CITY OF CRYSTAL LAKE
AGENDA

CITY COUNCIL
REGULAR MEETING

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

1. **Call to Order**

2. **Roll Call**

3. **Pledge of Allegiance**

4. **Proclamations**
   a. **Chamber of Commerce Week**
   b. **Constitution Week**

5. **Approval of Minutes - August 17, 2010 Regular City Council Meeting**

6. **Accounts Payable**

7. **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.

8. **Mayor's Report**

9. **Council Reports**

10. **Consent Agenda**
    a. **Park Place Townhomes, west of Randall Road at Alexandra Boulevard – Final Planned Unit Development Amendment Continuation.**
    b. **Extension of the Final Planned Unit Development approval for Kentucky Fried Chicken, 6280 Northwest Highway.**
    c. **The Salvation Army request to use McCormick Park on November 18, 2010.**

11. **Crystal Lake Buick GMC, 6305 Northwest Highway – Temporary Use Permit request for 2010-2011 Special Promotions.**

12. **Crystal Lake Chevrolet, 5220 Northwest Highway – Temporary Use Permit request for a Grand Opening Special Promotion.**

13. **Immanuel Lutheran Church, 300 Pathway Court – Class "16" Temporary Liquor License request.**

14. **Immanuel Lutheran Church, 300 Pathway Court – Request to temporarily suspend no-parking restrictions on the east side of Pathway Court and the south side of Teckler Boulevard on September 12, 2010.**

15. **Exclusively Napa, 35 Williams Street – City Code Amendment to increase the number of Class "3" liquor licenses.**

16. Ordinance amending Chapter 228, Economic Development Incentive Program, of the City Code and Resolution authorizing execution of the M'Lady Nissan enhanced sales tax incentive agreement.

17. Resolution authorizing payment to the Crystal Lake Civic Center Authority for exterior building maintenance repairs, with a 10 percent contingency for justifiable additions.

18. 8307 Ridgefield Road – Annexation Public Hearing; Variations to allow a new private well to be constructed in the City, and a new septic system in the Crystal Lake Watershed, and a variation from the requirement to pay park and school donation fees for the proposed lot; rezoning upon annexation to the "W" Watershed District; Minor Subdivision to create one additional one-acre lot; and deferral from the requirements to install sidewalks and street lighting and to bury aerial utilities.

19. Resolution authorizing execution of a letter of understanding with the Illinois Department of Transportation regarding participation in improvements to the Illinois Route 31 and Illinois Route 176 intersection.

20. Resolution authorizing execution of an agreement for right-of-way and easement appraisal and negotiation services for the Pingree Road Segment 2 improvement and approval of changes in scope by 10 percent of the original price.

21. Resolution authorizing appropriation of MFT funds for the Pingree Road Segment 2 Improvement right-of-way and easement acquisition services.

22. Resolutions authorizing execution of agreements with ComEd, AT&T, and Comcast for relocation of overhead utilities along Virginia Street and approval of changes in scope by 10% of the original price.

23. Resolution authorizing execution of a lease agreement between the City of Crystal Lake and Clearwire Communications LLC for the Bard Road Water Tower.

24. Ordinances amending Chapters 238 and 258 of the City Code, which establish the general rules and admission guidelines and fishing regulations for the Three Oaks Recreation Area, and resolution establishing rules and regulations for the operation of the Three Oaks Recreation Area.

25. Resolution waiving bidding requirements and authorizing execution of an agreement for the purchase of a replacement Heavy Duty Fire Apparatus Pumper.

26. Illinois Route 176 Strategic Regional Arterial Corridor Study Presentation.

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 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: 10a

City Council
Agenda Supplement

Meeting Date: September 7, 2010

Item: Park Place Townhomes Final Planned Unit Development Amendment

Brian Schoepp, petitioner
West of Randall Road, at Alexandra Boulevard

Recommendation: Motion to continue the petitioner's request to the October 5, 2010, City Council meeting.

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

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Background: Park Place Townhomes is seeking to amend their Final PUD approval to allow the addition of larger patios and decks. This item was heard at the August 3, 2010, City Council meeting and continued to give time to resolve the outstanding issues. The Engineering Division conducted an analysis to determine that patios can be up to 12 feet x 16 feet and not create any additional imperviousness that cannot be handled by the detention basins as designed. The complete engineering analysis will be included in the packet when this item is heard by the City Council at the October meeting. In addition, the petitioner has worked to include Phase I in this request, which seems to be amenable to the Phase I property owners. The petitioner is now working to obtain the signatures of the Phase 1 owners on the Final PUD Amendment application.

The petitioner respectfully requests that this matter be continued to the October 5, 2010, City Council meeting in order to acquire signatures from the property owners in Phase 1.

Votes Required to Pass: A simple majority vote.

Agenda Item No: 10b

City Council
Agenda Supplement

Meeting Date: September 7, 2010

Item: Extension of the Final Planned Unit Development approval for Kentucky Fried Chicken.

Pete Wasilevich, applicant
6280 Northwest Highway

Recommendation: Motion to approve an extension of the Final Planned Unit Development approval for Kentucky Fried Chicken located at 6280 Northwest Highway, to November 4, 2011.

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

Background: On November 4, 2008, the City Council approved the Final Planned Unit Development Amendment for the Kentucky Fried Chicken restaurant rebuild, which allowed exterior changes to the façade and variations. According to the UDO, a Final PUD approval is valid for two years and may be extended by the City Council for an additional year. The petitioner has noted that due to economic conditions, they are not able to complete the improvements at this time. They are requesting a one-year extension to November 4, 2011.

Votes Required to Pass: A simple majority vote.

Agenda Item No: 10c

City Council
Agenda Supplement

Meeting Date: September 7, 2010

Item: The Salvation Army request to use McCormick Park

Staff Recommendation: Motion to approve The Salvation Army request to use McCormick Park on Thursday, November 18, 2010, for their tree-lighting event to kick-off The Salvation Army Red Kettle Campaign.

Staff Contact: Brad Mitchell, Assistant to the City Manager

Background:

The City has received a request from The Salvation Army for the use of McCormick Park on Thursday, November 18, 2010 at dusk for their tree-lighting event to kick-off The Salvation Army Red Kettle Campaign. The petitioner will clean up the site and dispose of trash from the activities. The Salvation Army also requested a Temporary Use Permit, which is going through approval process administratively.

City staff has reviewed the petitioner's request and does not have concerns regarding the use of McCormick Park, providing the following conditions are met:

1) The use shall be valid on Thursday, November 18, 2010 only.
2) Petitioner must adhere to the required City insurance provisions for the use of City-owned property by providing a certificate of insurance naming the City as additional insured, and sign the required Indemnity/Hold Harmless agreement.
3) All debris created by the event shall be cleaned up during and after the event.
4) Any additional permits or requests for signage shall be made through the Engineering and Building Department.
5) Emergency access to McCormick Park must be maintained throughout the event.
6) If tents or canopies will be used, the petitioner shall contact the Fire Rescue Department for further review.
7) In the case of inclement weather, an alternate date can be approved by the City Manager.

The petitioner has agreed to meet these conditions. Attached for your information is a copy of The Salvation Army's Temporary Use Permit application and a map of the tree-lighting event.

Votes Required to Pass:

Simple majority vote of the City Council.

Agenda Item No: 11

City Council
Agenda Supplement

Meeting Date: September 7, 2010

Item: Crystal Lake Buick GMC Temporary Use Permit request for 2010-11 Special Promotions.

Recommendation: Motion to approve the Temporary Use Permit for the Crystal Lake Buick GMC 2010-11 Special Promotions pursuant to the recommendations below.

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

Background: Crystal Lake Buick GMC is requesting a Temporary Use Permit to allow special promotions throughout the remainder of this year (2010) and next year (2011). Based upon the direction of the City Council, staff has worked with auto dealerships to encourage them to obtain one Temporary Use Permit for the year for all of the dealership's special advertising needs. This allows car dealerships to hold their promotions within the time-frames required by the manufacturers without the need for seeking individual Temporary Use Permit approval. Also, this conserves City resources by allowing all promotions to be reviewed simultaneously through a single review.

General Motors requires its auto dealers to hold various promotional events during the year as part of the manufacturer's overall advertising program. These promotional events are inconsistently timed throughout the year and given to the dealers with little or no advanced notice. The challenge for the auto dealers occurs when they are sent the promotional materials, banners, and program requirements and given very short notice to begin advertising for the promotion. The promotional events can last as few as five days and, therefore, by the time the temporary use permit and signage permits are applied for and obtained, the promotion is already over.

Staff has worked with the petitioner to come up with a promotional schedule that allows the dealership the flexibility to commence promotions throughout the year as needed, without being required to return to the City for individual approvals for each promotion. The petitioner is requesting approval for two (2) total promotions for the remainder of 2010 and six (6) throughout the year 2011, one during each "pair" of months.

The proposed schedule of events and the details for each of the events, including event length, and promotional items (banners and tents) are listed on the attached schedule.

The petitioner is also requesting a waiver from the requirement to obtain sign permits for the banners due to the time constraints. The petitioner has indicated that the manufacturer sends banners that are less than or equal to 12 feet by 4 feet (48 sq. ft), and they agree that they can stay within that maximum area. As a compromise, the Building Division would like the applicant to notify the City when they will be installing the temporary banners and the tents in order to track the petitioner's progress on the promotional events.

If the request is approved, the following conditions are recommended:

1. The Temporary Use Permit shall be valid during the remainder of the 2010 calendar year and all of the 2011 calendar year.
2. The installation of a tent requires an inspection prior to occupancy by the Fire Prevention Bureau. The additional conditions for the tents are:
    A. All tents must be labeled fire retardant and anchored properly.
    B. At least one fire extinguisher must be under the tent.
    C. No automobiles will be allowed under the tent with the batteries connected.
    D. Fuel levels must be less than ¼ tank or not more than 5 gallons, whichever is less.
    E. Fuel tank openings must be secured to prevent the escape of vapors.
3. Banners should be positioned so as not to prohibit sight lines. They shall be a minimum of 10 feet from the property line/sidewalk at the corner of Teckler and Northwest Highway.
4. On-site traffic flow must be maintained around the building.

The applicant has been made aware of these recommended conditions and will be attending the September 7, 2010 City Council meeting to answer any questions.

Votes Required to Pass: A simple majority vote.

Agenda Item No: 12

City Council
Agenda Supplement

Meeting Date: September 7, 2010

Item: Crystal Lake Chevrolet Temporary Use Permit request for a Special Promotion (Grand Opening).

Recommendation: Motion to approve the Temporary Use Permit for the Crystal Lake Chevrolet Special Promotion (Grand Opening) pursuant to the recommendations below.

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

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Background: Crystal Lake Chevrolet is requesting a Temporary Use Permit to allow a Special Promotion to hold a Grand Opening from September 8, 2010 to November 1, 2010. Steven Alf, the new owner of Crystal Lake Chevrolet, is requesting banners and a 40 ft. x 40 ft. tent, as well as occasional weekend food vendors.

Mr. Alf had a soft opening of Crystal Lake Chevrolet in July. Since that time, he and his team have been working to install computers systems and phone lines, import vehicles for the large display areas and a myriad of other tasks associated with opening a business. They are ready for an official grand opening event and are working with Crystal Lake's Gala Events Rental & Planning to help them prepare for the grand opening event.

The Unified Development Ordinance (UDO) allows special promotions for a period of not more than three days in a calendar month. The Ordinance states that only four special promotions by the same business shall be approved by the City Council within a calendar year on the same property.

If the request is approved, the following conditions are recommended:

1. The Temporary Use Permit shall be valid from September 8, 2010 to November 1, 2010.
2. The installation of a tent requires an inspection prior to occupancy by the Fire Prevention Bureau. The additional conditions for the tent are:
   A. The tent must be labeled fire retardant and anchored properly.
   B. At least one fire extinguisher must be under the tent.
   C. No automobiles will be allowed under the tent with the batteries connected.
   D. Fuel levels must be less than ¼ tank or not more than 5 gallons, whichever is less.
   E. Fuel tank openings must be secured to prevent the escape of vapors.

F. If food is to be cooked under the tents, contact the Fire Prevention Bureau regarding cooking and other requirements for tents and canopies.

3. Banners should be positioned so as not to prohibit sight lines. They must be a minimum of 10 feet from the property line/sidewalk and out of the State right-of-way.
4. If food vendors are to be present, a permit from the McHenry County Health Department is required.

The applicant has been made aware of these recommended conditions and will be attending the September 7, 2010 City Council meeting to answer any questions.

Votes Required to Pass: A simple majority vote.

Agenda Item No: 13

City Council
Agenda Supplement

Meeting Date: September 7, 2010

Item: Class "16" Temporary Liquor License – Immanuel Lutheran Church

Staff Recommendation: Motion to approve issuance of a Class "16" Temporary Liquor License to Immanuel Lutheran Church

Staff Contact: George Koczwara, Deputy City Manager

Background:
The City has received a request from Immanuel Lutheran Church, 300 S. Pathway Court, for the issuance of a Class "16" Temporary Liquor License in order to sell beer and wine at their 140th year celebration event to be held at Immanuel Lutheran Church on Sunday, September 12, 2010.

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.

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

Votes Required to Pass:
Simple majority

Agenda Item No: 14

City Council
Agenda Supplement

Meeting Date: September 7, 2010

Item: Immanuel Lutheran 140th Year Celebration Event

Staff Recommendation: Motion to temporarily suspend no-parking restrictions on the east side of Pathway Court, and also on the south side of Teckler Boulevard (north of "Jewel" entrance to east termini), for Immanuel Lutheran's 140th year celebration event to be held on Sunday, September 12, 2010 from 10:00 a.m. to 5:00 p.m. All other applicable parking codes remain in force.

Staff Contact: Brad Mitchell, Assistant to the City Manager

Background:

Immanuel Lutheran Church is requesting to temporarily suspend no-parking restrictions on the east side of Pathway Court, and also on the east side of Teckler Boulevard (north of "Jewel" entrance to east termini) for their 140th year celebration event to be held on Sunday, September 12, 2010 from 10:00 a.m. to 5:00 p.m. All other applicable parking codes remain in force. A similar request was approved by the City Council on March 16, 2010.

City staff reviewed the petitioner's request and have the following comments:

- Parking is not allowed on both sides of Pathway Court and Teckler Boulevard according to Sections D103.1 and D103.6.2 of the City's Fire Code. Allowing parking on both sides would reduce the minimum required width of the fire apparatus access road and the Fire Rescue Department's ability to access the area for an emergency incident. Therefore, City staff recommends that the temporary parking restriction suspension only apply to one side of the streets.
- Support of temporarily suspending parking restrictions on Teckler Boulevard is limited to this request given that both streets are currently "dead ends" that do not serve any other businesses or occupied lots. Future requests should not be

approved after Teckler Boulevard is extended to Main Street, as this would be a collector route leading directly to Route 14.

- Parking along the rear service drive behind "Jewel" and "Hobby Lobby" is prohibited (currently signed no parking for the fire lanes).
- Parking should be avoided in the last 25' on the south side of Teckler Boulevard at the east termini to leave room to access the small temporary turnaround "hammerhead" to avoid vehicles having to drive in reverse several hundred feet due to dead-end.

The letter requesting approval to suspend the no-parking restrictions and a map have been attached for City Council consideration.

Votes Required to Pass:

Simple majority vote of the City Council

Agenda Item No: 15

City Council
Agenda Supplement

Meeting Date: September 7, 2010

Item: City Code Amendment to Increase the Number of Class "3" Liquor Licenses– Applicant: Exclusively Napa, 35 Williams Street

Staff Recommendation: Motion to adopt an ordinance increasing the number of Class "3" Liquor Licenses from the current permitted 10 licenses to 11 licenses.

Staff Contact: George Koczwara, Deputy City Manager

Background:
The City has received a request from Exclusively Napa, a new establishment to be located at 35 Williams Street, for the Council to consider the adoption of an ordinance providing for an amendment to the liquor license restriction provisions of the City Code, increasing the number of Class "3" liquor licenses from the current 10 licenses to 11 licenses.

Section 329-5-C of the City Code permits the issuance of a Class "3" liquor license, which authorizes the retail sale, on the premises specified, of alcoholic liquor, for consumption, on the premises as well as the retail sale of alcoholic liquor in the original package between the hours of 11:00 a.m. and 1:00 a.m. Monday, Tuesday, Wednesday, Thursday; 11:00 a.m. and 2:00 a.m. Friday and Saturday; and 10:00 a.m. on Sunday and 1:00 a.m. on Monday.

Other current Class "3" liquor license holders include Applebee's, Chen's King Wok, Chili's Grill & Bar, China Palace, Fire Bar and Grill, Georgio's Chicago Pizzeria & Pub, Pablo's Mexican Restaurant, Porter's/Yellowtails Sports Bar & Grill, Rocks Bar & Grill and TGI Fridays.

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 329 LIQUOR LICENSES Section 329-6 Limitations on licenses shall be amended as follows:

1. Class 3 License shall be increased from 10 to 11.

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 7th day of September, 2010.

APPROVED:

_____
MAYOR

ATTEST:

_____
CITY CLERK

PASSED: September 7, 2010
APPROVED: September 7, 2010

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: September 7, 2010

Item: A) Amendment to the Enhanced Sales Tax Incentive Ordinance
B) M'Lady Sales Tax Incentive Agreement.

Recommendation: Motion to adopt an ordinance amending Chapter 228, Economic Development Incentive Program.

Motion to approve a resolution authorizing the Mayor to sign the M'Lady Nissan enhanced sales tax incentive agreement for 5656 Northwest Highway.

Staff Contact: Gary J. Mayerhofer, City Manager
Michelle Rentzsch, Director of Planning and Economic Development

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Background: On July 7, 2009, the City Council reviewed and approved an array of economic development tools. Since that time, many new businesses have taken advantage of these and have opened or improved their businesses within Crystal Lake. The first enhanced sales tax incentive agreement would necessitate a few changes to the original ordinance, as detailed below.

The proposed changes to the ordinance are in three areas: on page two, the base amount definition has been modified to provide the ultimate flexibility in reviewing each of these ESTIP agreements on a case-by-case basis; a definition for local sales tax has been inserted; and Section 228-5 on the bottom of page two has been modified to eliminate the restriction of 50 percent, with everything to be approved by the City Council.

The proposed ordinance changes have been reviewed by legal counsel and incorporate the changes necessary to approve the M'Lady dealership redevelopment agreement.

The M'Lady Nissan dealership, located at 5656 Northwest Highway, is one of the top performing Nissan dealerships in the tri-state area. For the past several months, it has received the honor of being the top performing Nissan dealership in the Midwest. In order to better meet the needs of their existing customers and provide a nicer environment to attract future customers, M'Lady Nissan is planning a complete redevelopment of the existing dealership. The entire showroom area will be demolished and excavated to allow for the construction of a new showroom and enhanced office and service areas for their customers. The work will be so

extensive, that temporary trailers or an alternate location will have to be utilized for car sales, as the existing site will be uninhabitable.

In keeping with the City's Enhanced Sales Tax Incentive Program (ESTIP), an incentive agreement is proposed that would aid in ensuring this expansion takes place. The purpose of the City's Enhanced Sales Tax Incentive Program is to:

- Encourage the recruitment, retention, establishment and/or substantial expansion of sales tax generating businesses within the City, thereby stimulating the economy within the City;
- Provide employment for residents of the City and others, further expanding the goods and services available for purchase and consumption by businesses and residents of the City;
- Further increase the sales taxes collected by the City, which increased sales tax collections will enable the City to provide expanded and improved municipal services to and for the benefit of the residents of the City;
- Encourage the construction of public improvements by private owners without debt obligations being incurred by the City; and
- Allow applicants an opportunity to improve properties which generate sales activities, which improvements make those properties more competitive in the marketplace and further provide to applicants additional contingent sources of revenues for upgrading said properties.

The proposed building redevelopment would include the complete demolition of the existing showroom and partial demolition of the offices and customer waiting areas to allow for the construction of a Nissan "N-Ready" dealership showroom and enhanced office and customer service areas. The new Nissan image is a modern style, with large glass entry walls and aluminum composite metal (ACM) finished walls, an all-around clean contemporary look, with a construction cost estimate of $1,696,244.

The proposed sales tax agreement would provide the following stipulations:

- ✓ The new Nissan N-Ready dealership would be constructed, meeting all the City's codes and ordinances, as approved by the City.
- ✓ After its completion, the City would share the enhanced sales tax revenue from this property on a 50/50 basis with its owner. The refund is based on the amount of sales tax that is generated by this dealership.
- ✓ The refund schedule would continue for ten years or until up to one million dollars has been rebated, whichever occurs first.
- ✓ If, for some reason, the dealership were to close or be abandoned, a refund payment schedule has been included that would require repayment of the reimbursement payments that had been made to date, based on a sliding scale.
- ✓ The agreement allows for another Nissan or a new franchised motor vehicle dealership (a flag currently not operating in the City) to assume the benefits of the proposed incentive agreement, assuming that the new dealership operates at a level that is comparable to the existing Nissan dealership.
- ✓ This agreement also contains a non-compete provision, not allowing M'Lady to open a competing Nissan dealership within 10 air miles during the life of the agreement and also

not allowing a competing M'Lady Nissan dealership within 10 air miles for 3 years after the termination of this agreement or for nine years after the initial payment, whichever occurs first, unless the total amount of the refund payments have been paid back to the City.

The proposed agreement has been reviewed by legal counsel and is in an acceptable format.

Votes Required to Pass: A simple majority vote.

DRAFT

AN ORDINANCE AMENDING CHAPTER 228 OF THE CODE OF THE CITY OF CRYSTAL LAKE.

WHEREAS, the City Council desires to establish an economic development incentive program as a business assistance program, the purpose of which is to recruit and retain businesses within the City of Crystal Lake, thereby stimulating the economy of and within the City, providing employment for residents of the City and others, further expanding the goods and services available for purchase and consumption by businesses and residents of the City, and further increasing the sales and use taxes collected by the City; and

WHEREAS, the City Council has found and determined that providing economic incentives to encourage the establishment or expansion of businesses within the City will stimulate economic activity in the City, including the creation and maintenance of jobs and the attraction of consumers to the City and will otherwise generally benefit the well-being of the residents of the City by stimulating commercial growth, and provide crucial economic support to allow the City to continue to provide the level of municipal services to its commercial and residential citizens; and

WHEREAS, the City is authorized to expend public funds for a public benefit and providing economic incentives for the establishment or expansion of businesses within the City will provide a benefit to the public, generally; and

WHEREAS, the City Council finds that increased tax collections realized in connection with such a program will enable the City to provide expanded and improved municipal services to and for the benefit of the City, while at the same time providing public-related improvements to the City and its taxpayers and residents; and

WHEREAS, the City Council finds that the creation of an economic development incentive program is consistent with the City's powers as a home rule municipal corporation and that exercise of said powers in the manner provided in this Ordinance is in the furtherance of the public health, safety and welfare.

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

SECTION I: Chapter 228, Economic Development Incentive Program, is added to the Code of the City of Crystal Lake as follows:

ARTICLE I: Enhanced Sales Tax Incentive Program

§ 228-1. Established.

There is established within the City an Enhanced Sales Tax Incentive Program ("ESTIP").

§ 228-2. Purpose.

The purpose of the Enhanced Sales Tax Incentive Program created by this chapter is to encourage the recruitment, retention, establishment and/or substantial expansion of sales tax generating businesses within the City, thereby stimulating the economy of and within the City, providing employment for residents of the City and others, further expanding the goods and services available for purchase and consumption by businesses and residents of the City, and further increasing the sales taxes collected by the City, which increased sales tax collections will enable the City to provide expanded and improved municipal services to and for the benefit of the residents of the City, while at the same time providing public or public-related improvements at no cost, or at deferred cost, to the City and its taxpayers and residents.

§ 228-3. Definitions.

As used in this chapter and all sections thereof, the following phrases shall have the following meanings:

Enhanced sales tax means the amount of sales tax (as hereinafter defined) collected by the City in a calendar year over and above a base amount as defined herein.

Base amount shall be an amount to be negotiated by the City Manager or the City Manager's designee, and agreed upon by the applicant, provided, however, the City Manager shall use as a basis for negotiation an amount which is not less than the annual average of the sales tax sales receipts attributed to applicant's business operated upon the subject property over the three previous calendar years, unless such lesser base amount is approved by the City Council. ~~The base amount shall never be lower than the amount of sales taxes collected by the City in the previous thirty-six (36) months.~~ In the case of a newly established business, the base amount shall be determined by the City Manager, based upon the City Manager's review of the newly established business's business plan or other documentation reasonably required by the City Manager to determine the amount of sales taxes which would likely be generated from the new business without the participation by applicant in the ESTIP.

Owner or applicant means the record owner or potential record owner of real property upon which one (1) or more businesses is operated.

Local Sales Tax shall mean the 1% Municipal Sales Tax charged for retail sales within the City.

§ 228-4. Basis for participation.

Participation in ESTIP shall be based upon approval by the City Council of the City of Crystal Lake, exercising its legislative discretion in good faith. Any owner or applicant of a newly established or proposed retail business, or the owner or applicant of an existing retail business which wishes to expand substantially, may apply to the City for inclusion within the ESTIP provided that the new or expanded business is reasonably likely to generate at least one million dollars ($1,000,000.00) in retail sales during the first year of operation or expansion.

§ 228-5. Approval of agreement; conditions; effect.

Approval by the City Council of an agreement implementing this ESTIP shall entitle the successful applicant to share in such percentage of enhanced sales taxes derived from applicant's property as may be determined by the City Council and incorporated into such agreement or business ~~in an amount which shall not exceed fifty percent (50%) of the enhances sales taxes~~; provided, however, that applicant shall use said amounts only for improvements such as those specified in Section 228-6 and which are

expressly approved by the City Council at the time of consideration of the application. The time period in which said enhanced sales and/or use taxes may be shared shall not commence until all public or public-related improvements are completed and meet City standards, and shall be limited by the City Council, in its discretion, to the earlier to occur of 1) the date ~~which is 10 years from the date the agreement was approved~~ as may be specified by the City Council in such agreement; or 2) the date on which the maximum payments allowed by such agreement have been paid by the City to the applicant.

§ 228-6. Permitted uses of funds.

A. The uses to which any shared enhanced sales taxes may be put by an applicant shall be strictly limited to those improvements installed or constructed by the applicant.

B. As used in this chapter, "***improvements***" shall include, but is not limited to, the employment of additional employees; an expanded marketing and promotion campaign; IT infrastructure; and public improvements, including, but not limited to streets, sidewalks, curbs, gutters, pedestrian malls, street lights, drainage facilities, public utilities, landscaping, decorative structures, redevelopment of existing properties, occupancy of existing vacant space, expansion or creation of primary jobs in the City, public art, fountains, identification signs, traffic safety devices, bicycle paths, off-street parking facilities, benches, restrooms, information booths, public meeting facilities, and all necessary, incidental, building facades, architectural enhancements, and appurtenant structures and improvements, together with the relocation and improvement of existing utility lines, and any other improvements of a similar nature which are specifically approved by the City Council.

C. Nothing contained herein shall limit the City Council from appropriating additional capital improvement funds for capital improvements directly or indirectly affecting the property in question as a part of the City's regular appropriation, capital improvement, or budget process.

§ 228-7. Incremental payments.

The amount of the Enhanced Sales Taxes relative to any party participating in the ESTIP shall be determined by the City annually. If in any calendar year sales taxes generated by the applicant's business operated upon applicant's property do not at least equal the base amount so as to create enhanced sales taxes for such calendar year, then no funds shall be shared with the applicant for such calendar year, and no funds shall be shared until the deficit for such calendar year, and any other cumulative deficit from prior calendar years have been met.

§ 228-8. Existing tax revenue sources unaffected.

A. It is an overriding consideration and determination of the City Council that existing sources of City sales tax revenues shall not be used, impaired, or otherwise affected by this Enhanced Sales Tax Incentive Program. Therefore, the City Council conclusively determines that only enhanced sales taxes generated by the properties described in an application, and a subsequent agreement, shall be subject to division under this Article.

B. It shall be the affirmative duty of the Finance Director of the City of Crystal Lake to collect and escrow such enhanced sales taxes payable to the owner or applicant in a separate account apart from the sales taxes generated by, and collected from, any other sales tax generating sources within the City and to provide an accounting system which accomplishes the overriding purpose of this Section. Interest earnings on such account shall accrue to the City. Such funds shall not be considered City funds for

purposes of any ordinance or resolution allocating sales tax monies from particular sources to particular purposes but shall be applied exclusively to this Program.

C. The City Council of the City of Crystal Lake conclusively states that this Article would not be adopted or implemented but for the provisions of this Section.

§ 228-9. Criteria for approval.

Approval of an application for inclusion in this ESTIP shall be given by motion adopted by a majority of the City Council, at a public meeting held as a portion of a regularly scheduled City Council meeting, based upon the following criteria:

A. The amount of enhanced sales taxes which are reasonably to be anticipated to be derived by the City through the expanded or new retail sales tax generating business;

B. The public benefits which are provided by the applicant through public works, improvements, additional employment for City residents, etc.;

C. The quality of the proposed development;

D. Whether the proposal utilizes an existing building(s);

E. Whether the proposal represents redevelopment to an area or building in the City;

F. Whether the proposal represents job diversity in industry sectors and is part of a growing industry;

G. The proposal's contribution to the diversity of retail within the City;

H. Whether the proposal brings a value added result to the City or a development within the City (for example, by moving the company's corporate headquarters to the City);

I. The amount of the business assistance is as a percentage of new revenue anticipated to be created by the proposal (for example, by relocation, of the company to Crystal Lake);

J. The amount of expenditures which may be deferred by the City based upon improvements to be completed by the applicant at the applicant's expense;

K. The conformance of the applicant's property or project with the comprehensive plan, zoning ordinances and building codes of the City; and

L. The agreement required by Section 228-10 having been reached, which agreement shall contain and conform to all requirements of Section 228-10.

§ 228-10. Agreement with City; required; contents.

Each application for approval submitted to the City Council shall be subject to approval by the City Council solely on its own merits. Approval of an application shall require that an agreement be executed by the owner and the City, which agreement shall, at a minimum, contain:

A. A list of those public or public-related improvements which justify the applicant's approval, and the amount which shall be spent on such improvements;

B. The maximum amount of enhanced sales and/or use taxes or fees to be shared, and the maximum time during which the agreement shall continue, it being expressly understood that any such agreement shall expire and be of no further force and effect upon the occurrence of the earlier to be reached of the maximum time of the agreement (whether or not the maximum amount to be shared has been reached) or the maximum amount to be shared (whether or not the maximum time set forth has expired);

C. A statement that the agreement is a personal agreement which is not transferable and which does not run with the land;

D. A statement that the agreement shall never constitute a debt or obligation of the City within any constitutional or statutory provision;

E. The base amount which is agreed upon by incremental period, and the fact that if, in any incremental period as specified, sales taxes received from the property do not at least equal said amount, that there shall be no sharing of enhanced sales tax funds for said incremental period, and that any deficit for any such period shall be carried over to succeeding periods until the difference between the base amount and the amount of sales tax actually paid is recovered by the City;

F. A provision that any enhanced sales and/or use taxes subject to sharing shall be escrowed in the event there is a legal challenge to the ESTIP or the approval of any application therefore;

G. An affirmative statement that the obligations, benefits and provisions of the agreement may not be assigned in whole or in any part without the expressed authorization of the City Council, and further that no third party shall be entitled to rely upon or enforce any provision hereof;

H. That the agreement shall be subject to the annual appropriation of sufficient funds for payments as provided in this Chapter;

I. Any other provisions agreed upon by the parties and approved by the City Council.

§ 228-11. Findings.

A. The City Council has enacted this Article as a joint benefit to the public at large and to private owners for the purposes of: Providing the City with increased sales tax revenues generated upon and by properties improved as a result of this Program; Encouraging the construction of public improvements by private owners without debt obligations being incurred by the City; and Allowing applicants an opportunity to improve properties which generate sales activities, which improvements make those properties more competitive in the marketplace and further provide to applicants additional contingent sources of revenues for upgrading said properties.

B. The City Council specifically finds and determines that creation of this ESTIP is consistent with the City's powers as a Home Rule Municipal Corporation, and that exercise of those powers in this Article promotes the public health, safety and general welfare. Notwithstanding any provision hereof, the City shall never be a joint venturer in any private entity or activity which participates in this ESTIP, and the City shall never be liable or responsible for any debt or obligation of any participant in ESTIP.

DRAFT

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 7th day of September, 2010.

APPROVED:

_____
MAYOR

ATTEST:

_____
CITY CLERK

PASSED:
APPROVED:

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

RESOLUTION

DRAFT

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE that the Mayor is authorized to execute the M'Lady Nissan enhanced sales tax incentive agreement for 5656 Northwest Highway.

DATED this 7th day of September, 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: September 7, 2010

Item: Civic Center Authority Funding Request

Council Discretion: Motion adopting a resolution authorizing a payment in the amount of $75,575, with a 10 percent contingency for justifiable additions, to the Crystal Lake Civic Center Authority for exterior building maintenance repairs.

Staff Contact: George Koczwara, Deputy City Manager

Background:

During the recent Budget workshop meeting, there was a funding request from the Raue Center for the Arts for exterior building maintenance repairs on the Raue Center. The exterior building maintenance is to further prevent moisture deterioration to the building.

Since that time, representatives from the Raue Center for the Arts and City staff met to finalize the specifications for the necessary building repairs and conducted a formal bidding process on behalf of the Crystal Lake Civic Center Authority, which is the governing body that selects the board members of the Raue Center for the Arts. On Tuesday, August 10, 2010, bids were opened for exterior building maintenance on the Raue Center for the Arts facility. Three bids were received:

Continental Construction, Inc. Evanston, IL	$73,900
Clark Masonry, Inc. Machesney Park, IL	$87,217
ZM Group, Inc. Lemont, IL	$165,830

In addition to the above maintenance items, 12 ft. of copper flashing needs to be replaced on the roof where it meets the terra cotta. The work is estimated to cost $1,675.

Based on the above maintenance items, the Civic Center Authority is seeking the following funding for the exterior building maintenance on the Raue Center for the Arts facility:

Exterior Maintenance	$73,900
Roof Flashing	$1,675
Total	**$75,575**

A 10 percent contingency allowance is also recommended for justifiable additions to the work.

City staff will continue to be involved in the oversight and project management of this work to ensure that the work is completed satisfactorily.

Votes Required to Pass:

Simple majority vote of the City Council

DRAFT

RESOLUTION

WHEREAS, the City of Crystal Lake has received a funding request from the Crystal Lake Civic Center Authority in the amount of $75,575 for building maintenance repairs to the Raue Center for the Arts facility; and

WHEREAS, following City staff review, it has been determined that the repairs are necessary to prevent further moisture deterioration to the building.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE to amend the 2010-2011 City Budget and authorize payment in the not-to-exceed amount of $75,575, with a 10 percent contingency for justifiable additions, to the Crystal Lake Civic Center Authority for building maintenance repairs to the Raue Center for the Arts facility.

DATED this 7th day of September, 2010

CITY OF CRYSTAL LAKE, an
Illinois municipal corporation,

By:_____
MAYOR

SEAL

ATTEST

_____
CITY CLERK

PASSED: September 7, 2010
APPROVED: September 7, 2010

Agenda Item No: 18

City Council
Agenda Supplement

Meeting Date: September 7, 2010

Item: REPORT OF THE PLANNING & ZONING COMMISSION

#2010-21 Gramme/Topps

ANNEXATION PUBLIC HEARING

CITY CODE VARIATION REQUEST

1) Variation from Section 515-50 of the City Code to allow a new private well to be constructed in the City.
2) Variation from Section 630-6H of the City Code to allow a new septic system in the Crystal Lake Watershed.
3) Variation from the requirement to pay park and school donation fees for the proposed lot.

ZONING REQUEST

1) Rezoning upon annexation to the "W" Watershed District.
2) Minor Subdivision to create one additional one-acre lot.
3) A deferral until an area-wide program is implemented is hereby granted for the following UDO requirements:
   A. From the requirement to install sidewalks.
   B. From the requirement for street lighting
   C. From the requirement to bury aerial utilities.

Heidi Gramme and Anthony Topps, petitioners
8307 Ridgefield Road, Crystal Lake

Recommendation:

1) Motion to adopt ordinances authorizing the annexation of the parcel totaling 3.49 acres and the execution of the annexation agreement.
2) Motion to approve the Planning and Zoning Commission recommendations and to adopt an ordinance approving the rezoning upon annexation and minor subdivision and deferrals to create one additional lot for the 3.49 acres located at 8307 Ridgefield Road.
3) Motion to approve variations to Sections 515-50 and 630-6H of the City Code and allow a new private well and a new septic system.

City Council's Discretion

1) Motion to approve the variation from the requirement to pay park and school donation fees for the new lot.
2) Motion to deny the variation from the requirement to pay park and school donation fees for the new lot.

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

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Background: The property in question is approximately 3.49 acres in area, located on Ridgefield Road, just south of Tartan Drive. The property is surrounded by the McHenry County College property on three sides. It is located in unincorporated McHenry County and zoned "A-1" under the County's Zoning Ordinance. Currently, the property is improved with a two-story residence, a number of accessory structures (including a garage, an outbuilding and several sheds) and an in-ground swimming pool.

The petitioner is requesting rezoning upon annexation to the "W" Watershed district and minor subdivision approval to create one additional lot. It is their intent to build a single-family residence on that lot.

There is no sanitary sewer or water service available to this site. The existing water main is located approximately one mile from this property and there is no sanitary sewer in the vicinity of this site. Variations must be granted by the City Council to allow a new well and a septic field to service the proposed home.

Minor Subdivision:

The Minor Subdivision process was introduced through the Unified Development Ordinance specifically for subdivisions creating ten lots or less that do not require any public improvements (except installation of sidewalks, underground placement of public utilities and street trees), such as construction of new roads. The petitioner is requesting a deferral from the requirement to install sidewalk along Ridgefield Road, the requirement to bury aerial utilities, as well as to install street lighting. There are no sidewalks or street lighting along Ridgefield Road at this time. It appears that there are several trees along Ridgefield Road that would satisfy the requirement for parkway trees. The petitioner is also requesting a variation from the requirement to pay park and school donation fees for the proposed lot.

PZC Highlights

The Planning and Zoning Commission had little discussion and no concerns regarding this request.

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

1) Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
   A. Petition for Initial Zoning (received 4-1-10)

B. Application (Gramme, received 4-1-10)
C. Plat of Annexation, Plat of Survey, Final Plat of Minor Subdivision (Luco, received 4-19-10)

2) The requirements of the *Crystal Lake Watershed Stormwater Management Design Manual* shall apply to any future development in this subdivision.

3) Lots 1 and 2 shall be subject to the density and dimensional standards of the "E" Estate Residential district.

4) Work with City Staff to determine individual impervious coverage limits for each lot and include as plat restrictions on the Final Plat of Subdivision.

5) Include plat restrictions for pollutant source control measures that minimize the opportunity for pollutants to reach the lake, including but not limited to: fertilizer management (no phosphorous used), herbicide/pesticide management (minimize use), and no bulk chemical storage.

6) An access permit from the McHenry County Division of Transportation is required for any new driveway to Ridgefield Road from Lot 2.

7) Provide an easement along the outside of the existing or proposed right-of-way for Ridgefield Road for the purpose of future pedestrian/bicycle facilities along this arterial route.

8) Final Plat of Minor Subdivision:
   A. The Plat shall meet all the requirements of Article 5-200 G 3 b, including but not limited to, names of owners and certification by licensed surveyor; exact location, width and name of all streets and dedication status; purpose of easements; building setback lines; school districts in which each lot is located; certification indicating all taxes and assessments are paid in full; and proper form for City Council and PZC approval.
   B. Include a signature block for the County Engineer's signature.

9) A deferral until an area-wide program is hereby granted for the following UDO requirements:
   A. From the requirement to install sidewalks.
   B. From the requirement for street lighting.
   C. From the requirement to bury aerial utilities.

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

The attached annexation agreement has been reviewed by an attorney and City staff and is in an acceptable format.

Votes Required to Pass: A super majority of 5 votes is needed to approve the annexation agreement. A simple majority vote is required to approve the other requests.

DRAFT

ORDINANCE NO. _____
FILE NO. _____

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

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

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

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

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

WHEREAS, HEIDI GRAMMES AND ANTHONY TOPPS, have entered into a valid and binding Annexation Agreement relating to said territory; and

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

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

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

DRAFT

SECTION I: That the following described territory:

A parcel of land in the South half of the Northeast Quarter of Section 25, Township 44 North, Range 7 East of the Third Principal Meridian, described as follows: Commencing on the East line of the Northeast Quarter at a point 271.3 feet North from the East Quarter corner of said Section 25; thence Westerly on a line forming an angle of 95 degrees 42 minutes to the left, with a prolongation of the last described line, for a distance of 492.3 feet to an intersection with the centerline of the County Highway, as now constructed; thence Northwesterly along the centerline of said highway, being on a line forming an angle of 65 degrees 28 minutes to the right, with a prolongation of the last described line, a distance of 793.07 feet to a point for a point of beginning; thence Southwesterly at right angles to the last described line, for a distance of 465 feet; thence northwesterly at right angles to the last described line, 330 feet; thence Northeasterly at right angles to the last described line, for a distance of 446.95 feet to an intersection with the center line of the aforesaid highway; thence Southeasterly along the center line of said highway; being on a curved line to the right, (radius of 2387.50 feet) for a distance of 293.75 feet to the point of tangent; thence Southeasterly along the centerline of said highway, being on a line tangent to said curve, for a distance of 36.95 feet to the point of beginning, in McHenry County, Illinois.

be and the same is hereby annexed to the City of Crystal Lake, McHenry County, Illinois.

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

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

AYES:

NAYS:

ABSENT:

DRAFT

PASSED this ____ day of _____, 20__.

APPROVED by me this _____ day of _____, 20__.

_____
MAYOR

ATTEST:

_____
CITY CLERK

DRAFT

ORDINANCE NO. _____
FILE NO. _____

AN ORDINANCE AUTHORIZING THE EXECUTION OF AN ANNEXATION AGREEMENT

WHEREAS, it is in the best interests of the City of Crystal Lake, McHenry County, Illinois, that a certain Annexation Agreement, a copy of which is attached hereto and incorporated herein, be entered into; and

WHEREAS, HEIDI GRAMME AND ANTHONY TOPPS, Owners, are ready, willing and able to enter into said Agreement and to perform the obligations as required thereunder; and

WHEREAS, the statutory procedures provided in Division 15.1 of Article 11 of the Illinois Municipal Code, as amended, for the execution of said Annexation Agreement have been fully complied with.

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 the Mayor be and he is hereby authorized and directed to execute, and the City Clerk is directed to attest, the Annexation Agreement, a copy of which is attached hereto and made a part hereof.

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

AYES:

NAYS:

DRAFT

ABSENT:

PASSED this ____ day of _____, 20__.

APPROVED by me this ____ day of _____, 20__.

_____
MAYOR

ATTEST:

_____
CITY CLERK

DRAFT

ORDINANCE NO. _____
FILE NO. _____

AN ORDINANCE ZONING CERTAIN PROPERTY "W" WATERSHED ZONING DISTRICT, MINOR SUBDIVISION, AND DEFERRALS

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

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

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

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

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

SECTION I: That the following described property be and the same is hereby zoned and classified "W" Watershed zoning district:

> A parcel of land in the South half of the Northeast Quarter of Section 25, Township 44 North, Range 7 East of the Third Principal Meridian, described as follows: Commencing on the East line of the Northeast Quarter at a point 271.3 feet North from the East Quarter corner of said Section 25; thence Westerly on a line forming an angle of 95 degrees 42 minutes to the left, with a prolongation of the last described line, for a distance of 492.3 feet to an intersection with the centerline of the County Highway, as now constructed; thence Northwesterly along the centerline of said highway, being on a line forming an angle of 65 degrees 28 minutes to the right, with a prolongation of the last described line, a distance of 793.07 feet to a point for a point of beginning; thence Southwesterly at right angles to the last described line, for a distance of 465 feet; thence northwesterly at right angles to the last described line,

330 feet; thence Northeasterly at right angles to the last described line, for a distance of 446.95 feet to an intersection with the center line of the aforesaid highway; thence Southeasterly along the center line of said highway; being on a curved line to the right, (radius of 2387.50 feet) for a distance of 293.75 feet to the point of tangent; thence Southeasterly along the centerline of said highway, being on a line tangent to said curve, for a distance of 36.95 feet to the point of beginning, in McHenry County, Illinois.

That the City agrees to grant a Minor Subdivision and deferrals with the following conditions:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
   A. Petition for Initial Zoning (received 4-1-10)
   B. Application (Gramme, received 4-1-10)
   C. Plat of Annexation, Plat of Survey, Final Plat of Minor Subdivision (Luco, received 4-19-10)

2. The requirements of the *Crystal Lake Watershed Stormwater Management Design Manual* shall apply to any future development in this subdivision.

3. Lots 1 and 2 shall be subject to the density and dimensional standards of the "E" Estate Residential district.

4. Work with City Staff to determine individual impervious coverage limits for each lot and include as plat restrictions on the Final Plat of Subdivision.

5. Include plat restrictions for pollutant source control measures that minimize the opportunity for pollutants to reach the lake, including but not limited to: fertilizer management (no phosphorous used), herbicide/pesticide management (minimize use), and no bulk chemical storage.

6. An access permit from the McHenry County Division of Transportation is required for any new driveway to Ridgefield Road from Lot 2.

7. Provide an easement along the outside of the existing or proposed right-of-way for Ridgefield Road for the purpose of future pedestrian/bicycle facilities along this arterial route.

8. Final Plat of Minor Subdivision:
   A. The Plat shall meet all the requirements of Article 5-200 G 3 b, including but not limited to, names of owners and certification by licensed surveyor; exact location, width and name of all streets and dedication status; purpose of easements; building setback lines; school districts in which each lot is located; certification indicating all taxes and assessments are paid in full; and proper form for City Council and PZC approval.

DRAFT

B. Include a signature block for the County Engineer's signature.

9. A deferral until an area wide program is hereby granted for the following UDO requirements:
   A. From the requirement to install sidewalks.
   B. From the requirement for street lighting
   C. From the requirement to bury aerial utilities.

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

SECTION II: That the City Clerk be and he 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 zoning and classification of the above-described property in accordance with the provisions of this Ordinance, as provided by law.

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

AYES:

NAYS:

ABSENT:

PASSED this ____ day of _____, 20___.

APPROVED by me this _____ day of _____, 20___.

_____

MAYOR

ATTEST:

_____

CITY CLERK

Agenda Item No: 19

City Council
Agenda Supplement

Meeting Date: September 7, 2010

Item: Concurrence for participation in an expanded scope in the Illinois Route 31 and Illinois Route 176 Intersection Improvement.

Staff Recommendation: Motion to adopt a resolution authorizing the City Manager to execute a letter of understanding with the Illinois Department of Transportation regarding participation in improvements to the Illinois Route 31 and Illinois Route 176 intersection as indicated in the agenda supplement.

Staff Contact: Victor Ramirez, Director of Engineering and Building

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Background:

The Illinois Department of Transportation (IDOT) has been designing the improvements to the intersection of IL Route 31 and IL Route 176 for several years. The improvement consists of reconstruction to provide two through lanes, dual left turn lanes, and exclusive right turn lanes on each leg of the intersection. A fifth leg, Terra Cotta Avenue, will be eliminated in a cul-de-sac. Traffic will be routed to Route 176 along Smith Road. The original northern limit of the project on Route 31 was Ray Street, which consisted of a five-lane improvement tapering to the existing three-lane pavement north of Ray Street.

During the review of the Preston Pines residential development, Ryland Homes was required to create a signalized intersection at IL Route 31 and River Birch Boulevard, which is the main entrance into the development. Under the original scope of the intersection improvement, five lanes would be extended south of River Birch Boulevard and taper to the existing three-lane pavement. This would have left an unimproved gap of 900 feet between Ray Street and River Birch Boulevard.

On July 30, 2007, representatives of IDOT and Ryland Homes agreed to extend the northern limit of the project to eliminate the unimproved gap. Ryland Homes would provide the local share of the project extension cost through the establishment of an escrow account. The City would administer the escrow account. The local share was determined to be 50 percent of the

cost of the construction of the added work. The local share is $115,000. This Phase I addendum reflects the agreement between the City and IDOT. The City would need a separate agreement with Ryland Homes for the deposit of the $115,000 escrow with the City.

Since that meeting, Ryland Homes has indicated to the City that they are not looking to move forward or make any additional financial commitments to the project in the near future. They are waiting until market conditions improve to continue the project. This includes their proposed Route 31 signalization improvement and their contribution to the local match. However, IDOT is moving forward with the design engineering for the Route 31 improvement.

City staff has reviewed the Phase I addendum and recommends that the City not participate in the cost of the extension. Due to the uncertainty of the future of this development, the City should not expose itself to the risk of Ryland Homes declining to deposit $115,000 in escrow with the City. The extension of the five-lane section north 900 feet and tapering back to the three-lane existing section is not going to have sufficient benefit to warrant a City expenditure. However, staff does agree that the scope would be beneficial should IDOT choose to extend it at their cost. If, in the future, Ryland Homes builds the signalized, five-lane intersection improvement, IDOT will require them to extend it to match the five-lane terminus by Ray Street.

City staff recommends that the City Council authorize the City Manager to sign this letter as follows:

- Concur with project scope: YES
- Concur with project cost participation: NO

A copy of the letter of concurrence is attached. The attached resolution will authorize the City Manager to execute the letter.

Votes Required to Pass:

Simple majority of City Council present.

DRAFT

The City of Crystal Lake Illinois

RESOLUTION

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE that the City Manager is authorized to countersign a letter of concurrence with the Illinois Department of Transportation regarding the scope of improvements to the intersection of Illinois Route 31 and Illinois Route 176.

DATED this seventh day of September, 2010.

CITY OF CRYSTAL LAKE, an Illinois Municipal Corporation

BY: _____
Aaron T. Shepley, Mayor

ATTEST:

_____
Nick Kachiroubas, City Clerk

PASSED: September 7, 2010

APPROVED: September 7, 2010

Agenda Item No: 20

City Council
Agenda Supplement

Meeting Date: September 7, 2010

Item: Pingree Road Segment 2 right-of-way and easement acquisition service agreements

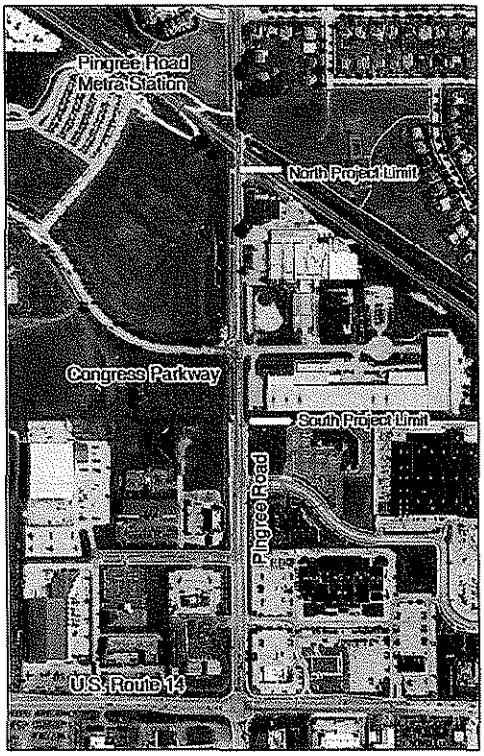
Staff Recommendation: Motion to adopt a resolution authorizing the City Manager to execute an agreement with the most qualified lowest responsible and responsive proposer, Civiltech Engineering, Inc, in the amount of $31,800 for right-of-way and easement appraisal and negotiation services for the Pingree Road Segment 2 improvement, and authorize the City Manager to approve changes in scope by 10 percent of the original price.

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

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Background:

The Pingree Road Segment 2 improvement will improve the intersection of Pingree Road and Congress Parkway. The project will improve Pingree Road between the end of the Route 14 and Pingree Road intersection improvement and the Union Pacific Railroad tracks. Pingree Road will be widened to a five-lane section south of Congress Parkway and will taper from a five-lane section to a two-lane section north to the railroad tracks. To complete these improvements, the City needs to acquire a combination of right-of-way and easements from five property owners.



This project is being funded by a combination of Federal Surface Transportation Program (STP) funds, Metra's contribution as defined in the traffic study for the Pingree Road Station, and local City MFT funds. Since this project has federal funding, the City must follow federal guidelines for property acquisition. The guidelines require the City to use Illinois Department of Transportation (IDOT) approved

providers for property appraisal, property appraisal review, and acquisition negotiations.

The City is targeting the March 2011 IDOT letting, and all right-of-way and easements must be certified by the end of January. The City requested proposals from firms that would provide all required services necessary to secure the right-of-way and easements for the project in accordance with federal requirements. The Engineering Division followed the City's Purchasing Policy and through this process received three proposals.

The Engineering Division reviewed the proposals based upon the firm's reputation, integrity, general experience, and history of performance on similar projects. The Engineering Division ranked the firms in the following order:

1. Civiltech Engineering
2. Mathewson Right of Way
3. Community Land Acquisition Services

Next, the proposal costs of each firm were compared:

Firm	*Cost*
Civiltech Engineering	$31,800.00
Mathewson Right of Way	$39,800.00
Community Land Acquisition Services	$42,250.00

Recommendation:

Based on the proposals received and the experience and qualifications noted, the Engineering Division recommends Civiltech Engineering to perform the right-of-way and easement appraisals and negotiations for the improvements of Pingree Road and Congress Parkway. Civiltech Engineering will be performing the appraisals. Civiltech has partnered with "T" Engineering to review the appraisals, and Santacruz Associates for the negotiations. The City has worked with all three firms successfully on past projects. The Engineering Division is confident in the team Civiltech Engineering has put together to acquire the necessary parcels for this project within the required timeframe.

Votes Required to Pass:

Simple majority

DRAFT

The City of Crystal Lake Illinois

RESOLUTION

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE that the City Manager be authorized to execute an agreement with Civiltech, Inc. for Pingree Road Segment 2 right-of-way and easement appraisal and negotiation services in the amount of $31,800. The City Manager is additionally authorized to approve up to 10 percent in justifiable contract amendments from a contingency allowance.

DATED this Seventh Day of September, 2010.

CITY OF CRYSTAL LAKE, an Illinois Municipal Corporation

BY: _____
Aaron T. Shepley, Mayor

ATTEST:

_____
Nick Kachiroubas, City Clerk

PASSED: September 7, 2010

APPROVED: September 7, 2010

Agenda Item No: 21

City Council
Agenda Supplement

Meeting Date: September 7, 2010

Item: Appropriate MFT funds for the Pingree Road Segment 2 Improvement right-of-way and easement acquisition

Staff Recommendation: Motion to adopt a resolution appropriating $34,900 in MFT funds for the right-of-way and easement acquisition services for the Pingree Road Segment 2 Improvement.

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

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Background:

City staff is requesting that the Council allocate $34,900 in Motor Fuel Tax funds for the Pingree Road Segment 2 Improvement right-of-way and easement acquisition services. This includes $31,800 for the professional services needed to acquire the right-of-way and easements plus a $3,100 contingency. Any funds that are obligated and not spent will be returned to the City's unobligated balance once the project is complete. The City has budgeted for this project, and has sufficient reserves in its MFT fund for the engineering and construction.

Votes Required to Pass:

Simple majority

Illinois Department of Transportation

DRAFT

Resolution for Improvement by Municipality Under the Illinois Highway Code

BE IT RESOLVED, by the Mayor and City Council of the
(Council or President and Board of Trustees)
City of Crystal Lake Illinois
(City, Town or Village)
that the following described street(s) be improved under the Illinois Highway Code:

Name of Thoroughfare	Route	From	To
Pingree Road	FAU 0126	at Congress Parkway	

BE IT FURTHER RESOLVED,

1. That the proposed improvement shall consist of improve the intersection of Pingree Road at Congress Parkway. This allocation is for property and easement acquisition professional services and shall be constructed 36 feet wide and be designated as Section 95-00090-01-FP

2. That there is hereby appropriated the (additional ☐ Yes ☒ No) sum of thirty-four thousand, nine hundred Dollars ($34,900.00) for the improvement of said section from the municipality's allotment of Motor Fuel Tax funds.

3. That work shall be done by Contract ; and,
(Specify Contract or Day Labor)

BE IT FURTHER RESOLVED, that the Clerk is hereby directed to transmit two certified copies of this resolution to the district office of the Department of Transportation.

Approved

Date

Department of Transportation

Regional Engineer

I, Nick Kachiroubas Clerk in and for the City of Crystal Lake
(City, Town or Village)
County of McHenry , hereby certify the foregoing to be a true, perfect and complete copy of a resolution adopted by the Council at a meeting on September 7, 2010
(Council or President and Board of Trustees) (Date)

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal this 7th day of September, 2010

(SEAL)

City, Town, or Village Clerk

Agenda Item No: 22

City Council
Agenda Supplement

Meeting Date: September 7, 2010

Item: Approval of agreements with ComEd, Comcast, and AT&T for relocation of overhead utility lines along Virginia Street

Staff Recommendation: Motion to adopt a resolution authorizing the City Manager to execute an agreement with ComEd for relocation of overhead utilities along Virginia Street in the amount of $1,356,000.00, remit the first payment to ComEd for the utility relocation in the amount of $648,000.00, and authorize the City Manager to approve changes in scope by 10 percent of the original price.

Motion to adopt a resolution authorizing the City Manager to execute an agreement with AT&T for relocation of overhead utilities along Virginia Street in the amount of $46,818.96, and authorize the City Manager to approve changes in scope by 10 percent of the original price.

Motion to adopt a resolution authorizing the City Manager to execute an agreement with Comcast for relocation of overhead utilities along Virginia Street in the amount of $103,528.55, and authorize the City Manager to approve changes in scope by 10 percent of the original price.

Staff Contact: Victor C. Ramirez, Director of Engineering and Building
Michelle Rentzsch, Director of Planning and Economic Development

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Background:

As part of the proposed Virginia Street improvements, the City will move the overhead utility lines to the rear of the properties along the street. This will move unsightly utility poles from the street to behind the buildings, giving the corridor an attractive, uncluttered look. In order to move the overhead utilities, the City is required to obtain easements from each property owner along the corridor. The City has spent more than a year working with the property owners in the

corridor to try to meet their requests, within the constraints of the project, in order to obtain easements necessary for the relocation.

The City is responsible for funding the utility relocation. The City has been working with each utility company to design the relocation of the utilities and submit contract proposals. In order for this utility relocation project to move forward and be completed prior to the construction of the actual Virginia Street Corridor improvements in 2011, the City must agree to the costs for relocating the utilities.

The table below summarizes the costs provided by each utility company:

Utility Company	*Engineering Cost*	*Construction Cost*	*Internal Labor Cost*	*Total Cost*
ComEd	Not Itemized	Not Itemized	Not Itemized	$1,356,000.00
AT&T	$5,193.40	$41,625.56	$0	$46,818.96
Comcast	$4,181.25	$92,217.89	$7,129.42	$103,528.55
			Total	**$1,506,347.51**

ComEd has requested that the City pay half of the relocation cost up front in order to move the relocation forward as quickly as possible. As presented in the fiscal 2010-2011 budget, funding for the overhead utility relocation project shall be provided by the following sources:

Revenue Source	*Funding Amount*
Virginia Street TIF	$339,000.00
State Grant Proceeds	$700,000.00
Home Rule Sales Tax	$467,348.00
Total	**$1,506,348.00**

State grant proceeds, however, may not be available until early 2012. In order for the overhead utility relocation project to move forward, staff will recommend utilizing $700,000 from Home Rule Sales Tax reserves until such time that grant proceeds become available. Once grant proceeds are received, the Home Rule Sales Tax Fund will be reimbursed.

Votes Required to Pass:

Simple majority of City Council present.

DRAFT

The City of Crystal Lake Illinois

RESOLUTION

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE that the City Manager is authorized to execute an agreement with ComEd for the Virginia Street overhead utility relocation in the amount of $1,356,000.00 and remit the first payment to ComEd for the utility relocation in the amount of $648,000.00. The City Manager is additionally authorized to approve up to 10 percent in justifiable contract amendments from a contingency allowance.

DATED this seventh day of September, 2010.

CITY OF CRYSTAL LAKE, an Illinois Municipal Corporation

BY: _____
Aaron T. Shepley, Mayor

SEAL

ATTEST:

_____
Nick Kachiroubas, City Clerk

PASSED: September 7, 2010

APPROVED: September 7, 2010

DRAFT

The City of Crystal Lake Illinois

RESOLUTION

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE that the City Manager is authorized to execute an agreement with AT&T for the Virginia Street overhead utility relocation in the amount of $46,818.96. The City Manager is additionally authorized to approve up to 10 percent in justifiable contract amendments from a contingency allowance.

DATED this seventh day of September, 2010.

CITY OF CRYSTAL LAKE, an Illinois Municipal Corporation

BY: _____
Aaron T. Shepley, Mayor

SEAL

ATTEST:

_____
Nick Kachiroubas, City Clerk

PASSED: September 7, 2010

APPROVED: September 7, 2010

DRAFT

The City of Crystal Lake Illinois

RESOLUTION

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE that the City Manager is authorized to execute an agreement with Comcast for the Virginia Street overhead utility relocation in the amount of $103,528.55. The City Manager is additionally authorized to approve up to 10 percent in justifiable contract amendments from a contingency allowance.

DATED this seventh day of September, 2010.

CITY OF CRYSTAL LAKE, an Illinois Municipal Corporation

BY: _____
Aaron T. Shepley, Mayor

SEAL

ATTEST:

_____
Nick Kachiroubas, City Clerk

PASSED: September 7, 2010

APPROVED: September 7, 2010

Agenda Item No: 23

City Council
Agenda Supplement

Meeting Date: September 7, 2010

Item: Clearwire Ground Lease Agreement

Recommendation: Motion to adopt a resolution authorizing the City Manager to execute the lease agreement between the City of Crystal Lake and Clearwire Communications, LLC., d/b/a *Clearwire®* for the Bard Road Water Tower.

Staff Contact: George J. Koczwara, Deputy City Manager

Background:
At the January 18, 2000, regular City Council meeting, the Council executed the first lease agreement with a cellular telephone provider for use of a City elevated water storage tank. Since that time, the Council has approved nine additional lease agreements. These approvals followed earlier Council direction that the location of cellular antennas would be preferred on public property instead of erecting new poles. For this fiscal year, the eleven total lease agreements, including this Clearwire Agreement, if approved, will generate approximately $345,654.54 in revenue for the City. Since the facilities are located on the City's elevated water storage tanks, there was no need for the petitioners to secure a Special Use Permit, as they would have if they were going to construct their own towers.

Clearwire approached the City about erecting antennas on the elevated water storage tank at both McCormick Park and Bard Road. Clearwire is a wireless broadband services provider. At the August 3, 2010 City Council meeting, the City Council approved an identical agreement with Clearwire for the McCormick Park water tower.

The attached draft lease agreement is virtually identical to the ten lease agreements that have previously been approved by the City Council. Staff developed the original lease agreements from boilerplate language, which has been used by many communities in the Chicago metropolitan area for uses similar to those proposed. In creating the lease agreements, the first task was to determine what rentals were being negotiated with other governmental entities by carriers such as those that had approached the City. It was determined that although there was some variation in the amounts, dependent upon where the antennas were located and how important that particular location was to the cellular provider, the amounts approved were consistent with surrounding communities. In addition, it was determined that the inflation factors built into these agreements would provide, more commonly, for a 3% increase in rental per year for the duration of the agreement.

The proposed lease with Clearwire would provide for an initial annual lease payment of $30,948 with a 5% inflation escalator each year throughout the duration of the lease. The lease term is for an initial five (5) year term, with the option of an additional five (5) terms of five (5) years each. In addition, Clearwire has agreed to a one-time site maintenance fee in the amount of $16,000.

If approved, this lease agreement would be the fifth antenna installation for the Bard Road Water Tower. The City has worked to ensure that the equipment facilities will be adequately landscaped. In addition, the provider is required to ensure that their antennas will not interfere with the existing antennas, including the District 47 antennas on the water tank used for data processing communications between District 47's various facilities. The provider is also required to repair any damage to the tank structure, or surrounding area that may result from the installation or operation of their antennas on City property. The agreement includes a requirement that Clearwire pay for a City determined consulting engineering firm who will review the engineering and structural plans and inspect the equipment installation. The lease also provides that the antennas must be removed, at the provider's expense, should the City need them to be removed for tank maintenance or painting.

It is staff's recommendation to execute the lease agreement between the City of Crystal Lake and Clearwire for the McCormick Park water tower.

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 be and he is hereby authorized and directed to execute the Ground Lease Agreement and Memorandum of Agreement between the City of Crystal Lake and Clearwire Communications, LLC., d/b/a *Clearwire®* for the Bard Road Water Tower.

DATED this 7th day of September, 2010

CITY OF CRYSTAL LAKE, an
Illinois municipal corporation,

By:_____
MAYOR

SEAL

ATTEST

_____
CITY CLERK

PASSED: September 7, 2010
APPROVED: September 7, 2010

Agenda Item No: 24

City Council
Agenda Supplement

Meeting Date: September 7, 2010

Item: Three Oaks Recreation Area Ordinances and Resolution

Staff Recommendation:

1) Motion to adopt an ordinance amending Chapter 238 of the City Code, which establishes the general rules and admission guidelines for the Three Oaks Recreation Area.

2) Motion to adopt an ordinance amending Chapter 258 of the City Code, which establishes fishing regulations for the Three Oaks Recreation Area.

3) Motion adopting a resolution establishing rules and regulations for the operation of the Three Oaks Recreation Area.

Staff Contact: Gary J. Mayerhofer, City Manager
Eric T. Helm, Deputy City Manager

Background:

At the June 22, 2010 City Council workshop, City Staff presented the Three Oaks Recreation Area management plan. Stemming from this management plan, the attached ordinances and resolution formally establish the rules and regulations regarding the facility. Chapters 238 and 258 contain rules and restrictions that the City Council may wish to review only infrequently. However, the attached resolution contains rules and regulations that could be reviewed and changed on a more frequent basis.

Recommendation:

It is recommended that the City Council amend Chapter 238 and Chapter 258 of the City Code and adopt a resolution regarding the rules and regulations for the operation of the Three Oaks Recreation Area.

Votes Required to Pass: A simple majority of the City Council is required for approval.

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 238 THREE OAKS RECREATION AREA shall be added to establish rules and regulations for the operation and management of the Three Oaks Recreation Area, and rules for the operation and usage of facilities and general recreation areas. The Mayor and City Council shall by Resolution establish rules and regulations with respect to the following: the opening and closing dates of the swimming areas, the hours of operation of the swimming areas, the opening and closing dates of those portions of the recreation area outside the swimming areas, the hours of operation for those portions of the recreation area outside of the swimming areas, the rules for admission to and the usage of the playground and picnic grove areas, the rules for admission to a facility including, but not limited to, a restriction of individuals by each, the rental and reservation rules of the pavilions located within the recreation area, the approval of any special events and the rentals and rules of the operation of all watercraft. The Mayor and City Council shall direct that suitable signs and markers be erected where appropriate.

238-1 **General Rules and Admission**

A. Three Oaks Recreation Area General Rules
   1. No unauthorized motorized vehicles shall be allowed on Three Oaks Recreation Area trails.
   2. All persons shall stay on designated trails or within the areas that are designated for use by the public.
   3. No Person shall damage or disturb the Three Oaks Recreation Area flora or fauna.
   4. No hunting, rock collecting or firearms shall be allowed in the Three Oaks Recreation Area.
   5. No outside watercraft, marine outboard motors, paddles, oars or other marine boating accessories or inflatable rafts, tubes or similar inflatable items are allowed on the north and south lakes.
   6. All litter as defined in Chapter 334 of the Code of Ordinances of the City of Crystal Lake shall be deposited in the proper receptacles.
   7. No person shall wade or swim in the areas designated for swimming except when lifeguards are on duty. No person shall wade or swim in any areas of the lakes other than those areas designated for swimming. Skin diving and scuba diving are prohibited unless with a certified dive instructor as a part of skin diving or scuba diving classes approved by the Mayor and City Council of the City. Diving or swimming from watercraft shall be prohibited.
   8. Camping and open fires within the recreational area are prohibited except as authorized by the Mayor and City Council.
   9. In-line skating and skateboarding shall be allowed on paved trails within the recreation area except for the trails and concrete walkways surrounding the picnic

grove, lake house and marina, and in the beach/playground area where it is expressly prohibited.

10. The use of tobacco products shall be prohibited within the beach areas, sand areas, spray park area, playground areas and concession patios.

B. Alcoholic Liquor Use

1. No alcoholic liquors shall be permitted in the beach, spray park or playground area, on any watercraft, or on facility trails. Consumption or possession of alcoholic liquors in conjunction with any water-based activity is expressly prohibited.
2. Beer or wine may be consumed at Three Oaks Recreation Area when approved as part of a picnic area or shelter reservation or permit.
3. Approvals to sell beer or wine shall comply with the Code of the City of Crystal Lake and Statutes of the State of Illinois.
4. Any group, company, organization, or individual person conducting special events at the park during which alcohol is served or present, in any form, must have permission in advance and purchase or provide Host Liquor Liability Insurance and binding insurance coverage naming the City of Crystal Lake as an additional insured.
5. Any organization or corporate event, regardless of size, at the park for an event during which alcohol is served or present, in any form, must have permission in advance and purchase or provide Host Liquor Liability Insurance and binding insurance coverage naming the City of Crystal Lake as additional insured.
6. A family or individual person having a picnic with over 50 people on City property where alcohol in any form will be served or present, must purchase or provide Host Liquor Liability Insurance (Dram Shop Insurance) coverage with a binder naming the City as an additional insured.
7. The City reserves the right to prohibit alcohol in any areas of the Recreation Area or buildings located thereon at any time it deems necessary.

C. Pets and Animals

1. Dogs and cats shall only be allowed on the trails and within the picnic grove area provided they are in compliance with Section166-7, Leashing of Dogs, of the Code of Ordinances and Section 166-12, Defecation of Animals, Removal, of the Code of Ordinances of the City of Crystal Lake.
2. No pets, including dogs and cats, are allowed in the beach/spray park/playground area or in any watercraft
3. Service animals are allowed throughout the facility.

D. Parking Lot and Facility Entry

1. Parking is only allowed in designated parking lots.
2. Parking is not allowed on the roadways.
3. No recreational vehicles, buses or trailers may be parked in the parking lot; however, buses may drop off patrons at the facility.

4. Crystal Lake residents shall receive free parking. Residents must show proof of a valid vehicle sticker or a driver's license (or other picture ID with address) with a Crystal Lake address. If proof of residency cannot be shown, the vehicle must pay the non-resident parking fee.
5. Non-Resident Parking Fees shall be established by resolution of the Mayor and City Council.

SECTION II: Suitable signs and markers shall be erected where appropriate.

SECTION III: All provisions of the Code of Ordinances of the City of Crystal Lake not otherwise included in this Section shall apply to persons while on the premises of the Three Oaks Recreation Area.

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

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

DATED at Crystal Lake, Illinois, this ____ day of _____, 2010.

APPROVED:

_____
MAYOR

ATTEST:

_____
CITY CLERK

PASSED: _____

APPROVED: _____

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

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 258 ARTICLE I Three Oaks Recreation Area shall be amended as follows:

258-1 Fishing from the shore is allowed only in designated areas.

258-2 Fishing is not permitted in the beach area.

258-3 Fishing shall only be allowed during the times the Three Oaks Recreation Area is open to the public.

258-4 No person shall bring live bait into the Three Oaks Recreation Area or release any live bait into the Three Oaks Recreation Area lakes.

258-5 The catching of baitfish, shellfish, frogs or other aquatic organisms is prohibited.

258-6 **Removal of fish with certain devices prohibited**. No person shall remove any fish from the Three Oaks Recreation Area by means of seines, nets or other devices as defined in 515 ILCS 5/1-50, 1998, known as the Fish and Aquatic Life Code.

258-8 **Penalty**. Unless authorized by the City Manager or his/her designated representatives, any person having in his or her possession fish removed from Three Oaks Recreation Area shall be fined as set forth in Chapter **248**, Fines, for each such fish found to be in his or her possession.

258-9 **Enforcement**. All fines pursuant to this section may be enforced in accordance with Chapter **1**, Article **II**, General Penalty, § **1-7B**.

DRAFT

RESOLUTION ESTABLISHING RULES AND REGULATIONS FOR THE OPERATION OF THE THREE OAKS RECREATION AREA

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL as follows:

SECTION I: Three Oaks Recreation Area General Rules

1. All children under the age of 11 shall be accompanied by a parent or responsible adult of at least 16 years of age in order to be admitted to the Three Oaks Recreation Area.
2. When in the facility, all persons under the age of 10 years of age must be accompanied at all times by an adult on the premises of the Three Oaks Recreation Area.
3. Non-Resident Parking Fee shall be $5.00 per vehicle.

SECTION II: Hours and Season

1. Beach: The beach operation will be conducted from approximately Memorial Day through Labor Day each year. This schedule is contingent upon proper staffing levels. Hours of operation shall be from 10:00 AM – 6:00 PM.
2. Marina and Trails: The marina shall be open from the second weekend of April through the end of October each year, weather permitting. Hours of operation shall be from 6:30 AM – Sunset. All trails are closed from sunset to 6:30 AM.
3. Facility hours of operation shall be from 6:30 AM – Sunset except for special events by special permit approved by the Mayor and City Council of the City.

SECTION III: Pavilion and Site Rental and Reservation Procedures

1. Pavilions may be used by the general public without a permit, but a permit is needed to reserve the exclusive use of the pavilion or picnic area. Reservations for the year will begin January 2nd and pavilion and picnic areas will be reserved on a "first-come, first-serve" basis.
2. The fees for the pavilion/site rental are:

	Resident	Non-Resident
1-50 people	$50 Deposit $50 Rental	$50 Deposit $100 Rental
51-100 people	$100 Deposit $65 Rental	$100 Deposit $130 Rental
101 – 150 people	$150 Deposit $80 Rental	$150 Deposit $160 Rental
151 - 200	$200 Deposit $100 Rental	$200 Deposit $200 Rental
201 - 250	$250 Deposit $150 Rental	$250 Deposit $300 Rental

* There is a $10.00 cancellation fee

** Patrons may rent a picnic area, without the use of the pavilion, for ½ of the pavilion rental fee.

3. Pavilions are available for reservation from 9:00 AM – Dusk.
4. The area reserved must be left in a clean state with picnic tables in their designated area, and garbage placed in the provided receptacles.
5. No sound-amplifying devices are allowed.
6. Picnic tables may not be moved to different locations.
7. No driving shall be permitted on the trails or picnic areas without on-site City supervision and approval.
8. Requests for tents or canopies may be considered by the City following the submittal of a plan showing the proposed use. If approved, the tent or canopy must be installed and removed the day of the event. Locations for tents and canopies shall be determined and approved by the City. In addition, tents or canopies greater than 20' x 20' require an inspection by the City's Fire Rescue Department.
9. No soliciting on the property.
10. No advertising signs on the property.
11. Failure to comply with the rules will result in forfeiture of the maintenance deposit, plus a fine of up to $500.00, and removal from the premises.
12. Special Event / Group Use Requirements:
    - Any special event (i.e. races, fundraisers, concerts, fairs, weddings) must be approved by the Mayor and City Council and issued by the City Manager or his designated representative. The group must complete an application/permit, show proof of insurance and name the City as additional insured, per the insurance requirements per Section IV of this resolution and sign an appropriate hold harmless/indemnification document.
    - All companies or organizations, regardless of size, must complete an application/permit, show proof of insurance and name the City as additional insured, per the insurance requirements per Section IV of this resolution, and sign an appropriate hold harmless/indemnification document.
    - Requests for dunk tanks, moon walks or other large devices may be considered by the City following the submittal of a plan showing the proposed use. Liability insurance naming the City as additional insured is also required per Section IV of this resolution. Anyone requesting special amenities or play equipment, regardless of the size of the group, must provide the City with a binding Certificate of Insurance naming the City as an Additional Insured.

SECTION IV: Required Insurance Provisions for Use of the Three Oaks Recreation Area for Special Events/Groups.

In the use of the Three Oaks Recreation Area for special events or group functions, the individuals, corporations, or organizations ("user") that use the property are certifying that they have all insurance coverages and hold harmless provisions required by law or required by the City of Crystal Lake.

DRAFT

SECTION V: Marina Operation

Rental Rates and Rules

Boat rentals will be offered during the Marina Operation hours only, or by special arrangement for Group Facility renters. Boat rentals will be conducted according to the following guidelines and procedures.

- To rent a sailboat, patrons must present a valid sailing card, which can be obtained through a certified and approved organization (i.e. Crystal Lake Park District).
- A driver's license or other valid ID must be submitted at the time of the watercraft rental and will be held by the marina staff until the equipment is returned.
- Equipment checkout upon rental of equipment: the renter will be required to complete an equipment use form and sign a waiver. All adults are required to sign the form. Individuals 13 – 18 years of age, who are using a paddle boat, canoe or kayak, must have a parent sign for them.
- Marina Guests of Residents: Guests of City residents may be allowed to pay the resident marina rental fee. A maximum of two boats, per resident, per day may be rented for non-residents at the resident rate.

Marina Rental Fees:

Minimum 1 Hour Rentals	1 Hour Fee	1 Hour Fee (NR)	Each Additional ½ Hour	Each Additional ½ Hour (NR)
Canoe	$6.00	$10	$3.00	$5.00
Kayak (single or tandem)	$6.00	$10	$3.00	$5.00
Paddleboat	$6.00	$10	$3.00	$5.00
Sailboat	$8.00	$12	$4.00	$6.00
Minimum 2 Hour Rentals	2 Hour Fee	2 Hour Fee (NR)	Each Additional Hour	Each Additional Hour (NR)
12' Row Boat	$12.00	$15.00	$6.00	$7.00
14' Row Boat	$14.00	$18.00	$7.00	$9.00
Trolling Motor	$10.00	$10.00	$5.00	$5.00
Second Battery	$10.00	$10.00	$5.00	$5.00
Fish Locator	$5.00	$5.00	$2.00	$2.00

General Marina Rules

1. Rental Age Requirements:

Age	*Row Boats with Trolling Motor*	*Paddle Boats*	*Canoes/Kayaks*
Under 13, without an adult	Cannot Rent	Cannot Rent	Cannot Rent
13-14, without an adult	Cannot Rent	Rental allowed with the signature of Parent/Guardian who is present on the grounds.	Cannot Rent
14-18, without an adult	Cannot Rent		Rental allowed with the signature of Parent/Guardian who is present on the grounds.

2. All renters must complete the City-issued equipment rental agreement.
3. All renters and passengers on watercraft must wear a USCG approved Personal Flotation Device (PFD).
4. Consuming alcoholic beverages in conjunction with any water-based activity is prohibited. All items taken on the watercraft, such as bags, backpacks, and coolers are subject to inspection. If the patron does not permit an inspection, the patron will not be allowed to rent the watercraft.
5. Docking by canoes and kayaks only is permissible on the marina island. Watercraft cannot dock on any other island, shoreline, or boardwalk.
6. No access is allowed to any island, except for the marina island.
7. Three Oaks Staff reserves the right to deny use of watercraft at any time in their sole discretion.
8. Renters are solely responsible for the safety and security of any personal items brought on the watercraft or left onshore. Three Oaks Staff does not assume the care, control, or custody of any personal belongings left onshore – this includes items left onshore at the request of staff.
9. Three Oaks Staff reserves the right, in their sole discretion, to restrict or refuse access to the lake based on weather, water conditions, or other factors.
10. There is absolutely no swimming from watercraft on the lake. Violators shall be subject to immediate revocation of rental privileges and removal from the premises.
11. Boats should not be adjoined at anytime.

SECTION VI: Watercraft Access

Watercraft shall not be permitted to moor or access the following locations:

1. No watercraft shall be allowed within 100' of the beach swim area.
2. Lake Islands
3. Any shoreline, except the boat docks
4. North Lake Marsh Area
5. Any other areas as designated by City Staff for the welfare and safety of patrons.

SECTION VII: Shoreline Fishing

Fishing shall only be allowed in stone areas that were created as fishing stations. Fishing from non-designated areas is not allowed. Specifically, fishing shall not be allowed from:

1. The island boardwalk, adjacent to the beach area.
2. Any areas designated by staff for the welfare and safety of patrons.

SECTION VIII: Fishing

No person shall remove any fish from any lake at the Three Oaks Recreation Area. All fishing shall be catch and release.

SECTION IX: Beach Rules

1. A parent or responsible adult at least 16 years of age, must accompany all swimmers under the age of 11.
2. Swimmers must remain within designated swim areas.
3. All swimmers who are not toilet trained must wear tight rubber or plastic pants or swim diapers.
4. No rock or sand throwing is allowed.

DRAFT

5. Swimmers are not allowed to carry other patrons on their shoulders.
6. Scuba Diving is not allowed anywhere in the beach area.
7. There are no alcoholic beverages allowed on the beach sand area, or swimming under the influence of drugs or alcohol.
8. Beach patrons are required to control the volume level of radios, and otherwise restrict noise that may impact other patrons.
9. Swimmers with special needs or medical conditions (i.e. heart condition, epilepsy, infectious diseases, etc.) are strongly encouraged to notify a lifeguard prior to swimming, so that Staff may better provide special safety considerations.
10. Fires or grills are not allowed on the beach.
11. Glass containers are not allowed on the beach.
12. Patrons will be expected to wear appropriate swimming attire, and are not allowed to swim in clothing or underclothes. Furthermore, patrons must not make any indecent exposure of themselves.
13. Patrons must not litter the beach area.
14. Swimming may be restricted or prohibited under the following conditions: poor water quality, darkness, lightning (a sighting of lightning or presence of thunder will be followed by beach closure for a period of at least 20 minutes), overcrowding, participant behavior, staff shortages and other conditions based on the discretion of lifeguard and management staff.
15. Swimming and wading are only allowed in the areas that are guarded and posted for swimming. Swimming is not permitted from any watercraft, piers or docks. Swimmers must remain in designated swim areas.
16. The use of "water wings" or other non-approved flotation devices are prohibited except in wading areas.
17. There is no diving anywhere in the facility, including off of watercraft.
18. Bicycles shall not be carried, ridden or walked into the beach area.
19. The public may not stand, sit upon, or hang on any employee areas.
20. No fishing shall be allowed in the beach area.

DRAFT

Non-Resident Beach / Playground / Spray Park Fee

Category	Beach Admission Fee
Adults (16 and older)	$10.00 ($5.00 after 4 PM)
Seniors (62 and older)	$6.00 ($3.00 after 4 PM)
Youth (4-15 years)	$6.00 ($3.00 after 4 PM)
Ages 3 and Under	Free

Guests of Residents: $1.00 daily fee for all guests of City residents (up to 5 guests per family). Any guests above the maximum of 5 per family will be charged $5.00 each.

DATED at Crystal Lake, Illinois this ____ day of _____, 2010.

CITY OF CRYSTAL LAKE, an
Illinois municipal corporation,

By:_____
MAYOR

SEAL

ATTEST

_____
CITY CLERK

PASSED: _____

APPROVED: _____

Agenda Item No: 25

City Council
Agenda Supplement

Meeting Date: September 7, 2010

Item: Heavy Duty Fire Apparatus Pumper Replacement

Staff Recommendation: Motion to adopt a resolution waiving formal bidding requirements and authorizing the City Manager to execute an agreement for the purchase of a replacement Heavy Duty Fire Apparatus Pumper in the not-to-exceed amount of $444,585 with Emergency Management Corporation.

Staff Contact: James Moore, Fire Rescue Chief

Background:

The Fire Rescue Department budgeted for the purchase of a replacement heavy-duty fire apparatus pumper in the 2010-2011 fiscal year. This replacement is necessary as Engine 340 has 15 years of service and has reached its serviceable life span. Due to failing vehicle infrastructure, such as corrosion in the body seams and chassis, a fire pump that initially failed re-certification testing, electrical system malfunctions and pump structure failure, Engine 340, which has 94,150 miles, has become inefficient in operational cost and fire ground reliability. Engine 340's per hour of operation cost is $56.94, compared to our average engine per hour of operation cost of $20.16.

The Fire Rescue Department utilizes an hour of operation cost as a measure of life span along with mileage and present safety standards. The per hour of operation cost is a key factor as fire engines spend hours running at incidents when not accumulating road miles, since the engine is used to power the fire pump and electrical generation systems. This makes per hour of engine operation cost a more accurate measure of vehicle efficiency and life span.

As a member of the Northwest Municipal Conference (NWMC), the City is able to take advantage of the Joint Purchase Program offered by the NWMC. This program allows NWMC members to combine purchasing power, which enables significant cost reductions on a number of items, including fire apparatus pumpers.

All items that are bid through the NWMC follow the same State public procurements statutes that the City follows for a competitive, sealed bidding process. A NWMC committee made up of Fire Rescue Chiefs created the specifications for the fire apparatus pumper. Once the sealed bids were opened, the NWMC Purchasing Advisory Committee, made up of municipal purchasing

agents, reviewed all bids received for completeness and accuracy in accordance with the invitation to bid document.

The NWMC awarded the bid to HME as the primary vendor. Crimson/Emergency Management Corporation and Pierce/Global Emergency Products were selected as alternate vendors.

Vendor	Cost
HME Inc.	$ 410,802.84
✓ Crimson /Emergency Management Corporation	$ 444,585.00
Pierce / Global Emergency Product	$ 502,134.00

✓ Indicates recommended apparatus vendor

Staff reviewed the bid submitted by HME, Inc. and determined the bid for the Crimson Fire Apparatus Pumper submitted by Emergency Management Corporation best meets the needs of the Fire Rescue Department for the following reasons:

1. The lowest priced vehicle, the HME, has a solid front axle, rather than an independent front suspension. The Fire Rescue Department views independent front suspension as an essential component because, when a vehicle with a solid front axle maneuvers with one tire off the pavement or on a varying grade, the tire on the opposite side looses traction and maneuverability which creates a safety concern. Independent front suspension has a 23% greater breaking ability than a solid axle system. Based upon our response patterns on narrow access roads, independent front suspension is a required component. HME Inc. does not offer independent front suspension.

2. HME charges an additional six percent for standard options which are included on the other models.

Recommendation:

After careful examination, it is the recommendation of the Fire Rescue Department, the City Manager's Office and the Fleet Services Division, to waive bidding requirements and authorize the City Manager to execute a purchase agreement with Emergency Management Corporation for a new Crimson pumper in the not-to-exceed the amount of $444,585. The City Attorney has reviewed this matter.

Votes Required to Pass:

2/3 Majority Vote

DRAFT

RESOLUTION

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE that bidding requirements are hereby waived for the purchase of a new Heavy Duty Fire Apparatus Pumper and the City Manager be and he is hereby authorized and directed to execute, and the City Clerk is hereby directed to attest, an agreement with Emergency Management Corporation for the purchase of a new Crimson Heavy Duty Fire Apparatus Pumper not to exceed the amount $444,585.00.

Dated this 7th day of September, 2010.

CITY OF CRYSTAL LAKE, an
Illinois Municipal Corporation

By:_____
Aaron T. Shepley, Mayor

SEAL

ATTEST:

_____
Nick Kachiroubas, City Clerk

PASSED:

APPROVED:

Agenda Item No: 26

City Council
Agenda Supplement

Meeting Date: September 7, 2010

Item: Illinois Route 176 Strategic Regional Arterial Corridor Study Presentation

Staff Recommendation: Discussion and concurrence with staff comments.

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

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Background:

In December of 2001, the Illinois Department of Transportation (IDOT) began a strategic regional arterial (SRA) corridor study for Illinois Route 176 between US Route 12 and Illinois Route 23. The purpose of the study was to determine if Route 176 met the criteria for a SRA and make recommendations on future improvements. The final SRA study is meant to be used as a guide in planning future improvements to Route 176 and for development along the State right-of-way. While the study recommends specific improvements and right-of-way needs, any future improvements will need additional engineering studies to implement. IDOT hired Wilbur Smith Associates (WSA) as a consultant for the study.

As part of the SRA study, WSA interviewed key City staff on April 29, 2003 to discuss the study. During the meeting, City staff brought up several key points, including:

- Illinois Route 176 in Crystal Lake has two distinct segments: a developed urbanized segment between Illinois Route 31 and US Route 14, and a rural segment between US Route 14 and Illinois Route 47.
- There are several improvements to roadways that intersect with Illinois Route 176 that were being planned at that time and should be incorporated into the study. They are US Route 14, Illinois Route 31, Walkup Road, Briarwood Road, and Erick Street.
- Illinois Route 176 passes through the Crystal Lake Watershed, and that district has specific drainage constraints, water-quality treatment requirements, and development regulations.

In addition, other issues with Illinois Route 176, such as traffic congestion and high accident locations, were discussed.

After WSA completed interviews with all of the communities along the Route 176 corridor, two Advisory Panel meetings were held. The first meeting was on October 18, 2004, and the second meeting was on January 14, 2005. The meetings were held to obtain feedback on some of the preliminary recommendations of the report. The City sent a representative to each meeting.

On August 13, 2010, the City received the final draft of the SRA Corridor Study. The following are key recommendations from the report, which incorporate some of the comments received from the community interview process:

- Illinois Route 176, between Illinois Route 23 and Illinois Route 12, should be expanded to a four-lane section with a median. The portion of Illinois Route 176 in Crystal Lake would include a 22-foot wide barrier median.
- Right-of-way should be preserved at a 220 foot width from Illinois Route 47 to Mt. Thabor Road, a 120 foot width from Mt. Thabor Road to Oak Street, and a 100 foot width from Oak Street to Illinois Route 31. Right-of-way currently varies from 66 feet to 100 feet.
- Five-foot sidewalks should be installed along the entire length of the corridor through Crystal Lake. A ten-foot wide multi-purpose path should be incorporated from US Route 14 to Mt. Thabor Road and from Illinois Route 31 to US Route 12.
- The length of the corridor from Mt. Thabor Road to US Route 12 should be constructed with curb and gutter sections, rather than gravel shoulders. The area west of Mt. Thabor Road would be a rural section with shoulders.
- New traffic signal installations should be considered, if warrants are met, for the following intersections: Mt. Thabor/Haligus Road, Briarwood Road, Main Street, Mistwood Lane, and Erick Street.
- Curb cut access would be reduced by consolidating access points and converting full access points to right-in/right-out access. The streets that would be converted to right-in /right-out are:
    - Hickory Avenue
    - Evergreen Parkway
    - Peterson Parkway
    - Elmhurst Street
    - Third Street
    - Second Street
    - First Street
    - Ellsworth Street
    - Illinois Street
    - Glen Avenue
    - Lorraine Drive

- ❖ Haligus Road should be realigned to meet Mt. Thabor Road.
- ❖ A grade separation should be considered in the future for the Union Pacific Railroad McHenry Branch railroad track.
- ❖ The bridge over the Kishwaukee River should be widened or replaced.
- ❖ The railroad overpass structure west of Walkup Road should be widened.

The City was asked to return any comments on the report to IDOT by September 10, 2010. A public hearing is also being planned for October or November of this year. Staff has reviewed the report and is generally supportive of most of the content. However, there are a few comments from staff that are recommended:

1.) Potential Traffic Signals: Due to the number of streets being converted to right-in/right-out, and its high accident history noted in the SRA study, Main Street should be given high priority status to allow full access and signalization. Staff supports the other intersection signalization considerations.

2.) Median Design: Staff recommends an 11-foot flush median from east of Walkup Avenue to Park Boulevard to minimize impacts to homes currently very close to the existing 66 foot ROW. This cross section is compatible with the urbanized residential character of this segment.

3.) Access for Riverbirch Crossing Commercial Development: There is a proposed commercial development that includes an entrance road connecting Illinois Route 176 to the Preston Pines subdivision to the north. This roadway access was approved by IDOT and is already platted. The City recommends moving the full access opening shown in the SRA study at the neighboring self-storage driveway to the Riverbirch Crossing entrance.

4.) Pedestrian Facilities:

   a. Extend the proposed 10-foot shared use path on the north side of Illinois Route 176 to include the segment between Oak Street and Route 31.

   b. Extend the proposed 10-foot shared use path from Mt. Thabor Road to the existing trail at Bryn Mawr Boulevard.

   c. These extensions would provide a multi-use path for the entire length through Crystal Lake and provide a connection to the other regional trails in the corridor (County path along Walkup Road and MCCD Prairie Trail bike route at Glen Avenue).

   d. Suggest adding a comment on need for a higher-level warning device for the Prairie Trail bike route crossing of Route 176 at Glen Avenue (HAWK Signal, mid-block island refuge, or rerouting to Walkup Avenue or Main Street signals across Route 176).

5.) Recent Development Updates: Since it has been five years since the last draft was completed, the report should include updates/corrections regarding developments or improvements that have been constructed or are being considered.

a. Bryn Mawr Subdivision – existing Bryn Mawr Drive access and water main/sanitary sewer along Illinois Route 176.

b. Briarwood Road traffic signal and channelization.

c. McHenry County Conservation District ComEd Corridor Trail (McHenry County College to Oak Street) now existing – also does not replace the Glen Avenue/Lorraine Drive bike route crossing of Illinois Route 176 as stated in report (this is the Prairie Trail route, not ComEd Corridor Trail route).

d. Erick Street Commons - existing commercial development, southeast corner of Erick Street and Illinois Route 176.

e. Erick Street widening - Route 176 to Crystal Lake Avenue.

f. Terra Cotta Road/Pingree Road and Crystal Lake Avenue traffic signal.

g. Walgreens, northeast corner of Illinois Route 31 and Illinois Route 176.

h. Riverbirch Crossing – future commercial development with public road connecting to Preston Pines Subdivision.

i. New City water main along Illinois Route 176, Walkup Road to Main Street.

j. Note the consideration for a future Metra Ridgefield Depot.

k. Preston Pines Subdivision - future residential subdivision east of Route 31, north of Route 176.

l. Route 31 and Route 176 intersection improvements by IDOT.

m. Walkup Road and Route 176 intersection improvements by McHenry County.

n. Walkup Road bike trail improvement by McHenry County.

o. Route 14 improvements by IDOT.

p. Fair Oaks Nursing Home addition.

Additional information regarding SRA's can be found on CMAP's web page:
http://www.cmap.illinois.gov/template.aspx?id=17205

The Engineering Division seeks the Council's concurrence with these comments so they can be submitted to IDOT ahead of the deadline. After the public hearing in October or November, IDOT plans to publish the final report in December 2010.