CITY OF CRYSTAL LAKE
AGENDA

CITY COUNCIL
REGULAR MEETING

City of Crystal Lake
100 West Woodstock Street, Crystal Lake, IL
City Council Chambers
March 2, 2010
7:30 p.m.

1. **Call to Order**

2. **Roll Call**

3. **Pledge of Allegiance**

4. **Approval of Minutes – February 16, 2010 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. **Council Reports**

9. **Consent Agenda**

   a. **Metra Ridgefield Station, Country Club Road at Prairie Street – Annexation referral.**
   b. **Children's Center for Autism – Class "16" Temporary Liquor License Request.**

10. **Ad Hoc Clean Air Counts Advisory Committee Annual Report Presentation.**

11. **Taxi Express – City Code Amendment to increase the number of taxicab business licenses.**

12. **Façade and Commercial Tenant Improvement Program grant application request – Regency Beauty Institute, 5657 Northwest Highway, Unit C01.**

13. **Immanuel Lutheran/Faith Lutheran High School, 174 McHenry Avenue - Unified Development Ordinance Sign Variation request to install an additional illuminated freestanding sign.**

14. **Clarification of Immanuel Lutheran's Special Use Permit Ordinance to allow for church services in the existing school building.**

15. **Crystal Lake Office Park, 741 and 757 McHenry Avenue – Comprehensive Land Use Plan Amendment from Office to Commerce, rezoning from "O-PUD" Office to "B-2 PUD" General Commercial, and Final PUD Amendment to allow wall signs.**

16. **Proposal award and resolution authorizing execution of an agreement for the purchase and installation of a variable frequency drive at Water Treatment Plant #4 and Water Treatment Plant #5.**

17. Bid award and resolution authorizing execution of an agreement for the purchase of a Brush Chipper and Stump Grinder.

18. Ordinance increasing the number of short-term parking spaces in the Downtown Business District.

19. Ordinance amending the Ice Cream Vendor Licensing provisions of the City Code.

20. Council Inquiries and Requests

21. 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.

22. Reconvene to Regular Session.

23. Adjourn

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

Agenda Item No: 9a

City Council
Agenda Supplement

Meeting Date: March 2, 2010

Item: #2010-15 Metra Ridgefield Station - Annexation Referral

Metra, petitioner
Country Club Road at Prairie Street

Recommendation: Motion to refer the petitioner's request to the March 17, 2010, Planning & Zoning Commission meeting for zoning consideration and to the April 6, 2010, City Council meeting for the annexation public hearing.

Staff Contact: Michelle Rentzsch, Director of Planning & Economic Development

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Background:

The petitioner is requesting annexation of a single parcel that totals 17.5 acres, located on Country Club Road, at Prairie Drive. The petitioner is requesting this referral as they are pursuing annexation and a PUD approval from the City of Crystal Lake for the Metra Ridgefield train station. The petitioner respectfully requests that this matter be referred to the March 17, 2010, Planning & Zoning Commission meeting for zoning consideration and the April 6, 2010, City Council meeting for the annexation public hearing.

Votes Required to Pass: A simple majority vote.

Agenda Item No: 9b

City Council
Agenda Supplement

Meeting Date: March 2, 2010

Item: Class "16" Temporary Liquor License – Children's Center for Autism

Staff Recommendation: Motion to approve issuance of a Class "16" Temporary Liquor License to the Children's Center for Autism

Staff Contact: George Koczwara, Deputy City Manager

Background:
The City has received a request from the Children's Center for Autism for the issuance of a Class "16" Temporary Liquor License in order to sell beer and wine at their 7th Annual Pizza & Beer Tasting Charity Event to be held at Nick's Pizza & Pub, located at 856 Pyott Road, on April 29, 2010 from 6:00 p.m. to 10:00 p.m.

Section 329-5-P of the City Code permits the issuance of a Class "16" Temporary Liquor License for the retail sale of beer and wine for consumption upon the premises specified in the license where sold. The license shall be issued to not-for-profit corporations qualified to do business in the State of Illinois. The license shall be for a period not to exceed three (3) days, and shall be issued only for special events sponsored by the not-for-profit corporation requesting the license.

In addition to the Class "16" Temporary Liquor License request, the Children's Center for Autism has also requested the issuance of a Temporary Use Permit to allow a Special Promotion for this fundraising event. The event will include a 40' x 80' tent in the parking lot of Nick's Pizza and Pub (please see the attached site plan). The tent will serve as the area to host attendees, for serving pizza, for beer vendors to provide samples to attendees, and for a silent auction to take place. Additionally, a stage will be erected for a band to perform.

This is an annual event that has been held for the past six years without any documented violations, and as has been recommended by the City Council in the past, the Planning and Economic Development Department has administratively approved the Temporary Use Permit request, as well as the waiver of the $25.00 permit fee request for this event with the following conditions:

1. The Temporary Use Permit shall be valid for the Children's Center for Autism, 7th Annual Beer and Pizza Tasting Charity event from 6:00 p.m. to 12:00 a.m. on Thursday, April 29, 2010, with set up to occur on April 28, 2010 and take down on April 30, 2010.
2. A minimum 20-foot wide access lane needs to be maintained throughout the site (paved areas) for fire apparatus access to the site and structures.
3. Access to all fire hydrants shall be maintained during the event and not obstructed by vehicles, fences, or related equipment.
4. Parking within the Fire Station 3 parking lot is not permitted.
5. Water Plant #3's access shall not be blocked.
6. Any junk or debris that may be created by the event shall be cleaned up on a continuing basis.
7. Any requests for temporary signage not included with this Temporary Use Permit shall be made to the Building Division.
8. The tent shall be of a flame resistant material, or treated as such.
9. No smoking in/under the tent.
10. No open flame, fire or heat, or any flammable or combustible liquids, gas charcoal, or other cooking device permitted inside of or within 20 feet of any tent or canopy open to the public.
11. Tents where cooking is performed shall be separated from other tents by 20 feet, and other requirements may need to be met. Outside cooking that produces sparks or grease-laden vapors must be done 20 feet from any tent/canopy.
12. A portable fire extinguisher is required for the tent with a minimum 2A rating.
13. Waste materials in/under and within 30 feet of all tents/canopies need to be stored in approved containers. (Garbage cans need to be provided for waste if present.)
14. The tent shall be adequately roped, braced, and anchored to withstand the elements of weather and to prevent collapse.
15. Generators need to be a minimum of 20 feet from any structures, tents, or canopies and isolated from contact with the public.
16. The 2005 National Electric Code shall be complied with. All cords shall be listed for exterior use.
17. Exits must be provided based on the occupant load. Exit access aisle must be provided to each required exit.
18. JULIE locates are required for the tent stakes.
19. A site inspection is required for the tents. It is recommended that the site be inspected prior to the tent being erected and after. Please contact the Fire Prevention Bureau at 815-356-3640 ext. 4147.

Attached for City Council review is a copy of all support documentation regarding this request.

Votes Required to Pass:
Simple majority

Agenda Item No: 10

City Council
Agenda Supplement

Meeting Date: March 2, 2010

Item: Ad Hoc Clean Air Counts Advisory Committee Annual Report Presentation

Staff Recommendation: City Council Discussion

Staff Contact: Brad Mitchell, Assistant to the City Manager

Background:

As the City Council may recall, in September 2007, the Council formed an Ad Hoc Clean Air Counts Advisory Committee. The purpose of the Committee is to assist the City in meeting the goals of the Clean Air Counts Campaign, which the City became a member of in August 2007. Since forming, the Committee has achieved many goals of the Clean Air Counts program, including obtaining Bronze level.

The Committee would like to share with the City Council their accomplishments, as well as their goals as they move forward towards achieving Silver and Gold levels.

Votes Required to Pass:

No action required.

Agenda Item No: 11

City Council
Agenda Supplement

Meeting Date: March 2, 2010

Item: City Code Amendment to Increase the Number of Taxicab Business Licenses – Applicant: Taxi Express

Staff Recommendation: Motion to adopt an ordinance increasing the number of taxicab business licenses from the current permitted 6 licenses to 7 licenses.

Staff Contact: George Koczwara, Deputy City Manager

Background:
The City has received a request from Taxi Express for the Council to consider the adoption of an ordinance providing for an amendment to the taxicab business license restriction provisions of the City Code, increasing the number of taxicab business licenses from the current 6 licenses to 7 licenses. Section 470-11 of the City Code currently permits the issuance of six taxicab business licenses in the City of Crystal Lake.

Other current holders of a taxicab business license are A #1 Dispatch, Inc., A & M Taxicab Company, American Taxi Dispatch, Inc., Crystal Lake Cab Company, Metro Yellow Northwest Taxi, and Route 47 Taxi Transportation.

Votes Required to Pass:
Simple majority

DRAFT

ORDINANCE AMENDING THE CODE OF THE CITY OF CRYSTAL LAKE, ILLINOIS

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

SECTION I: That CHAPTER 470 TAXICABS, Section 470-11 Limitations of licenses shall be amended as follows:

There shall be no more than seven taxicab business licenses in the City of Crystal Lake, and no person, firm or corporation shall be issued more than one license, nor shall a license be issued unless the licensee has taxicabs in service. There shall be no limitation on the number of taxicabs operated by each licensee.

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 2nd day of March, 2010.

APPROVED:

_____
MAYOR

ATTEST:

_____
CITY CLERK

PASSED: March 2, 2010

APPROVED: March 2, 2010

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

Agenda Item No: 12

City Council
Agenda Supplement

Meeting Date: March 2, 2010

Item: Facade and Commercial Tenant Improvement Program grant application request #09-45-019 Regency Beauty Institute, 5657 Northwest Highway, Unit C01 request for $10,000 in matching grant funds.

Mark Carani, Regency Beauty Institute, applicant

Recommendations: City Council's discretion:

1. Motion to approve the façade and commercial tenant improvement grant agreement with Mark Carani, and to award $10,000.00 in grant funding for improvements to 5657 Northwest Highway, Unit C01 (Regency Beauty Institute);
2. Motion to deny the grant application request.

Staff Contact: Michelle Rentzsch, Director of Planning and Economic Development
James Richter II, Assistant Director of Economic Development

Background: On July 7, 2009, the City Council approved the façade and commercial tenant improvement programs as a component of the City's economic development incentives program. These programs provide matching grant funding for interior and exterior improvements to retail sales tax generating buildings.

To objectively analyze the applications for grant funding, review criteria have been established in the Ordinance approving this program. Charts have been provided for each grant application to summarize how well each request meets the review criteria.

REGENCY BEAUTY INSTITUTE (5657 Northwest Highway)
Regency Beauty Institute will be occupying space at the subject property for a cosmetology instruction facility and is requesting $10,000 in grant funding for interior and exterior renovations. The eligible commercial tenant improvements for repurposing the subject tenant space include demolition, new feature walls, flooring, doors, electrical, plumbing and life-safety improvements. The exterior (façade) improvements include an expanded sign band area with peaked-roof features to match the existing center, painting, and signage.

The estimated total value of improvements by the applicant is $518,151.00. These improvements are currently in progress and nearing completion. The applicant's request for $10,000 in matching grant funds (along with the targeted development zone fee reduction incentive) provide financial assistance to the applicant in occupying a vacant retail space with a new institutional use that will bring 100 people to Crystal Lake each day.

REVIEW CRITERIA	APPLICANT'S ABILITY TO MEET THE REVIEW CRITERIA
Improvement to appearance	Provides a significant improvement to the appearance of the subject property*
Aesthetic impact to area	Improvements would provide a positive aesthetic impact to the area*
Amount of work to be conducted	Total cost of the improvements will be approximately $518,000*
Anticipated increase in EAV	A minor increase to the EAV is expected as a result of the improvements
Use of property after improvements	Applicant provides a sales-tax-generating, daytime traffic generator and fills vacant space*
Contribution to economic vitality	Positive – provides a new use that generates sales taxes and that brings traffic to the area; the use fills vacant space in an area that needs additional traffic to expand occupancies*
Compatibility with nearby uses	Compatible with adjacent uses*

The applicant's request has been evaluated for the value of the improvement, the extent of proposed work, and its potential impact. The current application would fulfill **6** of the **7** review criteria (marked with an asterisk*).

In order to be eligible for this program, the applicant must prove that they are a sales-tax-generating use. The applicant has provided information from another Regency Beauty Institute campus in Darien, Illinois to illustrate that their use collects sales taxes for the sale of beauty products. In addition, staff is requesting that the applicant provide sales tax reports to the City after this location is opened for verification.

RECOMMENDED CONDITIONS:
If approved, staff recommends the following conditions be added to the grant funding request:

1. Reimbursement will not be made until the applicant provides ST-1 sales tax information to staff to verify that the use is a sales-tax producing retail space.

SUMMARY OF ALL REQUESTS
The following chart provides a complete summary of the pending and approved grant funding requests:

File #	Applicant Name / Business name	Address	Façade Request	Build-out Request	Arch fees Requested	Total Requested	Amount Approved	Status
2009-45-003	Rich Sniadanko, American Family Ins	280 Virginia	$0.00	$5,000.00	$0.00	$5,000.00	$0.00	No action
2009-45-001	Jeramie Campana, Campana's Café	103/106 N Main	$917.50	$321.22	$0.00	$1,238.72	$1,238.72	Approved
2009-45-002	Bob Guss, Ms. Bossy Boots	23 N Williams	$5,000.00	$5,000.00	$0.00	$10,000.00	$10,000.00	Approved
2009-45-004	Patty Moyer, TC Corners LLC	650 Terra Cotta	$5,000.00	$0.00	$0.00	$5,000.00	$5,000.00	Approved
2009-45-005	Sam Lazar, Rocks Bar & Grill	394 W Virginia	$5,000.00	$5,000.00	$1,000.00	$11,000.00	$10,000.00	Approved
2009-45-006	Corbie Dimopolous Countertop Shoppe	1295 Randall, 107a	$2,421.90	$2,445.63	$0.00	$4,867.53	$4,867.53	Approved

2009-45-007	Ted Markee, Anderson Motors	360 N Route 31	$5,000.00	$5,000.00	$1,000.00	$11,000.00	$11,000.00	Approved
2009-45-008	Angie Angelos, Andys Restaurant	468 Virginia	$5,000.00	$0.00	$0.00	$5,000.00	$5,000.00	Approved
2009-45-009	Joyce Leonard, Edible Arrangements	5300 Nw Hwy #103	$5,000.00	$5,000.00	$0.00	$10,000.00	$10,000.00	Approved
2009-45-010	Jim Heisler, Red Wing Shoes	1275 Randall, 101	$4,653.81	$5,000.00	$0.00	$9,653.81	$9,653.81	Approved
2009-45-011	Jim M'Lady, M'Lady Nissan	5656 Nw Hwy	$5,000.00	$0.00	$0.00	$5,000.00	$5,000.00	Approved
2009-45-012	Jeffrey Silverman, MJK/Bedding Experts	5005 Nw Hwy	$2,500.00	$5,000.00	$0.00	$7,500.00	$7,500.00	Approved
2009-45-013	Gary Riegler, Auto Save	650 W Terra Cotta	$4,020.00	$0.00	$0.00	$4,020.00	$4,020.00	Approved
2009-45-014	Spiro Angelos, Jameson's Charhouse	5106 Nw Highway	$5,000.00	$5,000.00	$0.00	$10,000.00	$10,000.00	Approved
2009-45-015	Gary Andrewsky, 1776 Restaurant	297 Virginia Street						Incomplete
2009-45-016	Lisa Ryan, Derm Mania	5899 Nw Highway	$4,462.50	$1,449.00	$0.00	$5,911.50	$5,911.50	Approved
2009-45-017	Haig Haleblian, Exceed Flooring	5186 Nw Highway	$4,301.71	$1,395.00	$0.00	$5,696.71	$5,696.71	Approved
2009-45-018	Carrie Curie, Sweet Pea Cakes	40 N Williams	$424.00	$5,000.00	$0.00	$5,424.00	$5,424.00	Approved
2009-45-019	Mark Carani, Regency Beauty Inst	5657 Nw Hwy, C01	$5,000.00	$5,000.00	$0.00	$10,000.00		Proposed
		TOTALS	**$68,701.42**	**$55,610.85**	**$2,000.00**	**$126,312.27**	**$110,312.27**	

Votes Required to Pass: A simple majority vote.

Agenda Item No: 13

City Council
Agenda Supplement

Meeting Date: March 2, 2010

Item: Unified Development Ordinance Sign Variation Request to install an additional illuminated freestanding sign at 174 McHenry Avenue (Immanuel Lutheran/Faith Lutheran High School)

Staff Recommendation: City Council Discretion:
A. Motion to approve the variation as requested.
B. Motion to approve the request with any conditions.
C. Motion to deny the variation request.

Staff Contact: Victor C. Ramirez, Director of Engineering and Building
Rick Paulson, Building Commissioner

Background:

Faith Lutheran High School is requesting to install an additional illuminated freestanding sign at 174 McHenry Avenue. There is an existing sign on the lot for Immanuel Lutheran Church. Faith Lutheran Church is proposing to install the sign approximately one foot off the property line.

The proposed sign will be 24 square feet, will include a changeable copy section, with an overall height of 5 feet 10 inches, and will be illuminated.

The owner has requested a variation from requirements located in UDO Section 4-1000 C 5, Table 4-1000 G: Institutional Signs, and Section 4-1000 L. The variations are detailed in the following table.

Item	UDO Requirement	Proposed	Sign Meets Ordinance Requirement?
Location	Permanent signs must be setback a minimum of 10 feet from any property line, except in the Downtown District or the Virginia Street Corridor Overlay District.	The sign is proposed to be located 1 foot from the property line and is not in the Downtown District or the Virginia Street Corridor Overlay District.	No
Quantity of Freestanding Signs	1	2	No
Size	32 square feet	24 square feet	Yes
Height (feet)	8	5 feet 10 inches	Yes
Base	A minimum of 80% of the sign width and contain architectural elements or materials from the building.	80% of the sign width; does **not** contain architectural elements or materials from the building.	No
Illumination	Internally illuminated signs across from or adjacent to a residential district shall only be illuminated during the hours of business, but in no instance between the hours of 11:00 pm and 7:00 am.	The sign will be illuminated from 6:00 am until 11:00 pm.	No
Background	Internally illuminated signs across from or adjacent to a residential district shall permit light to shine fully through only the lettering and graphic elements of the signs. The background for such lettering and graphics shall be opaque.	The background for the graphics and lettering will be opaque; the background for the changeable copy section will not be opaque.	No

Attached is a sign variation application and permit application from Faith Lutheran High School, a letter from Immanuel Lutheran Church authorizing the installation of the sign, a sign plan, and a site plan.

The Sign Ordinance provides that a variation may be granted by the City Council where the literal application of the Code would create a particular hardship for the sign user and the following criteria are met:

A. A literal application of the Code would not allow the most appropriate type of sign for the property.

B. The granting of the requested variation would not be materially detrimental to the property owners in the vicinity.

C. Hardship caused the sign user under a literal interpretation of the Code is due to conditions unique to that property and does not apply generally to the City.

D. Granting of the variation would not be contrary to the general objectives of this Section.

Penny Hughes of Hughes and Son Signs has made the request on behalf of Faith Lutheran High School, and will be attending the meeting to discuss this request with the City Council.

Votes Required to Pass:

Simple majority of City Council present.

Agenda Item No: 14

City Council
Agenda Supplement

Meeting Date: March 2, 2010

Item: Clarification of Immanuel Lutheran's Special Use Permit ordinance.

Recommendation: Motion to clarify the language of the original Special Use Permit ordinance, to allow for church services in the existing school building.

Staff Contact: Michelle Rentzsch, Director of Planning and Economic Development

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Background: On April 15, 2008, the City Council approved a Special Use Permit for an Institutional Use for a school at 300 Pathway Court. The relevant staff report and SUP ordinance are attached for reference. The school building was built and is operational since 2009.

The City became aware that worship services were being held at the school. The Special Use Permit ordinance that was approved specifies that it is only for an Institutional Use for a school use. The staff report associated with the project also specifies that the Special Use Permit covers only a school use and that a future church use would require a Special Use Permit Amendment.

The petitioner has indicated that they would like to continue holding worship services at the Pathway Court location. They are seeking a clarification of the language of the original Special Use Permit so that it would allow the continued use of the school premises for worship services. A Special Use Permit Amendment still would be necessary when the petitioner is ready to construct the church building.

Votes Required to Pass: A simple majority vote.

ORDINANCE NO. 6347
FILE NO. 440

AN ORDINANCE GRANTING A SPECIAL USE PERMIT AND VARIATION AT 300 PATHWAY COURT

WHEREAS, pursuant to the terms of a Petition (File #2008-17) before the Crystal Lake Planning and Zoning Commission, the Petitioner has requested the issuance of a Special Use Permit for an Institutional Use for a school; and Zoning Ordinance variation from the requirement to provide one parking lot island every 10 parking spaces for the property located at 300 Pathway Court; and

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

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 be issued for an Institutional Use for a school; and Zoning Ordinance variation from the requirement to provide one parking lot island every 10 parking spaces for the property commonly known as 300 Pathway Court, Crystal Lake, Illinois.

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

1. Plans approved by the City Council, with changes reflecting staff and advisory board recommendations:
   A. Application (Immanuel Ministries Crystal Lake, received 3/6/08).
   B. Site plan – engineering plan set (W-T Eng., dated 3/4/08).
   C. Architectural plan set incl. Landscaping, lighting plans (Repholz, DLA, dated 3/4/08).
   D. Freestanding sign (Repholz, DLA, dated 3/4/08).
   E. Project Narrative (received 3/27/08).

2. Site Development Plans
   A. Relocate the watermain as suggested in the staff reviews; to correspond to the existing MUEs and to lessen conflicts with future landscaping, particularly along the west side of the building.
   B. Provide additional details for the structures (buildings, dug-outs, concessions areas, etc) indicated as part of the ball fields on the north side of the site.
   C. Work with staff on any proposed lighting standards for the ball fields so that the lighting standards are situated, designed and timed to be the least impact on the residential area.
   D. Based on the height of the gym area, the aerial apparatus access road needs to be 26 feet wide and

within 15-30 feet of the building. Please adjust accordingly.
E. If busses are utilized for this school, work with staff to incorporate a separate bus zone to avoid a parent drop-off area that conflicts with bus traffic.
F. Indicate the location of any bicycle racks to be included on the site.

3The petitioner's requested uses for a Pre-K – 8 school and baseball fields listed in the application and project narrative are hereby approved, with the exception of the church building. The future church building (Phase 3) shall be addressed via an Amendment to this Special Use Permit, at which time additional information can be provided for these uses.

4. This special Use Permit does not allow for a daycare use. If the petitioner would like to use the facility for this use, an additional and separate Special Use Permit would be required.

5. Any wall signage proposed for the building shall meet the requirements of the Sign Ordinance.

6. Freestanding sign.
A. Ensure that the location of the sign is located outside of the sight line triangle at this intersection.
B. Provide the proposed colors of the sign on the sign plan submitted for permit.

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

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 15th day of April, 2008.

MAYOR

ATTEST:

CITY CLERK

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

Agenda Item No: 15

City Council
Agenda Supplement

Meeting Date: March 2, 2010

Item: REPORT OF THE PLANNING & ZONING COMMISSION

#2009-58 Crystal Lake Office Park

1) Comprehensive Land Use Plan Amendment from Office to Commerce.
2) Rezoning from "O-PUD" Office to "B-2 PUD" General Commercial
3) Final PUD Amendment to allow wall signs.

Roderick Dunn, petitioner
741 and 757 McHenry Avenue

PZC Recommendation: 1) Motion to deny the Comprehensive Land Use Plan Amendment from Office to Commerce and the Rezoning from O-PUD to B-2 PUD for 741 McHenry Avenue; and

2) Motion to approve the Planning and Zoning Commission recommendation and to adopt an ordinance granting a Final PUD Amendment to allow non-illuminated wall signs for 741 and 757 McHenry Avenue.

Staff Contact: Michelle Rentzsch, Director of Planning & Economic Development

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Background: In 1998, the petitioner received Final PUD approval to allow two 8,000-square-foot office condominium buildings at 741 and 757 McHenry Avenue. As part of the 1998 approval, the petitioner requested two monument signs, one for each lot, and no wall signs. The owner stated that there would be identification signs near the doorways of each tenant suite. The petitioner is seeking approval of a Comprehensive Plan Amendment and Rezoning from office to commercial to allow a convenience store to locate in the building located at 741 McHenry Avenue, the northernmost lot. In addition, a PUD Amendment is requested to allow individual tenant wall signage on both buildings.

PZC Highlights

The Planning and Zoning Commission was concerned that commercial zoning did not fit in with the character of the area, which is primarily made up of offices and residences. They were also

concerned that commercial tenants could harm the existing office tenants in the center. The Commission found the request did not meet the rezoning criteria established by the UDO. Upon reviewing the request for the Final PUD Amendment, they did agree that wall signage could help customers find the correct tenant suite location. The Commission did not want the wall signage to be illuminated, due to the building's proximity to residential properties.

The Planning and Zoning Commission recommended **denial (6-0)** of the petitioner's requests for the Comprehensive Land Use Plan Amendment from Office to Commerce and the Rezoning from O-PUD to B-2 PUD.

The Planning and Zoning Commission recommended **approval (6-0)** of the petitioner's request for a Final PUD Amendment to allow individual tenant wall signs with the following conditions.

1. Approved plans, to reflect staff and advisory board comments, as approved by the City Council:
   A. Application (Dunn, received 10/12/09)
   B. As built Survey (Evan Evans, dated 8/22/01, received 10/12/09)
   C. Elevation and Sign exhibit (Dunn, received 10/12/09)

2. If wall signage is approved, a Tenant Sign Criteria shall be submitted to staff for review and approval and all signs shall be consistent in style, ~~**lighting**~~ and color. **(Amended by PZC)**

3. All conditions from Ordinance #5067 shall remain in effect, as applicable.

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

Votes Required to Pass: A super majority vote (5 votes) to overturn the PZC's recommendation and approve the Rezoning request and a simple majority vote to approve the Comprehensive Plan amendment and Final PUD Amendment requests.

DRAFT

ORDINANCE NO. _____
FILE NO. _____

AN ORDINANCE GRANTING AN AMENDMENT
TO THE FINAL PUD FOR CRYSTAL LAKE OFFICE PARK – 741 & 757 McHENRY AVENUE

WHEREAS, pursuant to the terms of the Petition (File #2009-58) before the Crystal Lake Planning and Zoning Commission, the Petitioner has requested for Crystal Lake Office Park to allow a Final PUD Amendment to allow wall signs; and

WHEREAS, the required hearings were held on the petition of the property owners in the manner and the form required by the Unified Development Ordinance of the City of Crystal Lake and the statutes of the State of Illinois; and

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

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 be granted to permit a Final PUD Amendment to allow wall signs for the property located at 741 & 757 McHenry Avenue, Crystal Lake, Illinois.

SECTION II: That the Special Use Permit be granted with the following conditions:

1. Approved plans, to reflect staff and advisory board comments, as approved by the City Council:
   A. Application (Dunn, received 10/12/09).
   B. As built Survey (Evan Evans, dated 8/22/01, received 10/12/09)
   C. Elevation and Sign exhibit (Dunn, received 10/12/09)

2. If wall signage is approved, a Tenant Sign Criteria shall be submitted to staff for review and approval and all signs shall be consistent in style and color.

3. All conditions from Ordinance #5067 shall remain in effect, as applicable.

4. The petitioner shall address any review comments of the Engineering and Building, Fire Rescue, Public Works and Planning and Economic Development Department

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 granting of 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 and approval as provided by law.

DATED at Crystal Lake, Illinois, this _____ day of _____, _____.

_____
MAYOR

ATTEST:

_____
CITY CLERK

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

Agenda Item No: 16

City Council
Agenda Supplement

Meeting Date: March 2, 2010

Item: Installation of a Variable Frequency Drive at Water Treatment Plant #4 and Water Treatment Plant #5

Staff Recommendation: Motion to award the proposal for the purchase and installation of a variable frequency drive at Water Treatment Plant #4 and Water Treatment Plant #5 to the lowest responsible and responsive proposer, Newcastle Electric Inc., and adopt a Resolution authorizing the City Manager to execute a purchase agreement with Newcastle Electric Inc. for the amount of $32,200.00 with contingencies of up to 5% of the contract price.

Staff Contact: Eric R. Lecuyer, Director of Public Works

Background:

The Public Works Department received ARRA grant funding from the Department of Energy for the installation of energy efficient equipment at Water Treatment Plant #4 and #5. To determine where the City can receive the greatest benefit from the investment, projects for the funding were selected based on energy audits conducted at the City's water treatment plants and wastewater treatment facilities in 2008. Due to the immediate energy savings generated from the project, variable frequency drives (VFD's) have been incorporated as one component of the project that the City is committed to install with the grant funding.

The VFD's are used to vary the speed of the pump motor, which is able to constantly adjust to maintain system pressure at the optimal level and meet system use demands. The pump motors then will be able to adjust automatically, as opposed to manually or by a maximum level sensor. This will result in improved electrical efficiency, reduce the on/off cycling of pumps, and reduce water hammers and potential damage in the distribution system.

Discussion:
On January 15, 2010, the City received proposals from eight contractors to supply and install the VFD's at Water Treatment Plants #4 and #5.

The following is a breakdown of the total prices for bids received:

Co:	√ Newcastle Electric	Associated Electrical	Concord Const. Serv., Inc	Benson Electrical	The Flolo Corporation	CDC Enterprises	Pieper Electric, Inc	KII Electrical Contractors
	Itasca, IL	*Woodstock, IL*	*Lake Zurich, IL*	*Crystal Lake, IL*	*Bensenville, IL*	*McHenry, IL*	*Milwaukee, WI*	*Woodstock, IL*
TOTAL	$32,200	$32,567	$32,807	$34,691	$35,978	$36,000	$38,552	$40,334

√ Indicates the lowest responsible and responsive proposer.

Recommendation:

Newcastle Electric Inc. submitted the lowest pricing of the eight companies. Staff has reviewed the proposals submitted, and contacted all necessary references. It is the recommendation of staff to award the contract for the Water Treatment Plant #4 and #5 VFD's to the lowest responsive and responsible bidder, Newcastle Electric Inc., in the amount of $32,200.00 with a contingency of 5% of the purchase price for unforeseen expenses based on the proposal submitted.

The funds for this project are available and will be paid for with the Department of Energy grant funding.

Votes Required to Pass:

A simple majority vote is needed to approve the authorizing resolution.

DRAFT

RESOLUTION

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE that the City Manager is authorized to execute a Purchase Agreement between the CITY OF CRYSTAL LAKE and Newcastle Electric, Inc. for the purchase and installation of Variable Frequency Drive systems at Water Treatment Plants #4 and #5.

DATED this _____ day of _____, 2010.

CITY OF CRYSTAL LAKE, an
Illinois municipal corporation,

By:_____
MAYOR

SEAL

ATTEST

_____
CITY CLERK

PASSED: _____

APPROVED: _____

Agenda Item No: 17

City Council
Agenda Supplement

Meeting Date: March 2, 2010

Item: Brush Chipper and Stump Grinder

Staff Recommendation: Motion to award the bid for the purchase of a Brush Chipper and Stump Grinder to the lowest responsible and responsive bidder, Bandit Industries, and to adopt a resolution authorizing the City Manager to execute a purchase agreement with Bandit Industries, for the Brush Chipper and Stump Grinder in an amount not to exceed $62,190.00.

Staff Contact: Eric R. Lecuyer, Director of Public Works

Background:

On February 23, 2010, the Public Works Department publicly opened and read aloud bids received for the purchase of one brush chipper and one stump grinder. With the ever increasing demand for tree care work placed on the Streets Division, new brush chipper and stump grinder units are necessary tools to meet the expectations of City residents. The existing chipper and stump grinder units were both purchased by the City in 1994 and have become unreliable and require regular maintenance and repairs. The current stump grinder unit has critical engine damage, which rendered it inoperable to finish the 2009 season. A rental unit was required to complete ongoing projects. In addition, new models of brush chippers and stump grinders now include standard safety features that were not available in 1994. The increased reliability and safety features of the new units will make operations more efficient for the Streets Division.

The Public Works Department is recommending that the bid options be exercised for the stump grinder, which includes an auto-sweep function, a chip blade, four-wheel drive, and trailer. The implementation of these components will enhance the efficiency of the stump removal and root cutting operations.

The following is a breakdown of the bids received:

Vendor	Brush Chipper	Stump Grinder with options	Total
Bandit Industries Remus, MI √	$41,370.00	$20,820.00	$62,190.00
Alexander Equipment Lisle, IL	$39,660.00*	$24,470.00	$64,130.00
Vermeer Midwest Inc. Aurora, IL	$41,473.00	$31,137.98	$72,610.98
Burris Equipment Waukegan, IL	$45,441.00	No bid	N/A

√ *Indicates the lowest responsible and responsive bidder*

*Does not meet bid specifications.

Recommendation:

The Public Works Department has reviewed all bids received for completeness and accuracy in accordance with the invitation to bid document. Alexander Equipment bid a Morbark Beever M18R chipper unit, which is a smaller unit than the minimum specified in the invitation to bid document. The Public Works Department specified a 19" chipper based on field experience. A smaller unit would compromise the Department's ability to effectively deal with emergency and routine tree work. It is staff's recommendation to award the 2010 Brush Chipper and Stump Grinder bid to the lowest responsible and responsive bidder, Bandit Industries, in the bid amount of $62,190.00.

There are sufficient funds in the 2009/2010 budget for the purchase of these units.

Votes Required to Pass:

Simple Majority

DRAFT

RESOLUTION

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE that the City Manager is authorized to execute a one-time Purchase Agreement between the CITY OF CRYSTAL LAKE and Bandit Industries for the purchase of one brush chipper and one stump grinder.

DATED this _____ day of _____, 2010.

CITY OF CRYSTAL LAKE, an
Illinois municipal corporation,

By:_____
MAYOR

SEAL

ATTEST

_____
CITY CLERK

PASSED: _____

APPROVED: _____

Agenda Item No: 18

City Council
Agenda Supplement

Meeting Date: March 2, 2010

Item: North Main Street Short-Term Parking Amendment

Staff Recommendation: Motion to adopt an ordinance increasing the number of short-term parking spaces in the Downtown Business District.

Staff Contact: George Koczwara, Deputy City Manager

Background:

Attached please find a request from Mike Lemieux of Create a Video, Inc., located at 101 N. Main Street, for two 15-minute parking spaces in front of his business. Included with the request is a letter of support signed by neighboring businesses that would be impacted by the request.

This request was recently reviewed by the Downtown Crystal Lake Board of Directors and the letter of support from the Board is included.

At the July 15, 2008 City Council meeting, the City Council approved a similar request for short term parking spaces near the intersection of Williams Street and Brink Street. As was indicated at the time by the City's Downtown Parking Consultant, short-term on-street parking can be advantageous in its ability to increase on-street turnover.

Votes Required to Pass:
Simple majority

DRAFT

AN ORDINANCE TO REGULATE PARKING OF MOTOR VEHICLES IN THE CITY OF CRYSTAL LAKE

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

Section I: That it shall be unlawful to park any vehicle or to permit a vehicle to remain parked for a period longer than fifteen (15) minutes from 9:00 a.m. to 9:00 p.m. in the first two parking spaces on the east side of North Main Street immediately north of the railroad crossing.

Section II: That suitable signs and markers shall be erected;

Section III: That this ordinance shall be in full force and effect after its passage and approval, according to law;

Section IV: That any person, firm or corporation violating any provision of this Ordinance shall be fined in accordance with Chapter 248 in the Code of Ordinances of the City of Crystal Lake, Illinois.

Section V: All ordinances and parts of ordinances in conflict herewith are hereby repealed.

Dated at Crystal Lake, Illinois this 2nd day of March, 2010.

_____
MAYOR

ATTEST:

_____
CITY CLERK

PASSED: March 2, 2010
APPROVED: March 2, 2010

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

Agenda Item No: 19

City Council
Agenda Supplement

Meeting Date: March 2, 2010

Item: Ice Cream Vendor Licensing

Staff Recommendation: Motion to adopt an ordinance amending Section 504-11, Character of Applicant, of the Crystal Lake City Code.

Staff Contact: George Koczwara, Deputy City Manager

Background:

The provisions of Chapter 504, Article II, of the City Code prohibit an applicant from obtaining an ice cream vendor license after being convicted of a felony. However, there are no provisions in the City Code for researching an applicant's or driver's criminal history or recovering additional expenditures beyond the control of the City that would be associated with such a search. The attached amendment to the City Code establishes a process for conducting a criminal background fingerprint check on ice cream vendor license applicants and drivers. This process would be similar to the process in place for liquor license and taxicab driver applicants.

Recommendation:

It is staff's recommendation to adopt an ordinance amending the Ice Cream Vendor Licensing provisions of the City Code.

Votes Required to Pass:

Simple Majority

DRAFT

AN ORDINANCE AMENDING CHAPTER 504 OF THE CODE OF THE CITY OF CRYSTAL LAKE

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CRYSTAL LAKE, ILLINOIS:

SECTION I: Chapter 504, Vehicles, Delivery, is amended as follows:

§ 504-11. Character of applicant*/driver*.

No such license shall be issued to or held by any person *or driver* who is not a person of good character or who has been convicted of a felony *within the past five years, or must register as a sex offender as required by the Sex Offender Registration Act, 730 ILCS 150;* nor shall such license be issued to or held by any corporation if any officer thereof would be ineligible for a license under the foregoing conditions. *A criminal background fingerprint check will be performed by the Chief of Police, or his designee, through the Illinois State Police, Bureau of Identification and the Federal Bureau of Investigations database systems. A $50 fee shall be paid by the company or the individual for each individual for whom a background investigation must be conducted.*

SECTION II: This ordinance shall be in full force and effect from and after its passage and approval according to law.

SECTION III: All ordinances and parts of ordinances in conflict herewith are hereby repealed.

DATED at Crystal Lake, Illinois, this 2nd day of March, 2010

APPROVED:

_____
MAYOR

ATTEST:

_____
CITY CLERK

PASSED: March 2, 2010
APPROVED: March 2, 2010

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