had to scramble to try to serve customers. They are so accommodating to customers. She does not hear loud noises, but she can smell food trucks, which is nice. She stated it is so great to meet up with friends.

Mr. Eric Lecuyer at 3809 Shenandoah Drive stated he has lived in Crystal Lake since 1963. He stated the noise level comes from cars or motorcycles when they are revved up. His family celebrated his father's 90th birthday at this location. He stated they meet the Findings of Fact.

Mr. Greenman closed the public hearing.

Staff summarized the request.

Mr. Greenman asked how many citations the brewery has received. Commander Behning responded there have been zero adjudication tickets.

Ms. Teetsov stated this adds to Downtown. She thanked the petitioners for providing additional information. She thanked the City for the crosswalk and signage. She asked the petitioners if they were planning on doing any permanent shade structures. Mr. O'Fallon responded yes they would provide several.

Ms. Repholz was supportive of the request. She stated this will make a positive impact on the Downtown. She supports the request if the music is turned off at 10pm.

Mr. Atkinson stated he was glad the petitioners provided a more detailed presentation. He stated change is inevitable and there is a lot of support by the community. Mr. Atkinson how close the seating area is to the intersection. Mr. O'Fallon responded there is 15-20 foot buffer from the corner plus a fence.

Mr. Gronow echoed the thoughts of support. He iterated there have been no violations. His only concern is the number of new seats outside.

Mr. Jouron stated the petitioners did a nice job on trying to mitigate the noise. He asked if they spoke with any neighbors. Ms. Alberger responded they spoke with some neighbors who were in support.

Ms. Skluzacek asked if inside seating was open after 10 or 11pm. Ms. Alberger responded they shut music down 30 minutes before closing time outside.

Mr. Greenman asked the petitioners if they are okay with the conditions. Mr. O'Fallon responded yes. He stated the petitioners did a great job addressing the concerns. He stated the request meets the Findings of Fact.

Ms. Teetsov made a motion to approve the Special Use Permit Amendment with the following recommended conditions:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
   A. Application (O'Fallon, received 02/22/22)
   B. Outdoor Seating layout (O'Fallon, undated, received 02/22/22)
   C. Speaker layout (O'Fallon, received 03/24/22)

2. All conditions from Ordinance No.6976 shall remain applicable unless modified by this request.

3. Food trucks are not permitted to use amplified sound on the property.

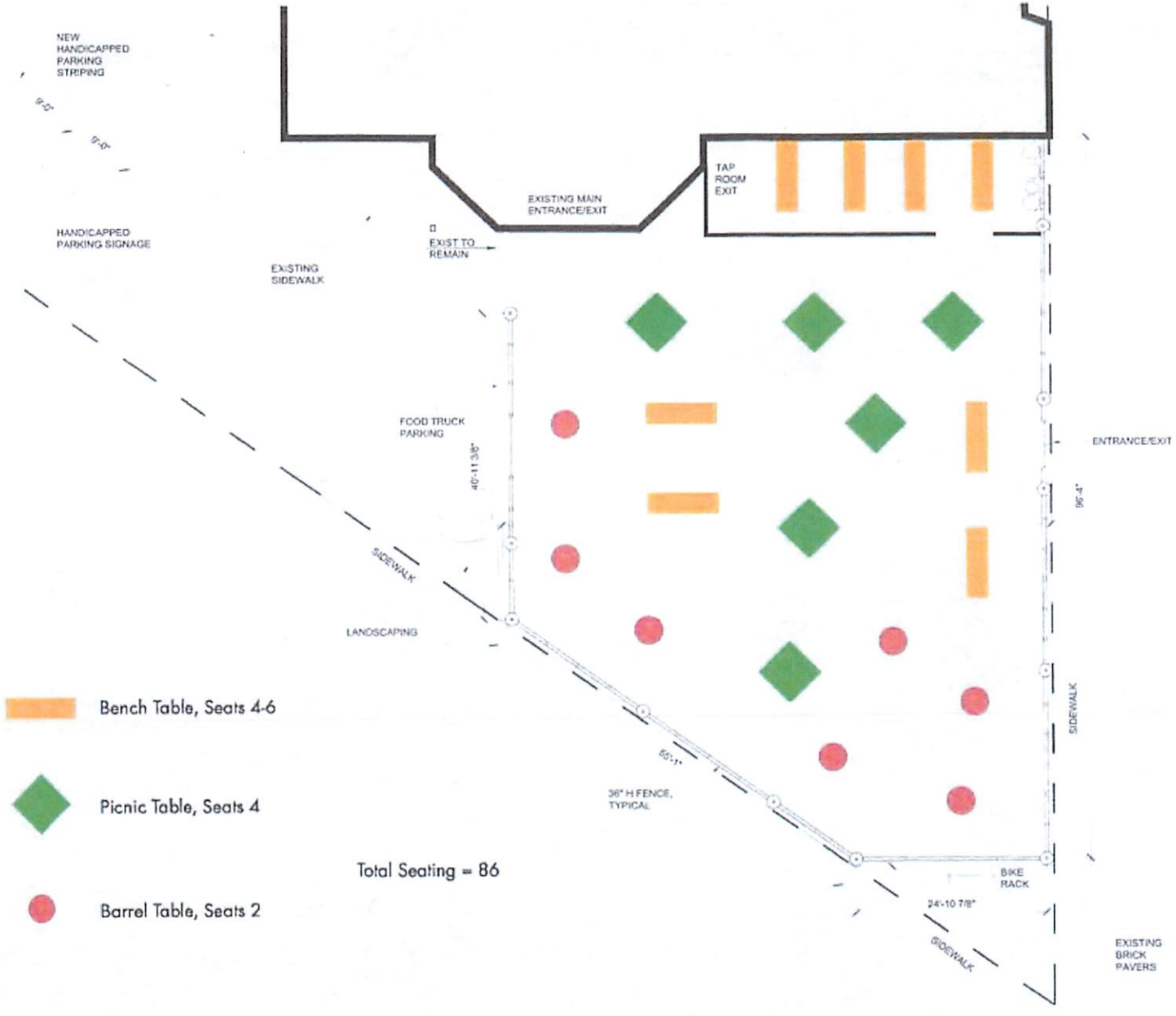
4. The beer garden outdoor area shall close by 10:00 p.m. Sunday-Thursday and 11:00 p.m. Friday and Saturday.

5. The petitioner shall address all of the review comments and requirements of Community Development Department.

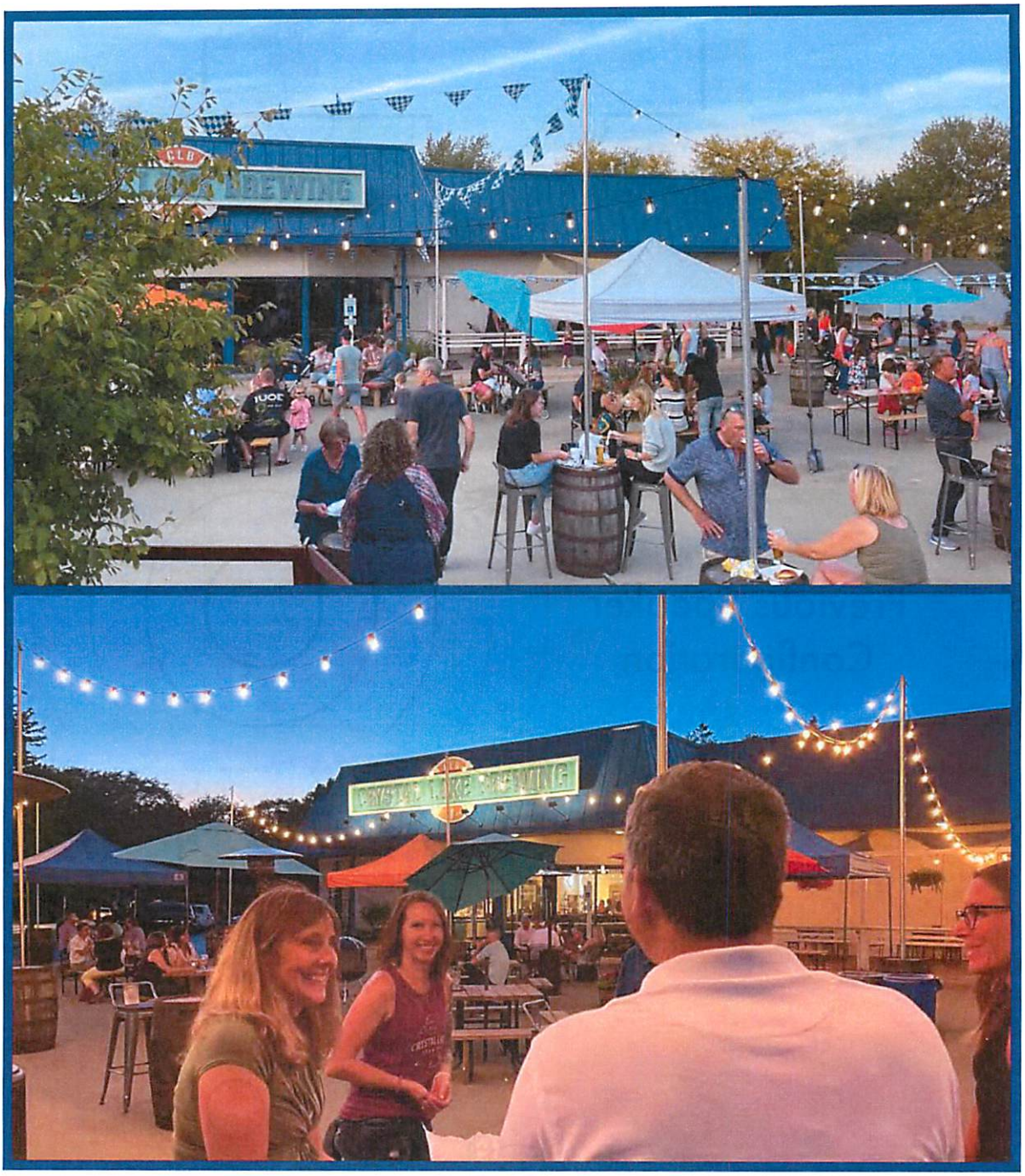
Mr. Jouron seconded the motion. On roll call Members Atkinson, Jouron, Gronow, Repholz, Skluzacek, Teetsov, and Greenman voted aye. Motion passed 7-0.

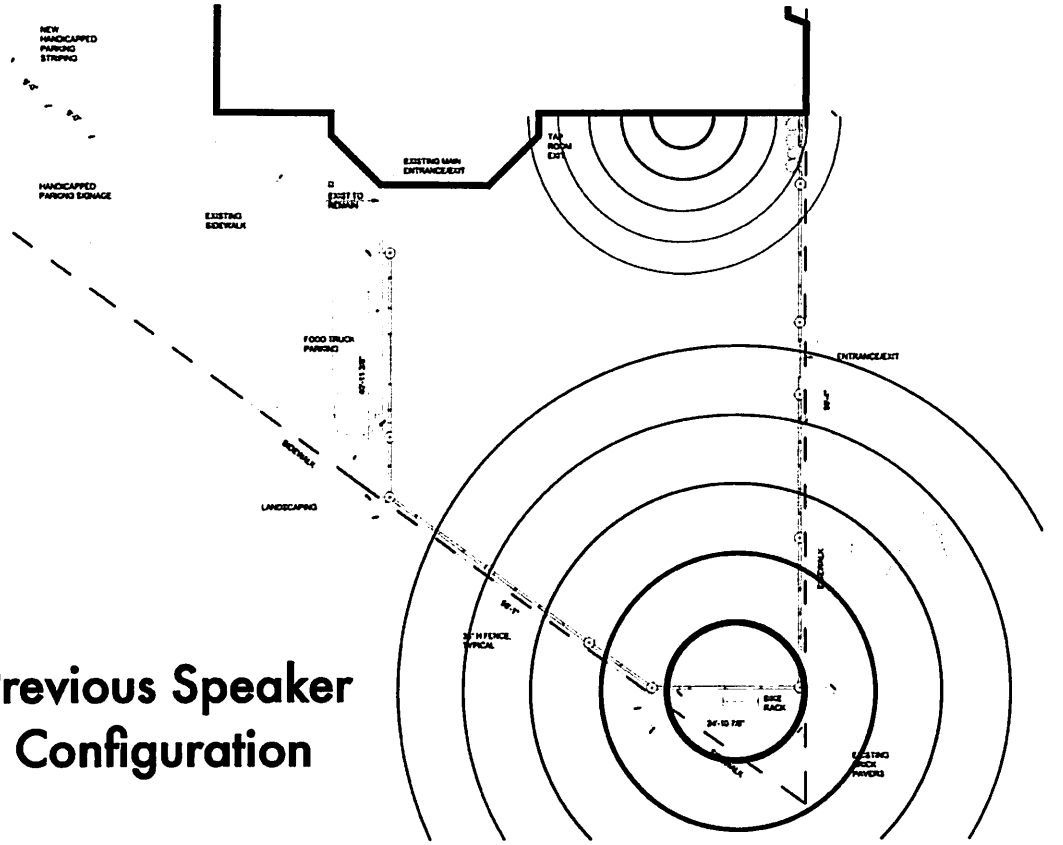
ADJOURNMENT

Mr. Jouron made a motion to adjourn the meeting. Mr. Atkinson seconded the motion. On voice vote, all members voted aye. The meeting was adjourned at 12:07 a.m.

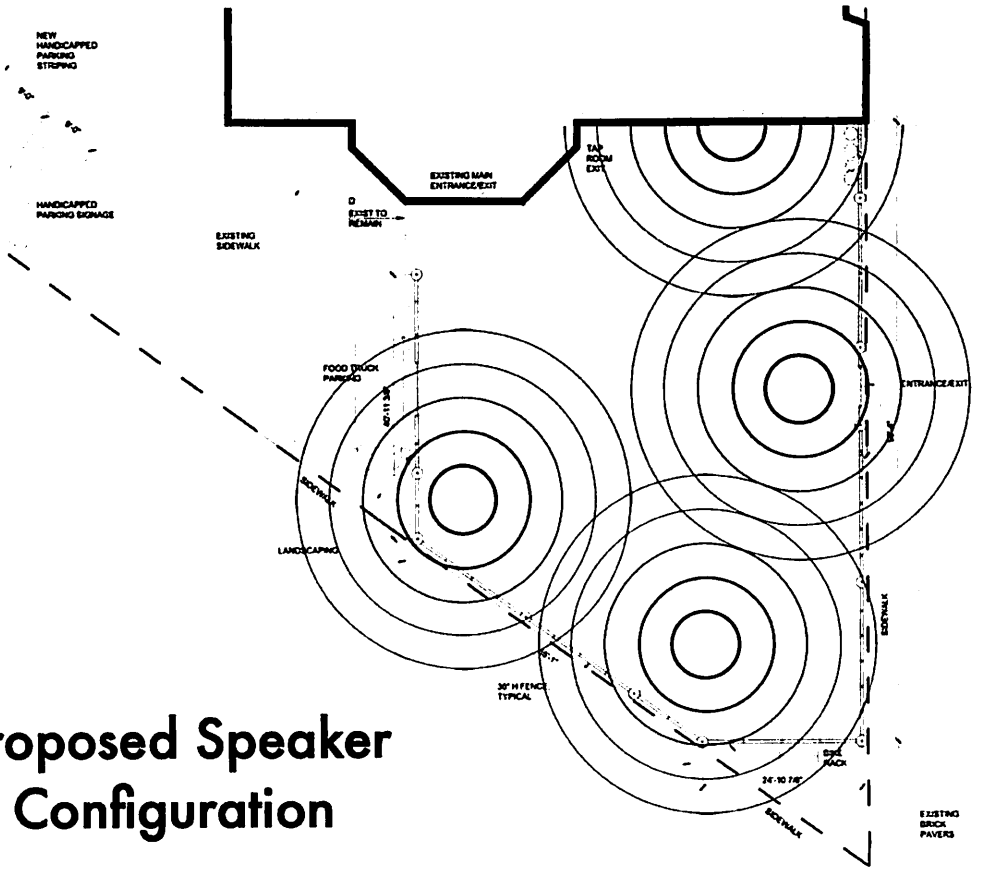

NEW
HANDICAPPED
PARKING
STRIPING
HANDICAPPED
PARKING SIGNAGE
EXISTING
SIDEWALK
EXIST TO
REMAIN
EXISTING MAIN
ENTRANCE/EXIT
TAP
ROOM
EXIT
FOOD TRUCK
PARKING
40'-11 3/8"
ENTRANCE/EXIT
96'-4"
SIDEWALK
LANDSCAPING
55'-1"
36" H FENCE,
TYPICAL
BIKE
RACK
24'-10 7/8"
SIDEWALK
EXISTING
BRICK
PAVERS
Bench Table, Seats 4-6
Picnic Table, Seats 4
Barrel Table, Seats 2
Total Seating = 86


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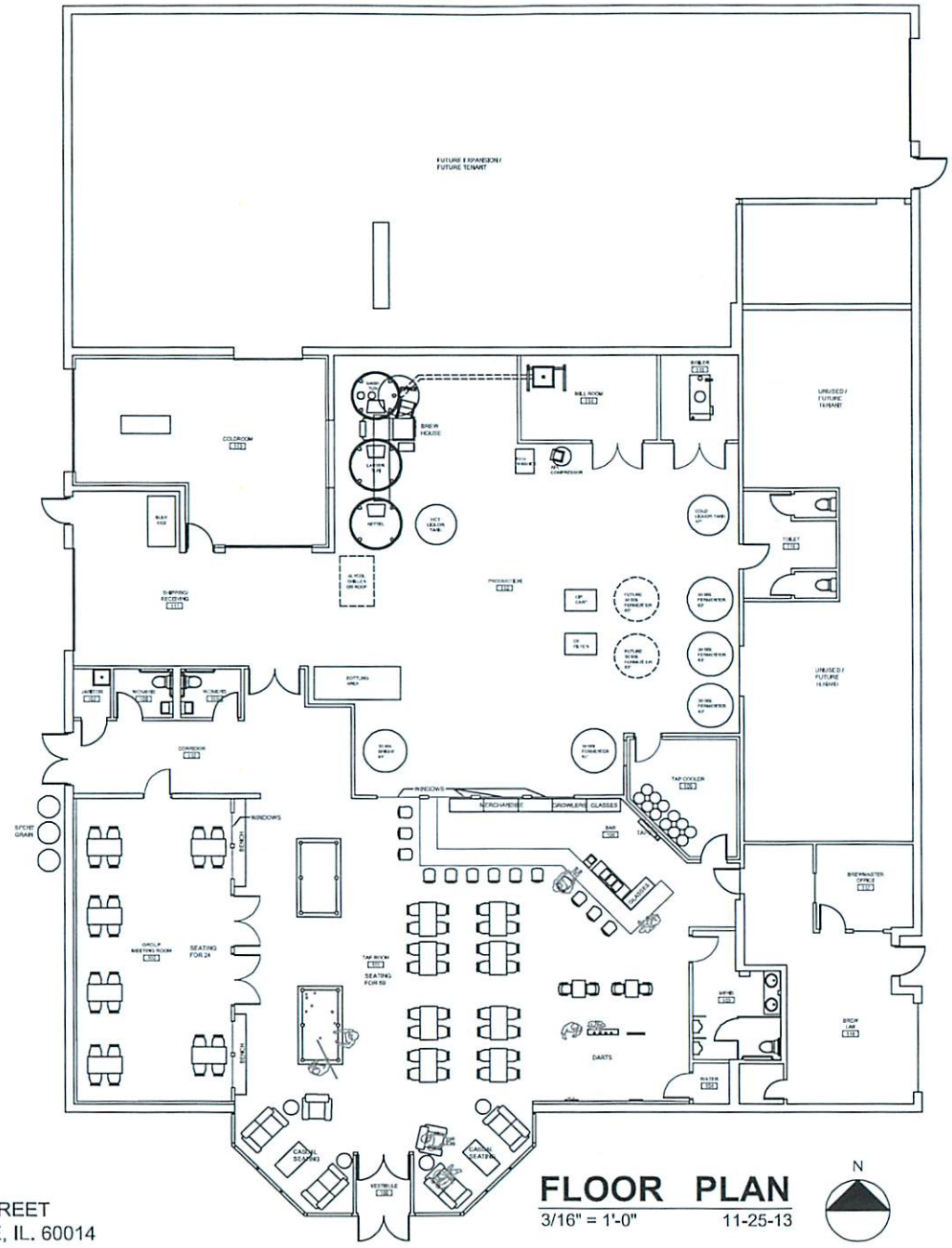




Previous Speaker Configuration



Proposed Speaker Configuration



CRYSTAL LAKE BEER COMPANY

150 N. MAIN STREET
CRYSTAL LAKE, IL. 60014

FLOOR PLAN

3/16" = 1'-0" 11-25-13

N

korte architecture
Crystal Lake IL. 60014 ph 815.444.9150 kortearchitecture.com

ORDINANCE NO. 6976
FILE NO. 440

AN ORDINANCE GRANTING SPECIAL USE PERMITS
AT 150 N. MAIN STREET

WHEREAS, pursuant to the terms of a Petition (File #2013-58) before the Crystal Lake Zoning Board of Appeals, the Petitioner has requested the issuance of Special Use Permits to allow a Drinking Place and a beer microbrewery in the B-4 Downtown District for the property located at 150 N. Main Street; and

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

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

Section I: That Special Use Permits be issued to allow a Drinking Place and a beer microbrewery in the B-4 Downtown District for the property commonly known as 150 N. Main Street (14-32-431-006, 14-32-431-011, 14-32-431-012, and part of 14-32-431-005), Crystal Lake, Illinois.

Section II: Said Special Uses are issued with the following conditions:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
   A. Application (CL Beer Company, received 11/13/13)
   B. Plat of Survey (Vanderstappen, 11/22/2013)
   C. Site Plan (Korte, dated 11/25/13)
   D. Floor Plan (Korte, dated 11/25/13)
   E. Signage (Korte, dated 11/25/13)

2. Site Plan:
   A. Verify ownership of the existing fence located at the northwest corner of the building. Extend this fence screening to First Street.
   B. Provide screening details that meet the UDO for the trash dumpster and the outdoor storage of the spent grain containers.

C. With the curb stops provided, the parking spaces can be shown as 17.5 feet in length. This additional room might allow for another single row of parking to be striped within the center of the main parking area.
D. Provide some landscape screening south of the 5 parking spaces at the SEC of the site.

3. Signage:
A. As additional wall signage is being granted for this building, no freestanding sign is permitted for this property.
B. Via the Special Use Permit approval, the main building wall sign may exceed 75 square feet in area to allow 100 square feet; and the projecting sign may exceed the 9 square feet in area requirement to allow 24 square feet, as shown on the sign plan.
C. The signage for this building shall meet the UDO in every other requirement.

4. The petitioner shall address all of the review comments and requirements of the Engineering and Building, Fire Rescue, Police, Public Works and Planning and Economic Development Departments.

5. Submit a landscaping plan for staff's review and approval.

Section III: That the City Clerk be and 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 issuance of a Special Use Permit 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 and approval as provided by law.

DATED at Crystal Lake, Illinois, this 17th day of December, 2014.

MAYOR

ATTEST:

DEPUTY CITY CLERK

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

Elizabeth Maxwell AICP

From: Brian Buchek <[redacted]
Sent: Thursday, March 17, 2022 3:31 PM
To: Elizabeth Maxwell AICP
Subject: Re: Planning and Zoning commission ruling

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello Elizabeth,

Thank you for your response. I would be happy to have my message included in the packet. I am not typically one to get involved, but I was very excited to see that there was a potential of making the CLB beer garden permanent. It was upsetting to see the response from the Zoning board. Myself along with countless others in the city and nearby are very excited about adding additional outdoor spaces, dining and drinking options to downtown Crystal Lake. It is a huge draw for many during the warmer months. I really hope the City continues to encourage this movement and allows these businesses to operate smoothly outdoors, as it is a huge attraction to many.

Thank you,

Brian B.

On Thu, Mar 17, 2022 at 1:26 PM Elizabeth Maxwell AICP <emaxwell@crystallake.org> wrote:

Hello Brian,

Thank you so much for your email. We appreciate your thoughts. We can include this email with the packet of information as the item heads back to the Planning and Zoning Commission and the City Council. So far they just requested a continuation to the April 6th Planning and Zoning meeting in order to try to further address the noise from the patio. The City is currently looking into additional signage for parking around the Downtown and adding in crosswalks in the area, which should help relieve some of the neighbors' concerns.

We agree that the Brewery has been an excellent addition to the community.

Thank you

Elizabeth Maxwell AICP | City Planner | Community Development
City Of Crystal Lake | 100 W. Woodstock St. | Crystal Lake, IL 60014
Website: www.crystallake.org | Phone: 815-356-3738

From: Kathryn Cowlin AICP <kcowlin@crystallake.org>
Sent: Thursday, March 17, 2022 11:58 AM
To: Elizabeth Maxwell AICP <emaxwell@crystallake.org>
Subject: FW: Planning and Zoning commission ruling

Kathryn Cowlin AICP | Director | Community Development
City Of Crystal Lake | 100 W. Woodstock St. | Crystal Lake, IL 60014
Website: www.crystallake.org | Phone: 815-356-3798

From: Brian Buchek <[redacted]
Sent: Thursday, March 17, 2022 11:51 AM
To: Kathryn Cowlin AICP <kcowlin@crystallake.org>
Subject: Planning and Zoning commission ruling

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Ms. Cowlin,

I have a couple questions and concerns regarding the 3/16/22 ruling on Crystal Lake Breweries request to make their outdoor patio permanent. I first want to state that I have no relation to CLB or personal gain to make from sending this email. I am just a concerned citizen. I streamed the meeting because I was very excited at the potential of the permanent beer garden at CLB as many citizens are. This is a great addition to downtown and has a ton of popularity. It draws out town visitors and brings them to the heart of Crystal lake. The brewery encourages shopping and eating downtown. I was discouraged by the denial of the request. It was apparent to me that there was one citizen in particular that voiced his complaints regarding noise. I do understand that there is a potential for noise being that the seating area is outside. As a patron of CLB I can tell you honestly that the noise level of the music is very low and almost difficult to hear while seated at the actual

establishment, let alone across the street inside of a building. The brewery isn't a sports bar or nightclub with a rowdy crowd either. I like many others who bring their young kids here because of the calm family friendly vibe. I am certain that members of the board are picturing the outdoor space differently. I encourage them to stop by during the evening hours to actually test the noise levels. I assure you that it is very respectful. I also know that the patio is a draw for daytime crowds. The seats are never full in the evening, as I know this was also a concern of the board. The fact that the police department investigated all 911 calls for noise violations with no findings should be sufficient evidence that there is obviously one resident who is not happy with the outdoor seating. The police department even had special checks through the evenings with no findings.

I believe the denial of the CLB request to make their patio permit is getting away from the vision of the city. I know there are grants being given out to restaurants and bars for adding outdoor seats, and this is exactly what they are attempting to do. If we want to continue to encourage businesses to add outdoor seating, this ruling appears very counter intuitive.

Thank you for your time,

Brian B.

This electronic message and any attached files contain information intended for the exclusive use of the individual or entity to whom it is addressed and may contain information that is proprietary, confidential and/or exempt from disclosure under applicable law, including protected health information (PHI). If you are not the intended recipient, you are hereby notified that any viewing, copying, disclosure or distribution of the information may be subject to legal restriction or sanction and is strictly prohibited. If you have received this communication in error, please notify the sender by return electronic message or telephone, and destroy the original message without making any copies.

Elizabeth Maxwell AICP

From:	Crystal Lake Brewing <info@crystallakebrew.com>
Sent:	Thursday, March 24, 2022 8:56 AM
To:	Elizabeth Maxwell AICP
Cc:	Kathryn Cowlin AICP
Subject:	Fwd: Planning and Zoning Commission

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Begin forwarded message:

From: Lindsey Richter <[redacted]>
Subject: Planning and Zoning Commission
Date: March 22, 2022 at 3:53:55 PM CDT
To: info@crystallakebrew.com

To the City of Crystal Lake and the Planning and Zoning Commission,

The Crystal Lake Brewery has been a neighborhood staple for my husband and I since moving to downtown Crystal Lake in November of 2019. When Covid hit and shutdowns began in March of 2020 we did our best to support CLB with curbside pickup orders and merchandise purchases as we did not want to see one of our favorite local businesses suffer. When the extended patio opened, we were elated! To be able to walk to CLB and enjoy an evening out of the house while still feeling safe was so great! Since then, it has been such an amazing and lively addition to the downtown community. I know that making the extended patio a permanent fixture would be an asset to the City of Crystal Lake, its residents and visitors from near and far.

I trust that the city and the Planning and Zoning Commission would agree.

Sincerely,

Lindsey Cavanaugh
31 S. Oriole Trail

Elizabeth Maxwell AICP

From:	Crystal Lake Brewing <info@crystallakebrew.com>
Sent:	Thursday, March 24, 2022 8:56 AM
To:	Elizabeth Maxwell AICP
Cc:	Kathryn Cowlin AICP
Subject:	Fwd: Crystal Lake Brewing - making their beer garden permanent

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Begin forwarded message:

From: Alex Quigley [redacted]
Subject: Crystal Lake Brewing - making their beer garden permanent
Date: March 22, 2022 at 5:10:02 PM CDT
To: info@crystallakebrew.com

To Mr. Greenman, Mr. Jouron, Mr. Atkinson, Mr. Gronow, Ms. Repholz, Mr. Skluzacek, and Ms. Teetsov,

As a resident of Crystal Lake for almost ten years, I can say without reservation that one thing this city sorely missed during my first few years here was outdoor dining. There were very few options anywhere, either downtown or along Route 14. And although a few places have expanded their outdoor options, none had the impact on the community like Crystal Lake Brewing's expansion during the first summer of the pandemic. All of a sudden, we had an expansive, fresh, SAFE place to relax on beautiful spring days and warm summer nights. I'm sincerely grateful that the Commission granted approval for such an experiment! But that area became more than simply a place to grab a beer without having to worry about getting COVID. I'm of the opinion that it has truly become the beating heart of downtown Crystal Lake. I can't tell you how many friends of mine from the city have hopped off the Metra and met me there. If family or friends are visiting from out-of-town, I *always* make sure they visit the beer garden. There really aren't many places like it in the northwest suburbs, let alone one that's attached to a world-class brewery. And frankly, I *like* that they don't serve food there. I order stuff delivered to the beer garden from restaurants around downtown all the time when I know we're staying for a couple hours. It's great! Please consider granting a permanent permit for the beer garden there. It's a wonderful thing for our city.

Alex Quigley
386 Mary Lane

Elizabeth Maxwell AICP

From:	Crystal Lake Brewing <info@crystallakebrew.com>
Sent:	Thursday, March 24, 2022 8:55 AM
To:	Elizabeth Maxwell AICP
Cc:	Kathryn Cowlin AICP
Subject:	Fwd: letter of support for the CLB beer garden to remain open

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Begin forwarded message:

From: Jill Hunt [redacted]
Subject: letter of support for the CLB beer garden to remain open
Date: March 22, 2022 at 5:15:54 PM CDT
To: info@crystallakebrew.com

Dear Planning and Zoning Committee Members & City of Crystal Lake,

I would like to be one of, I hope, many Crystal Lake residents to voice my support for the CLB beer garden to become a permanent feature. COVID has been a terrible time for so many people and some of the small little highlights was the emergence of outdoor dining and outdoor spaces for socialization and libations. We do not get enough time to be outdoors in the Midwest and having any opportunity to enjoy the extended season is great! Europe has so many outdoor dining opportunities that make the time there so charming. Especially beer gardens. CLB has done a great job in making the space a wonderful place for families to gather, bring their dogs and socialize outside, waving to cyclist and others driving by. It's been done classy, they have fire pits on cool evenings and it allows more patrons to come and spend their money. It would be a shame to shut this down and make it a parking lot again. It's time we trust the public to eat/drink responsibly outside and embrace one of the better outcomes that COVID gave us...outdoor dining/socializing.

Thank you,

Jill Hunt

Elizabeth Maxwell AICP

From: Crystal Lake Brewing <info@crystallakebrew.com>
Sent: Thursday, March 24, 2022 8:55 AM
To: Elizabeth Maxwell AICP
Cc: Kathryn Cowlin AICP
Subject: Fwd: Beer Garden

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Begin forwarded message:

From: Michael Storer [redacted]
Subject: Beer Garden
Date: March 22, 2022 at 6:55:02 PM CDT
To: info@crystallakebrew.com

Dear Planning and Zoning Comission,
Please allow Crystal Lake Brewery to expand their beer garden as it has been for the past two years. It has been such a nice way to enjoy a beautiful day while sitting outside with views of the downtown area. My wife and I visited many times in the past couple years and a big reason was knowing that we could sit out and enjoy the weather. I cannot see any reason why CLB should not be given permission to use this outdoor space.
Mike Storer
McHenry, IL

Elizabeth Maxwell AICP

From: Crystal Lake Brewing <info@crystallakebrew.com>
Sent: Thursday, March 24, 2022 8:55 AM
To: Elizabeth Maxwell AICP
Cc: Kathryn Cowlin AICP
Subject: Fwd: Expanded beer garden for CLB

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Begin forwarded message:

From: Marsha Larson [redacted]
Subject: Expanded beer garden for CLB
Date: March 22, 2022 at 9:47:39 PM CDT
To: Crystal Lake Brewing <info@crystallakebrew.com>
Cc: Scott Larson [redacted]

March 22, 2022

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

Commissioners:
Jeff Greenmail, Chair
Kathy Rephoiz
Jim Jouron, Vice-Chair
Allan Skluzacek
Bob Atkinson
Natasha Teetsov
Bill Grow

RE: Crystal Lake Brewing (CLB)
150 N. Main Street
Crystal Lake, IL 60014

Commissioners:

As local Crystal Lake residents we are asking for you to support the expanded outdoor patio (Beer Garden) at Crystal Lake Brewing and allow this to become a permanent part of the venue.

The beer garden was expanded 2 years ago under the local COVID restrictions. It was a welcome addition during this time when most business and residents were locked down and unable to dine or drink indoors.

CLB is far more than a brewery, it's a place that welcomes Crystal Lake residents. Friends and neighbors to enjoy the few months of nice mid-west weather that allows them to socialize outdoors and enjoy and support the many nearby restaurants.

There are still many people that are not comfortable dining, drinking, or going out without their family with them. This outdoor venue welcomes families with the many food options available within walking distance as well as the food trucks that CLB works with to offer them the opportunity to increase their business as well. Inside seating at the brewery for families is limited to some tables in a small

room when they are not taken by others. We have seen many people end up leaving without getting anything when the inside seating is full and there was only a few seats on the patio. This doesn't help any of the downtown businesses that are benefiting from the increased business from adding the outdoor tables.

In an effort to attract even more people and activity, the city installed several strings of lights across main street to brighten the area and invite more people to the Crystal Lake downtown area.

We understand the city is currently offering a program to local businesses to improve outdoor seating areas and receive up to $5,000 reimbursement. The City is offering existing businesses reimbursement of up to $5,000 for outdoor seating improvements. These eligible reimbursable items could be outdoor tables and chairs, umbrellas, weather enclosures and heating appliances. The goal is to help restaurants and bars establish comfortable and attractive outdoor seating options.

We also understand the concerns of the families and individuals that live within hearing distance of this outdoor venue. We are sure that an acceptable option to closing such a venue down due to the music can be found such as stopping the music by say 9pm at night would work for both parties.

CLB supports many of the local businesses, organizations and charities. We are asking PZC to not only support CLB, but to support the many residents and neighbors that support and enjoy the outdoor patio area.

Thank you for your support - Cheers!

Scott & Marsha Larson
Crystal Lake Residents

Sent from my iPad

Elizabeth Maxwell AICP

From: Crystal Lake Brewing <info@crystallakebrew.com>
Sent: Thursday, March 24, 2022 8:55 AM
To: Elizabeth Maxwell AICP
Cc: Kathryn Cowlin AICP
Subject: Fwd: Extended Beer Garden

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Begin forwarded message:

From: Kris Hayden [redacted]
Subject: Extended Beer Garden
Date: March 23, 2022 at 11:30:37 AM CDT
To: info@crystallakebrew.com

Dear CL Planning and Zoning Commission,

As a life long Crystal Lake resident, I am hoping the Crystal Lake Planning and Zoning Commission grants CLB the permits they need to continue to use the beautiful extended beer garden they created during the pandemic. Covid touched our lives negatively in so many ways, but there were also a few positives that came from the Covid outbreak. The entire community had to think outside of the box and create new ways to gather and sustain business. For example, the outdoor music at the Dole, sidewalk seating at Cafe Olympic, Carlos', Judes, the Tequila bar and many many more.

My hope is that the PZC grants all the restaurants the permits they need to continue to use their outdoor spaces. Not only is it good for the patrons, but it also provides extra seating for the establishments, which increases revenue. Why wouldn't the City of Crystal Lake want that? It seems like a win win to me. I would hate to see more vacant storefronts like we have on Route 14.

My family and I patronize CLB and many of our local restaurants and small businesses in hopes they will succeed. We believe in keeping it local. CLB has done a great job bringing the community of CL to them. The corner they are located on is not exactly on the main drag, but with their well thought out and classy looking outdoor extended beer garden, they have created an inviting space for all of our community to enjoy. Myself and many others would really miss using this beautiful space if the permit is not approved.

Sincerely,

Kris Hayden
34 Esther Street
Crystal Lake

Elizabeth Maxwell AICP

From: Crystal Lake Brewing <info@crystallakebrew.com>
Sent: Thursday, March 24, 2022 8:55 AM
To: Elizabeth Maxwell AICP
Cc: Kathryn Cowlin AICP
Subject: Fwd: Outdoor beer garden

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Begin forwarded message:

From: Sue Proebsting [redacted]
Subject: Outdoor beer garden
Date: March 23, 2022 at 2:15:43 PM CDT
To: info@crystallakebrew.com

Dear CL Planning and Zoning Commissioner,

I understand the Crystal Lake Brewery is trying to get the approval to make their large outdoor Beer Garden permanent. The CLB created such a fun and welcoming space outdoors when we really needed it. It brought fun and community to our downtown. We have thoroughly enjoyed walking downtown with the dog to unwind, socialize and support an incredible local business. They made a welcoming space and found ways to make a basic parking lot pretty & comfortable. Losing this space would be in incredible loss and disappointment. We have been anticipating the return and will be incredibly saddened if this wonderful community space is no longer. Please recognize all this business has done for the community and grant them this permanent beer garden space.

Respectfully,
Sue Proebsting

Sent from my iPhone

Elizabeth Maxwell AICP

From: Crystal Lake Brewing <info@crystallakebrew.com>
Sent: Thursday, March 24, 2022 8:54 AM
To: Elizabeth Maxwell AICP
Cc: Kathryn Cowlin AICP
Subject: Fwd: Outdoor garden

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Begin forwarded message:

From: Kristin Glover <[redacted]>
Subject: Outdoor garden
Date: March 23, 2022 at 8:04:42 PM CDT
To: info@crystallakebrew.com

Dear CL Zoning Committee, Please consider making the beer garden at Crystal Lake brewery a permanent attraction. I personally am at risk due to Covid and still am not frequenting indoor establishments, so it sure is nice to be able to be outside in a safe environment to enjoy a drink or food from a food truck. I feel like it really adds value to the community and should be allowed to continue. Thank you for your consideration, Kristin Glover

Sent from my iPhone

Planning and Zoning Commission
100 W Woodstock Street
Crystal Lake, IL 60014

Dear Planning and Zoning Commission:

This letter is in reference to the current permit in place for the outdoor beer garden for Crystal Lake Brewery.

I am writing in support for the permit for the outdoor beer garden based on the positive social and economic impact that it has for downtown Crystal Lake.

My understanding is that the permit is pending revocation based on a complaint of noise and parking. As a resident of Crystal Lake, I disagree with this finding for the following reasons. The outdoor space supports the vibrant social and active culture that downtown Crystal Lake fosters. The brewery is a place for family and friend gatherings. The outdoor space is particularly family- friendly allowing young families to socialize with family and friends while their children play beside their seats. Patrons have a desire to sit comfortably outside and enjoy the small-town ambiance. One thing for certain is that the brewery is not a drunken nor noisy environment.

Further, the outdoor beer garden is good for business for downtown Crystal Lake. The majority of patrons order local delivery food and takeout which further supports local businesses in the downtown area.

I am a resident of Crystal Lake for nearly 6 years. I rented an apartment within 300 meters of the brewery for approximately three years. I always appreciated walking at night and seeing local residents gather at the brewery and socializing. Importantly the noise level is minimal. I have purchased a home within walking distance to the brewery and often bring guests who admire the small-town welcoming atmosphere that the brewery fosters with their outdoor garden.

If the permit is revoked, please consider the negative impact to the aesthetic and social network that the brewery fosters for downtown Crystal Lake.

Sincerely,

Kelsey Stangebye

Cell: [redacted]
Email: [redacted]

Elizabeth Maxwell AICP

From: Crystal Lake Brewing <info@crystallakebrew.com>
Sent: Monday, March 28, 2022 9:35 AM
To: Elizabeth Maxwell AICP
Cc: Kathryn Cowlin AICP
Subject: Fwd: Planning and Zoning Commission 4/6 meeting - CLB Beer Garden

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Begin forwarded message:

From: john walsh <[redacted]
Subject: Planning and Zoning Commission 4/6 meeting - CLB Beer Garden
Date: March 27, 2022 at 3:13:53 PM CDT
To: "info@crystallakebrew.com" <info@crystallakebrew.com>

To the members of the Crystal Lake Planning and Zoning Commission,

I have been a Crystal Lake citizen for 32 years and a patron of Crystal Lake Brewing on site and retail. I lend my support to having CLB's temporary expansion of their beer garden into permanent status.

I find enjoying time with other people in the beer garden provides a feeling of community. A place for great social interaction. I have always found patrons well behaved and respectful to each other, the norm of the establishment and the neighbors.

You're approval of permanent status would continue to give Crystal Lake a unique business/social experience.

John Walsh
328 Hickory Drive
Crystal Lake, IL 60014

Ben & Emilie Hoffman
233 N. Main Street
Crystal Lake, Illinois 60014

Planning and Zoning Commission
City of Crystal Lake
100 W Woodstock St
Crystal Lake, Illinois 60014

March 26, 2022

Dear Planning and Zoning Commission and the City of Crystal Lake,

As residents of Crystal Lake who live downtown, we love having Crystal Lake Brewing down the street from us. We've watched the Brewery grow over the years and become an important part of the fabric of our neighborhood. The addition of the extended patio was a great asset that brought a new vibrancy to our community. It is great to see so many people enjoying time outside and the lively atmosphere on our walks or bikes as we pass by. The extended outdoor patio engages the corner of Gates and Main and has created an identity for the neighborhood north of the railroad tracks, helping it feel connected to the downtown. The extended outdoor patio has always maintained a safe and clean environment that is clearly roped off, has provided paving that is pet friendly and has allowed outside food which helps us support other local businesses who don't have outdoor patios. The extended patio has also become a family-friendly meeting place in the heart of the City. As COVID-related restrictions have been lifted, the extended patio still offers an outdoor area for people to gather safely. As residents of Crystal Lake with two small children, we fully support the extended outdoor patio for the spirit it brings to North Main Street, the sense of community it provides, and an example of the continued adaptability of our small business in the City of Crystal Lake. Please find attached a note from our five-year-old daughter sharing her favorite things about the outdoor area at CLB as well.

Thank you for your time and consideration on this matter.

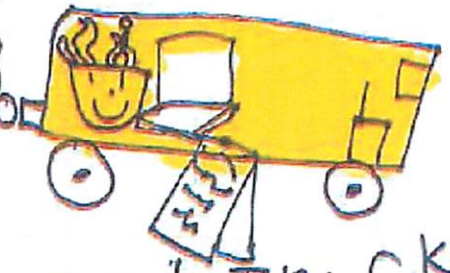
Sincerely,

Ben Hoffman

Emilie Hoffman

Things I Like about CLB:

games



Food Trucks



music

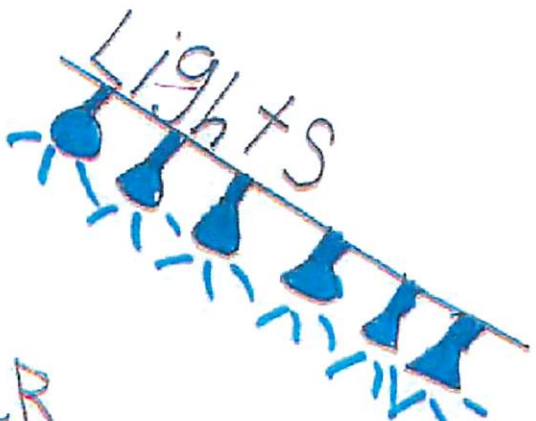
Dogs





eating outside





lights

we can



ride our bikes

I



CLB

5. Alisyn-Apple

Elizabeth Maxwell AICP

From:	Crystal Lake Brewing <info@crystallakebrew.com>
Sent:	Monday, March 28, 2022 9:35 AM
To:	Elizabeth Maxwell AICP
Cc:	Kathryn Cowlin AICP
Subject:	Fwd: Crystal Lake Planning and Zoning Commission Comment

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Begin forwarded message:

From: <[redacted]
Subject: Crystal Lake Planning and Zoning Commission Comment
Date: March 27, 2022 at 11:19:02 AM CDT
To: <info@crystallakebrew.com>

Dear Planning and Zoning Commission,

As someone who lives a block away from Crystal Lake Brewing (I can literally see the beer garden from my living room), I often comment to friends on how much of a positive change the added space to the Crystal Lake Brewing beer garden area was to the northern portion of the downtown area. Before the beer garden was added, the corner of Main Street and Gates Street was dark and lifeless. With the addition of the expanded outdoor beer garden, the immediate vicinity brightened up and became a focal point of gathering and interaction for the community. It would be a tremendous loss for the northern downtown Crystal Lake area if this space is removed, as this neighborhood will return to a dark and lifeless area.

In my mind, the only downside to continuing the outdoor beer garden area is the lost parking spaces. The Crystal Lake Brewery has a large parking area that remains in the back. The front parking area would only add back a few parking spaces which were frequently blocked out for food trucks anyway.

Again, as one who lives in the neighborhood, my opinion is judged by what the impact of the outdoor beer garden is to the neighborhood and I have no business/financial interest in the Brewery itself, other than having spent a fair amount on fresh drafts (from the fresh air beer garden).

Best regards,
Jim Kita

Elizabeth Maxwell AICP

From: Crystal Lake Brewing <info@crystallakebrew.com>
Sent: Monday, March 28, 2022 9:35 AM
To: Elizabeth Maxwell AICP
Cc: Kathryn Cowlin AICP
Subject: Fwd: 70 gates st crystal lake

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Begin forwarded message:

From: Beth Alberger <beth@crystallakebrew.com>
Subject: Fwd: 70 gates st crystal lake
Date: March 27, 2022 at 7:49:59 AM CDT
To: Crystal Lake Brewing <info@crystallakebrew.com>

Begin forwarded message:

From: Dave Hanson [redacted]
Subject: 70 gates st crystal lake
Date: March 27, 2022 at 5:56:05 AM CDT
To: Beth Alberger <beth@crystallakebrew.com>

To the village board
I am Dave Hanson and own the property at 70 Gates st , which is directly across the street from Crystal Lake Brewing. This area is zoned for business. The brewery has been considerate of their neighbors always . CLB draws people into our vibrant community . They contribute money to our tax base for community improvements. There have never been any problems with the outdoor beer garden . Parking has not been a problem . Many people walk there and as they pass by our home they have been considerate. CLB is a place where the community meets. The outdoor beer garden allows us to enjoy the weather when it is nice out for the short summer season. I have the home directly across the street. Please allow their request.

Thank You
Dave Hanson [redacted] please call me with any questions
70 gates st

Elizabeth Maxwell AICP

From:	Crystal Lake Brewing <info@crystallakebrew.com>
Sent:	Monday, March 28, 2022 9:35 AM
To:	Elizabeth Maxwell AICP
Cc:	Kathryn Cowlin AICP
Subject:	Fwd: Beer Garden

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Begin forwarded message:

From: Nancy Kinney [redacted]
Subject: Beer Garden
Date: March 25, 2022 at 10:42:41 AM CDT
To: info@crystallakebrew.com

When we first moved to Crystal Lake in 1993, I was amazed at the warm community spirit. The wonderful events that bring the community together, summer, fall and winter. When CLB opened, it was one more piece of that community spirit. As we all came to a pause during covid, CLB was truly committed to the community and health safety, only allowing package sales, then moving to socially distant seating. The beer garden became a blessing to allow friends and family be together, outside, safely. The area that was done so aesthetically well to be welcoming yet, clearly setting a barrier for all. To be downtown CL or walk nearby, quickly demonstrates the community spirit to residents and visitors as the area is filled with people, families, dogs, game playing, and snacking.. The chatter and laughter, perhaps warmth from the firepits on a cool evening is truly an asset to our town and well represents our spirit!!!

Elizabeth Maxwell AICP

From: Crystal Lake Brewing <info@crystallakebrew.com>
Sent: Monday, March 28, 2022 9:35 AM
To: Elizabeth Maxwell AICP
Cc: Kathryn Cowlin AICP
Subject: Fwd: CLB BEER GARDEN

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Begin forwarded message:

From: Mike McCoy <[redacted]
Subject: CLB BEER GARDEN
Date: March 24, 2022 at 4:03:07 PM CDT
To: info@crystallakebrew.com

I really enjoy the beer garden at Crystal Lake Brewery and think it should be open permanently during operating hours.
Look at how other towns have adapted to adversity of Covid and found what a success it is. Cary is going to continue using the street downtown for the restaurants located there.
I've been to Arlington Heights and seen a booming downtown restaurant area with more than several streets totally blocked off, this area is tremendously popular.
I also frequent another brewery in Michigan that has outdoor seating year round on the sidewalk and it is hard to find a seat at times.
CLB is asking to continue using the old parking lot as a beer garden.
I also think this is a better use of that area then parking.
Please allow their request to be approved.
Thank you,
Mike McCoy

Sent from my iPhone

Elizabeth Maxwell AICP

From: Crystal Lake Brewing <info@crystallakebrew.com>
Sent: Monday, March 28, 2022 9:34 AM
To: Elizabeth Maxwell AICP
Cc: Kathryn Cowlin AICP
Subject: Fwd: Planning and Zoning Commission

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Begin forwarded message:

From: Kara Brehm <[redacted]
Subject: **Planning and Zoning Commission**
Date: March 24, 2022 at 2:15:18 PM CDT
To: info@crystallakebrew.com

To the Planning and Zoning Commission City of Crystal Lake

Please permanently expand the beer garden at Crystal Lake Brewing. It's a great place to sit outside and enjoy downtown Crystal Lake. My family enjoys having a beer and ordering food for delivery from one of the local restaurants.
Kara Brehm

Elizabeth Maxwell AICP

From:	Crystal Lake Brewing <info@crystallakebrew.com>
Sent:	Monday, March 28, 2022 9:34 AM
To:	Elizabeth Maxwell AICP
Cc:	Kathryn Cowlin AICP
Subject:	Fwd: Planning and Zoning Commission Comments

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Begin forwarded message:

From: Tim Jackson [redacted]
Subject: Planning and Zoning Commission Comments
Date: March 24, 2022 at 1:41:28 PM CDT
To: info@crystallakebrew.com

To: Planning and Zoning Commission, City of Crystal Lake

Dear Commissioners,

I would like to strongly support Crystal Lake Brewing's application for a permanent expanded beer garden at the brewery. This is a fantastic community gathering place at a location that doesn't interfere with any other business or residents and allows patrons to be outside and enjoy the nice summer weather. This is one of the coolest things we had available to us during Covid, and having it permanent would be a great addition to the city.

Kind regards,

Tim Jackson
1755 Nashville Ln.
Crystal Lake, IL 60014
[redacted]

Elizabeth Maxwell AICP

From:	Crystal Lake Brewing <info@crystallakebrew.com>
Sent:	Monday, March 28, 2022 5:12 PM
To:	Elizabeth Maxwell AICP
Cc:	Kathryn Cowlin AICP
Subject:	Fwd: Outdoor Patio Extension

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Begin forwarded message:

From: Anne Haseman [redacted]
Subject: Outdoor Patio Extension
Date: March 28, 2022 at 4:13:39 PM CDT
To: info@crystallakebrew.com

I am writing in support of making CLB's outdoor patio extension permanent. The City of Crystal Lake enabled small businesses to either add outdoor seating or expand their outdoor seating during the pandemic to show support for their businesses. In response, CLB expanded their outdoor patio. They did so with great care to make sure that it was aesthetically pleasing by putting up lights, and painting part of their parking lot. They had fire pits and warming lights which allowed for social distancing when indoors could not support that. The owners followed all mitigations requiring masks and social distancing for their employees as well as their patrons.

By expanding their space it enabled many people to participate in social activities during a very challenging time. Knowing I could go sit outside with friends and not be crowded was very important to me and provided much needed socialization. Because CLB does not serve food we would order food from local restaurants which also helped boost the restaurants sales and keep people employed through carryout or delivery. Though they brought in food trucks on occasion which again were mostly from local places it enabled residents to plan on going out for an evening for dinner. They provide outdoor games such as Jenga and have frisbee golf teams play there one night a week during the summer. The current patio is not sufficient to support the growth of the brewery.

CLB has been an asset to this community by supporting charities through fund-raising events. They have supported events for Multiple Myleoma, participated in Pedal Palooza, hosted runners after racing events such as the Crystal Lake Half Marathon and many others. By limiting their outdoor space, I am concerned that they will have to limit their participation in many of these activities because they could not support the numbers of people inside.

CLB brought life to the downtown community during a very dark period in our history when so much was shut down. Please don't let a great thing come to an end!

Elizabeth Maxwell AICP

From: Crystal Lake Brewing <info@crystallakebrew.com>
Sent: Thursday, March 31, 2022 9:57 AM
To: Elizabeth Maxwell AICP
Cc: Kathryn Cowlin AICP
Subject: Fwd: Beer Garden

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Begin forwarded message:

From: Chris Ruckoldt [redacted]
Subject: Beer Garden
Date: March 31, 2022 at 9:00:36 AM CDT
To: "info@crystallakebrew.com" <info@crystallakebrew.com>
Reply-To: Chris Ruckoldt [redacted]

To the Commissioners of the Crystal Lake Planning and Zoning Commission,

I urge you to approve this application for variance for Crystal Lake Brewing. I have been a patron of Crystal Lake Brewing for many years. The expansion of the beer garden the past two summers was a fantastic addition to the Brewery. The expanded beer garden offers a much more inviting atmosphere as well as a more aesthetic look to the downtown area. It always brings a smile to see people outdoors enjoying themselves as opposed to a parking lot. As a former Commissioner of the Fox River Grove Economic Development & Planning Commission (2002-2003) and the Fox River Grove Zoning Commission (2003-2010), I have the unique experience, as you do, to evaluate properties for Zoning variances. I believe that this variance will benefit not only Crystal Lake Brewing, but also the City of Crystal Lake by providing a more inviting and aesthetic appeal to that area of the downtown making it a "great place to live"!

Chris Ruckoldt

[redacted]

Crystal Lake Brewery Beer Garden

Attn: Crystal Lake Planning and Zoning Commissioners

I am writing this email for your consideration to grant the permit for the Beer Garden for the Crystal Lake Brewery.

The Beer Garden has become a summer favorite for my husband and me. We have visited the beer garden on many occasions over the past two years. It is a great place for families to gather and visit with friends and family. We especially enjoy the food truck options as well as the fact we can support local restaurants by eating our evening meal outdoors. We almost always meet someone we know which adds to the enjoyment of the evening.

The area of the beer garden is a fun place that is well maintained. The staff is very attentive in keeping the area clean.

Please consider granting the necessary permits to keep the beer garden a great place to spend a summer evening with family and friends.

Vicki Kosin
856 Bennington Dr.
Crystal Lake IL 60014

Elizabeth Maxwell AICP

From:	Crystal Lake Brewing <info@crystallakebrew.com>
Sent:	Thursday, March 31, 2022 9:56 AM
To:	Elizabeth Maxwell AICP
Cc:	Kathryn Cowlin AICP
Subject:	Fwd: Make the beer garden permanent

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Begin forwarded message:

From: Deb Giardina [redacted]
Subject: Make the beer garden permanent
Date: March 29, 2022 at 9:47:47 PM CDT
To: info@crystallakebrew.com

I am writing in support of the large outdoor beer garden at Crystal Lake Brewing. My husband and I have gone many times, and we really enjoy it and have never witnessed any problems. We are always looking for outdoor space in nice weather, and unfortunately we often must leave our own town to do so. CLB has grown to be a local, small business success that benefits the surrounding businesses as well as our community at large. They are a great asset run by conscientious people.
Therefore, I would like to see the Crystal Lake Planning and Zoning Commission approve making this great company's large outdoor beer garden permanent.
Thank you,

Deborah Giardina
Crystal Lake, IL

Sent from my iPhone

Elizabeth Maxwell AICP

From: Crystal Lake Brewing <info@crystallakebrew.com>
Sent: Thursday, March 31, 2022 9:56 AM
To: Elizabeth Maxwell AICP
Cc: Kathryn Cowlin AICP
Subject: Fwd: Beer garden support

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Begin forwarded message:

From: Mary Reid [redacted]
Subject: Beer garden support
Date: March 28, 2022 at 5:38:03 PM CDT
To: Crystallakebrew Info <info@crystallakebrew.com>
Reply-To: Mary Reid [redacted]

I'm writing in support of the covid beer garden being approved for a permanent addition to Crystal Lake Brewing.

Mary Reid
Sent from the all new AOL app for Android

Frank Corey
95 Gates Street
Crystal Lake IL 60014-4357

March 14, 2022

RECEIVED
MAR 14 2022
City Manager
City of Crystal Lake

Haig Haleblian
Mayor
City of Crystal Lake
100 W. Woodstock Street
Crystal Lake, IL 60014

RE: #2022-31 150 N. Main Street – Special Use Permit Amendment Project Review for Planning and Zoning Commission

Dear Mayor Haleblian:

What was put in place April 28, 2021, by the City Council was temporary and put in place to address the Covid Situation. It did not meet specific requirements for a Special Use Permit. The Covid Situation is no longer applicable and what is in place no longer has justification. What is in place is not a blueprint for going forward.

I hear the amplified sounds, and I hear people talking in the outdoor drinking area of Crystal Lake Brewing when the windows are closed in my house. The operation of the outdoor drinking area has been continual amplified sounds and conversation assaults on my person on my property going back years. If someone is violating the private space of someone else, they would get arrested. As they should it is an assault. Continuing this outdoor drinking area under the recommendations of the planning department makes the city an accessory/enabler of these assaults. My property and the adjacent duplex are in the same boat that I am in. The city has created a private nuisance in regards to my property and the adjacent duplex.

When there are a group of stores, the stores are accessed from a common area. When one goes into one store, one enters the environment of the store. When one exits that store, one is no longer in the environment of the store but is in the environment of the common area. The public area outside of the property and surrounding properties are not part of one's store and cannot have a presence in the public areas or surrounding properties. Exerting a presence into the public areas outside of one's property and exerting a presence on surrounding properties are essentially assaults. Regulations must be in place that do not enable these assaults but prevent them.

A summary of what I did to address these assaults on my person on my property:

- In 2019 I complained to the manager of Crystal Lake Brewing about noise from their exterior loudspeakers. I told her that "I don't want to hear their loudspeakers at four in the afternoon or four in the morning. I just don't want to hear it." She said that she would lower the volume. That did not resolve the problem. I could see that dealing with Crystal Lake Brewing does not work, so I started complaining to the city.
- June 3, 2020, conversation at City Hall regarding the noise from the loudspeakers.
- June 1, 2021, letter to the city "RE: Sounds emanating from the exterior loudspeakers of Crystal Lake Brewing 150 North Main Street"
- October 27, 2021, letter to Gary Mayerhofer, City Manager, "Re: Daily Violation of the Noise Ordinance and a Condition of the 'Approval of Temporary Amendment to Class 26 Liquor License to allow for Expanded Outdoor Seating' Approved by the City Council April 28, 2020, by Crystal Lake Brewing 150 North Main Street"

Following are excerpts from the planning departments' statements in Times New Roman italic and my statements in Verdana regular.

Findings of Fact:

SPECIAL USE PERMIT
The criteria are as follows:

1. *The use is necessary or desirable, at the proposed location, to provide a service or facility which will further the public convenience and general welfare. Meets* || This is an abridgement of the condition and changes the meaning of the condition. What the ordinance says: "That the use is necessary or desirable, at the location involved, to provide a service or facility which will further the public convenience and contribute to general welfare of the neighborhood or community." The proposal does not blend in with the character of Downtown but undermines the character of Downtown. The original Special Use Permit allowed outdoor seating for 24. This fits in with the character of Downtown. This proposal allows seating for 86. This is "super store." This undermines the character of Downtown. This proposal enables verbal assaults on surrounding properties and the public sidewalks. This proposal does not "contribute to the general welfare of the neighborhood or community." This proposal does not meet the condition.
2. *The use will not be detrimental to area property values. Meets* || This is a paraphrasing of the condition that conveys a meaning different from the condition. What the ordinance says: "That the proposed use will not be detrimental to the value of other properties or improvements in the vicinity." Area property values" means the neighborhood; "value of other properties" means another property or properties, two very different meanings. Example: There are two identical houses sitting on similar properties. The only difference is that in one house and property there are continual sound assaults in the house and property generated by projections from outside the house and the property, and in the other house there are no continual sound assaults projected into the house and property. The house and property that is receiving continual sound assaults is worth less than the house and property that is not receiving continual sound assaults. This proposal does not meet the condition.

6. *The use will not negatively impact the environment or be unsightly. Meets* || This is a paraphrasing of the condition that that conveys a meaning different from the condition. What the ordinance says: "That the proposed use will not impact negatively on the environment by creating air, noise, or water pollution; ground contamination; or unsightly views." Amplified music in open areas are noise generators that impact negatively on surrounding properties and the users of the public sidewalks. The Covid Situation Special Use Permit recognized this and stated: "No amplified music is permitted in the outside seating area, unless approved by a Special Event permit." Since this "super store" proposal is outside the character of Downtown, this proposal is "unsightly views." This proposal does not meet the condition.

Condition 18c is applicable and omitted. It reads in part: "Any amplified sound as measured at the closest property line of the closest adjoining property, must not exceed 55 decibels where adjoining residential property and 65 decibels where adjoining nonresidential property." The proposal here allows 86 seats. 86 seats is equivalent to a large restaurant. The decibel range for large restaurants is in the high seventies and eighties. They're loud. This proposal is for a place dedicated to consuming alcohol, so it is going to be louder. Noise negatively impacts the occupiers of surrounding properties and the users of the public sidewalks. The zoning ordinance does not specifically specify conversational noise, but it does state that live music cannot exceed 55 decibels where adjoining residential property and 65 decibels where adjoining nonresidential property. Applying the principle of generated sound of 55 and 65 decibels, this proposal cannot meet a 55 or 65 decibel standard. This proposal does not meet the condition.

What is a way forward? The original condition of the Special Use Permit issued in 2013 that outside seating is limited to 24 is reinstated. This is in conformity with the character of Downtown. The condition stated in the Covid Situation Special Use Permit in regards to amplified music in the outside seating area is made part of the Special Use Permit with a more expansive definition of sound amplifications. The Covid Situation condition reads: "No amplified music is permitted in the outside seating area, unless approved by a Special Event permit." My suggestion is: "No amplified music or other amplified sounds are permitted in the outside seating area, unless approved by a Special Event permit." This eliminates the private nuisance to my property and the adjoining duplex created by the city allowing amplified music or other amplified sounds in the outdoor seating area. This then eliminates the legal ramifications that are part and parcel of creating a private nuisance. This also eliminates the Civil Rights issues that are part and parcel of allowing amplified music and other amplified sounds in the outside seating area.

Very truly yours,

Frank Corey

CC: Members of the Planning and Zoning Commission and Mayor and Members of the City Council

Frank Corey
95 Gates Street
Crystal Lake IL 60014-4357

RECEIVED
APR 0 4 2022
City Manager
City of Crystal Lake

April 4, 2022

Haig Haleblian, Mayor
City of Crystal Lake
100 West Woodstock Street
Crystal Lake, IL 60014

RE: #2022-31 150 N. Main Street hearing of March 16, 2022: Responses to what was said and more information on the issues articulated at the March 16, 2022, meeting.

Dear Mayor Haleblian:

The report to the commissioners from the staff: "We did speak with the police department, and they did give us a summary. Nine times there have been calls in 2021 and 2022, and the information we got out of the summary. When officers showed up, they found things like people were talking, just casually low talking, music was at low levels. They didn't find any excessive noise. They couldn't hear noise outside the building, things like that, so there were no violations at the times that the police did visit the property."

Following is the transmission memo of that meeting from the staff person from planning to his superior. "After speaking with Deputy Chief Kotlowski yesterday and having reviewed Mr. Corey's letter, I drafted the attached memo summarizing the noise complaints received by CLPD alleging loud and unreasonable music coming from Crystal Lake Brewery as well as responding officers' observations and/or actions. Should you need anything else, please let me know." Mr. Corey did not allege loud and unreasonable music. The calls had nothing to do with the level of the music. Seven of the nine calls

refer to violations of the noise ordinances that says amplification speakers have to be turned off at 10:00 p.m. The times of arrival of the responding officers are in the third paragraph below. They are all after 10:00 p.m. All Mr. Corey said was that it is after 10:00 p.m., and the exterior speakers are on.

The record says otherwise. The record shows nine calls and nine violations. The first seven calls refer to violations of the noise ordinance, and the last two refer to violations of the Covid Special Use Permit of April 28, 2020.

NOTE A refers to the first seven calls. NOTE A provides the date of the call, the time of the call, and the verbatim comments of the responding officer. All seven calls were made after 10:00 p.m., and the caller specified to the dispatcher that the call was about exterior loudspeakers being on. What the police are responding to is a violation of the noise ordinance. From the City Code 358-5 Noises Prohibited: *"The unreasonable loud or raucous use or operation of a loudspeaker, amplifier, public address system, or other device for producing or reproducing sound between the hours of 10:00 p.m. and 7:00 a.m. on weekdays, and 10:00 p.m. on weekdays, and 10:00 p.m. and 10:00 a.m. on weekends and holidays"*

The police record for the first seven calls show arrival times of: *10:44 PM, 11:09 PM, 10:42 PM, 10:45 PM, 10:49 PM, 10:43 PM, 10:42. The responding officers are responding to a violation of the noise ordinance. There were six different officers responding to seven complaints. What five officers did had no relation to the violation of the noise ordinance and provide the content of the staff report. These are one through six in Note A. One responding officer did recognize the problem. That is number seven in Note A. That responding officer said there was a violation in progress when the officer arrived on the scene. The complete comments of this responding officer is number seven in Note A.*

The eighth and nineth calls concern violations of two conditions in the Covid Temporary Special Use Permit of April 28, 2020:

1. "The noise emanating from any open unroofed area where alcoholic beverages are served pursuant to this license shall not violate any of the provisions of the City Code of Ordinances pertaining to noise."

2. "No amplified music is permitted in the outside seating area, unless approved via a Special Event permit."

The eighth call is a police commander responding to a letter I wrote to the city manager October 27, 2021, Re: Daily Violation of the Noise Ordinance and a Condition of the Approval of Temporary Amendment to Class 26 Liquor License to allow for Expanded Outdoor Seating Approved by the City Council April 28, 2020, by Crystal Lake Brewing 150 North Main Street. The police commander's letter to the Chief of Police regarding his findings and what he did in response to his findings is Note B.

The nineth call is about exterior loudspeakers on and that is a violation of the temporary Covid Special Use Permit which states "No amplified music is permitted in the outside seating area, unless approved via a Special Event permit."

John said: *"I also want to make clear that we've always responded to police visits the best way we know how."* [A police commander visited Crystal Lake Brewing unannounced November 2, 2021. There was one partner there, and it wasn't John. The commander informed the partner that Crystal Lake Brewing is in violation of a condition of the Covid Special Use permit which reads: "No amplified music is permitted in the outside seating area, unless approved via a Special Event permit." The commander said that this is the eighth time that we've been out here. If we come again we are going to start issuing tickets. There next violation was March 5, 2022, for having the exterior loudspeakers on. I called the police on this violation. This is the nineth call to police.] *As a matter of fact, it started to become an issue in December,* [Exterior loudspeakers were not on in December. If they were, I would have called the police.] *so I just took a post it note and put it on the sound system on the outside because over the winter time we don't have people sitting there. So I said that we're just going to turn the sound off for winter.* [A post it note that was responding to the police visit would read: A condition of our Special Use Permit does not allow this exterior speaker to be on at any time. Sarcastically speaking, so ignoring what police have said is responding in the *"best way that we know how."* There was a police visit March 5th and is one of the nine complaints over the last two years.]

The Planning Department in its Project Review pontificated that an 86-seat outdoor beer garden does not impact negatively on noise levels. Politicians can put in play anything, but the playing out of what the realities on the ground are will determine how things will play out and not what politicians pontificate.

Downtown is an historical area. It's an entity. It has defined boundaries:

- Gates Street on the north both sides of the street
- Crystal Lake Avenue on the south both sides of the street
- Main Street on the east both sides of the street
- Brink Street on the west both sides of the street north of the railroad tracks
- Walkup Avenue on the west both sides of the street south of the railroad tracks.

Downtown is not any bigger, and Downtown is not any smaller. Downtown is a shopping mall in competition with other shopping malls.

When something is sitting empty, as this is for eight months of the year, is a sign closed for the season or gone out of business. Shopping centers want to convey that the shopping center is open and vibrant. This does the opposite.

Shopping malls put the parking on the perimeters and concentrate the stores inside. This forces people to go by store after store. That develops foot traffic for stores. The more foot traffic the more sales, the more sales the more viable the businesses, the more viable the businesses the more vibrant Downtown. More sales mean more tax revenue.

A perquisite for a shopping center is adequate parking. Let's call adequate parking x. If there isn't adequate parking, the businesses are not going to be as successful as they would be, or they are going to go out of business because of the lack of adequate parking. Crystal Lake has an ordinance that states that for Downtown adequate parking is x-30%.This petition does not meet the x standard but the x-30% standard. When the standard is x-30%, that forces patrons to drive around the surrounding area for parking. That takes parking that is needed for surrounding businesses. That makes the surrounding businesses less viable and takes up spaces in front of residences that the residents need for everyday living and eliminates the needed spaces for friends and family coming to visit.

Forty years ago businesses Downtown understood there has to be adequate parking for their businesses to thrive, and Downtown did not have adequate parking. So in 1985 they instituted a TIF (tax increment financing) to acquire land for additional parking. It's 1991. The TIF is for a certain dollar amount. Because of the appreciation of the value of property there has to be hearing on how to use the additional 4.3 million. The City Council votes to use the 4.3 million for other purposes. Downtown today does not have adequate parking.

Downtown has a lot of Metra parking. Parking for Crystal Lake has to be dealt with as Downtown plus Pingrey Road are Crystal Lake stations. If some of the Metra parking Downtown is needed to make Downtown viable and vibrant, that Metra parking can be moved to the Pingrey Road station. Pingrey Road station is large, and there is vacant property adjacent to the existing parking that could be turned into Metra parking. Is there property that has to be bought to make Downtown a viable shopping center?

Downtown is independents and not a collection of chains. Modern shopping malls are stores that are part of chains. Independents have products that are not found in the chains.

If you go a modern mall, there is endless music and messages. In Downtown what you have is noise from people on the sidewalk, from traffic, and from what nature delivers. Two very different environments.

The buildings in Downtown are either one-story businesses, two-story buildings, and private homes. That's low density. The buildings were built over the last century and a half. Downtown is not a subdivision.

A shopping center has to exude vibrance and life and functionality twelve-months of the year. You don't want signs that say Downtown is dead. The outside seating is functional four months out of the twelve. Outside of the four months its dead. So for eight months there is a sign that says Downtown is dead.

The Covid Special Use permit is temporary and put in place to meet an emergency situation. It's not the basis for going forward. The Planning Department in its Project Review pontificated that an 86-seat beer garden

does not impact negatively on noise levels. Politicians can put in play anything, but the playing out of the realities on the ground will determine how things will play out and not what politicians pontificate.

A commissioner asked about recommended condition 3 *Food trucks are not permitted to use amplified sound on the property,* and *con*dition 4 *Any music or live performance shall end by 9:00 p.m. Sunday through Thursday and 10:00 p.m. Friday and Saturday. The beer garden outdoor area shall close by 10:00 p.m. Sunday through Thursday and 11:00 p.m. Friday and Saturday.*

This is what happened. Crystal Lake Brewing is now complying with the provision of the Covid Special Use permit that "No amplified music is permitted in the outside seating, unless approved via a Special Event permit." So their speakers are off. But these food trucks are coming in, and they're blasting away.

My notes:
3/8/22
Food trucks have loudspeakers on. I view the food trucks' loudspeakers as part of Crystal Lake Brewing and, as such, are violations of the temporary Special Use Permit. I wanted to be sure of my position before calling about the food trucks.

At 10:45 a.m. I called the police nonemergency number and asked for Ron Joseph. The dispatcher told me that Ron Joseph has retired. She said I could speak to the on-duty sergeant. She connected me to the on-duty sergeant. He did not pick up the phone and was directed to his voicemail. His name is Steve ?.

At 3 p.m. there was no response from the on duty sergeant (He never called.) so I called the city and was connected to Liz (Elizabeth Maxwell). She said she didn't know but would talk to others and get back to me the next day. [What she should have said is that establishments are held liable to the City Code for what transpires on their space.]

At 10:20 a.m. 3/10 she called me. She talked to the police, the city manager's office, and someplace else.

- Food trucks cannot have amplified sounds on in the city. The food trucks must give to the city a list of where they will be, and the establishments must give a list of the food trucks invited on their property. City of Crystal Lake Conditions of Approval for food trucks: (K.) Food trucks must comply with all noise regulations of the City. Food trucks may not have amplified sound or music emanating from the vehicle. [This stipulation in effect says that amplified sounds are assaultive and so are not permitted.]
- Establishments are held liable to the City Code for what transpires on their space.
- In the course of the conversation, I conveyed to her about the noise and mentioned the loudspeakers and mentioned my call to the police. She told me that the police told them to shut it down. [This shows that she read the police reports.]

END MY NOTES

This enquiry could have been answered: Establishments are held liable to the City Code for what transpires on their space.

This individual cannot process information. Elizabeth Maxwell is the contact person for #2022-31. This individual has been with the city for at least 17 years. She's a posterchild for the planning department. Good things cannot come from this level of function.

What we're dealing with here has nothing to do to what goes on inside the building. The issue here is how the building impacts the surrounding area and Downtown and contributes to Downtown as an entity.

There are four months of the year people can sit outside comfortably. The present plan is installing a structure that is contributory to Downtown four months and is not contributory eight months. Something sitting empty sends negative messages to people walking by and driving by and that message is reinforced every time people walk by and drive by. That is a no-no for Downtown.

What if:

- the 62 seats are taken out and parking is put in its place? That space becomes contributory.
- The 24 seats and the add-on fence and taken out and replaced with natural vegetation. The unsightliness of what is there is gone. Now

there is a natural area that blends in in with the building and directs people to the main entrance.

- The Special Use permit specifically states that animated sounds are prohibited outside the building, unless approved via a Special Use Permit? The record going back to 2015 is that Crystal Lake Brewing is unconcerned how their conduct impinges on surrounding properties and has daily violated the City Code of Ordinances and the conditions of the Covid Special Use permit. It has to be there.
- What if the closing times are Sunday-Thursday 9:00 p.m. and 11:00 p.m. Fridays and Saturdays?

Downtown has to have peripheral public parking. It's not an option if Downtown is to function to what it should be and must be. A five-acre parcel of land on the southwest corner Main Street and Crystal Lake Avenue is vacant and for sale. It has to be bought and turned into public parking for Downtown. The value of that property to the viability of Downtown is irreplaceable. It has to be bought.

You have more than a Special Use permit here. What you have before is a confluence of events and a necessity for action that could determine the outline of what Downtown will be. You can make recommendations to the City Council that can make Downtown substantially better and at the same time generating more sales tax revenue. There is much more than voting up or down. So much rests on you.

Very truly yours,

Frank Corey

CC: Members of the Planning and Zoning Commission and Mayor and Members of the City Council

Note A

1. *10/1/21 10:44 PM. WAWRYZNIAK DOMINIKA-CL304-checked the area, music/noise not unreasonable, spoke with the staff on scene who agreed to play less-base songs.*

2. *10/2/21 11:09 PM. MILLER, LUCAS-CL301-Music was noted at a very low level. Two people on-scene outside. Music was not heard at the end of the brewery parking lot near First St.*
3. *10/8/21 10:42 PM. GONZALEZ, JESUS-CL305-Upon arrival checked the area, and located reasonable volume level music coming from inside of the establishment and nothing could be heard outside. Business staff advised they would be closing in approximately 1 hour.*
4. *10/9/21 10:45 PM. MORSE, ZACHARY-CL304-The volume in the beer garden was more than reasonable. The music could be faintly heard from the road, and it was not causing a disturbance.*
5. *10/15/21 10:49 PM. LEWANDOWSKI, PETER-CL304-noise was at a very reasonable level. Observed no-one outside due to colder temps. Spoke with bar staff who agreed to turn music off unless patrons begin congregating outside.*
6. *10/16/21 10:43 PM. GONZALEZ, JESUS-CL303-NCTBS. Area checked & music inside of business was playing at a reasonable level. No further police services requested.*
7. *10/22/21 10:42 PM. BEASLEY, JEREMY-CL304-Upon arrival speakers were on outside. They were not loud. However I did inform them that the city ordinance says they need to be off at 2200s without a permit. They stated they would start turning them off at 2200 hours.*

NOTE B

Departmental Correspondence

Crystal Lake Police Department

To: Chief Black

From: Commander Joseph

CC: Deputy Chief Kotlowski

Date: 11/02/2021

RE: Noise complaint at Crystal Lake Brewery

I reviewed the correspondence submitted to the City Manager's Office by complainant Mr. Frank Corey, dated October 27th, 2021 (Attachment #1).

In summary, Mr. Corey cited in his complaint that Crystal Lake Brewery, located at 160 N. Main Street, is continually in violation of the City of Crystal Lake's City Council Supplement and Resolution order dated April 28th, 2020. In particular, that amplified music is continually being emitted in the approved outdoor seating area, in violation of said supplement and resolution. Contained within his correspondence, were seven (7) dates cited in 2021, where he contacted the Police Department to report these violations.

I contacted Mr. Corey and informed him that I would be investigating his complaint.

<u>Review of City Council Supplement and Resolution:</u>

Upon review of the aforementioned supplement and resolution dated April 28th, 2020, I noted this supplement was initially approved by Council in response to the Covid-19 Pandemic with regard to its negative impact on local businesses due to interior occupancy limitations (Attachment #2). In summary, a temporary outdoor seating area amendment to their Class 2B liquor license, was approved by council and defined its location and size in the parking lot. Included within this amendment and resolution were conditions that apply and are relative to this complaint:

1) Due to the potential impact on the neighboring residential properties, the outdoor area shall not be used after 2300 hours.

2) No amplified music is permitted outside in the seating area unless approved by a special event permit.

The expiration of this resolution was set for August 31st, 2020, but could be approved by Council in its sole discretion to extend beyond that date. I spoke with City Support Services Coordinator Laurrie Fitzgerald who informed me council had extended this resolution until December 31st, 2021, due to the Governor's extension of mask mandates.

Police CAD Inquiry:

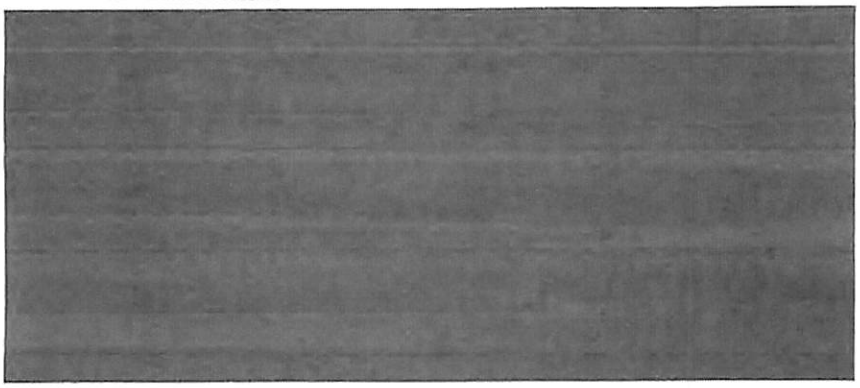
I conducted an inquiry into police responses related to Mr. Corey's complaints, as he cited in his correspondence. I found eight police dispatches for noise complaints, from September 10th through October 22nd, 2021 (Attachment #3). Mr. Corey provided seven of those eight in his correspondence.

I noted that in all eight incidents, responding officers found noise levels to be at a reasonable level upon their arrival, both interior or exterior, and all of the incidents were reported after 2200 hours on either a Friday or Saturday night.

Officer Beasley titled his CAD disposition dated October 22nd, 2021, as a "Ordinance Violation" because of the hour of report. The remaining others were titled, "Noise complaint". In three of the police responses, Officer's Gonzalez, Lewandowski and Wawrzyniak spoke with staff present to warn them about the time of the complaint in relation to the City's noise ordinance and to monitor noise levels emitting from the business. It should be noted that in all eight dispatches, the complainant, Mr. Corey, did not want to be seen by the officer.

City code Chapter 358-6(M). Noise: prohibits any raucous or unreasonably loud noise coming from a commercial business located adjacent to residential properties after 2200 hours. (The Supplement and Resolution extended this hour to 2300)

Crystal Lake Brewery Contact:



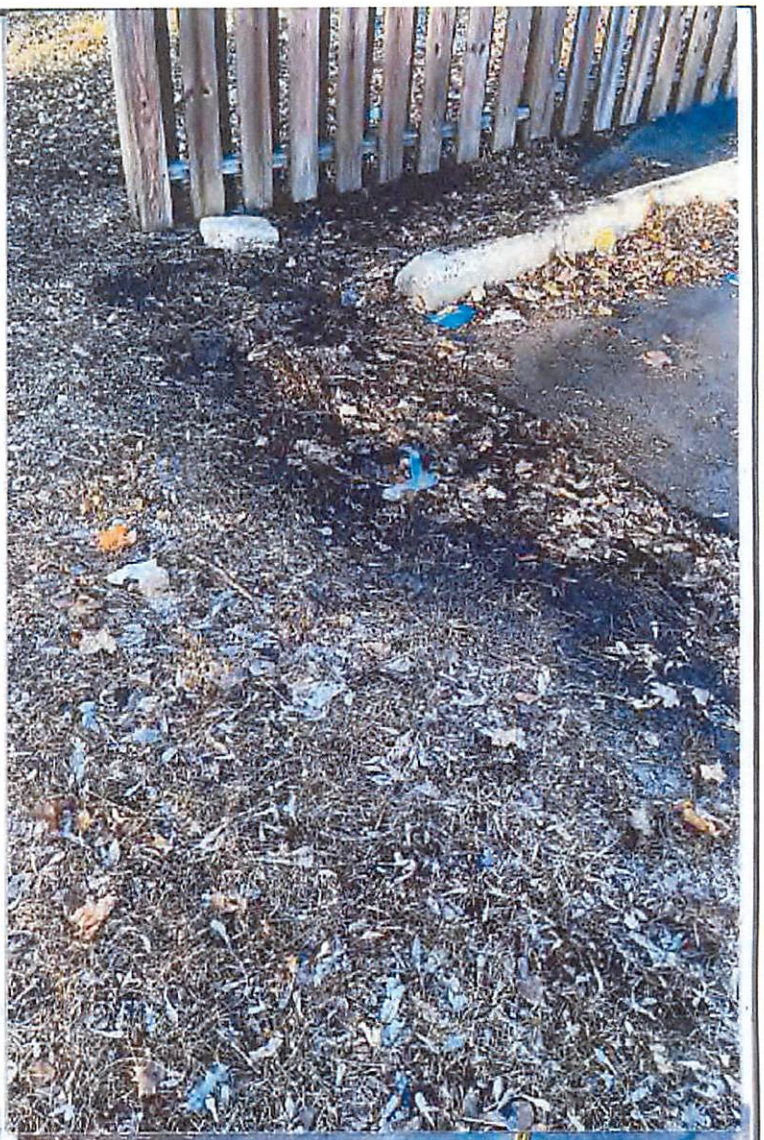
Findings and resolution:

I instructed the Patrol Sergeant's to establish a zero-tolerance enforcement approach to any future noise complaints received from Crystal Lake Brewery, effective immediately.

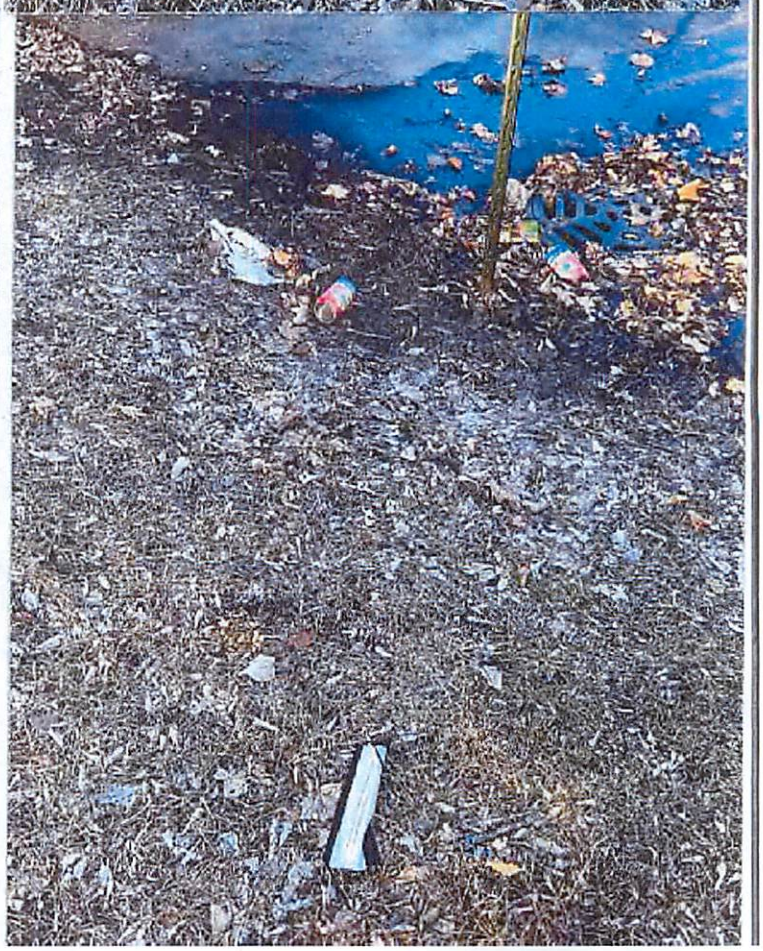
I again spoke with complainant Mr. Corey and informed him about my findings and resolution. He was very satisfied and thanked us for an expedient response.

Neighbor Photos of garbage in the neighborhood

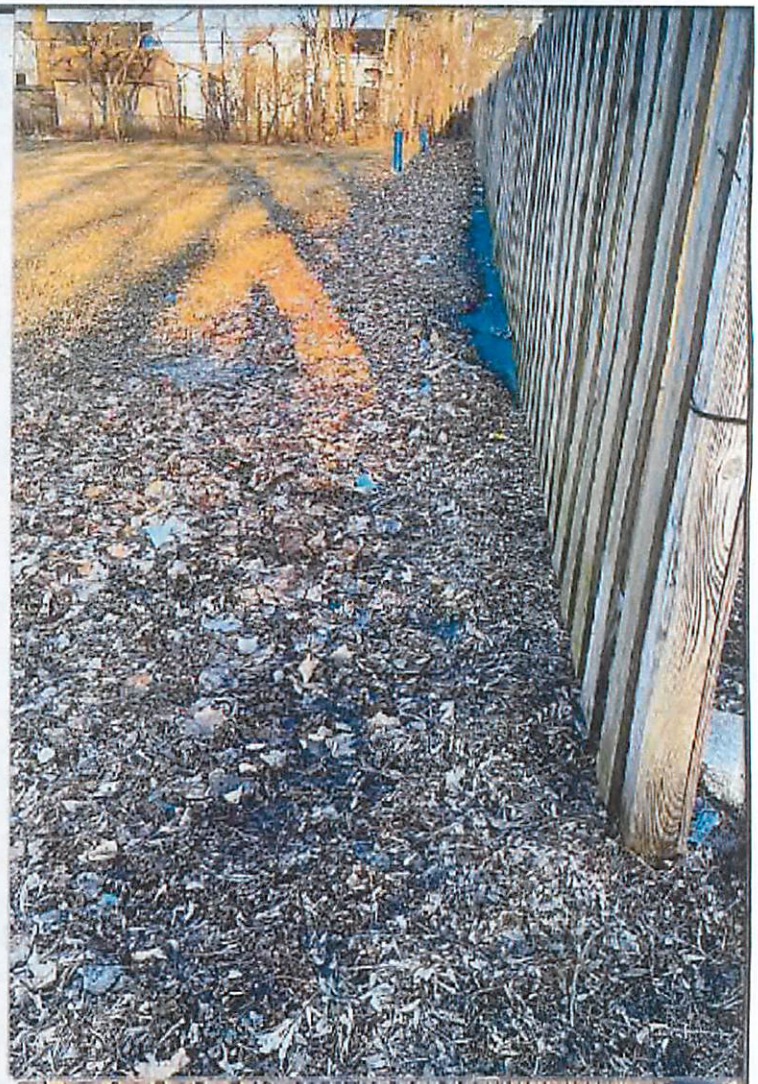


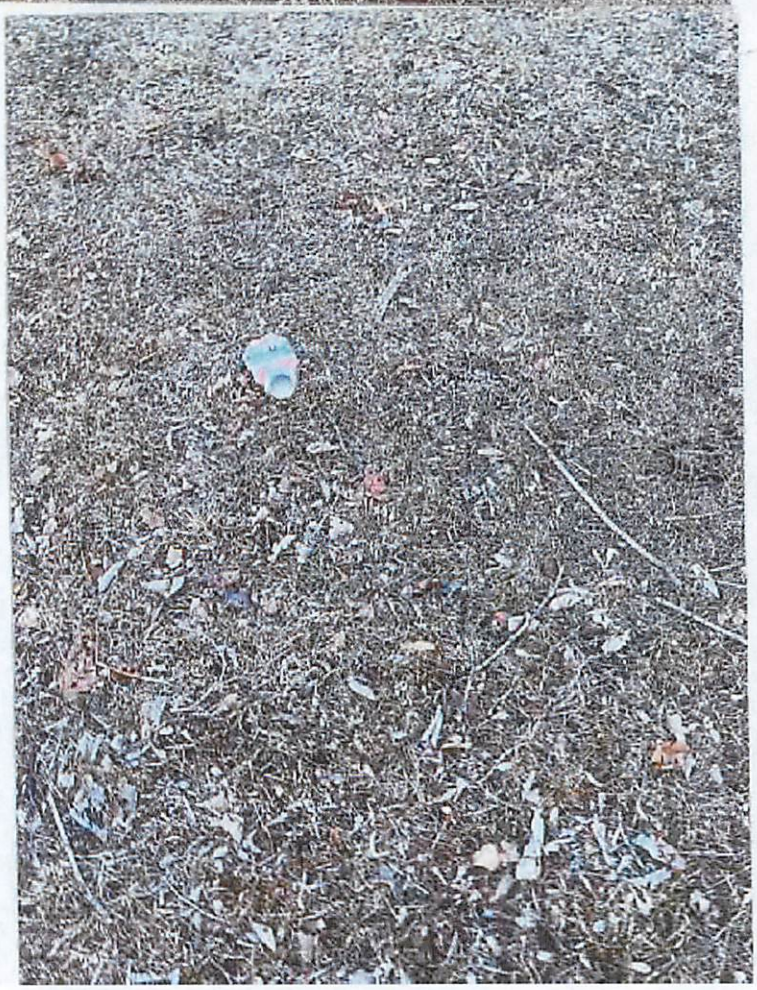


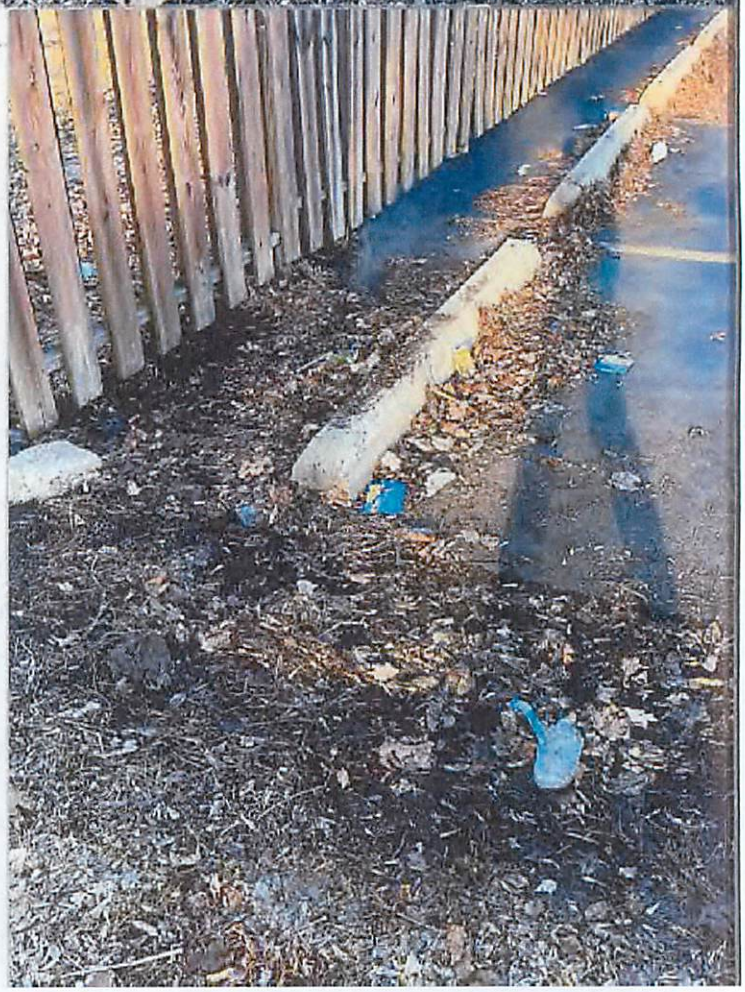
















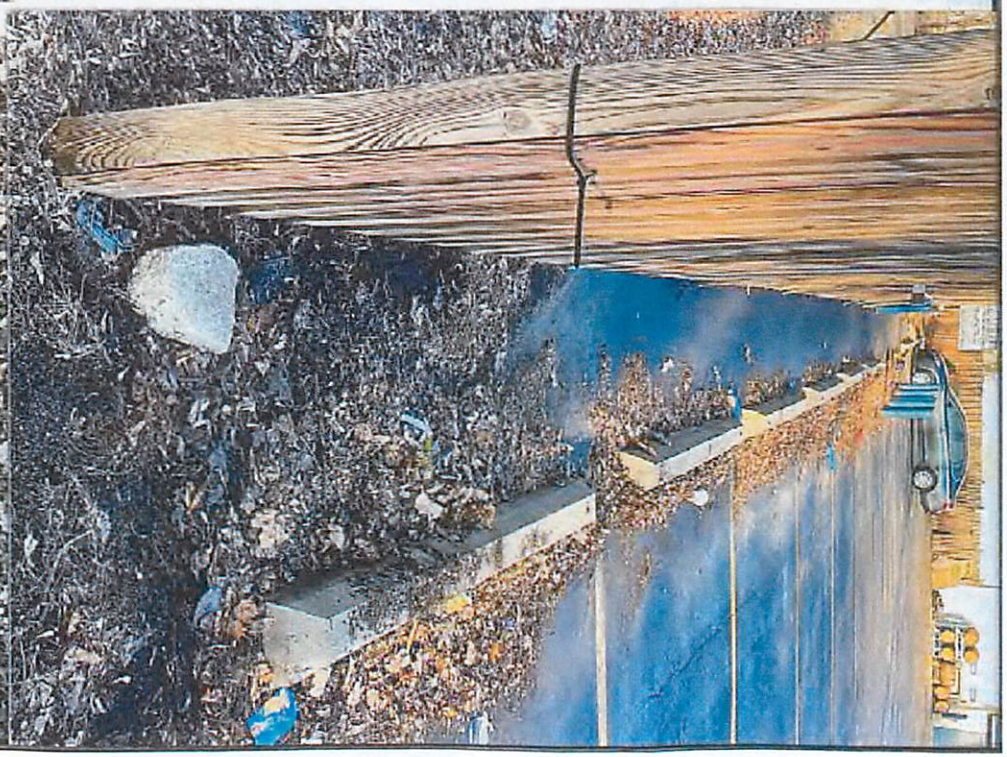












CRYSTAL LAKE POLICE DEPARTMENT

100 W Woodstock St Crystal Lake, IL 60014
815-356-3620

Case #:CL-21-007625 CallForService #: 202100112371

Event

150 N Main St CRYSTAL LAKE, ILLINOIS 60014

Call Taken:	06/11/2021 22:28:24
Problem:	ANIMAL OTHER ANIMAL COMPLAINT
Call Disposition:	3S -NO REP: SITUATION RESOLVED
First Unit Assigned:	06/11/2021 22:36:04
Call Closed:	06/11/2021 22:47:36
Primary Officer:	WAWRZYNIAK, DOMINICKA CL4436
Cross Street:	PRAIRIE ST /SHERMAN ST
Beat:	7 CL4/CL13
Latitude:	42.245644
Longitude:	-88.316468
Jurisdiction:	CRYSTAL LAKE PD
Battalion:	CRYSTAL LAKE PD
Priority:	P2 RECENT
Call Taker:	SOTO, TAMARA
How Received:	PHONE NON EMERGENCY LINE
Alarm Type:	BURGLARY
Alarm:	0
First Unit Enroute:	06/11/2021 22:36:05
First Unit Arrived:	06/11/2021 22:42:40
Call Status:	C

Comments (1)

Inform CAD Comments

06/11/2021

Location: CRYSTAL LAKE BREWING COMPANY

CreatedDateTime: 6/11/2021 10:28:16 PM, Performed By: SESOTO

Comment: [1] STATING THERE IS A DOG AT THIS ESTABLISHMENT WITH OUT A LEASH GERMAN SHEPHERD OUTSIDE OUTSIDE ON THE PATIO

CreatedDateTime: 6/11/2021 10:28:46 PM, Performed By: SESOTO

Comment: [2] NCTBS

CreatedDateTime: 6/11/2021 10:32:04 PM, Performed By: SESHARP

Comment: [3] CL3S1 ADV OF PEND

CreatedDateTime: 6/11/2021 10:36:05 PM, Performed By: SESHARP

Comment: [4] Automatic Case Number(s) issued for Incident #[202100112371], Jurisdiction: CRYSTAL LAKE PD. Case Number(s): CL-21-007625. requested by CL303.

CreatedDateTime: 6/11/2021 10:47:38 PM, Performed By: WAWRZYNIAK, DOMINICKA

Comment: [5] WAWRZYNIAK, DOMINICKA - CL303 - Checked the area, the dog and it's owner left prior to the police arrival. I was advised by the personel on scene that there was no issues with the dog they just wanted to make sure that the dog and the owner were reunited, no police services needed, 10-8

Unit (1)

Unknown

Responders:	CL4436 WAWRZYNIAK, DOMINICKA
Primary Unit:	Yes
Assigned:	06/11/2021 22:36:04
Enroute:	06/11/2021 22:36:05
Arrived At Scene:	06/11/2021 22:42:40
Call Cleared:	06/11/2021 22:47:36
Unit Name:	CL303
Assigned By:	SHARP, JOANNA

CRYSTAL LAKE POLICE DEPARTMENT

100 W Woodstock St Crystal Lake, IL 60014
815-356-3620

Case #:CL-21-012507 Incident #: CL-21-012507

Event

150 N MAIN ST Crystal Lake, ILLINOIS 60014

Reported Date:	09/10/2021 22:00:00
Incident Start Date:	08/21/2021 12:00:00
Description of Incident:	Noice Complaint
Latitude:	42.245644
Longitude:	-88.316468
Case Status:	CLEARED
Case Status Date:	09/15/2021
Incident End Date:	09/05/2021 23:00:00
UCR Status:	Cleared
Domestic Related:	No
Attacks Against School Personnel:	No
Suspected Child Abuse / No Charges:	No
Mental Health Crisis:	No

Suspects (1)

CRYSTAL LAKE BREWING COMPANY

Related Offenses:	7327 NOISE COMPLAINT
Address:	150 N MAIN ST
City:	CRYSTAL LAKE
State:	ILLINOIS
Zip Code:	60014
Latitude:	42.245644
Longitude:	-88.316468
Phone:	[redacted]

Complainant Data (1)

[redacted]

Address:	[redacted]
City:	[redacted]
State:	[redacted]
Zip Code:	[redacted]
DOB:	[redacted]
Age:	[redacted]
Race:	[redacted]
Sex:	[redacted]
Ethnicity:	[redacted]
Resident Status:	[redacted]
Home Phone:	[redacted]
Phone:	
Relationship::	

Offense (1)

7327 NOISE COMPLAINT

UCR/NIBRS Code:	7327 NOISE COMPLAINT
UCR Hierarchy:	0

Vehicle (0)

Last Name:

First Name:

Narrative (1)

ORIGINAL

DADE, DELMAR CL4461 CL4461 **09/15/2021**

Summary: A delayed noise complaint regarding business being conducted at Crystal Lake Brewing was received via mail. The complaint was investigated and no violations of city ordinance were observed. This report was forwarded to Building and Zoning for further investigation. Cleared exceptionally.

Narrative: On 9/10/21, I, Sergeant Dade, was notified by Sgt. Porzezinski that the police department received a letter from [redacted] reporting multiple noise violations coming from Crystal Lake Brewing, located at 150 N. Main Street. The letter reported potential noise ordinance violations on 8/21/21, 8/26/21, and 9/2/21 through 9/5/21. The letter also listed decibel ranges of the noise that he was reporting for each day (56-76 decibels at the highest). I advised Sgt. Porzezinski that I would look into the complaint.

I immediately recognized that Crystal Lake Brewing company had recently obtained a Special Event Permit (PLN-2021-00139) regarding an Oktoberfest Release Event where they were permitted to have outdoor acoustic music from 9/2/21 through 9/5/21. I was not familiar with any similar permits issued for the August dates.

I responded to Crystal Lake Brewing at approximately 2300 hours on 9/10/21. I parked on Gates Street, across from the business, for several minutes and did not observe any noise violating the noise ordinance. I heard individuals talking at a reasonable level and their voice level did not seem unreasonable. Later in the shift, Officer Meyer checked the business and didn't observe any raucous or unreasonable noise either. With these results, I created this report number and noted the findings in CAD.

On 9/15/21, I contacted [redacted] and spoke with him about his complaint. I told [redacted] that I received his complaint and that I wanted to follow up with him. I informed him that Crystal Lake Brewing obtained a permit for several of the dates in question and that they were given specific permission to play acoustic music outside in the beer garden. I told [redacted] that I understood how frustrating that my be, being a nearby resident, but told him I did not have any authority regarding the issuance of Special Event Permits.

[redacted] continually talked about the decibel level exceeding city ordinance and stated he obtained the reading from a decibel reader he purchased. I advised [redacted] that I was not aware of any

specific noise ordinance prohibiting noise at a certain decibel and asked him to share with me what he was reading. [redacted] advised he was reading from the City of Crystal Lake website regarding Unified Development Ordinance. I informed [redacted] that it sounded like his complaint was best received by City Council being that he has an ongoing issue with [redacted] an establishment that continually has heavy traffic and potential noise with special events. I told [redacted] that I would look further into his complaint in hopes of educating myself regarding said decibel level restrictions. In the meantime, [redacted] agreed that he would contact the police department immediately upon hearing noise that was loud or unreasonable so that the police could investigate in the moment. I also pointed [redacted] towards the noise ordinance commonly enforced by the police department, being City Codes Chapter 358, and explained that no violations were observed the night that I received his letter. [redacted] thanked me for my time and stated he would follow up with the police department directly regarding all future complaints.

I searched the City of Crystal Lake website and located the ordinance that [redacted] appeared to be speaking of, which is Section 2-400. 18. Drinking Places. c. of the Unified Development Ordinance (UDO). I have requested that Records forward this complaint to building and zoning to determine how this code applies to Crystal Lake Brewing as a business.

A copy of [redacted] letter, the section from the UDO, and a copy of the Special Event Permit listed above were submitted to Records to be added to this case file.

There is no further action to be taken by the police department regarding this noise complaint.

Cleared exceptionally.

Officer (2)

Approving Officer:	HARRIS, CHARLES (CL4435)	09/16/2021 13:30:39
Body Worn Camera YES:	No	
Reporting Officer:	DADE, DELMAR (CL4461)	09/10/2021 23:21:47
Car Number:	1021	
Body Worn Camera YES:	No	

CRYSTAL LAKE POLICE DEPARTMENT

100 W Woodstock St Crystal Lake, IL 60014

815-356-3620

Case #:CL-21-013591 CallForService #: 202100197121

Event

150 N Main St CRYSTAL LAKE, ILLINOIS 60014

Call Taken:	10/01/2021 22:34:30
Problem:	NOISE COMPLAINT
Call Disposition:	3S -NO RPT: SITUATION RESOLVED
First Unit Assigned:	10/01/2021 22:35:07
Call Closed:	10/01/2021 22:44:53
Primary Officer:	WAWRZYNIAK, DOMINICKA CL4436
Cross Street:	PRAIRIE ST /SHERMAN ST
Beat:	7 CL4/CL13
Location Type:	CRYSTAL LAKE BREWERY
Latitude:	42.245644
Longitude:	-88.316468
Jurisdiction:	CRYSTAL LAKE PD
Battalion:	CRYSTAL LAKE PD
Priority:	P2 RECENT
Call Taker:	SOTO, TAMARA
How Received:	PHONE NON EMERGENCY LINE
Workstation Id:	SED5
Alarm Type:	BURGLARY
Alarm:	0
First Unit Enroute:	10/01/2021 22:35:08
First Unit Arrived:	10/01/2021 22:38:52
Call Status:	C
Call Back Information:	[redacted]

Person (1)

[redacted]

Phone: [redacted]

Comments (1)

Inform CAD Comments

10/01/2021

Location: CRYSTAL LAKE BREWERY

CreatedDateTime: 10/1/2021 10:34:41 PM, Performed By: SESOTO

Comment: [1] LOUD MUSIC COMING FROM THE BUSINESS

CreatedDateTime: 10/1/2021 10:35:00 PM, Performed By: SESOTO

Comment: [2] NCTBS

CreatedDateTime: 10/1/2021 10:35:08 PM, Performed By: SESOTO

Comment: [3] Automatic Case Number(s) issued for Incident #[202100197121], Jurisdiction: CRYSTAL LAKE PD. Case Number(s): CL-21-013591. requested by CL304.

CreatedDateTime: 10/1/2021 10:44:55 PM, Performed By: WAWRZYNIAK, DOMINICKA

Comment: [4] WAWRZYNIAK, DOMINICKA - CL304 - Checked the area, music/noise not unreasonable, spoke with the staff on scene who agreed to play less-base songs, NCTBS, 10-8

Unit (1)

Unknown

Responders:	CL4436 WAWRZYNIAK, DOMINICKA
Primary Unit:	Yes
Assigned:	10/01/2021 22:35:07
Enroute:	10/01/2021 22:35:08
Arrived At Scene:	10/01/2021 22:38:52
Call Cleared:	10/01/2021 22:44:53
Unit Name:	CL304
Assigned By:	SOTO, TAMARA

CRYSTAL LAKE POLICE DEPARTMENT

100 W Woodstock St Crystal Lake, IL 60014

815-356-3620

Case #:CL-21-013637 CallForService #: 202100197870

Event

150 N Main St CRYSTAL LAKE, ILLINOIS 60014

Call Taken:	10/02/2021 22:53:31
Problem:	NOISE COMPLAINT
Call Disposition:	REASSIGN, 3 - NO REPORT
First Unit Assigned:	10/02/2021 22:54:17
Call Closed:	10/02/2021 23:00:37
Primary Officer:	MILLER, LUCAS CL4502
Cross Street:	PRAIRIE ST /SHERMAN ST
Beat:	7 CL4/CL13
Latitude:	42.245644
Longitude:	-88.316468
Jurisdiction:	CRYSTAL LAKE PD
Battalion:	CRYSTAL LAKE PD
Priority:	P2 RECENT
Call Taker:	WEIR, JACQUELINE
Workstation Id:	SED3
Alarm Type:	BURGLARY
Alarm:	0
First Unit Enroute:	10/02/2021 22:54:30
First Unit Arrived:	10/02/2021 23:00:30
Call Status:	C
Call Back Information:	[redacted]

Person (1)

1

Phone: [redacted]

Comments (1)

Inform CAD Comments

10/02/2021

Location: CRYSTAL LAKE BREWING COMPANY

CreatedDateTime: 10/2/2021 10:53:44 PM, Performed By: SEWEIR

Comment: [1] loud music outside

CreatedDateTime: 10/2/2021 10:53:51 PM, Performed By: SEWEIR

Comment: [2] nctbs

CreatedDateTime: 10/2/2021 10:54:18 PM, Performed By: SEWEIR

Comment: [3] Automatic Case Number(s) issued for Incident #[202100197870], Jurisdiction: CRYSTAL LAKE PD. Case Number(s): CL-21-013637. requested by CL306.

CreatedDateTime: 10/2/2021 11:00:29 PM, Performed By: MILLER, LUCAS

Comment: [4] MILLER, LUCAS - CL301 - Music was noted at a very low level. Two people on-scene outside. Music was not heard at the end of the brewery parking lot near First St.. NCTBS. Clear.

Unit (2)

Unknown

Responders:	CL4508 HARVAT, BRIAN
Primary Unit:	No
Assigned:	10/02/2021 22:54:17
Enroute:	10/02/2021 22:54:30
Call Cleared:	10/02/2021 22:54:52
Unit Name:	CL306
Assigned By:	WEIR, JACQUELINE

Unknown

Responders:	CL4502 MILLER, LUCAS
Primary Unit:	Yes
Assigned:	10/02/2021 22:54:52
Enroute:	10/02/2021 22:55:53
Arrived At Scene:	10/02/2021 23:00:30
Call Cleared:	10/02/2021 23:00:37
Unit Name:	CL301
Assigned By:	WEIR, JACQUELINE

CRYSTAL LAKE POLICE DEPARTMENT

100 W Woodstock St Crystal Lake, IL 60014

815-356-3620

Case #:CL-21-013944 CallForService #: 202100202100

Event

150 N Main St CRYSTAL LAKE, ILLINOIS 60014

Call Taken:	10/08/2021 22:34:38
Problem:	NOISE COMPLAINT
Call Disposition:	3 - NO REPORT
First Unit Assigned:	10/08/2021 22:35:56
Call Closed:	10/08/2021 22:44:22
Primary Officer:	GONZALEZ, JESUS CL4515
Cross Street:	PRAIRIE ST /SHERMAN ST
Beat:	7 CL4/CL13
Latitude:	42.245644
Longitude:	-88.316468
Jurisdiction:	CRYSTAL LAKE PD
Battalion:	CRYSTAL LAKE PD
Priority:	P2 RECENT
Call Taker:	SOTO, TAMARA
How Received:	PHONE NON EMERGENCY LINE
Workstation Id:	SED1
Alarm Type:	BURGLARY
Alarm:	0
First Unit Enroute:	10/08/2021 22:36:12
First Unit Arrived:	10/08/2021 22:40:00
Call Status:	C
Call Back Information:	[redacted]

Person (1)

[redacted]

Phone: [redacted]

Comments (1)

Inform CAD Comments

10/08/2021

Location: CRYSTAL LAKE BREWING COMPANY

10/8/2021 10:35:12 PM, Performed By: SESOTO

Comment: [1] LOUD MUSIC

10/8/2021 10:35:14 PM, Performed By: SESOTO

Comment: [2] NCTBS

10/8/2021 10:35:57 PM, Performed By: SECAMPOS

Comment: [3] Automatic Case Number(s) issued for Incident #[202100202100], Jurisdiction: CRYSTAL LAKE PD. Case Number(s): CL-21-013944. requested by CL304.

10/8/2021 10:43:49 PM, Performed By: GONZALEZ, JESUS

Comment: [4] GONZALEZ, JESUS - CL304 - Upon arrival checked the area, and located reasonable volume level music coming from inside of the establishment and nothing could be heard outside. Business staff advised they would be closing in approximately 1 hour. NCTBS.

Unit (1)

Unknown

Responders:	CL4515 GONZALEZ, JESUS
Primary Unit:	Yes
Assigned:	10/08/2021 22:35:56
Enroute:	10/08/2021 22:36:12
Arrived At Scene:	10/08/2021 22:40:00
Call Cleared:	10/08/2021 22:44:22
Unit Name:	CL304
Assigned By:	CAMPOS, TONY

CRYSTAL LAKE POLICE DEPARTMENT

100 W Woodstock St Crystal Lake, IL 60014

815-356-3620

Case #:CL-21-013990 CallForService #: 202100202857

Event

150 N Main St CRYSTAL LAKE, ILLINOIS 60014

Call Taken:	10/09/2021 22:36:11
Problem:	NOISE COMPLAINT
Call Disposition:	3 - NO REPORT
First Unit Assigned:	10/09/2021 22:36:54
Call Closed:	10/09/2021 22:45:19
Primary Officer:	MORSE, ZACHARY CL4452
Cross Street:	PRAIRIE ST /SHERMAN ST
Beat:	7 CL4/CL13
Latitude:	42.245644
Longitude:	-88.316468
Jurisdiction:	CRYSTAL LAKE PD
Battalion:	CRYSTAL LAKE PD
Priority:	P2 RECENT
Call Taker:	MADZIAREK, KIMBERLY
How Received:	PHONE NON EMERGENCY LINE
Workstation Id:	SED3
Alarm Type:	BURGLARY
Alarm:	0
First Unit Enroute:	10/09/2021 22:36:54
First Unit Arrived:	10/09/2021 22:42:19
Call Status:	C

Person (1)

1REFUSED

Comments (1)

Inform CAD Comments **10/09/2021**

Location: CRYSTAL LAKE BREWING COMPANY

10/9/2021 10:36:19 PM, Performed By: SEMADZIARE

Comment: [1] LOUD MUSIC

10/9/2021 10:36:38 PM, Performed By: SEMADZIARE

Comment: [2] NCTBS

10/9/2021 10:36:54 PM, Performed By: SEMADZIARE

Comment: [3] Automatic Case Number(s) issued for Incident #[202100202857], Jurisdiction: CRYSTAL LAKE PD. Case Number(s): CL-21-013990. requested by CL305.

10/9/2021 10:45:00 PM, Performed By: MORSE, ZACHARY

Comment: [4] MORSE, ZACHARY - CL304 - The volume in the beer garden was more than reasonable. The music could be faintly heard from the road, and was not causing a disturbance.

Unit (2)

Unknown

Responders:	CL4515 GONZALEZ, JESUS
Primary Unit:	No
Assigned:	10/09/2021 22:36:54
Enroute:	10/09/2021 22:36:54
Call Cleared:	10/09/2021 22:44:34
Unit Name:	CL305
Assigned By:	MADZIAREK, KIMBERLY

Unknown

Responders:	CL4452 MORSE, ZACHARY
Primary Unit:	Yes
Assigned:	10/09/2021 22:38:16
Enroute:	10/09/2021 22:38:16
Arrived At Scene:	10/09/2021 22:42:19
Call Cleared:	10/09/2021 22:45:19
Unit Name:	CL304
Assigned By:	MADZIAREK, KIMBERLY

CRYSTAL LAKE POLICE DEPARTMENT

100 W Woodstock St Crystal Lake, IL 60014

815-356-3620

Case #:CL-21-014263 CallForService #: 202100207215

Event

150 N Main St CRYSTAL LAKE, ILLINOIS 60014

Call Taken:	10/15/2021 22:31:55
Problem:	NOISE COMPLAINT
Call Disposition:	3 - NO REPORT
First Unit Assigned:	10/15/2021 22:40:11
Call Closed:	10/15/2021 22:51:53
Primary Officer:	LEWANDOWSKI, PETER CL4513
Cross Street:	PRAIRIE ST /SHERMAN ST
Beat:	7 CL4/CL13
Latitude:	42.245644
Longitude:	-88.316468
Jurisdiction:	CRYSTAL LAKE PD
Battalion:	CRYSTAL LAKE PD
Priority:	P2 RECENT
Call Taker:	PERGLER, NATALIE
Alarm Type:	BURGLARY
Alarm:	0
Call Status:	C
Call Back Information:	[redacted]

Person (1)

[redacted]

Phone: [redacted]

Comments (1)

Inform CAD Comments

10/15/2021

Location: CRYSTAL LAKE BREWING COMPANY

10/15/2021 10:32:51 PM, Performed By: SEPERGLER

Comment: [1] COMP ADVISING LOUD SPEAKERS ARE ON AT THE BREWERY

10/15/2021 10:33:02 PM, Performed By: SEPERGLER

Comment: [2] [Notification] [ETSB LAW]-Problem changed from NOISE COMPLAINT to ORDINANCE VIOLATION by ETSB LAW

10/15/2021 10:33:07 PM, Performed By: SEPERGLER

Comment: [3] [Notification] [ETSB LAW]-Problem changed from ORDINANCE VIOLATION to NOISE COMPLAINT by ETSB LAW

10/15/2021 10:40:11 PM, Performed By: SEPERGLER

Comment: [4] Automatic Case Number(s) issued for Incident #[202100207215], Jurisdiction: CRYSTAL LAKE PD. Case Number(s): CL-21-014263. requested by CL304.

10/15/2021 10:40:43 PM, Performed By: SEPERGLER

Comment: [5] NCOS

10/15/2021 10:49:05 PM, Performed By: LEWANDOWSKI, PETER

Comment: [6] LEWANDOWSKI, PETER - CL304 - noise was at a very reasonable level. observed no-one outside due to colder temps. spoke with bar staff who agreed to turn music outside off unless patrons begin congregating outside.

10/15/2021 10:51:41 PM, Performed By: LEWANDOWSKI, PETER

Comment: [7] LEWANDOWSKI, PETER - CL304 - attempted to make contact with caller to explain situation and number was disconnected.

Unit (1)

Unknown

Responders:	CL4513 LEWANDOWSKI, PETER
Primary Unit:	Yes
Assigned:	10/15/2021 22:40:11
Call Cleared:	10/15/2021 22:51:53
Unit Name:	CL304
Assigned By:	PERGLER, NATALIE

CRYSTAL LAKE POLICE DEPARTMENT

100 W Woodstock St Crystal Lake, IL 60014

815-356-3620

Case #:CL-21-014317 CallForService #: 202100207996

Event

150 N Main St CRYSTAL LAKE, ILLINOIS 60014

Call Taken:	10/16/2021 22:34:33
Problem:	NOISE COMPLAINT
Call Disposition:	3 - NO REPORT
First Unit Assigned:	10/16/2021 22:35:48
Call Closed:	10/16/2021 22:43:57
Primary Officer:	GONZALEZ, JESUS CL4515
Cross Street:	PRAIRIE ST /SHERMAN ST
Beat:	7 CL4/CL13
Latitude:	42.245644
Longitude:	-88.316468
Jurisdiction:	CRYSTAL LAKE PD
Battalion:	CRYSTAL LAKE PD
Priority:	P2 RECENT
Call Taker:	MADZIAREK, KIMBERLY
How Received:	PHONE NON EMERGENCY LINE
Workstation Id:	SED3
Alarm Type:	BURGLARY
Alarm:	0
First Unit Enroute:	10/16/2021 22:35:48
First Unit Arrived:	10/16/2021 22:42:16
Call Status:	C
Call Back Information:	[redacted]

Person (1)

[redacted]

Phone: [redacted]

Vehicle (1)

License Plate State:	ILLINOIS
License Plate Number:	[redacted]

Comments (1)

Inform CAD Comments

10/16/2021

Location: CRYSTAL LAKE BREWING COMPANY

10/16/2021 10:34:40 PM, Performed By: SEMADZIARE

Comment: [1] LOUD MUSIC

10/16/2021 10:35:16 PM, Performed By: SEMADZIARE

Comment: [2] NCTBS

10/16/2021 10:35:48 PM, Performed By: SEMADZIARE

Comment: [3] Automatic Case Number(s) issued for Incident #[202100207996], Jurisdiction: CRYSTAL LAKE PD. Case Number(s): CL-21-014317. requested by CL306.

10/16/2021 10:43:49 PM, Performed By: GONZALEZ, JESUS

Comment: [4] GONZALEZ, JESUS - CL303 - NCTBS. Area checked & music inside of business was playing at a reasonable level. No further police services requested. NCTBS

Unit (2)

Unknown

Responders:	CL4521 JONES, LANCE
Primary Unit:	No
Assigned:	10/16/2021 22:35:48
Enroute:	10/16/2021 22:35:48
Call Cleared:	10/16/2021 22:36:30
Unit Name:	CL306
Assigned By:	MADZIAREK, KIMBERLY

Unknown

Responders:	CL4515 GONZALEZ, JESUS
Primary Unit:	Yes
Assigned:	10/16/2021 22:36:51
Enroute:	10/16/2021 22:36:51
Arrived At Scene:	10/16/2021 22:42:16
Call Cleared:	10/16/2021 22:43:57
Unit Name:	CL303
Assigned By:	MADZIAREK, KIMBERLY

CRYSTAL LAKE POLICE DEPARTMENT

100 W Woodstock St Crystal Lake, IL 60014

815-356-3620

Case #:CL-21-014619 CallForService #: 202100212502

Event

150 N Main St CRYSTAL LAKE, ILLINOIS 60014

Call Taken:	10/22/2021 22:32:08
Problem:	ORDINANCE VIOLATION
Call Disposition:	3 - NO REPORT
First Unit Assigned:	10/22/2021 22:32:35
Call Closed:	10/22/2021 22:42:38
Primary Officer:	BEASLEY, JEREMY CL4454
Cross Street:	PRAIRIE ST /SHERMAN ST
Beat:	7 CL4/CL13
Latitude:	42.245644
Longitude:	-88.316468
Jurisdiction:	CRYSTAL LAKE PD
Battalion:	CRYSTAL LAKE PD
Priority:	P2 RECENT
Call Taker:	PERGLER, NATALIE
Workstation Id:	SED2
Alarm Type:	BURGLARY
Alarm:	0
First Unit Enroute:	10/22/2021 22:37:18
First Unit Arrived:	10/22/2021 22:37:18
Call Status:	C
Call Back Information:	[redacted]

Person (1)

[redacted]

Phone: [redacted]

Comments (1)

Inform CAD Comments **10/22/2021**

Location: CRYSTAL LAKE BREWING COMPANY

10/22/2021 10:32:17 PM, Performed By: SEPERGLER

Comment: [1] LOUD SPEAKERS ON OUTSIDE

10/22/2021 10:32:35 PM, Performed By: SECAMPOS

Comment: [2] Automatic Case Number(s) issued for Incident #[202100212502], Jurisdiction: CRYSTAL LAKE PD. Case Number(s): CL-21-014619. requested by CL304.

10/22/2021 10:36:45 PM, Performed By: SECAMPOS

Comment: [3] Backed up CL304 with CL306

10/22/2021 10:42:27 PM, Performed By: BEASLEY, JEREMY

Comment: [4] BEASLEY, JEREMY - CL304 - Upon arrival speakers were on outside. They were not loud. However I did inform them the the city ordance says they need to be off at 2200s without a permit. They stated they would start turning them off at 2200 hours.

Unit (2)

Unknown

Responders:	CL4454 BEASLEY, JEREMY
Primary Unit:	Yes
Assigned:	10/22/2021 22:32:35
Enroute:	10/22/2021 22:37:18
Arrived At Scene:	10/22/2021 22:37:18
Call Cleared:	10/22/2021 22:42:38
Unit Name:	CL304
Assigned By:	CAMPOS, TONY

Unknown

Responders:	CL4453 LLOYD-MIETUS, PHILLIP
Primary Unit:	No
Assigned:	10/22/2021 22:36:45
Call Cleared:	10/22/2021 22:37:18
Unit Name:	CL306
Assigned By:	CAMPOS, TONY

CRYSTAL LAKE POLICE DEPARTMENT

100 W Woodstock St Crystal Lake, IL 60014
815-356-3620

Case #:CL-21-016347 CallForService #: 202100236428

Event

150 N Main St CRYSTAL LAKE, ILLINOIS 60014

Call Taken:	11/25/2021 21:36:56
Problem:	ASSIST FIRE
Call Disposition:	4 - REFERREO TO ANOTHER AGENCY
First Unit Assigned:	11/25/2021 21:37:19
Call Closed:	11/25/2021 21:46:50
Primary Officer:	SANDERS, CHRISTOPHER CL4457
Cross Street:	PRAIRIE ST /SHERMAN ST
Beat:	7 CL4/CL13
Latitude:	42.245644
Longitude:	-88.316468
Jurisdiction:	CRYSTAL LAKE PD
Battalion:	CRYSTAL LAKE PD
Priority:	P1 IP-EMERGENCY
Call Taker:	GLOWACKI, MARK
Alarm Type:	BURGLARY
Alarm:	0
First Unit Enroute:	11/25/2021 21:37:19
First Unit Arrived:	11/25/2021 21:40:39
Call Status:	C
Call Back Information:	[redacted]

Person (1)

[redacted]

Phone: [redacted]

Comments (1)

Inform CAD Comments

11/25/2021

Location: CRYSTAL LAKE BREWING COMPANY

11/25/2021 9:36:56 PM, Performed By: SEGLOWACKI

Comment: [1] Multi-Agency ETSB FIRE Incident #: 202100236427

11/25/2021 9:36:57 PM, Performed By: SEGLOWACKI

Comment: [2] SMELL OF NAT GAS OUTSIDE [Shared]

11/25/2021 9:37:00 PM, Performed By: SEGLOWACKI

Comment: [3] Automatic Case Number(s) issued for Incident #[202100236427], Jurisdiction: CRYSTAL LAKE FD. Case Number(s): 21005994. requested by 341. [Shared]

11/25/2021 9:37:09 PM, Performed By: SESHARP

Comment: [4] PD ADV [Shared]

11/25/2021 9:37:10 PM, Performed By: USDD

Comment: [5] Dispatch Alert successful: Station(s) CLFD1; Radio(s) [Shared]

11/25/2021 9:37:19 PM, Performed By: SESHARP

Comment: [6] Automatic Case Number(s) issued for Incident #[202100236428], Jurisdiction: CRYSTAL LAKE PD. Case Number(s): CL-21-016347. requested by CL204. [Shared]

11/25/2021 9:46:20 PM, Performed By: SESHARP

Comment: [7] CL204 SC GOOD CLEARING [Shared]

11/25/2021 9:48:50 PM, Performed By: 341

Comment: [8] [ETSB FIRE] has closed their incident [202100236427]

Unit (1)

Unknown

Responders:	CL4457 SANDERS, CHRISTOPHER
Primary Unit:	Yes
Assigned:	11/25/2021 21:37:19
Enroute:	11/25/2021 21:37:19
Arrived At Scene:	11/25/2021 21:40:39
Call Cleared:	11/25/2021 21:46:50
Unit Name:	CL204
Assigned By:	SHARP, JOANNA

CRYSTAL LAKE POLICE DEPARTMENT

100 W Woodstock St Crystal Lake, IL 60014

815-356-3620

Case #:CL-21-016791 Incident #: CL-21-016791

Event

150 N MAIN ST CRYSTAL LAKE, ILLINOIS 60014

Reported Date:	12/04/2021 22:35:00
Incident Start Date:	12/04/2021 22:35:00
Description of Incident:	UNWANTED SUBJECT
Latitude:	42.245644
Longitude:	-88.316468
Case Status:	CLEARED
Case Status Date:	12/04/2021
Incident End Date:	12/04/2021 22:35:00
UCR Status:	Cleared
Domestic Related:	No
Attacks Against School Personnel:	No
Suspected Child Abuse / No Charges:	No
Mental Health Crisis:	No

Suspect (1)

[redacted]

Related Offenses:	7367 UNWANTED SUBJECT
Address:	[redacted]
City:	[redacted]
State:	[redacted]
Zip Code:	[redacted]
DOB:	[redacted]
Age:	[redacted]
Race:	[redacted]
Sex:	[redacted]
Height:	[redacted]
Weight:	[redacted]
Eye Color:	[redacted]
Hair Color:	[redacted]
License State:	[redacted]
License Number:	[redacted]
Transient:	[redacted]
Relationship:	

Victim (1)

CRYSTAL LAKE BREWERY

Related Offenses:	7367 UNWANTED SUBJECT
Victim Type:	BUSINESS
Address:	150 N MAIN ST
City:	CRYSTAL LAKE
State:	ILLINOIS
Zip Code:	60014
Latitude:	42.245644
Longitude:	-88.316468

Other Data (1)

[redacted]

Address:	[redacted]
City:	[redacted]
State:	[redacted]
Zip Code:	[redacted]
Latitude:	[redacted]
Longitude:	[redacted]
DOB:	[redacted]
Age:	[redacted]
Race:	[redacted]
Sex:	[redacted]
License Number:	[redacted]
Phone:	
Relationship::	

Offense (1)

7367 UNWANTED SUBJECT

UCR/NIBRS Code:	7367 UNWANTED SUBJECT
UCR Hierarchy:	0
Counts:	1

Vehicle (0)

Last Name:

First Name:

Narrative (1)

ORIGINAL

JONES, LANCE CL4521 **12/04/2021**

SUMMARY: Crystal Lake Brewery requested [redacted] leave the property due to his level of

intoxication. The business did not wish for [redacted] to be issued a trespass warning, but wanted him to leave for the night. [redacted] was advised not to return to the business for the duration of the night. [redacted] left the area with [redacted]

NARRATIVE: On 12/4/2021, at approximately 10:35 PM, I, Officer Jones CL204, was dispatched to Crystal Lake Brewery, 150 N. Main St, regarding an unwanted subject. The complainant reported the male to be Hispanic, wearing a red sweatshirt, and standing in the vestibule.

Upon arrival, I made contact with a male who matched the description, identified as [redacted]. While I was speaking with [redacted], Officer Smith spoke with the caller, [redacted]. [redacted] reported [redacted] was intoxicated and attempting to speak with customers at the bar. [redacted] further advised [redacted] had been in the business for a short time and was only served one drink. [redacted] advised he did not wish for [redacted] to be trespassed from the business and just wanted to make sure he made it home safe.

I asked [redacted] how he planned to get home. [redacted] said [redacted] was on her way, but was unable to tell me where she was coming from or how far away she was. [redacted] became uncooperative and began making derogatory comments towards Officer Smith and I.

I went back inside and spoke with [redacted]. I confirmed with [redacted] he did not want [redacted] trespassed, but wanted him off the property for the night. I went back outside and told [redacted] he needed to leave the property. Around this time, [redacted], approached on foot. [redacted] left on foot with "[redacted]" while continuing to make derogatory comments and attempting to instigate a confrontation.

Once [redacted] was off the property, Officer Smith and I walked away from [redacted], who eventually left the area on foot.

Cleared exceptionally.

BWC used.

Jones 1030

Smith 1036

Officer (2)

Approving Officer:	DADE, DELMAR (CL4461)	12/05/2021 00:44:19
Body Worn Camera YES:	No	
Reporting Officer:	JONES, LANCE (CL4521)	12/04/2021 23:00:00
Body Worn Camera YES:	No	

CRYSTAL LAKE POLICE DEPARTMENT

100 W Woodstock St Crystal Lake, IL 60014

815-356-3620

Case #:CL-22-003101 Incident #: CL-22-003101

Event

150 N MAIN ST Crystal Lake, Illinois 60014

Reported Date:	03/05/2022 20:14:00
Incident Start Date:	03/05/2022 20:14:00
Description of Incident:	Noise Complaint
County:	MCHENRY COUNTY
Latitude:	42.24565221381241
Longitude:	-88.31647408619595
Case Status:	CLEARED
Case Status Date:	03/10/2022
Exceptional Clearance Date:	03/05/2022
Internal Incident Status:	06 - REPORT NO ARREST
Incident End Date:	03/05/2022 20:14:00
UCR Status:	Cleared
Domestic Related:	No
Attacks Against School Personnel:	No
Suspected Child Abuse / No Charges:	No
Mental Health Crisis:	No

Suspects (1)

Crystal Lake Brewing Company

Related Offenses:	CL 343-1C(4) NOISE IN VIOLATION OF CHAPTER 358
Address:	150 N MAIN ST
City:	Crystal Lake
State:	Illinois
Zip Code:	60014
County:	MCHENRY COUNTY
Latitude:	42.24565221381241
Longitude:	-88.31647408619595
Phone:	(779)-220-9288

Complainant Data (1)

[redacted]

Address:	[redacted]
City:	[redacted]
State:	[redacted]
Zip Code:	[redacted]
DOB:	[redacted]
Age:	[redacted]
Race:	[redacted]
Sex:	[redacted]
Ethnicity:	[redacted]
Resident Status:	[redacted]
Home Phone:	[redacted]
Phone:	

Relationship::

Offense (1)

CL 343-1C(4) NOISE IN VIOLATION OF CHAPTER 358

UCR/NIBRS Code:	90Z ALL OTHER OFFENSES
State Code:	2890
UCR Hierarchy:	0
Counts:	1
Offender Suspected of Using:	Not Applicable

Vehicle (0)

Last Name:

First Name:

Narrative (1)

ORIGINAL

CAMPBELL, BRIAN CL4531 CL4531 **03/10/2022**

SUMMARY: On 3-5-2022 at approximately 2014 hours, a noise complaint was reported by [redacted] at the Crystal Lake Brewing Company (150 N Main Street). The business agreed to turn off the outdoor music.

NARRATIVE: I, Officer Campbell and Officer Munaretto responded to Crystal Lake Brewing Company (150 N Main Street) reference a noise complaint on 3-5-2022 at 2014 hours. I was notified by SEECOM that the caller, [redacted], stated the business was playing loud music with customized speakers outside.

Upon arrival, I observed the business had its outdoor patio lights on but there were no patrons outside. I heard music being played on the patio, but did not determine it to be unreasonable. I was able to hear the music from more than fifty (50) feet away in the parking lot.

Since there were no patrons outside, I decided to enter the business to speak with [redacted]. I advised [redacted] of the noise complaint and asked if the business could reduce the volume of the outdoor speakers since there were no patrons outside. [redacted] agreed and was cooperative. I left the business and noted that the outdoor music had been turned off.

The situation was resolved.

Body worn camera.

Officers: Campbell / Munaretto (1034)

Case cleared exceptionally.

Officer (2)

Reporting Officer:		CAMPBELL, BRIAN (CL4531)	03/10/2022 14:11:00
Body Worn Camera YES:	No		
Approving Officer:		SZUMANSKI, MARK (CL4441)	03/10/2022 22:58:22
Body Worn Camera YES:	No		

Agenda Item No: 17

City Council
Agenda Supplement

Meeting Date: April 19, 2022

Item: Liquor Code Amendments to Class 26 License requirements for outdoor liquor sales and consumption

Recommendation: Motion to amend City Code Section 329-5 (Z)

Staff Contact: Eric Helm, Deputy City Manager
Melanie Nebel, Executive Assistant

Background:

Crystal Lake Brewing, located at 150 N. Main Street, currently has a Class 26 Liquor License which includes a small outside patio adjacent to the building. During the COVID-19 pandemic, Crystal Lake Brewing, offered an expanded temporary outside seating area in front of their location, on private property. Since the State's temporary authorizations have expired, Crystal Lake Brewing has requested to amend its Special Use Permit to make the expanded outdoor area permanent.

In order to allow this, it is necessary to change the conditions of Crystal Lake Brewing's existing Class 26 liquor license. It should be noted Crystal Lake Brewing is the only business with this license.

Class 26 Liquor Classification Amendment

Current Class 26 License	Proposed Class 26 License Changes	Reason for Change
The open unroofed area shall not be open after 11:00 p.m. on any day if it is within 200 feet of land zoned for residential purposes.	The open unroofed area shall close by 10:00 p.m. Sunday-Thursday and 11:00 p.m. Friday and Saturday.	Indoor hours are not changed. Amended open unroofed area hours will limit impact to neighboring residents and conform with Special Use Permit requirements.
Open unroofed area shall be no greater than ½ of the interior floor space.	Open unroofed area shall be no greater 100% of the interior floor space.	The permanent outdoor area exceeds what is

		allowable under the current restrictions.

The only existing holder of the Class 26 liquor license is Crystal Lake Brewing (150 N. Main Street).

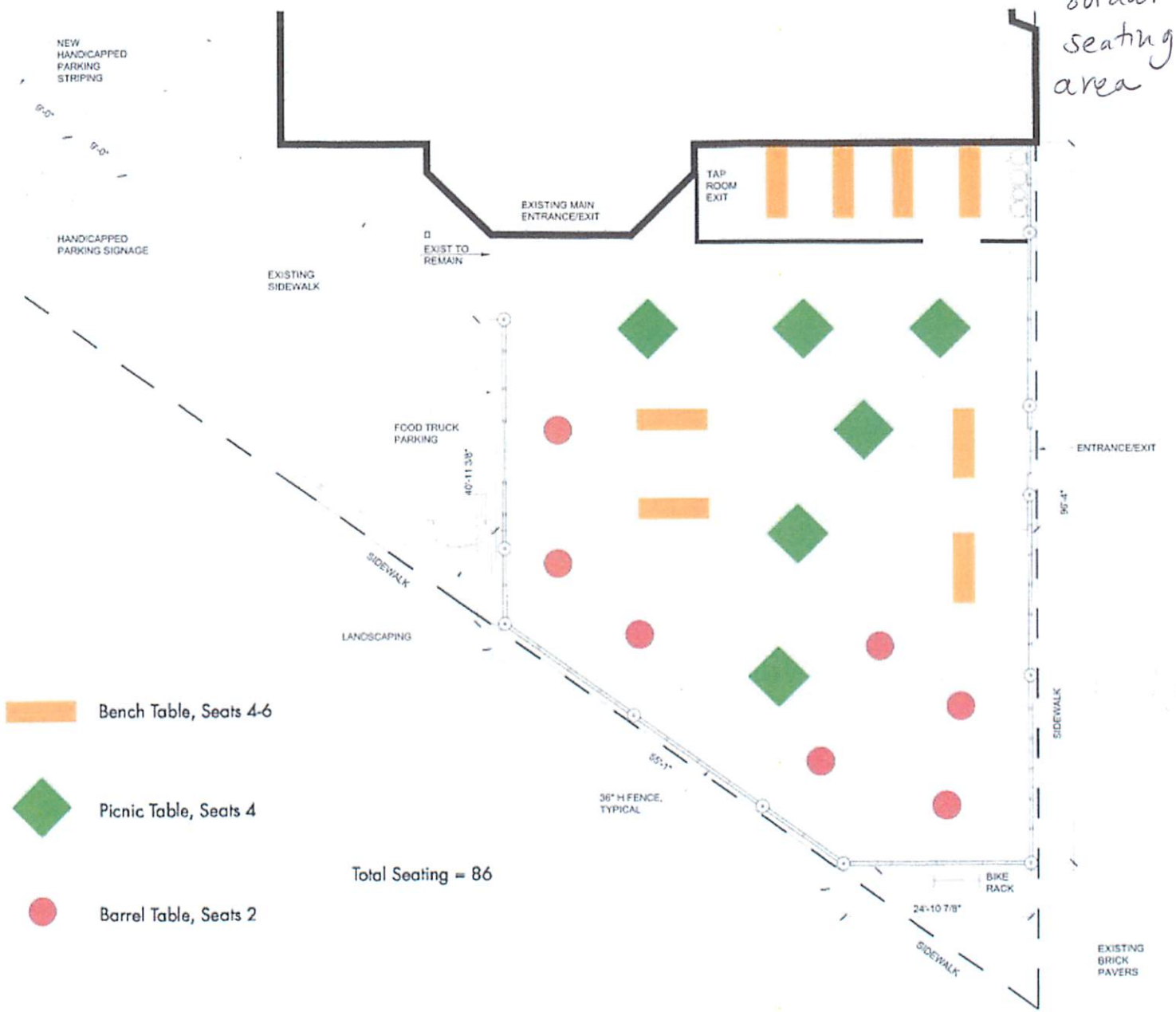
Staff Recommendation:

City staff recommends the changes to the Class 26 License. City special legal counsel has reviewed and approved the changes to the City Code.

Votes Required to Pass:

Simple majority vote.

Proposed outdoor seating area



Ord. No. _____
File No. _____

The City of Crystal Lake, Illinois

AN ORDINANCE AMENDING THE CODE OF THE CITY OF CRYSTAL LAKE

WHEREAS, Chapter 329 of the City Code sets forth classifications for the licensing of establishments for the sale of alcoholic liquor; and

WHEREAS, the Mayor and City Council have found and determined that it is in the best interests of the City and its residents to modify certain provisions of Chapter 329 with respect to certain license classification which allow for the sale and consumption of alcoholic liquor in open and unroofed areas.

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

SECTION ONE: Amendment to Section 329-5(G) (Class 26 License)

Section 329-5(G) of the City Code is hereby amended and shall hereinafter read as follows:

[Deletions are shown as strikethroughs, additions are underlined and in bold font]

Class 26 license which shall authorize any person having been licensed as a manufacturer to receive one license for the premises in which he or she actually conducts such business only for the retail sale of beer, as well as the retail sale of beer in the original retail package, manufactured at such premises and only on such premises specified, between the hours of 11:00 a.m. and 1:00 a.m. Monday, Tuesday, Wednesday and Thursday; 11:00 a.m. and 2:00 a.m. Friday and Saturday; and 12:00 noon and 1:00 a.m. Monday. For the purposes of this license, premises shall include not only the interior of any building or structure but also an open unroofed area immediately contiguous to the building or structure where beer is served or consumed. [Added 12-17-2013 by Ord. No. 6977]

Draft

(1)
Any open unroofed area in which beer is served or consumed pursuant to this license shall conform to the following:
(a)
The open unroofed area shall be particularly described and adjacent to and operated as a part of the premises licensed to sell beer on the premises and shall have obtained all permits or approvals required by the ordinances of the City Code, City or other governmental authority.
(b)
~~The open unroofed area shall be no greater than 1/2 the other floor space of the licensed premises.~~
The open unroofed area shall be no greater than 100% of the interior floor space.
(c)
The open unroofed area shall have a maximum capacity as defined by the Liquor Commissioner, which shall be separately posted at the entrance to the open unroofed area.
(d)
Any part of the open unroofed area not blocked by a building shall be surrounded by a fence or other barrier approved by the Liquor Commissioner which shall contain the required number of fire exits. All fences or other barriers shall comply with the ordinances of the City regarding vision, clearance and required distances from corners.
(e)
All electrical wiring shall comply with the codes of the City.
(f)
All combustible rubbish shall be stored in a noncombustible container, and the license holder shall be responsible for keeping the area in a clean and sightly condition.
(g)
The noise emanating from any open unroofed area where beer is served pursuant to this license shall not violate any of the provisions of the City Code of Ordinances pertaining to noise.
(h)
The license holder shall be responsible for preventing violations of this chapter.
(i)
~~The open unroofed area shall not be open after 11:00 p.m. on any day if it is within 200 feet of land zoned for residential purposes.~~
The open unroofed area shall close by 10:00 p.m. Sunday-Thursday and 11:00 p.m. Friday and Saturday.

(k) No license shall be issued until the Liquor Control Commissioner of the City of Crystal Lake is satisfied that the applicant manufacturer has obtained all federal and State of Illinois licenses required for the manufacture of beer.

(2)
The annual fee for such a license is $1,150.

SECTION FOUR: Effective Date.

This Ordinance shall be in full force and effect from and after is passage, approval and publication in pamphlet form in the manner provided by law.

Draft

DATED at Crystal Lake, Illinois, this 19th day of April, 2022.

City of Crystal Lake, an
Illinois municipal corporation

_____
Haig Haleblian, MAYOR

SEAL

ATTEST

_____
Nick Kachiroubas, CITY CLERK

PASSED: April 19, 2022
APPROVED: April 19, 2022

Draft

Agenda Item No: 18

City Council
Agenda Supplement

Meeting Date: April 19, 2022

Item: Designation and Auction of Surplus Vehicle Lift

Staff Recommendation: Motion to adopt a Resolution to designate a Mohawk TP-15 vehicle lift as surplus, and authorize the City Manager to authorize a third party vendor, Obenauf Auction Service, Inc., for the sale of this surplus vehicle lift utilizing a public online bidding process.

Staff Contact: Michael Magnuson, Director of Public Works and Engineering

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Background:

The replacement of a vehicle lift is included in the current fiscal budget. The retired Mohawk TP-15 vehicle lift was removed from the fleet garage and still has a residual value. The most efficient way to market this surplus equipment is to place it on a public auction. This auction service is provided throughout the year and administered by Obenauf Auction Service, Inc. The designation of equipment as surplus and subsequent auction of equipment provides the following benefits to the City:

1) Allows the ability to increase garage floor space available, that is currently being occupied by the non-utilized equipment;
2) Minimizes the costs and staff time required to sell the equipment through a bidding process. These costs include advertising, publishing legal notification, and staff time required to show the equipment. The associated cost to the City by utilizing Obenauf Auction Service, Inc. is a 3% commission for all items sold; and
3) Provides an additional avenue for the publicized sale of the surplus equipment to increase the likelihood that the City will maximize its return on the sale of the items.

Recommendation:

It is the recommendation of staff to designate the Mohawk TP-15 vehicle lift as surplus and authorize the vehicle lift to be auctioned through a public online bidding process.

Votes Required to Pass:

Simple majority

RESOLUTION

WHEREAS, the CITY OF CRYSTAL LAKE has identified the need to declare the Mohawk TP-15 vehicle lift as surplus; and

WHEREAS, the City Staff will coordinate the vehicle lift to be auctioned through a public online bidding process.

NOW THEREFORE BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE that the foregoing recitals are repeated and incorporated as though fully set forth herein; and

BE IT FURTHER RESOLVED that the City Council hereby declares the Mohawk TP-15 vehicle lift as surplus and authorizes the auction of the vehicle lift through a public online bidding process.

DATED this 19th day of April, 2022.

CITY OF CRYSTAL LAKE, an
Illinois municipal corporation,

By:_____
Haig Haleblian, MAYOR

SEAL

ATTEST

_____
Nick Kachiroubas, CITY CLERK

PASSED: April 19, 2022
APPROVED: April 19, 2022

Draft

Agenda Item No: 19

City Council
Agenda Supplement

Meeting Date: April 19, 2022

Item: Bid Award - Cleaning Services

Staff Recommendation: A motion to award the bid for general cleaning services to the lowest responsive and responsible bidder, Best Quality Cleaning, and adopt a Resolution authorizing the City Manager to execute a three-year agreement, with the option of three additional, one-year terms, with Best Quality Cleaning in the amounts bid and execute change orders for up to 10% of the contract amount.

Staff Contact: Michael Magnuson, P.E., Director of Public Works and Engineering

Background:
The City utilizes a private cleaning contractor for janitorial services at City Hall. This service consists of daily cleaning of offices, hallways, restrooms, etc. along with refuse removal and annual steam cleaning of carpets and waxing of floors. The current contract is at the end of its six-year term and staff solicited bids for another six-year contract. A six-year contract allows the City to take advantage of greater economies of scale, as well as ensuring consistency for cleaning services over the period of the contract.

On March 29, 2022, the City of Crystal Lake publicly opened and read aloud the bids received for a three-year contract, with the option of three additional, one-year terms, to provide labor, supervision, equipment and cleaning materials necessary to provide general cleaning of the City of Crystal Lake City Hall and other City facilities. The total price below provides a year to year comparison for janitorial porter services (three porters at 8 hours each, bi-annual floor steam cleans and bi-annual floor waxing).

Bidder	Base Year 1	Base Year 2	Base Year 3	Optional Year 4	Optional Year 5	Optional Year 6
√ Best Quality Cleaning	$104,944.00	$111,220.00	$117,556.00	$125,892.00	$132,228.00	$138,564.00
Alpha Building Maintenance	$131,567.00	$140,433.00	$149,299.00	$158,177.00	$167,055.00	$175,921.00
Bravo Services	$153,703.20	$158,314.28	$166,369.60	$175,131.62	$184,710.72	$196,082.90
Chi-Town Cleaning	$166,696.60	$166,696.60	$169,564.60	$172,492.36	$172,492.36	$175,478.68
Multisystem Management	$171,818.88	$171,818.88	$176,210.96	$180,125.00	$180,125.00	$183,241.04

Eco Clean Maintenance	$172,428.00	$172,428.00	$172,428.00	$180,055.80	$180,055.80	$180,055.80

√ - Indicates lowest responsive and responsible bidder

As part of the bid, companies were also asked to submit prices for optional cleaning of the downtown train station building. Once a vendor is selected for the coffee shop, that vendor will handle these cleaning services.

Recommendation

The Public Works Department has reviewed all proposals received for completeness and accuracy in accordance with the Invitation to Bid document. It is staff's recommendation to award the bid for the provision of general cleaning and maintenance services and adopt a resolution authorizing the City Manager to execute a three-year agreement, with the option of three additional, one-year terms, with Best Quality Cleaning. Best Quality Cleaning holds the current cleaning services contract.

Votes Required to Pass:

Simple majority

RESOLUTION

WHEREAS, the CITY OF CRYSTAL LAKE has identified the need for upkeep and cleaning of City facilities; and

WHEREAS the CITY OF CRYSTAL LAKE received bids for cleaning services on March 29, 2022; and

WHEREAS the lowest responsive and responsible was Best Quality Cleaning of Franklin Park, IL.

NOW THEREFORE BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE that the foregoing recitals are repeated and incorporated as though fully set forth herein; and

BE IT FURTHER RESOLVED that the City Manager is authorized to execute a contract between the CITY OF CRYSTAL LAKE and Best Quality Cleaning for cleaning services for a three-year agreement, with the option of three additional, one-year terms in the amounts bid; and

BE IT FURTHER RESOLVED that the City Manager is authorized to approve change orders for up to 10 percent of the contract amount.

DATED this 19th day of April, 2022.

CITY OF CRYSTAL LAKE, an
Illinois municipal corporation,

By:_____
Haig Haleblian, MAYOR

Draft

SEAL

ATTEST

_____

Nick Kachiroubas, CITY CLERK

PASSED: April 19, 2022
APPROVED: April 19, 2022

Draft

Agenda Item No: 20

City Council
Agenda Supplement

Meeting Date: April 19, 2022

Item: Bid Award - Unleaded Gasoline and Diesel Fuel

Staff Recommendation: Motion to award the bid for the purchase and delivery of unleaded gasoline and diesel fuel to the lowest responsive and responsible bidder, Al Warren Oil Company, and adopt a Resolution authorizing the City Manager to execute a one-year contract with Al Warren Oil Company, with the option to extend the agreement for one additional year in the amounts bid.

Staff Contact: Michael Magnuson, Director of Public Works and Engineering

Background:
On March 30, 2022, the City of Crystal Lake publicly opened the bids received for unleaded gasoline, diesel fuel, winter additive, and optional off road fuel for the City's fleet and generators.

The annual contract is based on a per-gallon fee for delivery of the fuel. The actual cost of the fuel is based on surcharges to the low-rack posting price per gallon as published in the Oil Price Information Service (OPIS) price listing for the Chicago market on the day of each fuel delivery.

The following is a breakdown of the bids received:

	Delivery Price Per Gallon Year 1			Delivery Price Per Gallon Year 2		
	Gasoline	**Diesel Fuels**	**Option (Off Road ULSD #2 red dyed)**	**Gasoline**	**Diesel Fuels**	**Option (Off Road ULSD #2 red dyed)**
✔**Al Warren Oil Co.** *Hammond, IN*	0.0500	0.0500	0.2500	0.0500	0.0500	0.2500
Petroleum Traders *Fort Wayne, IN*	0.0723	0.0913	No Bid	0.0723	0.0913	No Bid
Colonial Oil *Savannah, GA*	0.3025	0.3265	0.8273	0.3125	0.3365	0.8573

✔ *Indicates lowest responsive and responsible bidder*

Recommendation:

This contract is being presented pursuant to a competitive bidding process. Under such process, the contract is to be awarded to the "lowest responsive and responsible bidder." The lowest responsive and responsible bidder is the contractor: (i) whose bid substantially conforms to the material provisions of the bid specifications, (ii) who demonstrates the financial capacity and ability to undertake and complete the project in question in accordance with bid specifications, and (iii) whose bid price is lowest among the responsive and responsible bidders. Selecting a contractor on bases not set forth in the bid specifications can lead to challenges to the City's award.

The Public Works Department has reviewed all bids received for completeness and accuracy in accordance with the invitation to bid document. After receiving satisfactory references, it is the recommendation of City staff to award the bid to the lowest responsive and responsible bidder, Al Warren Oil Company, for purchase and delivery of gasoline and diesel fuel for a one-year contract period with an optional one-year extension to the contract. The City has contracted with Al Warren Oil Company in the past and has had satisfactory results.

Votes Required to Pass:

Simple majority

RESOLUTION

WHEREAS, the CITY OF CRYSTAL LAKE has identified the need for purchase and delivery of gasoline and diesel fuel for City fleet vehicles and equipment; and

WHEREAS the CITY OF CRYSTAL LAKE received bids for the purchase and delivery of fuel and diesel on March 30, 2022; and

WHEREAS the lowest responsive and responsible was Al Warren Oil Company of Hammond, IN.

NOW THEREFORE BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE that the foregoing recitals are repeated and incorporated as though fully set forth herein; and

BE IT FURTHER RESOLVED that the City Manager is authorized to execute a contract between the CITY OF CRYSTAL LAKE and Al Warren Oil Company for the purchase and delivery of gasoline and diesel fuel for one base year and one optional year in the amounts bid.

DATED this 19th day of April, 2022.

CITY OF CRYSTAL LAKE, an
Illinois municipal corporation,

By:_____
Haig Haleblian, MAYOR

SEAL

ATTEST

Draft

Nick Kachiroubas, CITY CLERK

PASSED: April 19, 2022
APPROVED: April 19, 2022

Draft

Agenda Item No: 21

City Council
Agenda Supplement

Meeting Date: April 19, 2022

Item: Bid Award - 2022 Crack Sealing, Municipal Partnership Initiative

Staff Recommendation: Motion to award the bid for crack sealing to the lowest responsive and responsible bidder, Patriot Pavement and adopt a Resolution authorizing the City Manager to execute a two-year contract with Patriot Pavement in the base and alternate bid amounts for a not to exceed amount of $50,000 per year, and authorize warranted completion date change orders.

Staff Contact: Michael P. Magnuson, P.E., Director of Public Works and Engineering

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Background:
The Crack Sealing Program includes cleaning and filling of selected asphalt pavement cracks throughout the City. The work will be completed during summer months until early September.

The City of Crystal Lake participates in the McHenry County Municipal Partnership Initiative (McMPI) where regional communities collaborate by preparing and soliciting bids for various projects. McMPI allows members to combine purchasing power to leverage cost savings. The City of Crystal Lake partnered with the Village of Cary, Village of Gilberts, Village of Huntley, City of McHenry, McHenry Township, Village of Prairie Grove and City of Woodstock to solicit bids for crack sealing services. On April 6, 2022, the bids were publically opened. The base year 1 and 2 results for Crystal Lake are as follows:

Company	Year 1 Unit Price	Estimated Quantity - LF	Total Bid
✔ Patriot Pavement Des Plaines, IL	$0.467	83,000	$38,761.00
SKC Construction West Dundee, IL	$0.541	83,000	$44,903.00
Denler Joliet, IL	$0.570	83,000	$47,310.00

Company	Year 2 Unit Price	Estimated Quantity - LF	Total Bid
✔ Patriot Pavement Des Plaines, IL	$0.479	83,000	$39,757.00
SKC Construction West Dundee, IL	$0.570	83,000	$47,310.00
Denler Joliet, IL	$0.600	83,000	$49,800.00

✔*Indicates lowest responsive and responsible bidder*

The bid also includes alternate pricing for sweeping with disposal services for crack sealing areas.

Company	Sweeper with Disposal at Municipal Facility Hourly Rate	Sweeper with Disposal Performed by the Contractor Hourly Rate
✔ Patriot Pavement Des Plaines, IL	$125.00	$125.00
SKC Construction West Dundee, IL	$150.00	$165.00
Denler Joliet, IL	$170.00	$240.00

The City received advantageous pricing from the bidders for this project that is under the budget amount of $50,000 for FY23. Staff is proposing to expand the project scope up to the budgeted amount of $50,000 and use these funds for additional crack sealing and/or use of sweeping services. This work will be measured and paid for at the bid unit prices.

Recommendation

This contract is being presented pursuant to a competitive bidding process. Under such process, the contract is to be awarded to the "lowest responsive and responsible bidder." The lowest responsive and responsible bidder is the contractor: (i) whose bid substantially conforms to the material provisions of the bid specifications, (ii) who demonstrates the financial capacity and ability to undertake and complete the project in question in accordance with bid specifications, and (iii) whose bid price is lowest among the responsive and responsible bidders. Selecting a contractor on bases not set forth in the bid specifications can lead to challenges to the City's award.

The recommendation of City staff is to award the contract to the lowest responsive and responsible bidder, Patriot Pavement, for crack sealing services for a two-year contract. Funding is available in the FY23 Budget for this work.

Votes Required to Pass:

Simple majority

RESOLUTION

WHEREAS, the CITY OF CRYSTAL LAKE has identified the desire to contract for annual crack sealing for maintenance and upkeep of City streets; and

WHEREAS, the CITY participates in the McHenry County Municipal Purchasing Initiative (McMPI) with other public agencies to leverage purchasing power; and

WHEREAS, the McMPI conducted a joint public bid for crack sealing services and opened bids publically on April 6, 2022; and

WHEREAS, the lowest responsible and responsive bidder is Patriot Pavement.

NOW THEREFORE BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE that the foregoing recitals are repeated and incorporated as though fully set forth herein; and

BE IT FURTHER RESOLVED that the City Manager is authorized to execute a two-year contract between the CITY OF CRYSTAL LAKE and Patriot Pavement for crack sealing services in the base and alternate bid amounts for a not-to-exceed amount of $50,000 per year of the contract; and

BE IT FURTHER RESOLVED that the City Manager is authorized to approve warranted completion date change orders relating to the contract.

DATED this 19th day of April, 2022.

CITY OF CRYSTAL LAKE, an
Illinois municipal corporation,

By:_____
Haig Haleblian, MAYOR

Draft

SEAL

ATTEST

_____

Nick Kachiroubas, CITY CLERK

PASSED: April 19, 2022
APPROVED: April 19, 2022

Draft

Agenda Item No: 22

City Council
Agenda Supplement

Meeting Date: April 19, 2022

Item: Financial Software Package Renewal

Staff Recommendation: Motion to adopt a Resolution authorizing the City Manager to execute a sole source renewal order form with Springbrook Software LLC, in the amount of $88,393.13 for May 2022 through April 2023.

Staff Contact: Jodie Hartman, Director of Finance
Greg Fettes, Director of Information Technology

Background:

Since 2006, the City has utilized Springbrook as the primary software for tracking financial transactions. At that time, Springbrook was selected as part of an RFP process and was the most responsive and responsible vendor. Due to the complexity of the software, the contract is automatically renewed each year until either party chooses to terminate with notice. The annual renewal cost for maintenance is subject to up to a 5% increase each year. The amount for the coming year has increased an overall 4.7% from the fiscal year 2021/22 amount of $84,405.79.

The Springbrook software is used for a multitude of financial activities, such as the general ledger, payroll, accounts payable, accounts receivable, and water billing. These activities are critical to the operations of the Finance Department and the services we provide both externally and internally. Previously, Community Development used Springbrook for permitting and inspections, however, Community Development now has their related activities in Accela, formerly a parent company of Springbrook.

A transition to an alternate vendor for the City's Financial software is proposed in the coming fiscal year 2022/23. If approved, the transition to a new vendor will take most of the fiscal year to implement fully. During the transition, staff will continue to use Springbrook to accomplish key financial tasks. While the City has the ability to use the software without an additional contract with Springbrook, maintenance and support would cease without the proposed final contract. Staff is not confident Springbrook's software will perform sufficiently without support, which can jeopardize the ability to complete critical tasks such as payroll or utility billing.

The attached invoice from Springbrook covers all planned annual maintenance for the fiscal year 2022/23 and will allow for continuity of operations for Finance Department processes. Also included is a credit memo, as staff was able to negotiate a slightly lower amount than originally invoiced. The invoice and credit memo combined total the $88,393.13 requested for the coming year. This is an overall increase of 4.7% from the fiscal year 2021/22 amount of $84,405.79. Staff does not anticipate any further renewals of Spingbrook beyond the upcoming year.

Recommendation:

It is the recommendation of Finance and Information Technology to adopt a Resolution authorizing the City Manager to execute a sole source renewal order form with Springbrook Software LLC, in the amount of $88,393.13 for May 1, 2022 through April 30, 2023.

Votes Required to Pass:

Simple Majority

RESOLUTION

BE IT RESOLVED BY THE ACTING MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE that the City Manager be authorized to execute a sole source renewal order form with Springbrook in the amount of $84,405.79 for the fiscal year May 1, 2022 through April 30, 2023.

DATED this 19th day of April, 2022.

CITY OF CRYSTAL LAKE, an
Illinois municipal corporation,

By:_____
MAYOR HAIG HALEBLIAN

SEAL

ATTEST

_____
CITY CLERK NICK KACHIROUBAS

PASSED: April 19, 2022
APPROVED: April 19, 2022

Draft

Agenda Item No: 23

City Council
Agenda Supplement

Meeting Date:	April 19, 2022
Item:	Proposal Award - Enterprise Resource Planning Software Service Agreement
Staff Recommendation:	A motion to adopt a resolution authorizing the execution of an agreement with Bellefeuil, Szur & Associates, Inc. ("BSA") for the implementation and annual fees of Enterprise Resource Planning Software in the amounts proposed, allowing for a 10% annual contingency for unforeseen changes in subscription needs.
Staff Contact:	Jodie Hartman, Director of Finance Greg Fetttes, Director of Information Technology

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Background:

In 2006, the City Council authorized the acquisition of the Springbrook ERP (Enterprise Resources Planning) software after a competitive process. This software facilitates many of the financial transactions of the City, most notably accounting, payroll, accounts payable, utility billing, and accounts receivable. The ERP is the primary software for the Finance Department. Due to the time since the City adopted Springbrook and the many changes in software and security since that time, staff issued a Request for Proposals (RFP) to evaluate current vendor functionality and price points in the industry. After reviewing the proposals, staff believes BSA is the best solution for the City at this time.

Discussion:

Implementing comprehensive financial software is a major undertaking. Due to the significant amount of setup and training involved, it is customary to retain an ERP vendor for in excess of ten years. The City has been utilizing Springbrook for over fifteen years, during which time technology for financial management (and in general) has improved significantly. An RFP was issued in August 2021, with proposals due the end of September 2021. The City received proposals from five (5) vendors.

In evaluating the proposals, staff focused on the following five elements: ability to meet current needs, ability to increase efficiencies in current processes, customer service, references from similar municipalities, and price model. Ranked first by pricing model, staff focused on the three vendors with the lowest cost proposals. The three vendors included incumbent Springbrook, BSA, and Tyler Technologies, presenting their Munis platform. Each of the three finalists presented demonstrations of their proposed product to key staff members. Based on these demonstrations, BSA was selected to present a more detailed demonstration to representatives from all departments. As Springbrook is

an incumbent, staff is familiar with the product as it is used daily throughout all departments of the City.

BSA Cloud Platform
The demonstrations from BSA provided confidence to staff that the software can properly facilitate necessary financial transactions as required. In addition, several efficiencies compared to the current software platform were highlighted in the demonstrations. Examples include running one financial report that encompasses multiple fiscal years. Another is sending electronic invoices via email. Neither feature is available under Springbrook. In addition, BSA has a more robust budgeting module than the current platform. The budget is currently prepared in Microsoft Excel and Word, which is not efficient and requires excessive staff time to ensure reliability and accuracy. The BSA budget module would allow direct entry into the financial software and the generation of reports for inclusion in the final budget book. The BSA product also contains streamlined electronic workflows to process invoices without the routing of paper copies, allowing for faster approvals, while also presenting detailed attachments and communication tools.

Staff spoke with representatives from other Illinois municipalities currently using the BSA product. These references all spoke highly of the product. The references also stated customer service has been excellent, with quick response times and comprehensive actions taken by customer service.

A noteworthy change with the BSA recommendation is the conversion from an on premise application with Springbrook to a cloud hosted application with BSA. The cloud hosted environment provides several benefits to the City. First, the City will not be required to purchase and maintain a server to host the application on premise. A typical server that would be required to host an application such as BSA could be as high as $20,000.00 including necessary operating and database software platforms. On-premise servers require hardware and software maintenance on a regular schedule by IT staff and should be replaced every five (5) years. A hosted platform places the software on servers maintained by the vendor that are then accessible to City staff. Since the software is maintained by the vendor on their servers, it is much easier for the vendor to complete updates in a timely fashion when they are required, rather than have to test the updates to be applied in a variety of different on premise installations. Secondly, by utilizing a hosted application, City staff will be able to easily access and conduct transactions using the software without having to access the City's network through a Virtual Private Network (VPN) connection, which requires specific software to be pre-loaded on a computer for access. In addition, over the past few years, the market for large applications such as ERPs has shifted from on premise solutions to cloud hosted solutions, and will likely continue this shift into the future. City staff did not feel it would be prudent to choose an on premise solution for the short term with the very real possibility that we would may be required to move into the cloud platform within the next few years as on premise platforms are retired. Finally, it was readily apparent from evaluating the vendors that new features are, in many cases, offered only to the hosted platforms.

As the ERP of choice contains sensitive vendor and employee information, security of the data is a primary concern. From an external standpoint, IT staff has evaluated BSA's security procedures including their access control, data center standards, redundancy and backup procedures and found them to meet industry standards. From an internal standpoint, access to data is controlled for each employee on a role-based platform, ensuring each employee can only access the accounts, modules, and data appropriate for their needs.

Springbrook Cloud Platform
Staff also evaluated the option to remain with Springbrook closely. To remain with Springbrook, an upgrade to the most current product version would be necessary. Implementation costs and time

necessary to implement and train staff would be lower than choosing a new vendor. Implementation costs to upgrade to the current version would be $14,320. Staff has identified several reasons why remaining with Springbrook would not be the best choice. As a part of the review process, Staff evaluated the Springbrook cloud platform and found it to be largely unchanged from the current version of the Springbrook software. As a result, Springbrook lacks capabilities such as effective document approval workflows, paperless Accounts Payable and Payroll processes, and easy to use, granular security that is common in most modern ERP platforms.

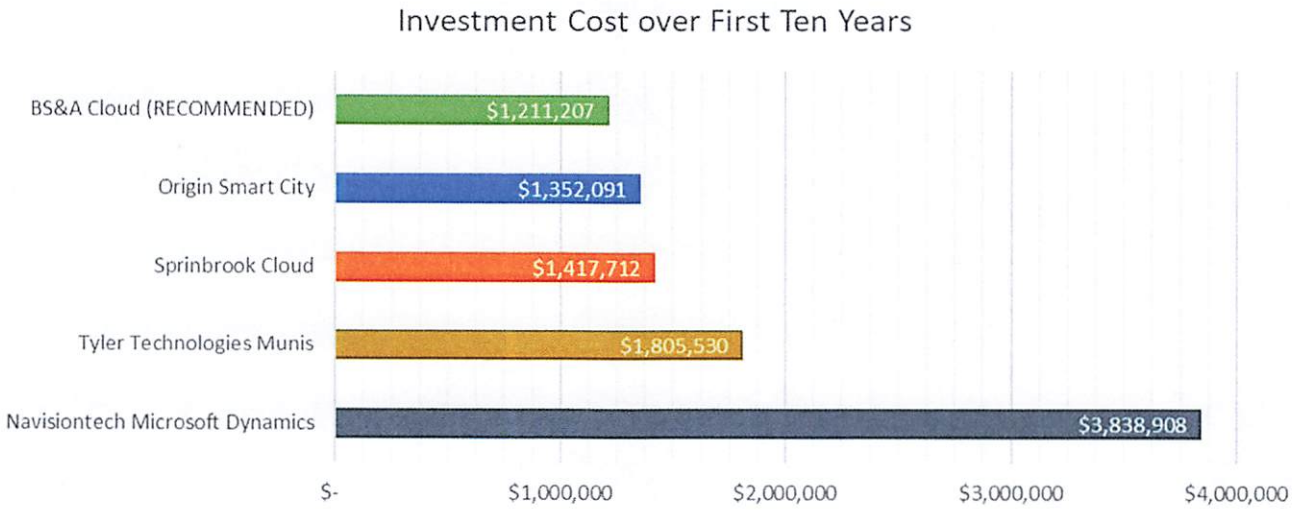
Origin Smart City
Staff evaluated the proposal from Origin Smart City, as proposed cost was not significantly higher than BSA. Origin Smart City is a combination of several independent software platforms, brought together in a unified presentation. After consideration, staff was concerned about the stability of the independent software platforms remaining unified in the long-term. Should any of the platforms need to be replaced with an alternate platform, staff would likely endure secondary implementation and training time which would be disruptive to operations. In addition, the unification of the independent software platforms into a functioning cohesive requires extensive custom programming which would be necessary any time a significant change were to be made in any of the independent software platforms. This requirement would not only increase costs throughout the life of the ERP software, but could also potentially delay the implementation of updates for the independent software platforms should they become available.

Tyler Technology's Munis
Staff reviewed Tyler Technology's proposal for their Munis product as well. The jump in price point was significantly above BSA and Springbrook. The Munis product is a quality municipal ERP and would certainly meet the needs of the City. However, staff did not see sufficient added functionality to justify the higher implementation price and the higher annual costs.

Costs:
In order to adopt any new software, implementation costs are incurred. These costs can be significant due to the amount of time to program and configure the software properly and transfer existing data, as well as comprehensive testing and training of City staff to fully use the software. The implementation costs are one-time costs. Beyond the first year, the only anticipated costs are annual subscription/maintenance fees.

The proposal to implement BSA software includes $331,935 for the first year, inclusive of all implementation, training, and subscription fees. Starting in the second year, the annual cost would be $83,085 for year two and grow by no more than 4% per year thereafter. The annual cost for BSA starting with year two is less than the annual cost for Springbrook as well as every other solution proposed. Even considering the implementation fees, by the sixth year, the cumulative investment in BSA is less costly than the Springbrook solution, which would only carry $14,320 in implementation costs to upgrade to the new platform.

The chart below reflects the anticipated investment cost of all five proposed software solutions, inclusive of implementation fees, annual subscription/maintenance fees and proposed maximum annual escalators as included in the proposals. As can be seen in the chart below, BSA is the least costly solution in the long-term. While most of the proposals carry an annual escalator of 4% to 5%, Navisiontech's Microsoft Dynamics solution is quoted as increasing up to 20% per year, which drastically sets them high on the chart.



Timing

Implementation would occur during fiscal year 2022/23. Staff will work closely with representatives of BSA to transfer historical and current data from the current system. BSA has agreed to be responsible for the majority of data entry, reducing the impact on City staff. The process to prepare for a product go-live is expected to take four to five months. Modules will be brought on line in stages, allowing for proper testing, training and parallel processing of critical elements, such as payroll or utility billing. If everything goes smoothly, all modules will be live before the end of fiscal year 2022/23. The BSA contract will be an annual contract, continuing until terminated.

As staff will still require Springbrook during the transition, the City will incur one final year of maintenance costs for Springbrook for fiscal year 2022/23. Springbrook denied a request from staff for bi-annual or quarterly pricing. As Springbrook is used to process most of the financial transactions of the City, staff is not comfortable eliminating maintenance of Springbrook during the transition phase. If a key function of Springbrook were to stop working, staff would rely on Springbrook to correct the issue and ensure City financial processes can continue without an impact to customers, internal and external.

City Special Council has reviewed and approved the proposed contract as presented.

Recommendation

Not only is BSA the least costly option, but staff is confident the BSA platform will increase efficiencies among staff in the Finance Department and throughout finance functions in other departments. Staff recommends and requests approval to enter into an agreement with BSA for financial software services. The first year of the contract with BS&A will total $331,935. The second year of the contract will be a total of $83,085, encompassing annual fees for service fees and hosting fees. After the second year, service fees will be subject to an increase of no more than 4% per year.

Votes Required to Pass:

Simple majority

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 agreement with Bellefeuil, Szur & Associates, Inc. ("BSA") for the implementation and annual maintenance of Enterprise Resource Planning Software in the amounts proposed, allowing for a 10% annual contingency for unforeseen changes in subscription needs.

DATED this 19th day of April, 2022.

CITY OF CRYSTAL LAKE, an
Illinois municipal corporation,

By:_____
MAYOR HAIG HALEBLIAN

SEAL

ATTEST

_____
CITY CLERK NICK KACHIROUBAS

PASSED: April 19, 2022
APPROVED: April 19, 2022

Draft

Agenda Item No: 24

City Council
Agenda Supplement

Meeting Date: April 19, 2022

Item: Proposed amendment to CHAPTER 397 Pollution, Section 5 Bonfires or Recreational Burning, including changes to the following; 397-5 A(2), B(1) Notification (b), and other items in Section B.

Staff Recommendation: Motion to adopt an Ordinance amending Chapter 397-5 of the City Code relating to Bonfires, Recreational Fires and Set Fires

Staff Contact: Paul DeRaedt, Fire Rescue Chief

Background:
For several decades, the City Code has required anyone wishing to have a recreational fire utilizing a portable container or fire pit must first obtain a permit from the City. This requirement is outlined in the City Code-Chapter 397 Pollution. Permits are issued at no cost to our residents. Each permit is valid for one year. In 2021, 721 recreational fire permits were issued. Each year, the number of permits issued only increases.

In the most recent version (2018) of the International Fire Code, which the City has adopted, recreational fire permits are now exempt.

The history of requiring a permit was to help ensure compliance with the City's Code. When an applicant applied for a recreational fire permit, Fire Rescue staff would review the code requirements printed on the permit with the applicant at the time of issuance.

If a complaint were received from a neighbor while burning was occurring, the Fire Rescue Department would dispatch a fire engine to evaluate the burning for compliance. We would also ask to see the homeowner's recreational fire permit. If the owner had a valid permit and burning complied with the City's ordinance, the burn was allowed to continue. If no permit was presented or burning was not incompliance, the fire was ordered to be extinguished.

Discussion:

Portable metal fire containers are widely available now. These devices previously caused confusion for municipalities when interpreting the Fire Code for permit issuance since all open burning was classified within a single category. In the adopted 2018 Fire Code, open burning has been broken down into several categories for permitting and recreational burning is now exempted from the permitting requirement.

With the increased use of technology and the City's adjudication process, the need for a recreational fire permit is no longer needed. Anyone desiring to have a recreational fire can now readily obtain information on recreational fire condition requirements on the City's website.

The only change being considered is to remove the requirement for a physical permit to be issued. Anyone wishing to have a recreational fire would still be required to comply with the recreational fire burning requirements.

The requirements in the adopted Fire Code for recreational fires including proper distance from a structure or combustible objects, and constant attendance while having a recreational fire. City amendments outlining material that can be burned would still be enforced.

Bonfires, which are allowed to be up to 5 feet x 5 feet in size, for a publicly sponsored celebration or event or organization-sponsored event, including schools, would still require the issuance of a permit. Other types of open burning identified in the adopted Fire Code, including set fires (as defined by §397-5), would also require the issuance of a permit.

Chapter 397 Pollution, Article I, 397-5 Bonfires and Recreational Burning, of the City Code would include changes to the following; A (2), B (1) Notification (b), and other items in Section B.

The Fire Rescue Department has seen great success in achieving code compliance through its practices incorporating; **Education** first, **Warning** second, and **Citation** issuance with appearance before the City's Administrative Law Judge as a last means of compliance. For the City Council's information, the Fire Rescue Department rarely issues citations.

Recommendation:

City staff recommends the changes to Chapter 397 Pollution, Section 5 Bonfires or Recreational Burning. City special legal counsel has reviewed and approved the changes to the City Code.

Votes Required to Pass:

Simple majority

Ordinance #:
File

ORDINANCE AMENDING SECTION 397-5 OF THE CITY CODE RELATING TO PERMIT REQUIREMENTS FOR RECREATIONAL FIRES WITHIN THE CITY OF CRYSTAL LAKE

WHEREAS, pursuant to §251-1 of the Crystal Lake City Code, the City has adopted, by reference, the 2018 International Fire Code (the "2018 Fire Code"); and

WHEREAS, prior versions of the International Fire Code which had been adopted by the City required that a permit be issued for recreational fires within the City; and

WHEREAS, §397-5 of the City Code currently establishes regulations pertaining to both bonfires and recreational fires and further requires that any person who seeks to utilize a recreational fire must first apply for and obtain an annual permit for such recreational fires; and

WHEREAS, in light of the widespread availability of portable metal fire containers the 2018 Fire Code exempted recreational fires from the permitting process; and

WHEREAS, in order to remain consistent with the 2018 Fire Code, and in light of the readily available access to the City's regulations regarding recreational fires on the City's website, the Mayor and City Council believe that is in the best interest of the City and its residents to eliminate the annual permitting requirement for recreational fires set forth in §397-5 of the City Code.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE THAT:

SECTION ONE. Recitals. The foregoing recitals are incorporated as though fully set forth herein.

SECTION TWO. Amendment to Section 397-5 of the City Code. Section 397-5 of the City Code is hereby amended as follows:

[Additions are denoted in **bold** and underlined and deletions are denoted by ~~strikethroughs~~]

§ 397-5 **Bonfires or recreational burning.**
No person shall cause, suffer, allow or permit open burning, including the burning of garbage, refuse,

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rubbish in any manner, with the exception of those in conformity with the provisions of this section as defined in this section, except upon a permit duly issued by the Fire Rescue Chief of the Fire Rescue Department of the City of Crystal Lake or designated representative.

A. Burning in an open fire, provided that it is not contrary to any other federal, state, or local law, ordinance, rule or regulation, will be permitted for the following upon a permit duly issued by the Fire Rescue Chief of the Fire Rescue Department of the City of Crystal Lake or his or her designated representative and shall be solely for recreational purposes. **Recreational fires and campfires are exempt from the permit requirement:**

(1) Bonfires. Bonfires shall be permitted only for a publicly sponsored celebration or event, or for an organization-sponsored event, or for a public or private school-sponsored event, and shall be subject to meeting all requirements of the annual ~~recreational~~ **set fire**/bonfire permit application obtained from and filed with the Crystal Lake Fire Rescue Department.

(2) Recreational fires or campfires. Small recreational fires, including campfires, shall be permitted~~, but shall be subject to meeting all requirements of the annual recreational fire/bonfire permit application obtained from and filed with the /Crystal Lake Fire Rescue Department and~~ **Recreational fires or campfires** shall be contained to a device designed to hold a small fire, such as an outdoor fireplace, or commercially manufactured steel or ceramic portable fireplace, including chimineas, and portable fire pits, and used according to the manufacturer's directions. Stationary fire pits shall also be permitted and shall be built in a below-ground pit surrounded on the outside by a noncombustible material such as concrete block, metal or rocks with a minimum depth of 10 inches.

(3) Outdoor cooking. Open burning will be permitted for outdoor cooking when the fire is limited to the minimal size necessary and contained in a device or cooking utensil commonly referred to as a "grill" or "hibachi" and designed for outdoor cooking purposes. All applicable and/or reasonable safety precautions shall be taken when using said devices or utensils.

(4) Set fires. Fires set or approved by the Fire Rescue Department for practice of fire-fighter or rescue personnel, instructing the public, testing fire equipment, or for other Fire Rescue or law enforcement purposes shall be permitted. A permit will be required for all entities conducting open burning for the above purposes.

B. Annual ~~recreational~~ **set** fire/bonfire permit issuance. Any person, firm or corporation requesting a permit for a ~~recreational~~ **set** fire/bonfire shall submit an application, containing at a minimum the purpose of the proposed burning, nature and the quantities of material to be burned, and location of the burning site to the Crystal Lake Fire Rescue Department upon a form provided by the Crystal Lake Fire Rescue Department, which shall have the authority to approve such permits. The Crystal Lake Fire Rescue Department will use the standards as set forth in the International Fire Code at the time of application. All recreational fire**s,** ~~/bonfire permit requests~~ **set fires and bonfires** shall **further** be subject to the following conditions:

(1) Notification.

Draft

(a) Annual applications for bonfires shall be submitted in writing at least 10 days before the fire is set. Bonfires shall not be ignited prior to an on-site inspection of the location where the bonfire is to take place and shall be subject to any and all conditions or restrictions the Crystal Lake Fire Rescue Department may impose for the safety of life and property. After receipt of the bonfire permit, the permit holder must call the Crystal Lake Fire Rescue Department at least 10 days prior to each time that a bonfire will take place.

(b) Annual applications **for set fires** ~~recreational fires and campfires~~ shall be submitted in writing at least ~~two~~ **10** days before the first fire is set.

(2) Owner. All permits shall be requested by and issued only to the owner of land upon which the open burn is to be kindled.

(3) Attendance. A responsible party, over the age of 17, shall constantly attend any bonfire or recreational burning until the fire is completely extinguished at the end of the permit time. Fire-extinguishing equipment shall be available for immediate use.

(4) Location requirements. The location for stationary fire pits or commercially manufactured steel or ceramic portable fireplaces, including chimineas and portable fire pits, shall not be less than 15 feet from any structure (habitable or accessory), combustible materials (wooden fences, decks, play structures, etc.) and the permit holder's property lines.

(5) Dimension. A bonfire shall not be more than five feet by five feet in dimension. A recreational campfire shall not be more than three feet in diameter and two feet in height of pile size.

(6) Duration. Any bonfire or recreational burning shall not burn longer than three hours and shall be extinguished no later than 12:00 midnight.

(7) The Crystal Lake Fire Rescue Department or its designated enforcement representative shall prohibit recreational burning which will be offensive, objectionable, or create a nuisance due to smoke or odor emissions when atmospheric conditions or local circumstances make such fires hazardous to life or property. The Crystal Lake Fire Rescue Department may order the extinguishment, by the permit holder**/property owner** or the Fire Rescue Department, of any recreational burning that creates or adds to a hazardous or objectionable situation.

(8) Permit duration. Each ~~recreational~~ set fire/bonfire permit shall be issued for the appropriate calendar year and must be renewed on an annual basis.

(9) Fuel for the recreational fire, campfire or bonfire will consist of only seasoned, dry firewood and be ignited with a small quantity of paper.

C. Control of fires within the City. If, in the opinion of the Fire Rescue Chief, or his/her designated representative, weather conditions are such that the starting or the continuation of burning is a risk to life, health or property within the City, he/she shall have the right to declare that any and all burning shall cease immediately until further notice.

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D. Enforcement. The Fire Rescue Chief and such personnel as he or she shall designate are hereby vested with authority to enforce the provisions of this section. The Fire Rescue Department is hereby authorized to extinguish any **set fire,** bonfire or recreational burning fire being conducted in violation of any of the provisions of this section.

E. Penalties for offenses. The Fire Rescue Chief or his/her designated representative shall investigate all violations of the annual ~~recreational~~ **set** fire/bonfire request and shall have the authority, upon completion of such investigation, to revoke the permit for the permit site for the duration of the permit. A violation of the provisions of this section shall be grounds for the denial for future annual ~~recreational~~ **set** fire/bonfire permits. Additionally, any person violating any provision of this section**, including recreational fire conditions,** shall be, upon conviction, fined pursuant to the provisions of Chapter 1, Article II, General Penalty, for each offense; and every day's failure to comply with any such provision may constitute a separate violation.

SECTION THREE. Effective Date. This Ordinance shall be in full force and effect after its passage, approval, and publication in pamphlet form in the manner provided by law.

DATED this 19th day of April, 2022

APPROVED:

_____
Haig Haleblian, MAYOR

ATTEST:

_____
Nick Kachiroubas, CITY CLERK

PASSED: April, 19, 2022
APPROVED: April 19, 2022

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

Draft

101094498

105.6.26 Liquid- or gas-fueled vehicles or equipment in assembly buildings. An operational permit is required to display, operate or demonstrate liquid- or gas-fueled vehicles or equipment in assembly buildings.

105.6.27 LP-gas. An operational permit is required for:

1. Storage and use of LP-gas.

   Exception: A permit is not required for individual containers with a 500-gallon (1893 L) water capacity or less or multiple container systems having an aggregate quantity not exceeding 500 gallons (1893 L), serving occupancies in Group R-3.

2. Operation of cargo tankers that transport LP-gas.

105.6.28 Magnesium. An operational permit is required to melt, cast, heat treat or grind more than 10 pounds (4.54 kg) of magnesium.

105.6.29 Miscellaneous combustible storage. An operational permit is required to store in any building or on any premises in excess of 2,500 cubic feet (71 m^3) gross volume of combustible empty packing cases, boxes, barrels or similar containers, combustible pallets, rubber tires, rubber, cork or similar combustible material.

105.6.30 Mobile food preparation vehicles. A permit is required for mobile food preparation vehicles equipped with appliances that produce smoke or grease-laden vapors.

105.6.31 Motor fuel-dispensing facilities. An operational permit is required for the operation of automotive, marine and fleet motor fuel-dispensing facilities.

105.6.32 Open burning. An operational permit is required for the kindling or maintaining of an open fire or a fire on any public street, alley, road, or other public or private ground. Instructions and stipulations of the permit shall be adhered to.

Exception: *Recreational fires.*

105.6.33 Open flames and torches. An operational permit is required to remove paint with a torch; or to use a torch or open-flame device in a wildfire risk area.

105.6.34 Open flames and candles. An operational permit is required to use open flames or candles in connection with assembly areas, dining areas of restaurants or drinking establishments.

105.6.35 Organic coatings. An operational permit is required for any organic-coating manufacturing operation producing more than 1 gallon (4 L) of an organic coating in one day.

[A] 105.6.36 Outdoor assembly event. An operational permit is required to conduct an *outdoor assembly event* where planned attendance exceeds 1,000 persons.

105.6.37 Places of assembly. An operational permit is required to operate a place of assembly.

[A] 105.6.38 Plant extraction systems. An operational permit is required to use plant extraction systems.

105.6.39 Private fire hydrants. An operational permit is required for the removal from service, use or operation of private fire hydrants.

Exception: A permit is not required for private industry with trained maintenance personnel, private fire brigade or fire departments to maintain, test and use private hydrants.

105.6.40 Pyrotechnic special effects material. An operational permit is required for use and handling of pyrotechnic special effects material.

105.6.41 Pyroxylin plastics. An operational permit is required for storage or handling of more than 25 pounds (11 kg) of cellulose nitrate (pyroxylin) plastics, and for the assembly or manufacture of articles involving pyroxylin plastics.

105.6.42 Refrigeration equipment. An operational permit is required to operate a mechanical refrigeration unit or system regulated by Chapter 6.

105.6.43 Repair garages and motor fuel-dispensing facilities. An operational permit is required for operation of repair garages.

105.6.44 Rooftop heliports. An operational permit is required for the operation of a rooftop heliport.

105.6.45 Spraying or dipping. An operational permit is required to conduct a spraying or dipping operation utilizing flammable or *combustible liquids*, or the application of combustible powders regulated by Chapter 24.

105.6.46 Storage of scrap tires and tire byproducts. An operational permit is required to establish, conduct or maintain storage of scrap tires and tire byproducts that exceeds 2,500 cubic feet (71 m^3) of total volume of scrap tires, and for indoor storage of tires and tire byproducts.

105.6.47 Temporary membrane structures and tents. An operational permit is required to operate an air-supported temporary membrane structure, a temporary *special event structure* or a tent having an area in excess of 400 square feet (37 m^2).

Exceptions:

1. Tents used exclusively for recreational camping purposes.
2. Tents open on all sides, which comply with all of the following:
   2.1. Individual tents having a maximum size of 700 square feet (65 m^2).
   2.2. The aggregate area of multiple tents placed side by side without a fire break clearance of not less than 12 feet (3658 mm) shall not exceed 700 square feet (65 m^2) total.
   2.3. A minimum clearance of 12 feet (3658 mm) to structures and other tents shall be provided.

105.6.48 Tire-rebuilding plants. An operational permit is required for the operation and maintenance of a tire-rebuilding plant.

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Agenda Item No: 25

City Council
Agenda Supplement

Meeting Date: April 19, 2022

Item: Randall Road Improvement Resolution

Staff Recommendation: Motion to approve a Resolution making recommendations to McHenry County Division of Transportation (MCDOT) for the Northern Section of Randall Road Improvement

Staff Contact: Michael P Magnuson, Director of Public Works and Engineering
Abigail Wilgreen, City Engineer

Background:
The attached Resolution outlines the items discussed by City Council at the April 5, 2022 City Council meeting regarding the MCDOT improvement to the northern section of Randall Road. It states:

- Support for the improvement with three through lanes in each direction
- Right-in/right-out access at Angela Lane
- Signalized "Continuous Green-T" configuration at Village Road
- Signalized intersection (similar to signals along Randall Road in southern section at commercial entrances) at Alexandra Boulevard to permit left-turns in if warranted by additional analysis
- Six foot wide sidewalk on west side and an off-street multi-use path on the east side of Randall Road. Both facilities should be as far from the edge of pavement as feasible.
- Addition of a grade-separated pedestrian crossing somewhere between McHenry Avenue and Angela Lane
- Use of traffic calming measures along Golf Course Road during construction as well as evaluation and use of temporary traffic signals at Golf Course Road and Miller Road and/or Randall Road and Village Road intersections.

Votes Required to Pass:
Simple Majority of the Council.

RESOLUTION

WHEREAS, Randall Road is a major arterial roadway in southeastern McHenry County, connecting the communities of Crystal Lake, Lake in the Hills, and Algonquin; and

WHEREAS, Randall Road serves as a regional route providing access to Interstate 90 and beyond, and

WHEREAS, the County of McHenry has jurisdiction over Randall Road; and

WHEREAS, Randall Road is partially located within the corporate boundaries of the City of Crystal Lake; and

WHEREAS, the City of Crystal Lake passed a resolution on June 3, 2008 outlining the City's expectations for the improvement; and

WHEREAS, the McHenry County Division of Transportation is initiating final engineering regarding the portion within the City of Crystal Lake corporate limits.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE as follows:

1. The City of Crystal Lake acknowledges the need for the improvements to address current and future travel demands for not only the citizens of Crystal Lake but also the region and supports the project.

Draft

2. The City of Crystal Lake supports the option to provide a total of three through lanes in each direction without the use of High Occupancy Vehicle (HOV) lanes.
3. The City of Crystal Lake is supportive of the proposed right-in/right-out access at the Angela Lane intersection.
4. The City of Crystal Lake is supportive of the signalization of the Village Road intersection and the use of a "Continuous Green-T" configuration.
5. If warranted by additional analysis, the City of Crystal Lake recommends that the County consider the use of a traffic signal at Alexandra Boulevard which allows for northbound left turn movements from Randall Road onto Alexandra Boulevard similar to the traffic signals recently installed at the shopping center access points along Randall Road in Algonquin and Lake in the Hills in order to:
    a. Take advantage of Alexandra Boulevard's functional classification as a collector street and that connects Randall Road as far west as Swanson Road.
    b. Provide safer access to the motorists impacted by the increased number of through lanes, high operating speed, and curved alignment of Randall Road through the use of a protected left-turn signal phase.
    c. Support the recently completed and proposed development that has been established on and around Alexandra Boulevard.
6. The City of Crystal Lake supports the use of a six foot wide sidewalk on the west side of Randall Road and an off-street multi-use path on the east side of Randall Road located as far away as possible from the Randall Road traffic lanes.

Draft

7. The City of Crystal Lake supports the addition of a grade-separated pedestrian crossing somewhere between McHenry Avenue and Angela Lane that would enhance the safety of the area bicycle/pedestrian network.
8. The City of Crystal Lake requests that during construction traffic calming measures are installed along Golf Course Road and a temporary traffic signal at Golf Course Road and Miller Road intersection and/or Randall Road and Village Road intersection is evaluated and installed.

DATED this 19th day of April, 2022.

CITY OF CRYSTAL LAKE, an Illinois Municipal Corporation

BY: _____
Haig Haleblian, MAYOR

SEAL

ATTEST:

_____
Nick Kachiroubas, CITY CLERK

PASSED: April 19, 2022

APPROVED: April 19, 2022

Draft

Agenda Item No: 26

City Council
Agenda Supplement

Meeting Date: April 19, 2022

Item: General Obligation Bonds, Series 2022 and the Refunding of Series 2012 and 2013 Bonds

Staff Recommendation: 1. A motion adopting a Resolution authorizing the development of a financing plan for the issuance of General Obligation Bonds, Series 2022 and the refunding of Series 2012 and Series 2013A bonds, and authorizing the City Manager to execute agreements for services related to the development of a financing plan for the issuance of General Obligation Bonds, Series 2022 and the refunding of Series 2012 and Series 2013A bonds.

2. A motion adopting an Ordinance providing for the issuance of not to exceed $18,000,000 General Obligation Bonds of the City of Crystal Lake, McHenry County, Illinois, for the purpose of financing certain capital improvements within the City and refunding certain outstanding bonds of the City, providing for the levy and collection of a direct annual tax for the payment of the principal of and interest on said bonds, authorizing the sale of said bonds to the purchasers thereof and providing for the execution of an escrow agreement in connection with such issuance.

Staff Contact: Jodie Hartman, Director of Finance

Background

At the April 5, 2022 City Council meeting, the City Council adopted the fiscal year 2022/23 Annual Budget. Included as part of the budget is financing for certain improvements to the City's water and sewer infrastructure with a general obligation bond issuance. These projects include:

POTABLE WATER AND SANITARY SEWER PROJECTS

- **Dole Avenue Water Main:** Replacement of 0.9 miles of existing aging water main, valves, fire hydrants and related appurtenances on Dole Avenue between Lake Shore Drive and Crystal Lake Avenue. The water main work will be completed in advance of the Dole Avenue reconstruction project.

- **Sanitary Sewer Pumping (Lift) Station 16 Rehabilitation:** Pump Station 16 was last rehabilitated in 1991 (31 years) old. The pumps, generator and electrical equipment are being replaced. The station's dry wells and wet wells will be cleaned, recoated and corrosion protection added to extend their life.

- **New Deep Well 19 and Transmission Main:** This project will construct a new potable water well and transmission water main to convey the water to the City's existing Water Treatment Plant 2. Work will include drilling the new well, pumps, motors, generators and electrical controls. Water main work includes excavation, installation of water main, valves, hydrants and restoration of disturbed areas.

STORM WATER PROJECTS

- **Reestablishment of Crystal Creek:** Crystal Creek is currently an open channel from the outlet of Crystal Lake to the City limits near Rakow Road. One exception exists within the stretch between Highland Avenue and St. Andrews Lane, where Crystal Creek enters two undersized failing storm sewers. The proposed project will restore to a natural state this section of Crystal Creek that was put underground in the 1950's. This activity will help mitigate the ongoing flooding issues, and future flooding issues, of upstream residents. Creation of new natural habits will provide an ecological benefit while also providing educational opportunities for the elementary and middle school students that are adjacent to the project.

The attached Ordinance puts into place the process for the issuance of debt issuance to fund $7,700,000 in these projects as well as $9,180,000 to refinance 2012 Series and 2013A Series bonds that had been previously issued. The 2012 Series bonds were originally issued September 2012 for $9.13 million. This was a combination of $4,930,000 million in new money for capital projects and to refinance the City's 2004 callable bonds for interest rate savings. The 2012 bonds have an aggregate outstanding callable balance of $3,035,000 at gross interest rates ranging from 2% to 2.625%. The Series 2013A bonds were originally issued July 2013 for $9,465,000 million to fund various water and sewer improvements. The Series 2013A bonds have an outstanding balance of $6,145,000 at a gross interest rate of 4%, which will be callable this September. Based on current market conditions, the attached financial analysis indicates that the City could realize a total savings of $345,807.

The 2022 issuance will be divided into four issuances. Series 2022A and 2022B combined will represent the new funds for the capital projects. The issuance of both Series 2022A and 2022B will be competitive sales. Series C represents the refunding of the 2013A bonds and Series D the refunding of the Series 2012 bonds. Both Series C and D will be done through direct placement. The 2013A refunding will request advance bids from interested financial institutions, for closing in the fall once the bond becomes callable. This will preserve the tax-exempt status of the issuance, while hopefully locking in lower interest rates than the current issuance. Should the bids not be favorable for the City, the bids can be rejected by the City and the current bond ordinances would remain intact. The 2012 Series bonds are callable now; however, savings may not be possible given the already low interest rates. If a minimum savings amount equal to 1.5% of the 2012 refunded is not received, the bids for the direct placement of the 2022D bonds will be rejected.

Repayment of the bonds will be made using available revenues from the Water and Sewer Operating Fund, such as user charges and the utility taxes. As the issuances will be general obligation, the bond ordinance does require a provision for a property tax levy, which the City plans to abate each year. This abatement will prevent the levy from being applied to the taxpayers. Financial projections demonstrate sufficient capacity within the Water & Sewer Funds to support repayment without need for a levy.

Recommendation

The attached Resolution authorizes the development of a borrowing plan for General Obligation Bonds, Series 2022 and the refunding of Series 2012 and 2013A bonds, and authorizes the City Manager to execute agreements for services related for the funding of these projects. The agreement for services related to these projects include bond counsel, financial advisor, placement agent (2022C and 2022D), rating service, bond registrar/paying agent, escrow agent and other related services. Fees paid to funding service providers will be part of the financing proceeds.

The attached Ordinance provides for the issuance of the General Obligation Bonds. The attached Ordinance allows the Mayor to execute the required documents following the bond sales. The results of the 2022A and 2022B bond sales will be presented to the City Council at the May 3, 2022 City Council meeting, and the results of the 2022C and 2022D bond sales will be presented to the City Council at the May 17, 2022 City Council meeting.

City Special Bond Council has prepared and approved the ordinance as presented.

Votes Required to Pass:
Simple Majority

RESOLUTION AUTHORIZING THE DEVELOPMENT OF A FINANCING PLAN FOR GENERAL OBLIGATION BONDS, SERIES 2022 AND REFUNDING OF SERIES 2012 AND 2013A BONDS

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CRYSTAL LAKE, ILLINOIS, AS FOLLOWS:

Section 1. Funding Plan. The City Manager and the City Finance Director, together with the City's Financial Advisor, and the City's Bond Counsel, are authorized to prepare and present to this City Council, a plan for the issuance of General Obligation Bonds, Series 2022 and the refunding of General Obligation Bonds, Series 2012 and 2013A.

Section 2. Service Providers. The City Manager be and he is hereby authorized and directed to execute agreements for services related to the issuance of General Obligation Bonds, Series 2022 and the refunding of General Obligation Bonds, Series 2012 and 2013A including:

ITEM	PROVIDER	FEE
Financial Advisor	PMA Securities, LLC	$25,000
Bond Counsel	Chapman and Cutler LLP	$45,000
Rating Service	S&P Global Ratings	$19,500
Bond Registrar / Paying Agent*	Amalgamated Bank of Chicago	$1,800
Redemption Fees*	Amalgamated Bank of Chicago	$1,000
Placement Agent	Stifel Public Finance	$12,500
	Total Estimate Cost of Issuance	**$104,800**

*Fee estimates at this time.

Fees paid to funding service providers will be part of the financing proceeds.

DATED this 19th day of April, 2022

CITY OF CRYSTAL LAKE, an
Illinois Municipal Corporation,

By:_____
MAYOR HAIG HALEBLIAN

SEAL

ATTEST

_____
CITY CLERK NICK KACHIROUBAS

Draft

EXTRACT OF MINUTES of the regular public meeting of the City Council of the City of Crystal Lake, McHenry County, Illinois, held at the City Council Chambers, City Hall, located at 100 West Woodstock Street, in said City, at 7:00 p.m., on Tuesday, the 19th day of April, 2022.

The Mayor called the meeting to order and directed the City Clerk to call the roll.

Upon the roll being called, Haig Haleblian, the Mayor and the following Councilmembers answered physically present at said location:_____

_____ .

The following Councilmembers were allowed by a majority of the members of the City Council in accordance with and to the extent allowed by rules adopted by the City Council to attend the meeting by video or audio conference: _____

_____ .

No Councilmember was not permitted to attend the meeting by video or audio conference.

The following Councilmembers were absent and did not participate in the meeting in any manner or to any extent whatsoever: _____

_____ .

The City Council then discussed the proposed bond financing for the City and considered an ordinance providing for the issuance of not to exceed $18,000,000 general obligation bonds of the City and providing for the levy and collection of a direct annual tax for the payment of the principal of and interest on said bonds.

Thereupon, the City Clerk presented, the Director of Finance explained, and there was incorporated into the record in full the following ordinance:

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> AN ORDINANCE providing for the issuance of not to exceed $18,000,000 General Obligation Bonds of the City of Crystal Lake, McHenry County, Illinois, for the purpose of financing capital improvements within the City and refunding certain outstanding bonds of the City, providing for the levy and collection of a direct annual tax for the payment of the principal of and interest on said bonds, authorizing the sale of said bonds to the purchasers thereof and providing for the execution of an escrow agreement in connection with such issuance.

(the *"Bond Ordinance"*).

Councilmember _____ moved and Councilmember _____ seconded the motion that the Bond Ordinance as presented be adopted.

A City Council discussion of the matter followed. During the City Council discussion, the Director of Finance gave a public recital of the nature of the matter, which included a reading of the title of the ordinance and statements (1) that the ordinance provided for the issuance of general obligation bonds for the purpose of paying the costs of certain capital improvements within the City and refunding certain outstanding bonds of the City, and in connection with said refunding, it may be necessary for the City to enter into an escrow agreement, (2) that the bonds are issuable without referendum pursuant to the home rule powers of the City, (3) that the ordinance provides for the levy of taxes to pay the bonds, (4) that the ordinance authorizes the sale of the bonds, (5) that the ordinance authorizes said escrow agreement and (6) that the ordinance provides many details for the bonds, including tax-exempt status covenants, provision for terms and form of the bonds, and appropriations.

The Mayor directed that the roll be called for a vote upon the motion to adopt the ordinance.

Upon the roll being called, the following Councilmembers voted AYE: _____

_____

and the following Councilmembers voted NAY: _____ .

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WHEREUPON, the Mayor declared the motion carried and the ordinance adopted, and henceforth did approve and sign the same in open meeting, and did direct the City Clerk to record the same in full in the records of the City Council of the City of Crystal Lake, McHenry County, Illinois.

Other business was duly transacted at said meeting.

Upon motion duly made and carried, the meeting adjourned.

_____

City Clerk

Draft

ORDINANCE NUMBER _____

AN ORDINANCE providing for the issuance of not to exceed $18,000,000 General Obligation Bonds of the City of Crystal Lake, McHenry County, Illinois, for the purpose of financing capital improvements within the City and refunding certain outstanding bonds of the City, providing for the levy and collection of a direct annual tax for the payment of the principal of and interest on said bonds, authorizing the sale of said bonds to the purchasers thereof and providing for the execution of an escrow agreement in connection with such issuance.

Adopted by the City Council of the City of Crystal Lake, McHenry County, Illinois, on the 19th day of April, 2022.

Draft

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This Table of Contents is for convenience only and is not a part of the Ordinance.

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ORDINANCE NUMBER _____

AN ORDINANCE providing for the issuance of not to exceed $18,000,000 General Obligation Bonds of the City of Crystal Lake, McHenry County, Illinois, for the purpose of financing certain capital improvements within the City and refunding certain outstanding bonds of the City, providing for the levy and collection of a direct annual tax for the payment of the principal of and interest on said bonds, authorizing the sale of said bonds to the purchasers thereof and providing for the execution of an escrow agreement in connection with such issuance.

WHEREAS by virtue of its population, the City of Crystal Lake, McHenry County, Illinois (the *"City"*), and pursuant to the provisions of Section 6 of Article VII of the Constitution of the State of Illinois (the *"Illinois Constitution"*), the City is a home rule unit and may exercise any power or perform any function pertaining to its government and affairs including, but not limited to, the power to tax and to incur debt; and

WHEREAS pursuant to the provisions of said Section 6, the City has the power to incur debt payable from ad valorem property tax receipts or from any other lawful source and maturing within 40 years from the time it is incurred without prior referendum approval; and

WHEREAS the City Council of the City (the *"Council"*) has considered the needs of the City and has heretofore determined and does hereby determine that it is advisable, necessary and in the best interests of the City to construct capital improvements within the City, including the following:

1. Dole Avenue Water Main;
2. Sanitary Sewer Pumping (Lift) Station 16 Rehabilitation;
3. New Deep Well 19 and Transmission Main;
4. Reestablishment of Crystal Creek; and
5. Edgewater Drive Storm Water Storage

Draft

(all of such improvements to be collectively known as the *"Project"*), all as shown in the plans and cost estimates as prepared by the City Engineer and on file with the City Clerk; and

WHEREAS the estimated cost to the City of the Project being financed with proceeds of the Project Bonds (as hereinafter defined) does not exceed the sum of $8,500,000 plus any estimated available amount of interest earnings on said sum prior to its expenditure; and

WHEREAS there are insufficient funds on hand and available to pay the costs of the Project, and it is necessary for that purpose that a sum to pay a portion of such costs be borrowed, and in evidence of such indebtedness, general obligation bonds of the City be issued in the principal amount of not to exceed $8,500,000, and that such indebtedness be incurred in accordance with the Act (as hereinafter defined); and

WHEREAS the Council does hereby determine that it is advisable and in the best interests of the City to borrow not to exceed $8,500,000 at this time pursuant to the Act for the purpose of paying the costs of the Project and, in evidence of such borrowing, issue its full faith and credit bonds in the principal amount of not to exceed $8,500,000 (the *"Project Bonds"*); and

WHEREAS the City has heretofore issued the following outstanding and validly subsisting and unpaid general obligation bonds (the *"Series 2012 Bonds"*):

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GENERAL OBLIGATION BONDS, SERIES 2012

Original principal amount: $9,235,000

Dated: October 9, 2012

Originally due serially: 2012-2032

Amount outstanding: $3,035,000

Due on December 15, and described as follows:

YEAR	AMOUNT OUTSTANDING ($)	RATE OF INTEREST (%)
2022	245,000	2.00
2023	250,000	2.00
2024	260,000	2.00
2025	265,000	2.00
2026	270,000	2.13
2027	275,000	2.25
2028	280,000	2.38
2029	285,000	2.38
2030	295,000	2.50
2031	300,000	2.50
2032	310,000	2.63

which bonds are subject to redemption prior to maturity at the option of the City, from any available funds, on any date on or after December 15, 2021, at the redemption price of par plus accrued interest to the redemption date; and

WHEREAS the City has heretofore issued the following outstanding and validly subsisting and unpaid general obligation bonds (the *"Series 2013A Bonds"* and, together with the Series 2012 Bonds, the *"Prior Bonds"*):

Draft

GENERAL OBLIGATION BONDS, SERIES 2013A

Original principal amount: $9,465,000

Dated: July 10, 2013

Originally due serially: 2014-2033

Amount outstanding: $6,585,000

Due on December 15, and described as follows:

YEAR	AMOUNT OUTSTANDING ($)	RATE OF INTEREST (%)
2022	440,000	4.00
2023	455,000	4.00
2024	475,000	4.00
2025	490,000	4.00
2026	510,000	4.00
2027	535,000	4.00
2028	555,000	4.00
2029	575,000	4.00
2030	600,000	4.00
2031	625,000	4.00
2032	650,000	4.00
2033	675,000	4.00

which bonds are subject to redemption prior to maturity at the option of the City, from any available funds, on any date on or after December 15, 2022, at the redemption price of par plus accrued interest to the redemption date; and

WHEREAS for the amounts and maturities of the Prior Bonds to be refunded (the *"Refunded Bonds"*), interest rates are now more favorable in the market for tax-exempt municipal bonds than they were at the time the Prior Bonds were issued; and it is possible to refund the Refunded Bonds to realize debt service savings; and

WHEREAS the Refunded Bonds shall be fully described in the Bond Notification (as hereinafter defined) or Escrow Agreement (as hereinafter defined); and

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WHEREAS pursuant to the provisions of the Act, the City is authorized to borrow money and to issue its general obligation bonds to accomplish the refunding (the *"Refunding"*) of the Refunded Bonds for the purpose of realizing such net debt service savings, which Refunding is defined to include the payment of related costs of issuance of the Refunding; and

WHEREAS there are insufficient funds on hand and available to accomplish the Refunding, and it is necessary for that purpose that a sum to pay such costs be borrowed, and in evidence of such indebtedness, general obligation bonds of the City be issued in the principal amount of not to exceed $9,500,000, and that such indebtedness be incurred in accordance with the Act; and

WHEREAS the Council does hereby determine that it is advisable and in the best interests of the City to borrow not to exceed $9,500,000 at this time pursuant to the Act for the purpose of accomplishing the Refunding and, in evidence of such borrowing, issue its full faith and credit bonds in the principal amount of not to exceed $9,500,000 (the *"Refunding Bonds"*); and

WHEREAS in accordance with the terms of the Prior Bonds, certain of the Refunded Bonds may be called for redemption in advance of their maturity, and it is necessary and desirable to make such call for the redemption of such Refunded Bonds at their earliest possible or practicable call date and provide for the giving of proper notice to the registered owners of such Refunded Bonds:

NOW THEREFORE Be It Ordained by the City Council of the City of Crystal Lake, McHenry County, Illinois, in the exercise of its home rule powers, as follows:

Section 1. Definitions. In addition to such other words and terms used and defined in this Ordinance, the following words and terms used in this Ordinance shall have the following meanings, unless, in either case, the context or use clearly indicates another or different meaning is intended:

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"*Act*" means, collectively, the Illinois Municipal Code, as amended, the Debt Reform Act, as supplemental authority to said Code, and also the home rule powers of the City under Section 6 of Article VII of the Illinois Constitution; and, in the event of conflict between the provisions of said Code and home rule powers, the home rule powers shall be deemed to supersede the provisions of said Code.

"*Bond*" or "*Bonds*" means one or more, as applicable, of the not to exceed $18,000,000 General Obligation Bonds authorized to be issued by this Ordinance.

"*Bond Fund*" means the Bond Fund established and defined in Section 16 of this Ordinance.

"*Bond Moneys*" means the Pledged Taxes and any other moneys deposited into the Bond Fund and investment income earned in the Bond Fund.

"*Bond Notification*" means the applicable Bond Notification as authorized to be executed by the Designated Representatives of the City in Section 15 of this Ordinance and by which the final terms of each series of Bonds will be established.

"*Bond Purchase Contract*" means each contract for the sale of Bonds by and between the City and the Purchaser of such Bonds.

"*Bond Register*" means the books of the City kept by the Bond Registrar to evidence the registration and transfer of the Bonds.

"*Bond Registrar*" means the Treasurer, the Purchaser, or a bank and trust company authorized to do business in the State as set forth in the Bond Notification, or a successor thereto or a successor designated as Bond Registrar hereunder.

"*City Clerk*" means the City Clerk of the City.

"*Code*" means the Internal Revenue Code of 1986, as amended.

"*County Clerk*" means the County Clerk of The County of McHenry, Illinois.

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"*Debt Reform Act*" means the Local Government Debt Reform Act, as amended.

"*Designated Representatives*" means (i) the Mayor and (ii) either the Director of Finance of the City or the Assistant Director of Finance of the City.

"*Escrow Agent*" means the escrow agent under the Escrow Agreement (which shall be a bank or trust company authorized to do business in the State) as set forth in the Escrow Agreement, with the powers and duties set forth therein, or successor as therein provided.

"*Escrow Agreement*" means the Escrow Agreement by and between the City and the Escrow Agent as authorized in Section 16 of this Ordinance, substantially in the form as attached hereto as *Exhibit A* and made a part hereof by this reference, or with such changes therein as shall be approved by the officers of the City executing the Escrow Agreement, such execution to constitute evidence of the approval of such changes.

"*Mayor*" means the Mayor of the City.

"*Ordinance*" means this Ordinance, numbered as set forth on the title page hereof, and passed by the Council on the 19th day of April, 2022.

"*Paying Agent*" means the Treasurer, the Purchaser, or a bank and trust company authorized to do business in the State as set forth in the Bond Notification, or a successor thereto or a successor designated as Paying Agent hereunder.

"*Pledged Taxes*" means the taxes levied on the taxable property within the City to pay principal of and interest on the Bonds as made in Section 13 hereof.

"*Project*" means the improvements described in the preambles hereto.

"*Purchase Price*" means the price to be paid by the Purchaser for each series of Bonds as set forth in the Bond Notification thereof.

"*Purchaser*" means the purchaser of each series of Bonds as set forth in the Bond Notification and as further described in Section 15 of this Ordinance.

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"*State*" means the State of Illinois.

"*Tax-exempt*" means, with respect to the Bonds, the status of interest paid and received thereon as excludable from the gross income of the owners thereof under the Code for federal income tax purposes.

"*Term Bonds*" means Bonds subject to mandatory redemption by operation of the Bond Fund and designated as term bonds in the Bond Notification.

"*Treasurer*" means the Treasurer of the City.

Section 2. Incorporation of Preambles. The Council hereby finds that all of the recitals contained in the preambles to this Ordinance are true, correct and complete and does incorporate them into this Ordinance by this reference.

Section 3. Determination to Issue Bonds. It is necessary and in the best interests of the City to provide for the Project and the Refunding, to pay all related costs and expenses incidental thereto, and to borrow money and issue the Bonds for such purposes. It is hereby found and determined that such borrowing of money is necessary for the welfare of the government and affairs of the City, is for a proper public purpose or purposes and is in the public interest, and is authorized pursuant to the Act; and these findings and determinations shall be deemed conclusive.

Section 4. Bond Details. For the purpose of providing for the costs of the Project and the Refunding, there shall be issued and sold the Bonds in the aggregate principal amount of not to exceed $18,000,000. The Bonds shall be issued in one or more series, designated as "General Obligation Bonds," with such additional descriptors and series designations as appropriate, and shall be comprised of Project Bonds or Refunding Bonds, as set forth in the Bond Notification. The Bonds may be issued on a taxable basis (the "*Taxable Bonds*") or on a Tax-exempt basis (the "*Tax-Exempt Bonds*") for federal income tax purposes.

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The Bonds, if issued, shall be dated such date (not earlier than April 19, 2022, and not later than October 31, 2022) as set forth in the Bond Notification (the *"Dated Date"*), and shall also bear the date of authentication, shall be in fully registered form, shall be in denominations of $5,000 each or authorized integral multiples thereof (or such other denominations as set forth in the Bond Notification) (but no single Bond in any series shall represent installments of principal maturing on more than one date), and shall be numbered 1 and upward). The Bonds shall become due and payable serially or be subject to mandatory redemption as shall be set forth in the Bond Notification (with option of prior redemption as hereinafter set forth) and in such principal amounts as shall be set forth therein; *provided, however,* that the final maturity shall be due on or before December 15, 2041, and each maturity or sinking fund payment shall not exceed $2,750,000. Each Bond shall bear interest, at a rate not to exceed 5.00% per annum, from the later of its Dated Date or from the most recent interest payment date to which interest has been paid or duly provided for, until the principal amount of such Bond is paid or duly provided for, such interest (computed upon the basis of a 360-day year of twelve 30-day months) being payable semi-annually commencing with the first interest payment date as set forth in the Bond Notification, and on June 15 and December 15 of each year thereafter to maturity.

Interest on each Bond shall be paid by check or draft of the Paying Agent, payable upon presentation thereof in lawful money of the United States of America (the *"United States"*), to the person in whose name such Bond is registered at the close of business on the applicable record date (the *"Record Date"*), and mailed to the registered owner of the Bond as shown in the Bond Register or at such other address furnished in writing by such Registered Owner. The Record Date shall be the 1st day of the month of any regular or other interest payment date occurring on the 15th day of any month and 15 days preceding any interest payment date occasioned by the redemption of Bonds on other than the 15th day of a month. The principal of

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the Bonds shall be payable in lawful money of the United States at the principal corporate trust office of the Paying Agent, or at successor Paying Agent and locality. As used herein, "principal corporate trust office" shall be "office" or "principal office", as applicable, when the Bond Registrar or Paying Agent is the Treasurer or the Purchaser.

Section 5. Global Book-Entry System. The Bonds shall be initially issued in the form of a separate single fully registered Bond for each of the maturities of the Bonds as provided in Section 4 hereof, and the ownership of each such Bond shall be registered in the Bond Register in the name of Cede & Co., or any successor thereto (*"Cede"*), as nominee of The Depository Trust Company, New York, New York, and its successors and assigns (*"DTC"*). All of the outstanding Bonds shall be registered in the Bond Register in the name of Cede, as nominee of DTC, except as hereinafter provided. The Mayor, Treasurer and City Clerk are hereby authorized to execute and deliver on behalf of the City such letters to or agreements with DTC and the Bond Registrar as shall be necessary to effectuate such book-entry system (any such letter or agreement being referred to herein as the *"Representation Letter"*).

With respect to the Bonds registered in the Bond Register in the name of Cede, as nominee of DTC, the City and the Bond Registrar shall have no responsibility or obligation to any broker-dealer, bank or other financial institution for which DTC holds Bonds from time to time as securities depository (each such broker-dealer, bank or other financial institution being referred to herein as a *"DTC Participant"*) or to any person on behalf of whom such a DTC Participant holds an interest in the Bonds. Without limiting the immediately preceding sentence, the City and the Bond Registrar shall have no responsibility or obligation with respect to (i) the accuracy of the records of DTC, Cede or any DTC Participant with respect to any ownership interest in the Bonds, (ii) the delivery to any DTC Participant or any other person, other than a registered owner of a Bond as shown in the Bond Register, of any notice with respect to the

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Bonds, including any notice of redemption, or (iii) the payment to any DTC Participant or any other person, other than a registered owner of a Bond as shown in the Bond Register, of any amount with respect to principal of or interest on the Bonds. The City and the Bond Registrar may treat and consider the person in whose name each Bond is registered in the Bond Register as the holder and absolute owner of such Bond for the purpose of payment of principal and interest with respect to such Bond, for the purpose of giving notices of redemption and other matters with respect to such Bond, for the purpose of registering transfers with respect to such Bond, and for all other purposes whatsoever. The Bond Registrar shall pay all principal of and interest on the Bonds only to or upon the order of the respective registered owners of the Bonds, as shown in the Bond Register, or their respective attorneys duly authorized in writing, and all such payments shall be valid and effective to fully satisfy and discharge the City's obligations with respect to payment of principal of and interest on the Bonds to the extent of the sum or sums so paid. No person other than a registered owner of a Bond as shown in the Bond Register, shall receive a Bond certificate evidencing the obligation of the City to make payments of principal and interest with respect to any Bond. Upon delivery by DTC to the Bond Registrar of written notice to the effect that DTC has determined to substitute a new nominee in place of Cede, the name *"Cede"* in this Ordinance shall refer to such new nominee of DTC.

In the event that (i) the City determines that DTC is incapable of discharging its responsibilities described herein and in the Representation Letter, (ii) the agreement among the City, the Bond Registrar and DTC evidenced by the Representation Letter shall be terminated for any reason or (iii) the City determines that it is in the best interests of the beneficial owners of the Bonds that they be able to obtain certificated Bonds, the City shall notify DTC and DTC Participants of the availability through DTC of Bond certificates and the Bonds shall no longer be restricted to being registered in the Bond Register in the name of Cede, as nominee of DTC.

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At the time, the City may determine that the Bonds shall be registered in the name of and deposited with such other depository operating a global book-entry system, as may be acceptable to the City, or such depository's agent or designee, and if the City does not select such alternate global book-entry system, then the Bonds may be registered in whatever name or names registered owners of Bonds transferring or exchanging Bonds shall designate, in accordance with the provisions of Section 11 hereof.

Notwithstanding any other provision of this Ordinance to the contrary, so long as any Bond is registered in the name of Cede, as nominee of DTC, all payments with respect to principal of and interest on such Bond and all notices with respect to such Bond shall be made and given, respectively, in the manner provided in the Representation Letter.

Section 6. Execution; Authentication. The Bonds shall be executed on behalf of the City by the manual or duly authorized facsimile signature of the Mayor and attested by the manual or duly authorized facsimile signature of the City Clerk, as they may determine, and shall have impressed or imprinted thereon the corporate seal or facsimile thereof of the City. In case any such officer whose signature shall appear on any Bond shall cease to be such officer before the delivery of such Bond, such signature shall nevertheless be valid and sufficient for all purposes, the same as if such officer had remained in office until delivery. All Bonds shall have thereon a certificate of authentication, substantially in the form hereinafter set forth, duly executed by the Bond Registrar as authenticating agent of the City and showing the date of authentication. No Bond shall be valid or obligatory for any purpose or be entitled to any security or benefit under this Ordinance unless and until such certificate of authentication shall have been duly executed by the Bond Registrar by manual signature, and such certificate of authentication upon any such Bond shall be conclusive evidence that such Bond has been authenticated and delivered under this Ordinance. The certificate of authentication on any Bond

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shall be deemed to have been executed by it if signed by an authorized officer of the Bond Registrar, but it shall not be necessary that the same officer sign the certificate of authentication on all of the Bonds issued hereunder.

Section 7. Term Bonds, Mandatory Redemption and Covenants. The Bonds may be subject to mandatory redemption (as Term Bonds) as provided in the Bond Notification. Bonds designated as Term Bonds shall be made subject to mandatory redemption by operation of the Bond Fund at a price of not to exceed par and accrued interest, without premium, on a given date of the years and in the amounts as shall be determined in the Bond Notification. The City covenants that it will redeem any Term Bonds pursuant to the mandatory redemption requirement for such Term Bonds and levy taxes accordingly.

Section 8. Optional Redemption. All or a portion of the Bonds, if any, due on and after the date, if any, specified in the Bond Notification shall be subject to redemption prior to maturity at the option of the City from any available funds, as a whole or in part, and if in part in integral multiples of $5,000 in any order of their maturity as determined by the City (less than all of the Bonds of a single series and maturity to be selected by the Bond Registrar), on the date specified in the Bond Notification, if any (not later than June 15, 2032), and on any date thereafter, at the redemption price of par plus accrued interest to the date fixed for redemption.

Section 9. Term Bonds Purchase or Redemption. If the City redeems pursuant to optional redemption as hereinabove provided or purchases Term Bonds of any maturity and cancels the same from Bond Moneys as hereinafter described, then an amount equal to the principal amount of Term Bonds so redeemed or purchased shall be deducted from the mandatory redemption requirements provided for Term Bonds of such maturity, first, in the current year of such requirement, until the requirement for the current year has been fully met, and then in any order of such Term Bonds as due at maturity or subject to mandatory redemption

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in any year, as the City shall determine. If the City redeems pursuant to optional redemption or purchases Term Bonds of any maturity and cancels the same from moneys other than Bond Moneys, then an amount equal to the principal amount of Term Bonds so redeemed or purchased shall be deducted from the amount of such Term Bonds as due at maturity or subject to mandatory redemption requirement in any year, as the City shall determine.

Section 10. Redemption Procedure. For a mandatory redemption of Term Bonds, the Bond Registrar shall proceed without further authorization or direction to provide for such redemption. For optional redemptions, the City shall, at least 45 days prior to the redemption date (unless a shorter time period shall be satisfactory to the Bond Registrar), notify the Bond Registrar of such redemption date and of the principal amount, series and maturity or maturities of Bonds to be redeemed. In the event of an optional redemption of less than all of a given maturity of Term Bonds, the City shall also notify the Bond Registrar of the allocation of the amount to be redeemed to the mandatory redemption requirements for such Term Bonds. For purposes of any redemption of less than all of the Bonds of a single maturity, the particular Bonds or portions of Bonds to be redeemed shall be selected by lot not more than 60 days prior to the redemption date by the Bond Registrar for the Bonds of such maturity by such method of lottery as the Bond Registrar shall deem fair and appropriate; *provided, however,* that such lottery shall provide for the selection for redemption of Bonds or portions thereof so that any $5,000 Bond or $5,000 portion of a Bond shall be as likely to be called for redemption as any other such $5,000 Bond or $5,000 portion.

The Bond Registrar shall promptly notify the City and the Paying Agent in writing of the Bonds or portions of Bonds selected for redemption and, in the case of any Bond selected for partial redemption, the principal amount thereof to be redeemed.

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Unless waived by the registered owner of Bonds to be redeemed, official notice of any such redemption shall be given by the Bond Registrar on behalf of the City by mailing the redemption notice by first class mail not less than 30 days and not more than 60 days prior to the date fixed for redemption to each registered owner of the Bond or Bonds to be redeemed at the address shown on the Bond Register or at such other address as is furnished in writing by such registered owner to the Bond Registrar.

All official notices of redemption shall include the full name of the Bonds to be redeemed and at least the information as follows:

(a) the redemption date;

(b) the redemption price;

(c) if less than all of the outstanding Bonds of a particular maturity are to be redeemed, the identification (and, in the case of partial redemption of Bonds within such maturity, the respective principal amounts) of the Bonds to be redeemed;

(d) a statement that on the redemption date the redemption price will become due and payable upon each such Bond or portion thereof called for redemption and that interest thereon shall cease to accrue from and after said date;

(e) the place where such Bonds are to be surrendered for payment of the redemption price, which place of payment shall be the principal corporate trust office of the Paying Agent; and

(f) such other information then required by custom, practice or industry standard.

Unless moneys sufficient to pay the redemption price of the Bonds to be redeemed shall have been received by the Paying Agent prior to the giving of such notice of redemption, such notice may, at the option of the City, state that said redemption shall be conditional upon the receipt of such moneys by the Paying Agent on or prior to the date fixed for redemption. If such

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moneys are not received, such notice shall be of no force and effect, the City shall not redeem such Bonds, and the Bond Registrar shall give notice, in the same manner in which the notice of redemption shall have been given, that such moneys were not so received and that such Bonds will not be redeemed. Otherwise, prior to any redemption date, the City shall deposit with the Paying Agent an amount of money sufficient to pay the redemption price of all the Bonds or portions of Bonds which are to be redeemed on that date.

Subject to the provisions for a conditional redemption described above, notice of redemption having been given as aforesaid, the Bonds or portions of Bonds so to be redeemed shall, on the redemption date, become due and payable at the redemption price therein specified, and from and after such date (unless the City shall default in the payment of the redemption price) such Bonds or portions of Bonds shall cease to bear interest. Upon surrender of such Bonds for redemption in accordance with said notice, such Bonds shall be paid by the Paying Agent at the redemption price. The procedure for the payment of interest due as part of the redemption price shall be as herein provided for payment of interest otherwise due. Upon surrender for any partial redemption of any Bond, there shall be prepared for the registered owner a new Bond or Bonds of like tenor, of authorized denominations, of the same series and maturity, and bearing the same rate of interest in the amount of the unpaid principal.

If any Bond or portion of a Bond called for redemption shall not be so paid upon surrender thereof for redemption, the principal shall, until paid or duly provided for, bear interest from the redemption date at the rate borne by the Bond or portion of Bond so called for redemption. All Bonds which have been redeemed shall be cancelled and destroyed by the Bond Registrar and shall not be reissued.

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As part of their respective duties hereunder, the Bond Registrar and Paying Agent shall prepare and forward to the City a statement as to notice given with respect to each redemption together with copies of the notices as mailed and published.

Section 11. Registration and Exchange or Transfer of Bonds; Persons Treated as Owners. The City shall cause books (the "*Bond Register*") for the registration and for the transfer of the Bonds as provided in this Ordinance to be kept at the principal corporate trust office of the Bond Registrar, which is hereby constituted and appointed the registrar of the City for the Bonds. The City is authorized to prepare, and the Bond Registrar or such other agent as the City may designate shall keep custody of, multiple Bond blanks executed by the City for use in the transfer and exchange of Bonds.

Any Bond may be transferred or exchanged, but only in the manner, subject to the limitations, and upon payment of the charges as set forth in this Ordinance. Upon surrender for transfer or exchange of any Bond at the principal corporate trust office of the Bond Registrar, duly endorsed by or accompanied by a written instrument or instruments of transfer or exchange in form satisfactory to the Bond Registrar and duly executed by the registered owner or an attorney for such owner duly authorized in writing, the City shall execute and the Bond Registrar shall authenticate, date and deliver in the name of the transferee or transferees or, in the case of an exchange, the registered owner, a new fully registered Bond or Bonds of like tenor, of the same series and maturity, bearing the same interest rate, of authorized denominations, for a like aggregate principal amount.

The Bond Registrar shall not be required to transfer or exchange any Bond during the period from the close of business on the Record Date for an interest payment to the opening of business on such interest payment date or during the period of 15 days preceding the giving of

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notice of redemption of Bonds or to transfer or exchange any Bond all or a portion of which has been called for redemption.

The execution by the City of any fully registered Bond shall constitute full and due authorization of such Bond, and the Bond Registrar shall thereby be authorized to authenticate, date and deliver such Bond; *provided, however,* that the principal amount of Bonds of each series and maturity authenticated by the Bond Registrar shall not at any one time exceed the authorized principal amount of Bonds for such maturity less the amount of such Bonds which have been paid.

The person in whose name any Bond shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes, and payment of the principal of or interest on any Bond shall be made only to or upon the order of the registered owner thereof or his or her legal representative. All such payments shall be valid and effectual to satisfy and discharge the liability upon such Bond to the extent of the sum or sums so paid.

No service charge shall be made for any transfer or exchange of Bonds, but the City or the Bond Registrar may require payment of a sum sufficient to cover any tax or other governmental charge that may be imposed in connection with any transfer or exchange of Bonds, except in the case of the issuance of a Bond or Bonds for the unredeemed portion of a Bond surrendered for redemption.

Section 12. Form of Bond. The Bonds shall be in substantially the form hereinafter set forth; *provided, however,* that if the text of the Bonds is to be printed in its entirety on the front side of the Bonds, then the second paragraph on the front side and the legend "See Reverse Side for Additional Provisions" shall be omitted and the text of paragraphs set forth for the reverse side shall be inserted immediately after the first paragraph.

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[FORM OF BOND - FRONT SIDE]

REGISTERED NO. _____

REGISTERED $_____

UNITED STATES OF AMERICA
STATE OF ILLINOIS
THE COUNTY OF MCHENRY
CITY OF CRYSTAL LAKE
[TAXABLE] GENERAL OBLIGATION BOND, SERIES 2022__

See Reverse Side for Additional Provisions.

Interest Rate: ____%	Maturity Date: December 15, ____	Dated Date: _____, 2022	CUSIP: 229255 ___

Registered Owner: CEDE & CO.

Principal Amount: DOLLARS

KNOW ALL PERSONS BY THESE PRESENTS that the City of Crystal Lake, McHenry County, Illinois, a municipality, home rule unit, and political subdivision of the State of Illinois (the *"City"*), hereby acknowledges itself to owe and for value received promises to pay to the Registered Owner identified above, or registered assigns as hereinafter provided, on the Maturity Date identified above (subject to right of prior redemption as hereinafter stated), the Principal Amount identified above and to pay interest (computed on the basis of a 360-day year of twelve 30-day months) on such Principal Amount from the later of the Dated Date of this Bond identified above or from the most recent interest payment date to which interest has been paid or duly provided for, at the Interest Rate per annum identified above, such interest to be payable on June 15 and December 15 of each year, commencing _____, 20__, until said Principal Amount is paid or duly provided for. The principal of or redemption price on this Bond is payable in lawful money of the United States of America upon presentation hereof at the [principal corporate trust] office of _____, in the City of _____, _____, as paying agent (the *"Paying Agent"*). Payment of interest shall be made to the Registered Owner

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hereof as shown on the registration books of the City maintained by _____ in the City of _____, _____, as bond registrar (the *"Bond Registrar"*), at the close of business on the applicable Record Date (the *"Record Date"*). The Record Date shall be the 1st day of the month of any regular or other interest payment date occurring on the 15th day of any month and 15 days preceding any interest payment date occasioned by the redemption of Bonds on other than the 15th day of a month. Interest shall be paid by check or draft of the Paying Agent, payable upon presentation in lawful money of the United States of America, mailed to the address of such Registered Owner as it appears on such registration books or at such other address furnished in writing by such Registered Owner to the Bond Registrar, or as otherwise agreed by the City and Cede & Co., as nominee, or successor, for so long as this Bond is held by The Depository Trust Company, New York, New York, the depository, or nominee, in book-entry only form as provided for same.

Reference is hereby made to the further provisions of this Bond set forth on the reverse hereof, and such further provisions shall for all purposes have the same effect as if set forth at this place.

It is hereby certified and recited that all conditions, acts and things required by the Constitution and Laws of the State of Illinois to exist or to be done precedent to and in the issuance of this Bond, including the Act, have existed and have been properly done, happened and been performed in regular and due form and time as required by law; that the indebtedness of the City, represented by the Bonds, and including all other indebtedness of the City, howsoever evidenced or incurred, does not exceed any constitutional or statutory or other lawful limitation; and that provision has been made for the collection of a direct annual tax, in addition to all other taxes, on all of the taxable property in the City sufficient to pay the interest hereon as the same falls due and also to pay and discharge the principal hereof at maturity.

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This Bond shall not be valid or become obligatory for any purpose until the certificate of authentication hereon shall have been signed by the Bond Registrar.

IN WITNESS WHEREOF the City of Crystal Lake, McHenry County, Illinois, by its Council, has caused this Bond to be executed by the manual or duly authorized facsimile signature of its Mayor and attested by the manual or duly authorized facsimile signature of its City Clerk and its corporate seal or a facsimile thereof to be impressed or reproduced hereon, all as appearing hereon and as of the Dated Date identified above.

_____
Mayor, City of Crystal Lake
McHenry County, Illinois

ATTEST:

_____
City Clerk, City of Crystal Lake
McHenry County, Illinois

[SEAL]

Date of Authentication: _____, _____

CERTIFICATE
OF
AUTHENTICATION

This Bond is one of the Bonds described in the within-mentioned Ordinance and is one of the [Taxable] General Obligation Bonds, Series 2022__, having a Dated Date of _____, 2022, of the City of Crystal Lake, McHenry County, Illinois.

_____,
as Bond Registrar

By_____
Authorized Officer

Bond Registrar and Paying Agent:

_____

_____, _____

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[FORM OF BOND - REVERSE SIDE]

This bond is one of a series of bonds (the *"Bonds"*) in the aggregate principal amount of $_____ issued by the City for the purpose[s] of [constructing certain capital improvements within the City] [and] [refunding certain of the City's outstanding bonds], and of paying expenses incidental thereto, all as described and defined in the ordinance authorizing the Bonds (the *"Ordinance"*), pursuant to and in all respects in compliance with the applicable provisions of the Illinois Municipal Code, as amended, as supplemented by the Local Government Debt Reform Act, as amended, and as further supplemented and, where necessary, superseded, by the powers of the City as a home rule unit under the provisions of Section 6 of Article VII of the Illinois Constitution of 1970 (collectively, such Illinois Municipal Code and constitutional home rule powers being the *"Act"*), and with the Ordinance, which has been duly passed by the City Council of the City, approved by the Mayor, and published, in all respects as by law required.

Subject to the provisions relating to this Bond remaining in book-entry only form, this Bond may be transferred or exchanged, but only in the manner, subject to the limitations, and upon payment of the charges as set forth in the Ordinance. Upon surrender for transfer or exchange of this Bond at the [principal corporate trust] office of the Bond Registrar in the City of _____, _____, duly endorsed by or accompanied by a written instrument or instruments of transfer or exchange in form satisfactory to the Bond Registrar and duly executed by the Registered Owner or an attorney for such owner duly authorized in writing, the City shall execute and the Bond Registrar shall authenticate, date and deliver in the name of the transferee or transferees or, in the case of an exchange, the Registered Owner, a new fully registered Bond or Bonds of like tenor, of the same maturity, bearing the same interest rate, of authorized denominations, for a like aggregate principal amount.

The Bond Registrar shall not be required to transfer or exchange any Bond during the period from the close of business on the Record Date for an interest payment to the opening of

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business on such interest payment date [or during the period of 15 days preceding the giving of notice of redemption of Bonds or to transfer or exchange any Bond all or a portion of which has been called for redemption].

[The Bonds may be subject to optional [and mandatory] redemption, and the holder of this Bond shall refer to the provisions of the Ordinance for the terms and provision for notice of redemption.]

The City, the Bond Registrar and the Paying Agent may deem and treat the Registered Owner hereof as the absolute owner hereof for the purpose of receiving payment of or on account of principal hereof and interest due hereon and for all other purposes, and the City, the Bond Registrar and the Paying Agent shall not be affected by any notice to the contrary.

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ASSIGNMENT

FOR VALUE RECEIVED, the undersigned sells, assigns and transfers unto

	Here insert Social Security Number, Employer Identification Number or other Identifying Number

_____

_____

(Name and Address of Assignee)

the within Bond and does hereby irrevocably constitute and appoint _____

_____

as attorney to transfer the said Bond on the books kept for registration thereof with full power of substitution in the premises.

Dated: _____ _____

Signature guaranteed: _____

NOTICE: The signature to this transfer and assignment must correspond with the name of the Registered Owner as it appears upon the face of the within Bond in every particular, without alteration or enlargement or any change whatever.

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Section 13. Tax Levy. For the purpose of providing funds required to pay the interest on the Bonds promptly when and as the same falls due, and to pay and discharge the principal thereof at maturity, *there is hereby levied upon all of the taxable property within the City, in the years for which any of the Bonds are outstanding (namely, 2022 through 2040), a direct annual tax sufficient for that purpose in a yearly amount not to exceed $2,800,000. Such levy shall be fully set forth in the Bond Notification*.

The Bond Moneys in the Bond Fund shall be applied to pay principal of and interest on the Bonds.

Interest or principal coming due at any time when there are insufficient funds on hand from the Pledged Taxes to pay the same shall be paid promptly when due from current funds on hand in advance of the collection of the Pledged Taxes herein levied; and when the Pledged Taxes shall have been collected, reimbursement shall be made to said funds in the amount so advanced. The City covenants and agrees with the purchasers and registered owners of the Bonds that so long as any of the Bonds remain outstanding, the City will take no action or fail to take any action which in any way would adversely affect the ability of the City to levy and collect the foregoing tax levy. The City and its officers will comply with all present and future applicable laws in order to assure that the Pledged Taxes may be levied, extended and collected as provided herein and deposited into the Bond Fund.

Whenever other funds from any lawful source are made available for the purpose of paying any principal of or interest on the Bonds so as to enable the abatement of the taxes levied herein for the payment of same, the Council shall, by proper proceedings, direct the deposit of such funds into the Bond Fund and further shall direct the abatement of the taxes by the amount so deposited. A certified copy or other notification of any such proceedings abating taxes may then be filed with the County Clerk in a timely manner to effect such abatement.

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Section 14. Filing with County Clerk. Promptly, as soon as this Ordinance becomes effective, a copy hereof, certified by the City Clerk, shall be filed with the County Clerk; and the County Clerk shall in and for each of the years 2022 to 2040, inclusive, ascertain the rate percent required to produce the aggregate tax hereinbefore provided to be levied as set forth in each of said years; and the County Clerk shall (to the extent said tax has not been abated as provided herein) extend the same for collection on the tax books in connection with other taxes levied in said years in and by the City for general corporate purposes of the City; and in said years such annual tax shall be levied and collected by and for and on behalf of the City in like manner as taxes for general corporate purposes for said years are levied and collected, and in addition to and in excess of all other taxes.

Section 15. Sale of Bonds; Bond Notification. The Designated Representatives are hereby authorized to proceed not later than the 19th day of October, 2022, without any further authorization or direction whatsoever from the Council, to sell and deliver the Bonds upon the terms as prescribed in this Section, pursuant to one or more Bond Notifications. Each Purchaser shall be: (a) pursuant to a competitive sale conducted by PMA Securities, LLC, Naperville, Illinois (*"PMA"*), the best bidder for the Bonds; (b) in a negotiated underwriting, a bank or financial institution listed in the Dealers & Underwriters or Municipal Derivatives sections of the most recent edition of The Bond Buyer's Municipal Marketplace; or (c) in a private placement, (i) a bank or financial institution authorized to do business in the State, (ii) a "governmental unit" as defined in the Debt Reform Act, or (iii) an "accredited investor" as defined in Rule 501 of Regulation D as promulgated under the Securities Act of 1933, as amended; *provided, however,* that a Purchaser as set forth in either (b) or (c) shall be selected only upon the recommendation of PMA that the sale of said Bonds on a negotiated or private placement basis to such Purchaser is in the best interest of the City because of (i) the pricing of said Bonds by

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such Purchaser, (ii) then current market conditions, or (iii) the timing of the sale of said Bonds; and further *provided,* that a Purchaser as set forth in (c) may be selected through the utilization of a placement agent selected by the Designated Representatives after consultation with PMA if the use of such placement agent is determined by the Designated Representatives to be in the best interest of the City. In the event that a Purchaser is selected through the utilization of a placement agent, the execution of a standard form of placement agent agreement between the City and such placement agent is hereby approved and authorized.

The Bonds shall be sold and delivered to the Purchaser thereof, upon receipt of the Purchase Price or Prices, the same being not less than 97.0% of the principal amount of such Project Bonds and not less than 97.0% of the principal amount of such Refunding Bonds (exclusive of original issue discount, if any), plus accrued interest, if any, to date of delivery. As an additional limitation on the sale of the Refunding Bonds, PMA must provide a certificate or report setting forth that the Refunding will provide a present value debt service savings to the City resulting from the issuance of Bonds to refund the Prior Bonds which are chosen to be refunded, which report shall demonstrate that the City will realize a minimum net present value savings of 1.50% of the debt service on the Prior Bonds being refunded. The Designated Representatives may choose all or any lesser portion of the Prior Bonds to be refunded, in such manner as will provide such savings. Nothing in this Section shall require the Designated Representatives to sell any of the Bonds if in their judgment, the conditions in the bond markets shall have deteriorated from the time of adoption thereof or the sale of all or any portion of the Bonds shall for some other reason not be deemed advisable, but the Designated Representatives shall have the authority to sell the Bonds in any event so long as the limitations set forth in this Ordinance and the conditions of this Section shall have been met.

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Prior to the sale of the Bonds, any one of the Designated Representatives is hereby authorized to approve and execute a commitment for the purchase of a Municipal Bond Insurance Policy (as hereinafter defined), to further secure the Bonds, as long as the present value of the fee to be paid for the Municipal Bond Insurance Policy (using as a discount rate the expected yield on the Bonds treating the fee paid as interest on the Bonds) is less than the present value of the interest reasonably expected to be saved on the Bonds over the term of the Bonds as a result of the Municipal Bond Insurance Policy.

Upon the sale of any series of Bonds, the Designated Representatives and any other officers of the City as shall be appropriate, shall be and are hereby authorized and directed to approve or execute, or both, such documents of sale of the Bonds as may be necessary, including, without limitation, a Bond Purchase Contract, a forward delivery bond purchase agreement between the City and a Purchaser (a *"Forward Delivery Bond Purchase Agreement"*) and related rate lock agreement, continuing covenants agreement or similar document between the City and such Purchaser (a *"Bank Agreement"*), the Bond Notification, Preliminary Official Statement, Official Statement and closing documents. Any Bank Agreement may provide for default rates of interest and increased rates of interest upon the occurrence of an event of taxability, *provided, however,* that any such rates may not exceed the maximum rate of interest authorized in Section 4 hereof. Any Bank Agreement may also provide for the payment of liquidated damages to a Purchaser of such Bonds in the event such Bonds are not issued, which liquidated damages may be material to City finances. The Designated Representatives must find and determine in the Bond Notification that no person holding any office of the City either by election or appointment, is in any manner financially interested either directly, in his or her own name, or indirectly in the name of any other person, association, trust or corporation in said Bond Purchase Contract, Forward Delivery Bond Purchase Agreement or Bank Agreement with

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such Purchaser for the purchase of the Bonds. The distribution of the Preliminary Official Statement relating to the Bonds is hereby in all respects authorized and approved, and the proposed use by the Purchaser of an Official Statement (in substantially the form of the Preliminary Official Statement but with appropriate variations to reflect the final terms of the Bonds) is hereby approved.

Upon the sale of any series of Bonds, the Designated Representatives shall prepare the Bond Notification, which shall include the pertinent details of sale as provided herein, and such shall be entered into the records of the City and made available at the next public meeting of the Council. The Designated Representatives shall also file with the County Clerk the Bond Notification or like document including a statement of taxes.

The officers of the City are hereby authorized to take any action as may be required on the part of the City to consummate the transactions contemplated by a Bond Purchase Contract, this Ordinance, said Preliminary Official Statement, said final Official Statement and the Bonds.

Section 16. Creation of Funds and Appropriations. There is hereby created a special fund of the City known as the "Bond and Interest Fund of 2022" (the *"Bond Fund"*), with such other additional descriptors as may be appropriate and as set forth in the Bond Notification, which fund is hereby irrevocably pledged to and shall be used only for the purpose of paying the principal of and interest on the Bonds. The Pledged Taxes shall be set aside as collected and deposited into the Bond Fund, which is a trust fund established for the purpose of carrying out the covenants, terms and conditions imposed upon the City by this Ordinance. The Bonds are secured by the pledge of all moneys in the Bond Fund, and such pledge is irrevocable until the Bonds have been paid in full or the obligations of the City are discharged under this Ordinance.

Simultaneously with the delivery of any Bonds, the principal proceeds of the Refunding Bonds, together with any premium received from the sale and delivery of such Refunding Bonds and such additional amounts as may be necessary from the general funds of the City, are hereby

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appropriated to refund the Refunded Bonds, and that portion thereof not needed to pay such costs of issuance is hereby ordered deposited either (a) with Amalgamated Bank of Chicago, Chicago, Illinois, the prior paying agent for the Prior Bonds, or (b) in escrow with the Escrow Agent pursuant to the Escrow Agreement, for the purpose of paying the principal of and interest on the Refunded Bonds upon redemption prior to maturity. The Council approves the form, terms and provisions of the Escrow Agreement and directs the Mayor and the City Clerk to execute, attest, seal and deliver the Escrow Agreement in the name and on behalf of the City. Amounts in the escrow may be used to purchase Government Securities (as defined in the Escrow Agreement) to provide for the principal and interest payable on the Refunded Bonds upon redemption prior to maturity. The Escrow Agent and the Purchaser of the Refunding Bonds are each hereby authorized to act as agent for the City in the purchase of the Government Securities.

Simultaneously with the delivery of any Bonds, the principal proceeds of the Project Bonds, together with any premium received from the sale and delivery of such Project Bonds, are hereby appropriated for paying the costs of the Project and are hereby ordered deposited into the Series 2022 Project Fund (the *"Project Fund"*), which is hereby created. The Council reserves the rights, as it becomes necessary or advisable from time to time, to revise the list of expenditures for the Project, to change priorities, to revise cost allocations between expenditures and to substitute projects, in order to meet current needs of the City; *subject, however*, to the various covenants set forth in this Ordinance and in related certificates given in connection with delivery of the Bonds and also subject to obtaining the opinion of Chapman and Cutler LLP, Chicago, Illinois, or some other attorney or firm of attorneys whose opinions are generally acceptable to the purchasers in the national marketplace of governmental Tax-exempt obligations that such changes or substitutions are proper under the Act and do not adversely affect the Tax-exempt status of the Bonds.

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At the time of the issuance of any series of Bonds, the costs of issuance of such Bonds may be paid by PMA or the Purchaser on behalf of the City from the proceeds of such Bonds.

Section 17. General Arbitrage Covenants—Tax-Exempt Bonds. This Section applies to the Tax-Exempt Bonds. The Taxable Bonds are not being issued on a basis which is Tax-exempt under the Code, and the Purchaser, by its acceptance of the Taxable Bonds acknowledges this fact and the interest rate on the Taxable Bonds has been established as a taxable interest rate.

The City hereby covenants that it will not take any action, omit to take any action or permit the taking or omission of any action within its control (including, without limitation, making or permitting any use of the proceeds of the Tax-Exempt Bonds) if taking, permitting or omitting to take such action would cause any of the Tax-Exempt Bonds to be an arbitrage bond or a private activity bond within the meaning of the Code or would otherwise cause the interest on the Tax-Exempt Bonds to be included in the gross income of the recipients thereof for federal income tax purposes. The City acknowledges that, in the event of an examination by the Internal Revenue Service (the *"IRS"*) of the exemption from federal income taxation for interest paid on the Tax-Exempt Bonds, under present rules, the City may be treated as a "taxpayer" in such examination and agrees that it will respond in a commercially reasonable manner to any inquiries from the IRS in connection with such an examination.

The City also agrees and covenants with the purchasers and holders of the Tax-Exempt Bonds from time to time outstanding that, to the extent possible under Illinois law, it will comply with whatever federal tax law is adopted in the future which applies to the Tax-Exempt Bonds and affects the Tax-exempt status of the Tax-Exempt Bonds.

The Council hereby authorizes the officials of the City responsible for issuing the Tax-Exempt Bonds, the same being the Mayor, City Clerk and Treasurer, to make such further covenants and certifications as may be necessary to assure that the use thereof will not cause the

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Tax-Exempt Bonds to be arbitrage bonds and to assure that the interest on the Tax-Exempt Bonds will be exempt from federal income taxation. In connection therewith, the City and the Council further agree: (a) through their officers, to make such further specific covenants, representations as shall be truthful, and assurances as may be necessary or advisable; (b) to consult with counsel approving the Tax-Exempt Bonds and to comply with such advice as may be given; (c) to pay to the United States, as necessary, such sums of money representing required rebates of excess arbitrage profits relating to the Tax-Exempt Bonds; (d) to file such forms, statements, and supporting documents as may be required and in a timely manner; and (e) if deemed necessary or advisable by their officers, to employ and pay fiscal agents, financial advisors, attorneys, and other persons to assist the City in such compliance.

Section 18. Registered Form. The City recognizes that Section 149(a) of the Code requires the Tax-Exempt Bonds to be issued and to remain in fully registered form in order to be and remain Tax-exempt. In this connection, the City agrees that it will not take any action to permit the Tax-exempt Bonds to be issued in, or converted into, bearer or coupon form.

Section 19. Qualified Tax-exempt Obligations. The City recognizes the provisions of Section 265(b)(3) of the Code which provide that a "qualified tax-exempt obligation" as therein defined may be treated by certain financial institutions as if it were acquired on August 7, 1986, for certain purposes. All or a portion of the Tax-Exempt Bonds may be issued as "bank qualified bonds" (the *"BQ Bonds"*) as set forth in the Bond Notification. Each of the BQ Bonds is designated as a "qualified tax-exempt obligation" for the purposes and within the meaning of Section 265(b)(3) of the Code.

Section 20. Rights and Duties of Bond Registrar and Paying Agent. If requested by the Bond Registrar or the Paying Agent, or both, any officer of the City is authorized to execute standard forms of agreements between the City and the Bond Registrar or Paying Agent with

Draft

respect to the obligations and duties of the Bond Registrar or Paying Agent hereunder. In addition to the terms of such agreements and subject to modification thereby, the Bond Registrar and Paying Agent by acceptance of duties hereunder agree:

(a) to act as bond registrar, paying agent, authenticating agent, and transfer agent as provided herein;

(b) as to the Bond Registrar, to maintain a list of Bondholders as set forth herein and to furnish such list to the City upon request, but otherwise to keep such list confidential to the extent permitted by law;

(c) to give notice of redemption of Bonds as provided herein;

(d) as to the Bond Registrar, to cancel and/or destroy Bonds which have been paid at maturity or upon redemption or submitted for exchange or transfer;

(e) as to the Bond Registrar, to furnish the City at least annually a certificate with respect to Bonds cancelled and/or destroyed; and

(f) to furnish the City at least annually an audit confirmation of Bonds paid, Bonds outstanding and payments made with respect to interest on the Bonds.

The City Clerk is hereby directed to file a certified copy of this Ordinance with the Bond Registrar and the Paying Agent.

Section 21. Reimbursement. With respect to expenditures for the Project paid within the 60-day period ending on this date and with respect to which no declaration of intent was previously made, the City hereby declares its intent to reimburse such expenditures and hereby allocates proceeds of the Tax-Exempt Bonds in the amount indicated in the Tax Exemption Certificate and Agreement to be delivered in connection with the issuance of the Project Bonds to reimburse said expenditures.

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Section 22. Defeasance. Any Bond or Bonds which (a) are paid and cancelled, (b) which have matured and for which sufficient sums been deposited with the Paying Agent to pay all principal and interest due thereon, or (c) for which sufficient Defeasance Obligations have been deposited with the Paying Agent or similar institution having trust powers to pay, taking into account investment earnings on such obligations, all principal of and interest on such Bond or Bonds when due at maturity or as called for redemption, pursuant to an irrevocable escrow or trust agreement, shall cease to have any lien on or right to receive or be paid from the Pledged Taxes hereunder and shall no longer have the benefits of any covenant for the registered owners of outstanding Bonds as set forth herein as such relates to lien and security of the outstanding Bonds. All covenants relative to the federal Tax-exempt status of the interest on Bonds; and payment, registration, transfer, and exchange; are expressly continued for all Bonds whether outstanding Bonds or not.

For purposes of this Section, *"Defeasance Obligations"* means (a) direct and general full faith and credit obligations of the United States Treasury (*"Directs"*), (ii) certificates of participation or trust receipts comprised wholly of Directs or (c) other obligations unconditionally guaranteed as to timely payment by the United States Treasury.

Section 23. Continuing Disclosure Undertaking. The Mayor or Treasurer is hereby authorized, empowered and directed to execute and deliver the Continuing Disclosure Undertaking (the *"Continuing Disclosure Undertaking"*) in substantially the same form as now before the Council, or with such changes therein as the individual executing the Continuing Disclosure Undertaking on behalf of the City shall approve, the official's execution thereof to constitute conclusive evidence of the approval of such changes. When the Continuing Disclosure Undertaking is executed and delivered on behalf of the City as herein provided, the Continuing Disclosure Undertaking will be binding on the City and the officers, employees and

Draft

agents of the City, and the officers, employees and agents of the City are hereby authorized, empowered and directed to do all such acts and things and to execute all such documents as may be necessary to carry out and comply with the provisions of the Continuing Disclosure Undertaking as executed. Notwithstanding any other provision of this Ordinance, the sole remedies for failure to comply with the Continuing Disclosure Undertaking shall be the ability of the beneficial owner of any Bond to seek mandamus or specific performance by court order, to cause the City to comply with its obligations under the Continuing Disclosure Undertaking.

Section 24. Municipal Bond Insurance. In the event the payment of principal and interest on the Bonds is insured pursuant to a municipal bond insurance policy (the *"Municipal Bond Insurance Policy"*) issued by a bond insurer (the *"Bond Insurer"*), and as long as such Municipal Bond Insurance Policy shall be in full force and effect, the City and the Bond Registrar agree to comply with such usual and reasonable provisions regarding presentment and payment of the Bonds, subrogation of the rights of the Bondholders to the Bond Insurer when holding Bonds, amendment hereof, or other terms, as approved by the Mayor on advice of counsel, their approval to constitute full and complete acceptance by the City of such terms and provisions under authority of this section.

Section 25. Record-Keeping Policy and Post-Issuance Compliance Matters. On April 1, 2014, the Council adopted a record-keeping policy (the *"Policy"*) in order to maintain sufficient records to demonstrate compliance with its covenants and expectations to ensure the appropriate federal tax status for the debt obligations of the City, the interest on which is excludable from "gross income" for federal income tax purposes or which enable the City or the holder to receive federal tax benefits, including, but not limited to, qualified tax credit bonds and other specified tax credit bonds. The Council and the City hereby reaffirm the Policy.

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Section 26. Publication of Ordinance. A full, true and complete copy of this Ordinance shall be published within ten days after passage in pamphlet form by authority of the Council.

Section 27. Severability. If any section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity of such section, paragraph, clause or provision shall not affect any of the other provisions of this Ordinance.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

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Section 28. Superseder and Effective Date. All ordinances, resolutions and orders, or parts thereof, in conflict herewith, are to the extent of such conflict hereby superseded; and this Ordinance shall be in full force and effect immediately upon its passage, approval and publication.

AYES: _____

_____

NAYS: _____

ABSENT: _____

ADOPTED: April 19, 2022

APPROVED: April 19, 2022

_____
Mayor, City of Crystal Lake
McHenry County, Illinois

Recorded In City Records: April 19, 2022.

Published in pamphlet form by authority of the Council on April 19, 2022.

ATTEST:

_____
City Clerk, City of Crystal Lake
McHenry County, Illinois

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EXHIBIT A

FORM OF ESCROW LETTER AGREEMENT

_____, 20__

_____
_____
_____

Re: City of Crystal Lake, McHenry County, Illinois
$_____ General Obligation Bonds, Series 20____

Ladies and Gentlemen:

The City of Crystal Lake, McHenry County, Illinois (the *"City"*), by an ordinance adopted by the City Council of the City on the 19th day of April, 2022 (as supplemented by a notification of sale of bonds dated _____, 2022, the *"Bond Ordinance"*), has authorized the issue and delivery of $_____ General Obligation Bonds, Series 20__, dated _____, 2022 (the *"Bonds"*). The City has authorized by the Bond Ordinance that proceeds of the Bonds be used to pay and redeem on _____, 20__, $_____ of the City's outstanding and unpaid General Obligation Bonds, Series 20__, dated _____, 20___ (the *"Prior Bonds"*), maturing on December 15 of the years 20__ to 20__, inclusive (the *"Refunded Bonds"*).

The City hereby deposits with you $_____ from the proceeds of the Bonds and $_____ from funds of the City on hand and lawfully available (collectively, the *"Deposit"*) and you are hereby instructed as follows with respect thereto:

1. [Upon deposit, you are directed to hold the Deposit in an irrevocable trust fund account (the *"Trust Account"*) for the City to the benefit of the holders of the Refunded Bonds.] [Upon deposit, you are directed to purchase U.S. Treasury Securities [State and Local Government Series Certificates of Indebtedness] in the amount of $_____ and maturing as described on *Exhibit A* hereto (the *"Government Securities"*). You are further instructed to fund a beginning cash escrow deposit on demand in the amount of $_____. The beginning deposit and the Government Securities are to be held in an irrevocable trust fund account (the *"Trust Account"*) for the City to the benefit of the holders of the Refunded Bonds.]

2. [You shall hold the Deposit in the Trust Account in cash for the sole and exclusive benefit of the holders of the Refunded Bonds until redemption of the Refunded Bonds on _____, 20__ is made.] [You shall hold the Government Securities and any interest income or profit derived therefrom and any uninvested cash in the Trust Account for the sole and exclusive benefit of the holders of the Refunded Bonds until redemption of the Refunded Bonds on _____, 20__ is made.]

Draft

3. You shall promptly collect the principal, interest or profit from the proceeds deposited in the Trust Account and promptly apply the same as necessary to the payment of the Refunded Bonds as herein provided.

4. The City has called the Refunded Bonds for redemption and payment prior to maturity on _____, 20__. You are hereby directed to provide for and give or cause the Prior Paying Agent (as hereinafter defined) to give timely notice of the call for redemption of the Refunded Bonds. The form and time of the giving of such notice regarding the Refunded Bonds shall be as specified in the ordinance authorizing the issuance of the Refunded Bonds. The City agrees to reimburse you for any actual out-of-pocket expenses incurred in the giving of such notice, but the failure of the City to make such payment shall not in any respect whatsoever relieve you from carrying out any of the duties, terms or provisions of this Agreement.

5. In addition, you are hereby directed to give or cause the Prior Paying Agent to give notice of the call of the Refunded Bonds, on or before the date the notice of such redemption is given to the holders of the Refunded Bonds, to the Municipal Securities Rulemaking Board (the *"MSRB"*) through its Electronic Municipal Market Access system for municipal securities disclosure or through any other electronic format or system prescribed by the MSRB for purposes of Rule 15c2-12 adopted by the Securities and Exchange Commission under the Securities Exchange Act of 1934, as amended. Information with respect to procedures for submitting notice can be found at https://msrb.org.

6. You shall remit the sum of $_____ on _____, 201__, to Amalgamated Bank of Chicago, Chicago, Illinois, as paying agent for the Refunded Bonds (the "*Prior Paying Agent*"), such sum being sufficient to pay the principal of and interest on the Refunded Bonds on such date, and such remittance shall fully release and discharge you from any further duty or obligation thereto under this Agreement.

7. You shall make no payment of fees, due or to become due, of the bond registrar and paying agent on the Bonds or the Refunded Bonds. The City shall pay the same as they become due.

8. If at any time it shall appear to you that the funds on deposit in the Trust Account will not be sufficient to pay the principal of and interest on the Refunded Bonds, you shall notify the City not less than five (5) days prior to such payment date and the City shall make up the anticipated deficit from any funds legally available for such purpose so that no default in the making of any such payment will occur.

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9. Upon final disbursement of funds sufficient to pay the Refunded Bonds as hereinabove provided for, you shall transfer any balance remaining in the Trust Account to the City and thereupon this Agreement shall terminate.

Very truly yours,

CITY OF CRYSTAL LAKE,
MCHENRY COUNTY, ILLINOIS

By _____
Mayor

ATTEST:

By _____
City Clerk

[SEAL]

Accepted this ____ day of ____, 20__.

_____
_____, _____

By _____
Its_____

Draft

STATE OF ILLINOIS)
) SS
COUNTY OF MCHENRY)

CERTIFICATION OF MINUTES AND ORDINANCE

I, the undersigned, do hereby certify that I am the duly qualified and acting City Clerk of the City of Crystal Lake, McHenry County, Illinois (the *"City"*), and as such official I am the keeper of the official journal of proceedings, books, records, minutes and files of the City and of the Council (the *"Council"*) thereof.

I do further certify that the foregoing is a full, true and complete transcript of that portion of the minutes of the meeting of the Council held on the 19th day of April, 2022 insofar as the same relates to the adoption of an ordinance, numbered _____ entitled:

> AN ORDINANCE providing for the issuance of not to exceed $18,000,000 General Obligation Bonds of the City of Crystal Lake, McHenry County, Illinois, for the purpose of financing capital improvements within the City and refunding certain outstanding bonds of the City, providing for the levy and collection of a direct annual tax for the payment of the principal of and interest on said bonds, authorizing the sale of said bonds to the purchasers thereof and providing for the execution of an escrow agreement in connection with such issuance.

a true, correct and complete copy of which said ordinance as adopted at said meeting appears in the foregoing transcript of the minutes of said meeting.

I do further certify that the deliberations of the Council on the adoption of said ordinance were taken openly; that the vote on the adoption of said ordinance was taken openly; that said meeting was held at a specified time and place convenient to the public; that notice of said meeting was duly given to all newspapers, radio or television stations and other news media requesting such notice; that an agenda for said meeting was posted at the location where said meeting was held and at the principal office of the Council at least 120 hours in advance of the holding of said meeting, that at least one copy of said agenda was continuously available for public review during the entire 120-hour period preceding said meeting, that said agenda contained a separate specific item concerning the proposed adoption of said ordinance, a true, correct and complete copy of said agenda as so posted being attached to this Certificate as *Exhibit A,* that said meeting was called and held in strict compliance with the provisions of the Open Meetings Act of the State of Illinois, as amended, and the Illinois Municipal Code, as amended, and that the Council has complied with all of the provisions of said Act and said Code and with all of the procedural rules of the Council in the adoption of said ordinance.

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IN WITNESS WHEREOF I hereunto affix my official signature and the seal of the City this 19th day of April, 2022.

_____
City Clerk

[SEAL]

[*Attach Exhibit A*]

Draft

STATE OF ILLINOIS)
) SS
COUNTY OF MCHENRY)

CERTIFICATE OF PUBLICATION IN PAMPHLET FORM

I, the undersigned, do hereby certify that I am the duly qualified and acting City Clerk of the City of Crystal Lake, McHenry County, Illinois (the *"City"*), and as such official I am the keeper of the official journal of proceedings, books, records, minutes, and files of the City and of the City Council (the *"Council"*) thereof.

I do further certify that on the 19th day of April, 2022 there was published in pamphlet form, by authority of the Council, a true, correct and complete copy of Ordinance Number _____ of the City providing for the issuance of not to exceed $18,000,000 General Obligation Bonds of the City and that said ordinance as so published was on said date readily available for public inspection and distribution, in sufficient number to meet the needs of the general public, at my office as City Clerk located in the City.

IN WITNESS WHEREOF I have affixed hereto my official signature and the seal of the City this 19th day of April, 2022.

_____
City Clerk

[SEAL]

Draft

STATE OF ILLINOIS)
) SS
COUNTY OF MCHENRY)

CERTIFICATE OF FILING

I, the undersigned, do hereby certify that I am the duly qualified and acting County Clerk of The County of McHenry, Illinois, and as such officer I do hereby certify that on the ____ day of _____, 2022 there was filed in my office a properly certified copy of Ordinance Number _____ passed by the City Council of the City of Crystal Lake, McHenry County, Illinois, on the 19th day of April, 2022, and entitled:

> AN ORDINANCE providing for the issuance of not to exceed $18,000,000 General Obligation Bonds of the City of Crystal Lake, McHenry County, Illinois, for the purpose of financing capital improvements within the City and refunding certain outstanding bonds of the City, providing for the levy and collection of a direct annual tax for the payment of the principal of and interest on said bonds, authorizing the sale of said bonds to the purchasers thereof and providing for the execution of an escrow agreement in connection with such issuance.

and that the same has been deposited in, and all as appears from, the official files and records of my office.

IN WITNESS WHEREOF I have hereunto affixed my official signature and the seal of The County of McHenry, Illinois, this ____ day of _____, 2022.

_____
County Clerk of The County of McHenry, Illinois

[SEAL]

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