CITY OF CRYSTAL LAKE
AGENDA

CITY COUNCIL
REGULAR MEETING

City of Crystal Lake
100 West Woodstock Street, Crystal Lake, IL
City Council Chambers
August 7, 2012
7:30 p.m.

1. **Call to Order**

2. **Roll Call**

3. **Pledge of Allegiance**

4. **Crystal Lake Chamber of Commerce – Membership Recognition**

5. **Approval of Minutes – July 17, 2012 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. **St. Thomas the Apostle Church Class 16 Temporary Liquor License request.**
    b. **Lakeside Legacy Foundation Run and Roll for the Dole.**

11. **Downtown Crystal Lake Main Street – Temporary Use Permit request for a Special Promotion, the Johnny Appleseed Festival and Great Ball Race, and waiver of the Temporary Use Permit application fee.**

12. **Kmart Corporation, 6000 Northwest Highway – City Code Amendment increasing the number of Class 13 liquor licenses.**

13. **Martin Chevrolet, 5220 Northwest Highway – Temporary Use Permit Amendment request for additional signs.**

14. **Job Creation and Investment Matching Grant request – Kumi Sushi Japanese Restaurant, 1145 S. Route 31, Suite N.**

15. **American Auto Sales, 189 S. Main Street – Use Variation and Special Use Permit to allow an automobile dealer in the M Manufacturing zoning district.**

16. Canterbury Drive Parking restrictions Ordinance.

17. City Code Amendment decreasing the current number of Class 1, Class 7 and Class 23 liquor licenses.

18. Ordinance amending Chapter 226, Article I, Possession of Cannabis, in the City Code.

19. Ordinance amending Chapter 22 of the Municipal Code allowing for the appointment of Deputy City Clerks.

20. Resolution authorizing execution of an agreement for the purchase of one (1) Police Interceptor Utility AWD through the Northwest Municipal Conference Suburban Purchasing Cooperative.

21. Bid award and Resolution authorizing execution of a contract for the 2012 Downtown Sidewalk Replacement Project and allowing for a 10 percent contingency.

22. Proposal award and Resolution authorizing execution of an agreement for engineering services for backup generator evaluation and design and arc flash study, and approval of changes in scope by 10 percent of the original price.

23. Resolution designating Aerial Ladder Truck 381 as surplus equipment and authorizing execution of an agreement for the sale of Aerial Ladder Truck 381.

24. Resolutions committing to the local match for improvements through the Surface Transportation Program upon award from the McHenry County Council of Mayors.

25. 4814 State Street – Annexation Public Hearing, Ordinance annexing 0.18 acres located at 4814 State Street, Ordinance authorizing execution of an Annexation Agreement, and approval of the Annexation Agreement as presented.

26. 4902 State Street - Annexation Public Hearing, Ordinance annexing 0.17 acres located at 4902 State Street, Ordinance authorizing execution of an Annexation Agreement, and approval of the Annexation Agreement as presented.

27. 4910 State Street - Annexation Public Hearing, Ordinance annexing 0.17 acres located at 4910 State Street, Ordinance authorizing execution of an Annexation Agreement, and approval of the Annexation Agreement as presented.

28. 4916 State Street - Annexation Public Hearing, Ordinance annexing 0.18 acres located at 4916 State Street, Ordinance authorizing execution of an Annexation Agreement, and approval of the Annexation Agreement as presented.

29. 5006 State Street - Annexation Public Hearing, Ordinance annexing 0.18 acres located at 5006 State Street, Ordinance authorizing execution of an Annexation Agreement, and approval of the Annexation Agreement as presented.

30. Council Inquiries and Requests

31. 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, Executive Session minutes and personnel.

32. Reconvene to Regular Session.

33. Adjourn

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

Agenda Item No: 4

City Council
Agenda Supplement

Meeting Date: August 7, 2012

Item: Crystal Lake Chamber of Commerce long-term membership acknowledgment of the City of Crystal Lake's for its 25-year membership with the Chamber.

Gary Reece, Crystal Lake Chamber of Commerce

Recommendations: No action necessary.

Staff Contact: James Richter II, Assistant Director of Economic Development

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Background: The Crystal Lake Chamber of Commerce shows appreciation to its long-term members for continued support through membership acknowledgments. The City of Crystal Lake has been a Chamber member since 1987 and our continued support of the Chamber through membership and participation have helped to build a strong relationship that ultimately supports and strengthens our business community. The Crystal Lake Chamber of Commerce will be presenting the City with a 25-year member recognition plaque.

Agenda Item No: 10a

City Council
Agenda Supplement

Meeting Date: August 7, 2012

Item: Temporary Liquor License – St. Thomas the Apostle Church

Staff Recommendation: Motion to approve issuance of a Class "16" Temporary Liquor License to St. Thomas the Apostle Church

Staff Contact: George Koczwara, Deputy City Manager

Background:
The City has received a request from St. Thomas the Apostle Church for the issuance of a Class "16" Temporary Liquor License in order to sell beer and wine at their Parish Dinner being held at the Oak Street Church Community Center, located at 451 W. Terra Cotta Avenue, on September 8, 2012 from 6:00 p.m. to 10:00 p.m.

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

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

Votes Required to Pass:
Simple majority

Agenda Item No: 10b

City Council
Agenda Supplement

Meeting Date: August 7, 2012

Item: Run and Roll for the Dole

Council Discretion: Motion authorizing approval of the Run and Roll for the Dole, to be held on Sunday, October 14, 2012, with the conditions contained in this agenda supplement.

Staff Contact: Dave Linder, Chief of Police
Brad Mitchell, Assistant to the City Manager

Background:

The Lakeside Legacy Foundation is requesting approval to conduct the Run and Roll for the Dole to be held on Sunday, October 14, 2012. The race will begin at 8:00 a.m. and finish at approximately 10:30 a.m. The race will consist of a 2-mile run, 20K (12.6 mile) bike course, and another 2-mile run. The 2-mile running course will take place on Crystal Lake roads. A majority of the 20K bike ride will take place throughout the Village of Lakewood. The City Council approved a similar request in 2011.

In addition, a 2-mile walk will take place beginning at 8:05 a.m. following the start of the Run and Roll for the Dole. The 2-mile walk will not be timed and all walkers will be given race bids. The walkers will follow the same 2-mile course as the Run and Roll for the Dole and there will not be any crossover between the walkers and the Run and Roll for the Dole participants on the walk/run course.

The Lakeside Legacy Foundation is requesting the following from the City:

1. Assistance from the Crystal Lake Police Department along the race course that is within the City's jurisdiction. The recommended number of Police officers and volunteers for the event is detailed in the attached Exhibit A. Volunteers will be stationed along the race course to assist with safety and race direction only.

2. A waiver of the speed limit and traffic laws for bicyclists, per State Law Chapter 625 Illinois Compiled Statutes 5/11-1514.

3. The closure of Country Club Road between Lake Avenue and Golf Road for the duration of the race. This portion of Country Club Road is the beginning and end point of the race.

City staff has reviewed the petitioner's request and offers the following conditions:

1) Approval for the Run and Roll for the Dole is contingent upon approval from other participating jurisdictions. The Village of Lakewood and Village of Lake in the Hills shall be responsible for coordinating public safety services within and adjacent to their corporate boundaries. The Lakeside Legacy Foundation shall submit to the City a letter from the Village of Lakewood and Village of Lake in the Hills stating their approval for the event.
2) The City will have flexibility in designing the race course based on any concerns from the Police and Fire Rescue Departments.
3) The Lakeside Legacy Foundation must provide the City with a site plan for set-up at the Dole Mansion and parking plan for the event for review by City Departments.
4) The Police Department can designate "No Parking" zones for the event prior to the race date.
5) The volunteers for both races will carry cellular phones or radios to contact 911 in case of an emergency. Volunteers are not to direct traffic.
6) The Lakeside Legacy Foundation Duathalon Committee shall coordinate with the Crystal Lake Police, Fire Rescue and Public Works Departments regarding assistance during the event.
7) "Race In Progress" signs must be posted a minimum of three (3) days prior to the event.
8) City-owned barricades must be used to block off the street closure sections. The petitioner must complete and submit a Barricade Borrowing Application.
9) The petitioner must send a notice to all affected property owners along Country Club Road.
10) Emergency vehicle access must be maintained throughout the event. Items should not be placed on the roadway to prohibit access, and volunteers should be available to remove barricades to allow emergency vehicles on the roadway, if necessary.
11) Local traffic access to Country Club Road must be maintained throughout the event. Volunteers should be available to remove barricades to allow property owners on the roadway, if necessary.
12) All debris created by the event shall be cleaned up during and after the event.
13) 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.
14) Participants are required to sign an Indemnity/Hold Harmless agreement to include the City.
15) If tents or canopies will be used, the petitioner shall contact the Fire Rescue Department for further review.
16) Any additional permits or requests for signage shall be made through the Engineering and Building Department.
17) Compliance with State Law regarding Bicycle Racing;

625 ILCS 5/11-1514 – (a) *Bicycle racing on a highway shall not be unlawful when a racing event has been approved by the State or local authorities on any highway under their respective jurisdictions. Approval of bicycle racing events shall be granted only under conditions which assure reasonable safety for all race participants, spectators and other highway users, and which prevent unreasonable interference with traffic flow which would seriously inconvenience highway users.*
(b) By Agreement with the approving authority, participants in an approved bicycle highway racing event may be exempt from compliance with any traffic laws otherwise applicable thereto, provided that traffic control is adequate to assure the safety of all highway users.

18) In the case of inclement weather, an alternate date can be approved by the City Manager.

The petitioner has agreed to meet these conditions.

Votes Required to Pass:

Simple majority vote of the City Council

Agenda Item No: 11

City Council
Agenda Supplement

Meeting Date: August 7, 2012

Item: Downtown Crystal Lake Main Street Temporary Use Permit for a Special Promotion (Johnny Appleseed Festival and Great Ball Race)

Recommendation: Motion to approve the Temporary Use Permit for Downtown Crystal Lake Main Street for a Special Promotion (Johnny Appleseed Festival and Great Ball Race), pursuant to the recommendations listed below, and waive the Temporary Use Permit application fee.

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

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Background: The applicant has applied for a Temporary Use Permit for a Special Promotion. The applicant is requesting permission for the 20th annual Johnny Appleseed Festival on Saturday, September 29, 2012, from 9:00 a.m. to 4:00 p.m. City Council approval is required because the applicant is requesting permission to close off Brink Street between Williams and Main Streets from 2:00 p.m. to 3:30 p.m. for the 12th annual Great Ball Race and close the Brink Street Market parking lot until 5:00 p.m. (please see the attached site plans).

This year's event would be very similar to previous years' events and would include demonstrations and entertainment, food vendors, crafts, pony rides, a pumpkin train, pumpkin bowling, an apple ride, a petting zoo, and storytelling. Horse-drawn wagon rides would be given, which would circle the block that includes the Brink Street Market. For the Great Ball Race, brightly colored and numbered plastic balls would be rolled down Brink Street from their starting point at Williams Street to their ending point before Main Street. Also, the Farmers' Market, which is held every Saturday in the Depot Park, will be relocated to the parking lot at Brink and Grant Streets for this event only.

The applicant is requesting a waiver from the $40.00 Temporary Use Permit application fee.

If the request is approved, staff recommends the following conditions:

1. The Temporary Use Permit shall be valid on Saturday, September 29, 2012. The closure of

Brink Street from Williams Street to Main Street is permitted from 2:00 p.m. to 3:30 p.m. The closure of the Brink Street Market parking lot is permitted until 5:00 p.m.
2. The event shall be in accordance with the attached site plan with the exception of both alleys east of Williams Street and the Marathon gas station driveways must remain clear at all times. Begin temporary closure of Williams Street EAST of the alley entrances and end the closure WEST of the gas station driveways. Any additional changes to the site plan shall be provided prior to the inspection by the Fire Prevention Bureau.
3. The Farmers' Market at the Grant Street parking lot must keep displays, tables, tents, etc. off the bioswale along Brink Street. This area was planted last year with native vegetation that is sensitive to disruption. Please keep all foot traffic off the bioswale area and ensure that all trash is picked up from the parking lot, as rainwater will cause debris to flow from the pavement surface into the bioswale.
4. Vendors are not allowed to tie into the Downtown lighting system for electrical needs and will need to supply their electrical power via generators. Temporary electric wiring shall be approved by the Building Division.
5. All electrical shall comply with the 2005 National Electric Code and is subject to an inspection prior to starting the event.
6. A standard Hold Harmless agreement between Downtown Crystal Lake Main Street and the City, including insurance coverage covering these events, is required.
7. The applicant shall contact the Crystal Lake Police Department to coordinate parking and traffic procedures.
8. Any additional permits or requests for signage shall be made through the Building Division. Signs shall not obstruct the view of traffic or be attached to utility poles.
9. No liquor shall be served at the event.
10. The applicant is responsible for obtaining all necessary McHenry County Health Department permits.
11. All outside vendors must be approved by Downtown Crystal Lake Main Street at least 7 days prior to the event (September 21, 2012).
12. The applicant shall provide adequate trash receptacles, which need to be emptied on a regular basis throughout the event, and clean up after the event. Downtown amenities and landscaping shall be properly maintained and/or restored to their original condition, as necessary. Waste materials in/under and within 30 feet of all tents/canopies need to be stored in approved containers. (Garbage cans need to be provided for waste, if present.)
13. The event organizer shall schedule a meeting with the Fire Prevention Bureau at least one week prior to the event (815-356-3640 ext. 4147). An inspection by the Fire Rescue Department is required prior to the event. The Fire Prevention Bureau needs to be contacted regarding cooking and other requirements for tents and canopies. Canopies/tents shall be adequately anchored using sand, water, concrete, or guide lines. Cooking tents/canopies shall be of a flame-resistant material, or treated as such. No smoking in or under any tents/canopies.
14. Provide approved access for emergency vehicles to gain entry to the event as well as maintain access to the existing structures. This shall include a minimum 20-foot access in the parking areas serving the alley to the rear of Williams Street and the Brink Street lot near the Raue Center. Access to both alleys east of Williams Street and the Marathon gas station driveways must remain clear at all times.
15. If the sidewalks cannot accommodate the pedestrian traffic sufficiently and people are using the streets, consideration to close the roadway to traffic should be made. The decision to close the roadway would be made by the on-duty police patrol supervisor and the event organizers.
16. Pre-event advertisements and event-day signage should direct motorists to the commuter lots

for parking.
17. The petitioner shall erect approved barricades and advance-warning signs for the temporary closure of Brink Street during the hours of 2:00 and 3:30 p.m. only. These signs and barricades shall only be in place during the approved time for the road closure.
18. Restrict parking in the three (3) Brink Street Z-lots until after 3:30 p.m. or provide temporary signs at these spaces noting that vehicles cannot be moved out of this area between the hours of 2:00 p.m. and 3:30 p.m.
19. Temporary pedestrian crossing warning signs at the intersection of Brink Street and Grant Street shall be provided. Contact the Public Works Department for these signs.
20. Any vendors must be located off all roadways and parking areas that are not approved for closure.

The applicant has been made aware of these recommended conditions and advised to attend the August 7, 2012 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: August 7, 2012

Item: City Code Amendment to Increase the Number of Class "13" Liquor Licenses– Applicant: Kmart

Staff Recommendation: Motion to adopt an ordinance increasing the number of Class "13" Liquor Licenses from the current permitted 21 licenses to 22 licenses.

Staff Contact: George Koczwara, Deputy City Manager

Background:
The City has received a request from Kmart Corporation, located at 6000 Northwest Highway, for the Council to consider the adoption of an ordinance providing for an amendment to the liquor license restriction provisions of the City Code, increasing the number of Class "13" liquor licenses from the current 21 licenses to 22 licenses.

Kmart Corporation previously held a Class 13 liquor license with the City of Crystal Lake at this same location from 1998 to 2002 but did not renew their license for the 2002/2003 license period.

Section 329-5-M of the City Code permits the issuance of a Class "13" liquor license for the sale of alcoholic liquors on the premises specified in the license in packages only but not for consumption on the premises where sold between the hours of 7:00 a.m. and 1:00 a.m. Monday, Tuesday, Wednesday, Thursday and Friday and 7:00 a.m. Saturday and 2:00 a.m. Sunday and 7:00 a.m. Sunday and 2:00 a.m. Monday.

Other current holders of a Class "13" liquor license are Terra Cotta 7-Eleven, Cardinal Wine & Liquors, Citgo Convenience Store, Convenient Food Mart, Cost Plus World Market, Crystal Lake Food & Liquor, CVS Pharmacy, Dominick's Finer Foods, Fresh Market, General Store, Joseph's Marketplace (issuance pending), Oak Street Food & Liquor, Open Pantry/Shell, Osco Drug, Sam's Club, Target, Teddy's Liquors, Walgreens (151 Northwest Highway), Walgreens (315 N. Route 31) and Wal-Mart.

Votes Required to Pass:
Simple majority

ORDINANCE NO.
FILE NO. 255L

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 13 License shall be increased from 21 to 22.

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 August, 2012.

APPROVED:

_____
MAYOR

ATTEST:

_____
CITY CLERK

PASSED: August 7, 2012

APPROVED: August 7, 2012

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

Agenda Item No: 13

City Council
Agenda Supplement

Meeting Date: August 7, 2012

Item: Martin Chevrolet Temporary Use Permit Amendment.

Recommendation: Motion to approve the Temporary Use Permit Amendment for the Martin Chevrolet pursuant to the recommendations below.

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

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Background: Martin Chevrolet, formerly Crystal Lake Chevrolet, is requesting to amend the Temporary Use Permit that was approved on February 21, 2012 to allow special promotions throughout this calendar year (2012).

Todd Martin, who owns Martin Nissan in Skokie, has recently acquired the Crystal Lake Chevrolet dealership with his business partner Dan Hoyland, who lives in Cary, IL. Mr. Martin has been working with the City on and off for over a year to bring a flag to this community. He was able to get approval to obtain the rights to this dealership and will be securing the ownership of the building and land in the near future. Mr. Martin's existing dealership has an excellent reputation for outstanding customer service.

Mr. Martin is very excited about the possibilities of this dealership in Crystal Lake. He plans to completely renovate the existing building, enhancing the customer service experience and providing a new façade to the building that includes a taller, more prominent entrance feature that will help identify the dealership building, which is setback 420 feet from Route 14. Additional landscaping and updated signage will also be provided.

In order to better advertise the new ownership, the request is to add three (3) signs to the buildings for a period of nine (9) months (August 7, 2012 to May 7, 2013) – one on the roof at the center of the main building; one on the west side of the Service Department; and one over the Express Service entrance (see attached photos). The owners would still retain the right for monthly promotions which was previously granted.

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

1. The amended Temporary Use Permit for the additional signs shall be valid from August 7, 2012 to May 7, 2013. The original TUP shall remain in effect with the conditions approved by City Council.

2. Banners should be positioned so as not to prohibit sight lines or block any Fire Rescue Department connections.
3. Any necessary Building Permits shall be obtained prior to installation of the signs on the buildings.

The applicant has been made aware of these recommended conditions and will be attending the August 7, 2012 City Council meeting to answer any questions.

Votes Required to Pass: A simple majority vote.

Agenda Item No: 14

City Council
Agenda Supplement

Meeting Date: August 7, 2012

Item: Job Creation and Investment Matching Grant request #2012-44-03 for Kumi Sushi Japanese Restaurant, at 1145 S. Route 31, Suite N., to request $10,000 in matching grant funds.

Aaron Ni, Kumi Sushi

Recommendations: City Council's discretion:

1. Motion to approve the Grant Agreement with Aaron Ni, and to award $10,000 in grant funding for furniture, fixtures and equipment at 1145 S. Route 31, Suite N., for Kumi Sushi Japanese Restaurant;
2. Motion to deny the request.

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

Background: On November 1, 2011, the City Council approved the **Retailer and Manufacturer Job Creation and Investment Programs**, which provides grant funding to new and existing retailers who occupy vacant space and hire new full-time employees and/or install eligible furniture, fixtures, and equipment.

KUMI SUSHI (1145 S. Route 31, Suite N.)
Kumi Sushi is a fushion Japanese restaurant who will bring high quality cuisine prepared by New York Chefs for the Crystal Lake area. Kumi Sushi will lease 3,000 square feet in the outlot building in the Lutter Center, in front of Super Walmart. They will be hiring 5 full-time and 3 part-time employees for their new restaurant. The owner will spend approximately $87,843 on eligible furniture, fixtures, and equipment.

In order to objectively analyze the applications for funding, review criteria have been established in the Ordinance approving this program. The chart on the following page outlines the evaluation of the applicant's request in relation to our review criteria.

REVIEW CRITERIA	APPLICANT'S ABILITY TO MEET THE REVIEW CRITERIA
Improvement to overall appearance	Minor improvements to the appearance of the subject property would be provided
Aesthetic impact to surrounding areas	Improvements would provide a minor aesthetic impact to the area
Number of employees and wages	8 new employees will be added by Kumi Sushi*
Value of new FFE	Furniture, fixtures, and equipment in excess of $87,000*
Use of the property as a result of a new business	Promotes the intended use of the building for retail/restaurant sales*
Contribution to economic vitality	Supports occupancy of vacant retail space with a viable restaurant collecting sales taxes*
Compatibility with nearby uses	Compatible with adjacent uses*

The applicant's request has been evaluated for the value of the improvement, the extent of proposed work, and its potential impact. The current application would fulfill **5** of the **7** review criteria (marked with an asterisk*).

SUMMARY OF CURRENT REQUESTS

The chart below provides a complete summary of the pending grant funding requests. The City has budgeted $80,000 for reimbursements to awarded recipients. The job creation and investment programs will share the same funding source ($80,000).

File #	Applicant Name / Business name	Address	New Retailer Programs	Existing Retailer Programs	Manufacturer Programs	Total Requested	Amount Approved	Status
2012-44-01	Potbelly Sandwich Works	6000 Nw Hwy	$10,000.00			$10,000.00	$10,000.00	Approved
2012-44-02	CalCo Controls Inc	439 S. Dartmoor			$10,000.00	$10,000.00	$10,000.00	Approved
2012-44-03	Kumi Sushi	1145 S. Route 31	$10,000.00			$10,000.00		Proposed
		TOTALS	**$20,000.00**	**$0.00**	**$10,000.00**	**$30,000.00**	**$20,000.00**	

Votes Required to Pass: A simple majority vote.

Agenda Item No: 15

City Council
Agenda Supplement

Meeting Date: August 7, 2012

Item: REPORT OF THE PLANNING & ZONING COMMISSION

#2012-347 American Auto Sales/Gammoh, 189 S. Main Street

Use Variation and Special Use Permit in accordance with Article 2, Land Use, of the Unified Development Ordinance, to allow an automobile dealer (used-car sales) in the M Manufacturing zoning district.

Frank Gammoh, American Auto Sales, 189 S. Main Street

PZC Recommendation: Motion to approve the Planning and Zoning Commission recommendation and adopt an ordinance granting a Use Variation and Special Use Permit at 189 S. Main Street.

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

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Background:

- Location: 189 S. Main Street, located on the east side of Main Street, abutting the Union Pacific Railroad on its east and south sides.
- Zoning: The property is zoned "M" Manufacturing.
- History: The property was annexed in 1983; the annexation agreement has since expired. In 2001, a Special Use Permit to allow the outdoor display, sales and storage of restored classic automobiles for Main Street Classic Cars at this location was approved. With the closure of the business, that Special Use Permit has expired.
- UDO Requirements: With the adoption of the UDO in 2009, automobile dealers are permitted as a Limited Use only in the "B-2" and "B-4" districts.
- Request: The petitioner is requesting a use variation and a special use permit, since the site is zoned Manufacturing.

Key Factors

- The petitioner is not proposing any changes to the existing building or parking lot on-site.
- The property currently has two access drives off Main Street. The petitioner is proposing to store vehicles along the south side of the property. It is the petitioner's intent to store approximately 30-40 vehicles on this site for sale.

- Per the parking requirements in the UDO, 2 parking spaces are required for this use based on the area of the outdoor storage and number of employees at this location. The petitioner will utilize the existing 3 parking spaces along the front of the building.
- The petitioner intends to utilize the existing freestanding sign at this location. Information for proposed wall signage is not provided at this time.
- Tax Increment Financing (TIF) district:
  - ✓ The property is located within the Crystal Lake Avenue and Main Street TIF district.
  - ✓ Within the Redevelopment Plan and Program for this TIF district, one of the identified goals is to promote Crystal Lake as a center of business activity and economic growth both locally and regionally.
  - ✓ Specifically, the properties along Main Street, including this property, are recommended to be commercial uses as redevelopment occurs.
- The Crystal Lake 2030 Comprehensive Plan designates this property as Mixed Use, which allows for a combination of housing types as well as office and commercial uses.

PZC Highlights

- The Planning and Zoning Commission felt that the proposed use (number of vehicles) at this location was too intense, especially as the odd lot shape would render the vehicles to be stored in an irregular fashion.
- The Commission agreed to recommend a maximum number of vehicles to be stored on-site along with a review at 6 months following occupancy.
- The PZC recommended **approval (5-0)** of the request.

The following conditions are recommended:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
   A. Application, Project Description - received 6-28-12
   B. Plat of Survey, Northern Illinois Survey Inc., dated 2/1/2012, received 6-28-12
   C. Site Layout, CBRE, Northern Illinois Survey Inc., dated 2/1/2012, received 6-28-12

2. The Use Variation and Special Use Permit is granted to allow American Auto Sales/Frank Gammoh, as described in the application information. The use shall not be significantly amended, i.e., the addition of storage areas beyond listed in the application or adding other services, without amending this request. A change in ownership will not require a new use variation and special use permit if the conditions of this Ordinance are met.

3. This petition must meet the UDO criteria for Automobile Dealers (listed in the report above), as applicable.

4. A visual barrier across the south entrance must be installed to prevent vehicles from entering into this driveway.

5. Vehicles for display must be setback 10 feet from roadways and 5 feet from all adjacent property lines. No vehicles can overhang into the Main Street right-of-way.

6. Vehicles near the north entrance should be parked to avoid blocking the sight-line triangle.

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

8. **The auto inventory on the lot shall be limited to 30 cars, excluding the handicap and employee parking. (Added by PZC)**

9. **A review of the facility shall happen six (6) months after the Certificate of Occupancy is issued to assess if the number of vehicles allows shall be increased or decreased. It is recommended to the Council that the fees for this review shall be waived. (Added by PZC)**

Votes Required to Pass: A simple majority vote.

DRAFT

ORDINANCE NO. _____
FILE NO. _____

AN ORDINANCE GRANTING A USE VARIATION AND SPECIAL USE PERMIT AT 189 S. MAIN STREET

WHEREAS, pursuant to the terms of a Petition (File #2012-47) before the Crystal Lake Planning and Zoning Commission, the Petitioner has requested the issuance of a Use Variation and Special Use Permit in accordance with Article 2, Land Use, of the Unified Development Ordinance, to allow an automobile dealer (used-car sales) in the M Manufacturing zoning district for the property located at 189 S. Main Street; and

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

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

Section I: That a Use Variation and Special Use Permit in accordance with Article 2, Land Use, of the Unified Development Ordinance, to allow an automobile dealer (used-car sales) in the M Manufacturing zoning district for the property commonly known as 189 S. Main Street, Crystal Lake, Illinois.

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

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

A. Application, Project Description - received 6-28-12
B. Plat of Survey, Northern Illinois Survey Inc., dated 2/1/2012, received 6-28-12
C. Site Layout, CBRE, Northern Illinois Survey Inc., dated 2/1/2012, received 6-28-12

2. The Use Variation and Special Use Permit is granted to allow American Auto Sales/Frank Gammoh, as described in the application information. The use shall not be significantly amended, i.e., the addition of storage areas beyond listed in the application or adding other services, without amending this request. A change in ownership will not require a new use variation and special use permit if the conditions of this Ordinance are met.

3. This petition must meet the UDO criteria for Automobile Dealers (listed in the report above), as applicable.

4. A visual barrier across the south entrance must be installed to prevent vehicles from entering into this driveway.

DRAFT

5. Vehicles for display must be setback 10 feet from roadways and 5 feet from all adjacent property lines. No vehicles can overhang into the Main Street right-of-way.

6. Vehicles near the north entrance should be parked to avoid blocking the sight-line triangle.

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

8. The auto inventory on the lot shall be limited to 30 cars, excluding the handicap and employee parking.

9. A review of the facility shall happen six (6) months after the Certificate of Occupancy is issued to assess if the number of vehicles allows shall be increased or decreased. It is recommended to the Council that the fees for this review shall be waived.

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

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

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

_____
MAYOR

ATTEST:

_____
CITY CLERK

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

Agenda Item No: 16

City Council
Agenda Supplement

Meeting Date: August 7, 2012

Item: Canterbury Drive Parking Restrictions Ordinance

Staff Recommendation: Motion to adopt an ordinance to implement:

1. No stopping, standing, or parking on the west side of Canterbury Drive between Berkshire Drive and Aberdeen Drive; and
2. No stopping, standing, or parking on school days between 3:00 pm and 4:00 pm on the east side of Canterbury Drive, between the southern school entrance and 475 feet south of Faringdon Drive; and
3. No parking on school days between 3:00 pm and 4:00 pm on the east side of Canterbury Drive, between Aberdeen Drive and the southern school entrance; and
4. Repeal all other existing or conflicting parking restrictions between Berkshire Drive and Aberdeen Drive.

Staff Contact: Erik Morimoto, Director of Engineering and Building
Dave Linder, Chief of Police
Abigail Wilgreen, Assistant City Engineer

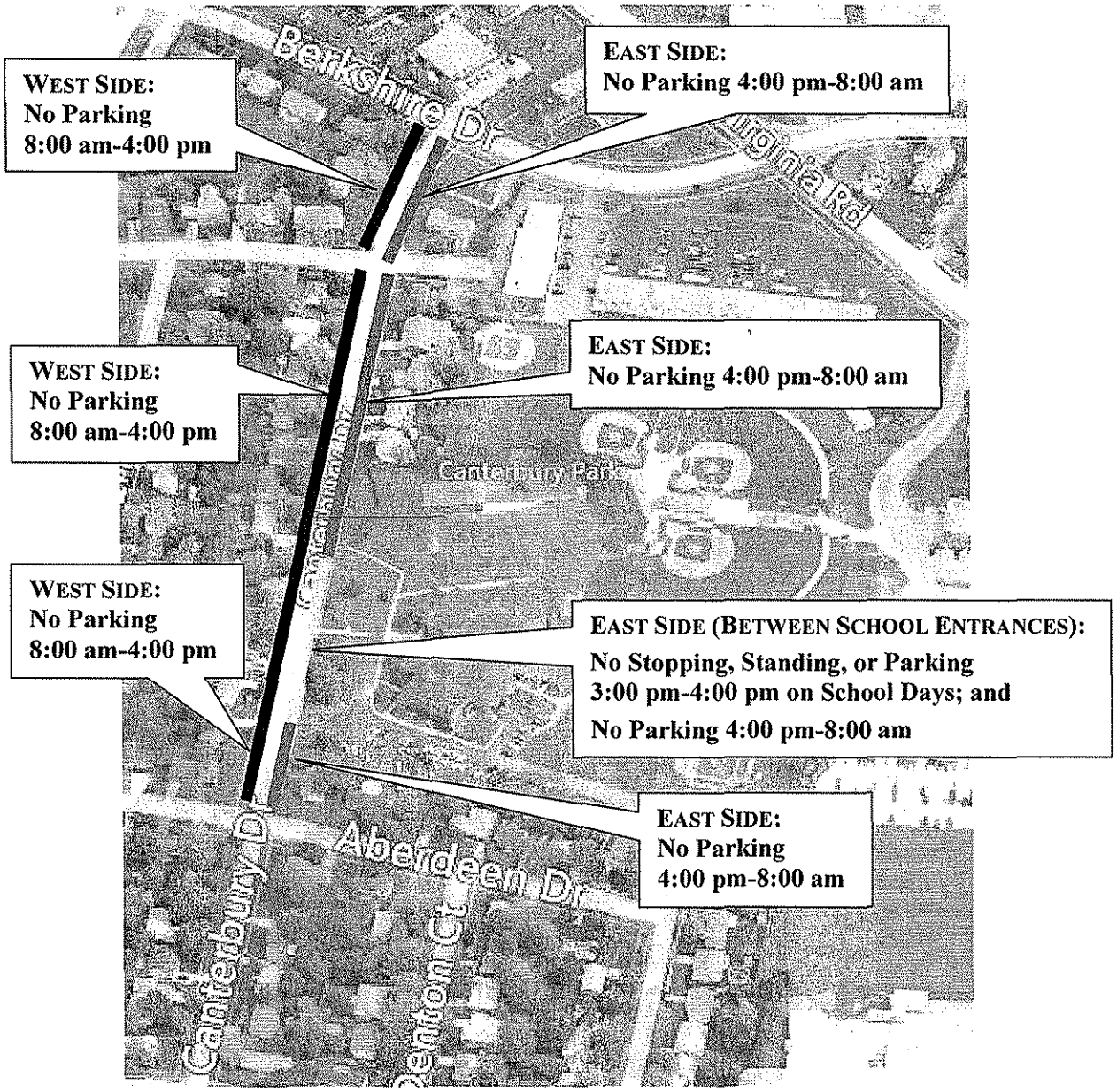
Background:

The City of Crystal Lake Traffic Safety Committee, including representatives from the Police Department and Engineering and Building Department, has reviewed traffic concerns related to parking on Canterbury Drive in front of Canterbury Elementary School and the baseball fields.

The concerns are that the current parking restrictions switch sides of the road in the middle of after-school activities or summer baseball league games.

On-street parking for each side of Canterbury Drive is currently restricted for a different time period (see map on the next page):

EXISTING PARKING RESTRICTIONS



Crystal Lake Baseball little league games at the nearby fields are the primary generator of on-street parking on Canterbury Drive, as the school parking lots do not have sufficient capacity for the peak demand during games.

- According to the little league president, baseball games and practices occur from March through October. Games are Monday through Friday from 5:00 pm to 8:00 pm, and Saturday from 9:00 am to 6:00 pm, with the highest parking demand on Saturdays.

- The primary conflict occurs during the spring and summer, as the parking restriction switches sides at 4:00 pm, which is often in the middle of the baseball games. The weekday games do not begin until after the 4:00 pm switch, so the league has reported

fewer conflicts during that timeframe. The issue is more prevalent on Saturdays according to the league. Residents along Canterbury Drive report cars parked on the wrong side of the street as late as 5:30 pm.

After-school activities at Canterbury Elementary also contribute to usage of available on-street parking. Most of these users would not be negatively impacted by the current 4:00 pm switch from the east side to the west as they begin parking after 4:00 pm. School pick-up occurs between 3:00 pm and 4:00 pm during the school year, but queues are along the south side of the building with access from Cardiff Drive. Baseball game parking on Canterbury Drive does not appear to interfere with the school's drop-off and pick-up process.

Options:

Based upon this investigation by Engineering and Police staff, and coordination with both the *Crystal Lake Baseball* league and School District 47, the following options were reviewed:

1. No Change: This option would keep the roadway clear for emergency vehicles, but only if vehicles are adhering to the posted restrictions and move their cars at 4:00 pm.

2. Adjust Parking Restriction Times: One option would be to adjust the time in the afternoon that the parking restriction switches sides to later in the evening (such as 9:00 pm) to avoid conflict with both baseball and after-school activities. This would be a less significant change from the existing conditions, but still creates potential for confusion by visitors with the change in sides. It is also not consistent with the manner in which parking restrictions for narrow roads near schools are treated elsewhere in the City.

3. Allow Parking on West Side Only: Another option would be to eliminate the change in parking restrictions between each side of the street. If parking were only permitted on the west side, cars for the school, baseball fields, and playground would be on the opposite side of the street and force pedestrians to cross between parked vehicles. The school would need to revise their pick-up and drop-off procedures, as they currently queue on the east side of Canterbury Drive. This option also provides fewer overall parking spaces per block, due to the greater number of closely spaced driveways on the west side.

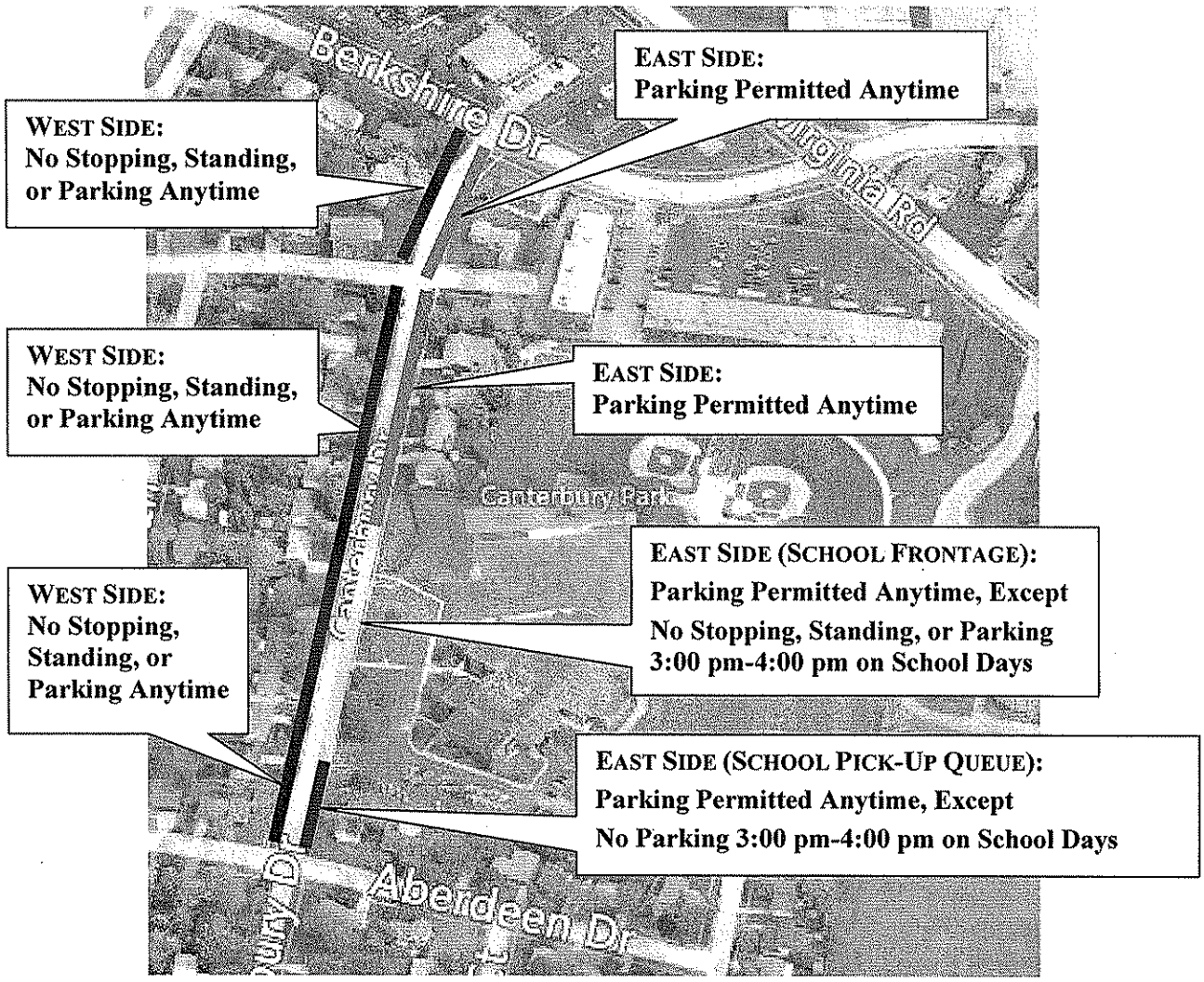
4. Allow Parking on East Side Only: Similar to option 3, this would eliminate the change between sides of the street, but only permit parking on the east side of the street, alongside the school and park. This provides consistency in the parking restrictions that is similar to other schools in the area, allows the most number of spaces per block, and limits the need for pedestrians to cross the street between parked cars. If this option is considered, the recent parking restriction on the east side of Canterbury Drive between the two school entrances (no stopping, standing, or parking from 3:00 pm to 4:00 pm on school days) should remain in place. The school district has also requested that this restriction between the school entrances be expanded to encompass the area between Aberdeen Drive and a distance north of the school circle driveway. This would further facilitate their pick-up procedures and avoid conflicts with cars leaving the circle driveway.

Recommendation:

Option 4 is recommended as the modification to the parking restrictions on Canterbury Drive:

1) No stopping, standing, or parking on the west side of Canterbury Drive between Berkshire Drive and Aberdeen Drive; and
2) No stopping, standing, or parking on school days between 3:00 pm and 4:00 pm on the east side of Canterbury Drive, between the southern school entrance and 475 feet south of Faringdon Drive; and
3) No parking on school days between 3:00 pm and 4:00 pm on the east side of Canterbury Drive, between Aberdeen Drive and the southern school entrance (*stopping or standing would still be allowed to facilitate the school pick-up procedure*); and
4) Repeal all other existing or conflicting parking restrictions between Berkshire Drive and Aberdeen Drive.

RECOMMENDED PARKING RESTRICTIONS:



This change would not adversely impact the drop-off or pick-up procedures at Canterbury Elementary, as there would be only minor adjustments from the existing conditions during the hours of school operation (parking was on the east side before 4:00 pm previously). Comments from the school principal are attached.

Letters were sent to all residents in the effected portion of Canterbury Drive requesting feedback on the proposed parking restriction amendment. Of the 24 homes surveyed, in addition to School District 47, the Park District, and Little League; there were seven responses (see attached letters and emails). The objections were received from residents who live on the east side of the street. Their concerns are centered primarily around the ability to see around cars that park on the street when leaving their driveway and the noise of the baseball field use behind their homes.

Supports Change	Does Not Support Change	No Response
5	2	20

The president of the little league will also be present at the Council meeting to answer any questions.

Votes Required to Pass:

Simple Majority of City Council Present

DRAFT

The City of Crystal Lake Illinois

ORDINANCE

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

SECTION I: That it shall be unlawful to stop, stand, or park any vehicle on the west side of Canterbury Drive between Berkshire Drive and Aberdeen Drive at any time.

SECTION II: That it shall be unlawful to stop, stand, or park any vehicle on the east side of Canterbury Drive on school days between 3:00 pm and 4:00 pm, between the southern school entrance and 475 feet south of Faringdon Drive.

SECTION III: That it shall be unlawful to park any vehicle on the east side of Canterbury Drive on school days between 3:00 pm and 4:00 pm, between Aberdeen Drive and the southern school entrance.

SECTION IV: That parking shall be permitted between the hours of 5:00 am and 2:00 am on the east side of Canterbury Drive between Berkshire Drive and Aberdeen Drive, except as restricted per Section II and Section III of this ordinance.

SECTION V: That any person, firm, or corporation violating any provision of this Ordinance shall be fined in accordance with Chapter 1, Article II providing for General Penalty Provision in the Code of Ordinances of the City of Crystal Lake, Illinois.

DRAFT

SECTION VI: That suitable signs and markers shall be erected.

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

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

DATED at Crystal Lake, Illinois, this seventh day of August, 2012.

CITY OF CRYSTAL LAKE, an Illinois Municipal Corporation

BY: _____
Aaron T. Shepley, Mayor

SEAL

ATTEST:

_____
Nick Kachiroubas, City Clerk

PASSED: August 7, 2012

APPROVED: August 7, 2012

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

Agenda Item No: 17

City Council
Agenda Supplement

Meeting Date: August 7, 2012

Item: City Code Amendment – Liquor License Provisions

Staff Recommendation: Adopt an Ordinance decreasing the number of Class "1" liquor licenses from the current 13 licenses to 12 licenses, the number of Class "7" liquor licenses from the current 4 licenses to 3 licenses and decreasing the number of Class "23" liquor licenses from the current 1 license to 0 licenses

Staff Contact: George Koczwara, Deputy City Manager

Background:
Due to the closing of New Sunny Restaurant, which held a Class "1" liquor license, the closing of Friends.Music.Libations, which held a Class "7" liquor license, and the closing of Mema's Liquor, which held a Class "23" liquor license, the Council may wish to consider adoption of an amendment to the liquor license restriction provisions of the City Code decreasing the number of Class "1" liquor licenses from the current 13 licenses to 12 licenses, decreasing the number of Class "7" liquor licenses from the current 4 licenses to 3 licenses, and decreasing the number of Class "23" liquor licenses from the current 1 license to 0 licenses.

Adoption of the attached ordinance will bring the Liquor License restrictions of the City Code into compliance with the number of licenses actually held in the City with the following exceptions: A Class "9" liquor license created but not yet issued for Al & Joe's Deli, a Class "13" liquor license created but not yet issued for Joseph's Marketplace, and a Class "1" liquor license previously held by Viv's Tap Room and recently revoked for nonpayment of the 2012/2013 license fee.

Votes Required to Pass:
Simple majority.

ORDINANCE NO.
FILE NO. 255L

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 1 License shall be decreased from 13 to 12.

2. Class 7 License shall be decreased from 4 to 3.

3. Class 23 License shall be decreased from 1 to 0.

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 August, 2012.

APPROVED:

_____
MAYOR

ATTEST:

_____
CITY CLERK

PASSED: August 7, 2012

APPROVED: August 7, 2012

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

Agenda Item No: 18

City Council
Agenda Supplement

Meeting Date: August 7, 2012

Item: Possession of Cannabis

Staff Recommendation: Motion to adopt an ordinance amending Chapter 226, Article I, Possession of Cannabis, in the City Code.

Staff Contact: David Linder, Chief of Police

Background:

Currently, misdemeanor and felony cannabis possession is a criminal offense under State of Illinois statutory purview. Within these guidelines, possessing not more than 30 grams of cannabis is a misdemeanor and possessing over 30 grams is a felony. Locally, in 2011, the City made over 50 arrests related to misdemeanor cannabis possession. These arrests involve a great amount of time dedicated by our patrol officers. For example, after the offense is committed and the arrest is made, the officer still has to transfer the suspect to the police station for fingerprinting and processing. As a result, a crime that can be relatively minor can take several hours to process. If, however, officers were able to ticket offenders for cannabis possession, this would increase the amount of time our officers are patrolling.

Other area communities have experienced similar issues and amended their Codes to allow tickets for smaller amounts of cannabis possession. Such an ordinance would allow police personnel to handle misdemeanor cannabis possession by issuing a ticket rather than making an arrest. Offenders receiving a ticket would no longer be subject to possible jail time, as they currently are if given a misdemeanor charge. In addition, the proposed Code amendment provides the Police Department discretion regarding whether to issue a ticket or arrest. Depending on the circumstances, the officer could still arrest the offender for any amount of cannabis possession. Felony possession, however, would still be considered an arrestable, criminal offense and not subject to the proposed ordinance. Violations under this ordinance would be heard before the Administrative Law Judge under the City's administrative adjudication process. The minimum fine recommended would be $500, while the maximum fine would be $1,000. In addition, with each subsequent possession offense, the fine would be increased. This elevated fine amount is very similar to the City's synthetic drug possession fine, since the City takes both authentic and synthetic cannabis possession very seriously.

Violators would have the ability to pay the fine without appearing before the Administrative Law Judge if the responding officer indicates on the citation that the minimum fine may be paid instead

of appearing at the hearing. This option would only be made available when, in the opinion of the officer, the individual would not need to appear at a hearing in order to satisfy compliance. The minimum fine amount would be the fine-in-lieu-of-hearing penalty. Payment under this scenario serves as a plea of liable. Each individual receiving a violation notice would always have the opportunity for their case to be heard in front of the Administrative Law Judge.

City legal staff have reviewed the ordinance.

Recommendation:

It is staff's recommendation to adopt an ordinance amending Chapter 226, Article I Possession of Cannabis, in the City Code.

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 226, Article I Possession of Cannabis, is hereby amended by the Crystal Lake City Code as follows:

ARTICLE I
Possession of Cannabis

§ 226-1 Definitions
As used in this chapter, the following terms shall have the meanings indicated:

Cannabis means marijuana, hashish and other substances which are identified as including any parts of the plant Cannabis Sativa, whether growing or not; the seeds thereof, the resin extracted from any part of such plant; and any compound, manufacture, salt, derivative, mixture, or preparation of such plant, its seeds, or resin, including tetrahydrocannabinol (THC) and all other cannabinol derivatives, including its naturally occurring or synthetically produced ingredients, whether produced directly or indirectly by extraction, or independently by means of chemical synthesis or by a combination of extraction and chemical synthesis; but shall not include the mature stalks of such plant, fiber produced from such stalks, oil or cake made from the seeds of such plant, any other compound, manufacture, salt, derivative, mixture, or preparation of such mature stalks (except the resin extracted therefrom), fiber, oil or cake, or the sterilized seed of such plant which is incapable of germination.

§ 226-2 Possession of Cannabis Prohibited

It shall be unlawful for any person to possess any quantity of any substance containing cannabis, except that this article shall be limited to persons knowingly possessing not more than thirty (30) grams of cannabis.

§ 226-3 Penalty

DRAFT

Any person convicted of a violation of any section of this Article shall be fined as set forth in Chapter 248, Fines. Each violation shall be considered a separate offense; and a separate offense shall be deemed committed on each day during or on which a violation occurs or continues. Subsequent offenses shall be fined as set forth in Chapter 248, Fines.

At the discretion of the Police Department, any violation under this Article may, alternatively be charged pursuant to 720 ILCS 550/4(a), 720 ILCS 550/4(b) and 720 ILCS 550/4(c) as amended from time to time. In the event of such alternative charge, the violator will not be subject to fines pursuant to Chapter 248.

SECTION II. That Chapter 248, Fines of the Code of Ordinances, City of Crystal Lake, Illinois, is hereby amended by adding the following:

§248-2. Fines enumerated

Code Section	**Violation**	**Fine**	
		Minimum	**Maximum**
226-2	Cannabis possession of less than 2.5 grams-first offense	$500	$1,000
226-2	Cannabis possession of less than 2.5 grams-second offense	$750	$1,000
226-2	Cannabis possession of less than 2.5 grams-third or subsequent offenses	$1,000	$1,000
226-2	Cannabis possession of 2.5 grams but not more than 10 grams-first offense	$750	$1,000
226-2	Cannabis possession of 2.5 grams but not more than 10 grams-subsequent offense	$1,000	$1,000
226-2	Cannabis possession of 10 grams but not more than 30 grams-first offense	$1,000	$1,000
226-2	Cannabis possession of 10 grams but not more than 30 grams-subsequent offense	$1,000	$1,000

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

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

SECTION V: Any defenses available under 720 ILCS 550/11 shall also be available as a defense to any violation charged under this Ordinance.

DATED at Crystal Lake, Illinois, this 7th day of August, 2012.

APPROVED:

DRAFT

Aaron T. Shepley, Mayor

ATTEST:

Nick Kachiroubas, City Clerk

PASSED: August 7th, 2012
APPROVED: August 7th, 2012

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

Agenda Item No: 19

City Council
Agenda Supplement

Meeting Date: August 7, 2012

Item: Appointments of Deputy City Clerks

Staff Recommendation: Motion to adopt an ordinance amending Chapter 22 of the Municipal Code allowing for the appointment of Deputy City Clerks.

Staff Contact: Nick Kachiroubas, City Clerk

Background:
The Office of City Clerk is provided for in State law and called out specifically in the City Code. Its duties involve maintenance of the City seal and the official records, ordinances and resolutions of the City. The City Clerk certifies all official records and documents of the City and records and maintains the actions of the City Council in the form of the minutes of the meetings of that body.

In order to ensure the efficient administration of the City Clerk's responsibilities, I am recommending the adoption of the attached ordinance in order to appoint Deputy City Clerks in my absence. Whenever I am temporarily unavailable, the City Manager and the Deputy City Managers would serve as Deputy City Clerks.

As the members of the City Council may know, I was recently appointed as a Visiting Assistant Professor at DePaul University. The acceptance of the position requires me to teach a Tuesday night course for the fall 2012 Quarter, which would require me to be absent from City Council meetings from Tuesday, September 18, 2012 through Tuesday, November 20, 2012, a total of five meetings. I will be able to function in my capacity as City Clerk in any other manner than attendance at these meetings, and future meetings succeeding the November 20, 2012 date.

Votes Required to Pass:
Simple Majority

DRAFT

ORDINANCE

WHEREAS, pursuant to 65 ILCS 5/3.1-30-10, the City Clerk, when authorized by the corporate authorities, may appoint Deputy City Clerks necessary to discharge the functions and duties of the office of municipal Clerk; and

WHEREAS, the Mayor and City Council have found that it is necessary and proper to authorize the City Clerk to appoint a Deputy City Clerk to discharge the functions and duties of the City Clerk.

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

Section One: Recitals. The foregoing recitals are hereby incorporated herein as if fully set forth.

Section Two. Amendment of Chapter 22 of Municipal Code. Chapter 22 of the City of Crystal Lake Municipal Code is hereby amended by the addition of Section 22-6, which section shall hereinafter read as follows:

§22-6. Deputy City Clerk.

(a) The City Clerk is hereby authorized to appoint three (3) Deputy City Clerks who, without limitation, shall have the power and duty to execute all documents, papers, receipts, orders, checks and other instruments required by any law to be executed by the City Clerk, to affix the corporate seal thereto whenever required, and to make such records and perform any and all duties and functions performable by the City Clerk. Any such appointment may be revoked at any time and a new appointment may thereafter be made if desired. Any such appointment, however, shall run concurrently with the City Clerk's term of office unless sooner terminated. An original of the instrument making an appointment of a deputy by the City Clerk shall be filed and shall remain on file in the office of the City Clerk. Any person accepting an appointment as deputy of the City Clerk hereunder shall take and subscribe the same oath or affirmation as is required of City officers and such oath or affirmation shall be filed and remain on file in the office of the City Clerk. The Deputy City Clerks shall be bonded in the same manner as the City Clerk.

DRAFT

(b) In signing any documents, the Deputy City Clerk shall sign the name of the Clerk with the word "by" and the Deputy City Clerk's own name and the words "Deputy City Clerk."

(c) The powers and duties of the Deputy City Clerk shall be exercised only in the absence of the City Clerk from the place where the City Clerk's office is maintained, and only when written direction has been given by the City Clerk to such Deputy Clerk to exercise such power.

(d) When duly authorized, the signature affixed by any such deputy in the manner hereinabove prescribed on any document, including but not limited to contracts, bonds, or other obligations of the City, shall have the same effect as if the documents so executed had been signed by the Clerk in person.

Section Three: Effective Date. This ordinance shall be in full force and effect from and after its passage as provided by law.

DATED this 7th day of August, 2012

CITY OF CRYSTAL LAKE, an
Illinois Municipal Corporation,

By:_____
MAYOR

SEAL

ATTEST

_____
CITY CLERK

PASSED: August 7, 2012
APPROVED: August 7, 2012

Agenda Item No: 20

City Council
Agenda Supplement

Meeting Date: August 7, 2012

Item: Suburban Purchasing Cooperative Vehicle Purchase

Staff Recommendation: Motion to adopt a resolution authorizing the City Manager to execute an agreement with Currie Motors, in Frankfort, IL for the purchase of one (1) Police Interceptor Utility AWD in the amount of $26,468.00 through the Northwest Municipal Conference Suburban Purchasing Cooperative.

Staff Contact: James P. Moore, Fire Rescue Chief

Background:
The Fire Department received approval for replacement of the above mentioned vehicle as part of the 2012-2013 budget. As members of the Northwest Municipal Conference (NWMC), the City is able to take advantage of the Joint Purchase Program offered by the Conference. This program allows for NWMC members to combine purchasing power, which enables for significant cost reductions on a number of items.

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. 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. In this instance, this vehicle is not available for purchase through the State of Illinois Joint Purchase Program.

Recommendation:
After careful examination of vendor material provided from the NWMC, it is the recommendation of the Fire Rescue Department, the City Manager's Office and Fleet and Facility Services to purchase one (1) 2013 Ford Police Interceptor Utility AWD in the amount of $26,468.00 from Currie Motors in Frankfort, IL, through the NWMC Suburban Purchasing Cooperative. Funds have been budgeted for this purchase. The City Attorney has reviewed the attached documents.

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, and the City Clerk is hereby directed to attest, the contract between the City of Crystal Lake and Currie Motors in Frankfort, IL for the purchase of one (1) 2013 Ford Police Interceptor Utility AWD in the amount of $26,468.00.

Dated this 7th day of August 2012.

CITY OF CRYSTAL LAKE, an
Illinois Municipal Corporation

By: _____
Aaron T. Shepley, Mayor

SEAL

ATTEST:

_____
City Clerk

PASSED: August 7, 2012

APPROVED: August 7, 2012

Agenda Item No: 21

City Council
Agenda Supplement

Meeting Date: August 7, 2012

Item: Downtown Sidewalk Replacement Project Bid Award

Staff Recommendation: Motion to award the 2012 Downtown Sidewalk Replacement Project bid to the lowest responsive and responsible bidder, Copenhaver Construction, Inc., in the bid amount of $122,835.50, and adopt a resolution authorizing the City Manager to execute the contract with Copenhaver Construction, Inc., and allowing for a 10 percent contingency.

Staff Contact: Erik D. Morimoto, Director of Engineering and Building

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Background:

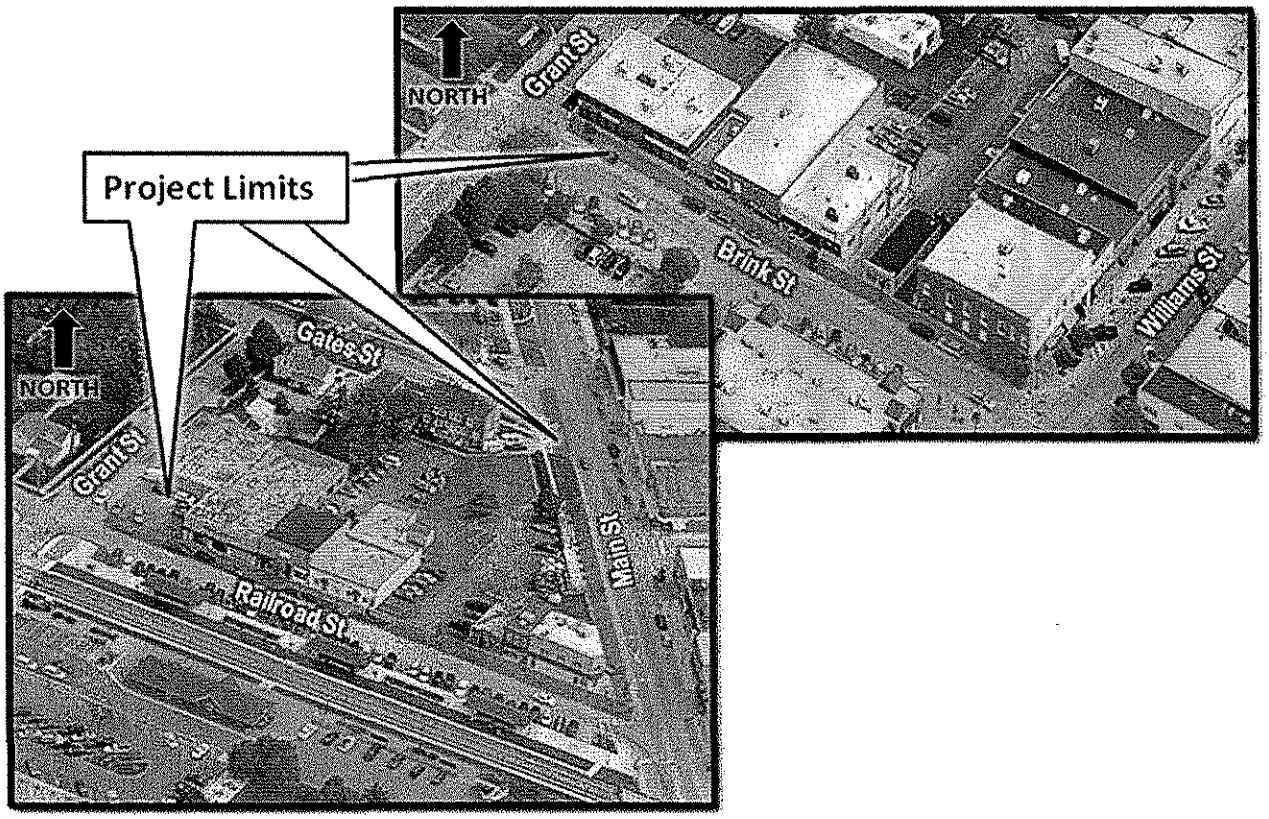
On July 30, 2012, bids received for the 2012 Downtown Sidewalk Replacement Project were opened and publicly read. The City received five bids and the results are tabulated below.

Firm	*Amount of Bid*
Copenhaver Construction, Inc. [1] Gilberts, IL	$122,835.50
Bergquist & Zimmerman Construction, Inc. Crystal Lake, IL	$130,273.55
Landmark Contractors, Inc. Huntley, IL	$150,712.25
Metropolitan Construction, LLC Glendale Heights, IL	$160,593.00
Alliance Contractors, Inc. Woodstock, IL	$165,599.45

[1] Indicates Recommended Lowest Responsive and Responsible Bidder

The 2012 Downtown Sidewalk Replacement Program consists of replacing the concrete and brick paver sidewalk areas in three areas of downtown:

- The north side of Brink Street between Williams Street and Grant Street
- The north side of Railroad Street between Grant Street and Main Street
- The west side of Main Street between Railroad Street and Gates Street



These areas of sidewalk are in various stages of disrepair, and the replacement will be compatible with the other recent improvements to the sidewalk in downtown Crystal Lake. In addition, the contractor will be installing 10 tree grates in that area.

In light of the Walkup Road closure, the contractor will be required to complete work each day along Main Street by 4:00 pm. All parking stalls along Railroad Street and Main Street must also be open each day by 4:00 pm.

The City sent a notice of the bid to several different contractors and standard bid advertisement procedures were followed. The City has used Copenhaver Construction on several projects in the recent past, including the last two years of the downtown sidewalk replacement project. This project is included in the Fiscal Year 2013 budget.

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 the contract with Copenhaver Construction, Inc. for the 2012 Downtown Sidewalk Replacement Program in the amount of $122,835.50. 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 August, 2012.

CITY OF CRYSTAL LAKE, an Illinois Municipal Corporation

BY: _____
Aaron T. Shepley, Mayor

ATTEST:

_____
Nick Kachiroubas, City Clerk

PASSED: August 7, 2012

APPROVED: August 7, 2012

Agenda Item No: 22

City Council
Agenda Supplement

Meeting Date: August 7, 2012

Item: Consultant Selection Approval for Engineering Services for Backup Generator Evaluation & Design and Arc Flash Study

Staff Recommendation: Motion to award the proposal for engineering services for backup generator evaluation & design and arc flash study to the most responsible and responsive proposer, Crawford, Murphy, & Tilly, Inc. (CMT), and adopt a resolution authorizing the City Manager to execute an agreement with CMT in the amount of $99,300.01 and approve changes in scope by 10 percent of the original price.

Staff Contact: Victor Ramirez, P.E., Director of Public Works

Background:
Backup electrical power is a priority operational issue at a number of the City's critical facilities. This issue was exemplified in July 2011 when Crystal Lake lost power for multiple days following a severe storm. In that instance, like all major outages, the Municipal Complex operated on partial power, Water Treatment Plant #5 (Bard Rd) was also only partially operational with an undersized portable generator mobilized to the site, and 13 of the City's 26 lift stations were operating on generator power, with the remaining 13 stations manually pumped down as crews jockeyed up to 5 portable generators throughout the community.

Operationally, not having consistent, full power to these facilities is a major concern. The Municipal Complex is used as a hub to manage all City operations as well as a cooling/heating center in times of a mass power outage. The water treatment plants all need to be fully functional to ensure adequate water for public use, fire suppression, and water pressure. Power interruptions to the lift stations during high flow events could cause major sewer backups and EPA violations. To ensure that adequate generator power is in place when required, the City solicited proposals from consultants to review each of these critical facilities and provide guidance on implementing additional backup power where feasible. Below is a summary of the proposals received:

	CMT	SHMG Eng	Clark-Dietz	Baxter & Woodman	Henneman Eng.	KWW Eng.	Christopher Burke
TOTAL	$99,300.01	$106,815.00	$132,893.00	$178,653.00	$188,800.00	$197,720.00	$214,155.00

The selected consultant will review the following:

Municipal Complex: The Municipal Complex has two separate power feeds; a 1200 amp service and a 600 amp service. Currently, only the 1200 amp service is covered by backup generator power. Engineering services will:

- Evaluate the existing load as well as the load required for a projected build out to determine the need.
- Provide a cost/benefit analysis to determine if an additional generator is warranted, or if a single, larger generator is needed to cover the additional circuit and potential future build out.
- Provide bid specifications and technical assistance for the prescribed improvement.

Water Treatment Plants: During times of power interruption, Water Treatment Plant #5 currently utilizes a portable generator that is used to power only a portion of the plant. Proposals were solicited for the design and construction oversight of a permanent generator at this facility that is capable of powering the entire load, including any future plant expansion. In addition, improvements prescribed in a recent arc flash study are to be designed for water treatment plants #3 and #5 while effectively grounding the facilities, which are currently ungrounded. Engineering services include:

- WTP#5 (Bard Rd)
  - Identify the types of breakers and other improvements required to bring the plant into compliance with its recent Arc Flash Study and effectively ground the facility.
  - Review the current load on the plant as well as the required load for a future expansion of the plant.
  - Create drawings, plans, and bid documents to implement a generator that will resolve the facility's power deficiencies.
  - Provide construction management services for the construction and installation of the generator, enclosure, and automatic transfer switch.
- WTP#3 (Virginia Rd)
  - Identify the types of breakers and other improvements required to bring the plant into compliance with its recent Arc Flash Study and effectively ground the facility.
- WTP#1 (Poplar St) & WTP#4 (Knaack Blvd)
  - Conduct an Arc Flash Study of these facilities to determine safety hazards.

Lift Stations: The City's lift stations are to be evaluated for generator implementation, accounting for load demand as well as location and proximity to residential dwellings. All lift stations are also to have an arc flash and hazard analysis conducted to ensure the safety of public works crews and contractors that may work with the electrical systems. Engineering services include:

- Review the existing backup generators and portable generators to determine their useful life.
- Review the lift stations that have been identified not to have backup power to determine feasibility of installing a generator at the site. Consideration will be given to size, location, and aesthetics in residential neighborhoods.
- Conduct Arc Flash Studies at each of the 26 lift stations and 3 storm water stations to determine safety hazards.

Consultant Selection Process
The Public Works Department followed the City's Purchasing Policy to secure a qualified engineering firm to address this project. The City received proposals from seven firms in response to the request.

Staff from the Public Works Department reviewed each of the proposals and ranked the firms based on their qualifications and cost. The qualifications criteria that were considered during the review were:

1. Proposal completeness
2. Firm's reputation and integrity
3. General experience and history of performance on similar projects
4. Current or past projects related to the scope of services
5. Understanding of the unique project design challenges
6. Adherence to the Project Scoping Summary
7. Experience of personnel

The Public Works Department identified Crawford, Murphy, & Tilly, Inc. as being the most responsive and responsible proposer for reasons including:

- Proposal was detailed and adequately addressed each of the three aspects of this project.
- Proposal identified past projects of a similar scope to the Crystal Lake project.
- Proposal included coordination and communication elements necessary for the success of the project.
- Proposal provided an adequate amount of hours while providing the City with a feasible schedule.

Recommendation:
Based upon the qualifications and cost review, and analysis of each firm's project approach relative to the RFP&Q requirements, staff's recommendation is to select CMT to perform the Engineering Services for Backup Generator Evaluation & Design and Arc Flash Study. Work on the engineering evaluation and design will begin immediately, with final construction and generator implementation to be completed in 2013. Funds have been budgeted for this project.

Votes Required to Pass:
Simple majority

DRAFT

RESOLUTION

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE, of McHenry County, Illinois, that the City Manager be and he is hereby authorized and directed to execute a contract between the City of Crystal Lake and Crawford, Murphy, & Tilly, Inc. (CMT) for engineering services for backup generator evaluation & design and arc flash study agreement in the amount of $99,300.01 and approve changes in scope by 10 percent of the original price.

DATED this 7th day of August, 2012

CITY OF CRYSTAL LAKE, an
Illinois municipal corporation,

By:_____
MAYOR

SEAL

ATTEST

_____
CITY CLERK

PASSED: August 7, 2012
APPROVED: August 7, 2012

Agenda Item No: 23

City Council
Agenda Supplement

Meeting Date: August 7, 2012

Item: Designation as Surplus, and Sale of Aerial Ladder Truck 381 (1988 Emergency One)

Staff Recommendation: Motion to adopt a Resolution designating Aerial Ladder Truck 381 (1988 Emergency One) as surplus equipment and authorizing the City Manager to execute an agreement with B & P Apparatus, Inc. for the sale of Aerial Ladder Truck 381 (1988 Emergency Once).

Staff Contact: James P. Moore, Fire Rescue Chief

Background:
Aerial Ladder Truck 381 is a specialty, one of a kind vehicle, that is used for rescue from evaluated and difficult to reach locations, ventilation of structure fires and elevated large volume water streams. Aerial Ladder Truck 381 was manufactured by Emergency One in 1988; thus, this ladder has provided 24 years of service and has reached its serviceable life span.

Aerial Ladder Truck 381 was designated for replacement in the Fire Rescue Department's FY11-12 budget. A replacement Aerial Ladder (platform) had been purchased, trained on and placed in-service, thus making the Aerial Ladder Truck 381 surplus equipment.

Staff evaluated two options for the sale of this surplus equipment (auction and fire apparatus broker) and has determined that the use of a fire apparatus broker will garner the greatest selling price. An apparatus appraisal of Aerial Ladder 381 from B & P Apparatus, Inc. is included. This appraisal is at least double what would be expected at auction.

B & P Apparatus Inc., in Aurora, Illinois, has a proven success record in selling surplus fire apparatus. B & P Apparatus charges a brokerage fee of 10% of the final price, which is added to the purchase price; thus, this fee is paid by the buyer. Utilization of this brokerage service would provide the following benefits to the City:

1) The City would not be required to transport the vehicle to an auction or the final point of purchase.
2) B & P Apparatus will provide all advertising and logistics.

3) B & P Apparatus maintains a nationwide network of fire apparatus re-builders who are purchasers of this type of equipment.
4) Achieve optimal resale price.

Recommendation:

It is staff's recommendation to designate Aerial Ladder Truck 381 (1988 Emergency One) as surplus equipment and to authorize the City Manager to execute an agreement with B & P Apparatus, Inc. for the sale of Aerial Ladder Truck 381 (1988 Emergency One).

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 1988 Emergency One Aerial Ladder Truck is hereby designated as surplus equipment.

BE IT ALSO 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 an agreement with B & P Apparatus, Inc. for the sale of the 1988 Emergency One Aerial Ladder Truck.

DATED this 7th day of August, 2012

CITY OF CRYSTAL LAKE, an
Illinois municipal corporation,

By:_____
MAYOR

SEAL

ATTEST

_____
CITY CLERK

PASSED: August 7, 2012
APPROVED: August 7, 2012

Agenda Item No: 24

City Council
Agenda Supplement

Meeting Date: August 7, 2012

Item: Resolutions Committing to the Local Match for Improvements Through the Surface Transportation Program Upon Award from the McHenry County Council of Mayors

Staff Recommendation: Motion to adopt Resolutions committing to the local match for improvements through the Surface Transportation Program upon award from the McHenry County Council of Mayors.

Staff Contact: Erik D. Morimoto, Director of Engineering and Building

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Background:

The McHenry County Council of Mayors is allocated a percentage of federal highway funds based on the population in its jurisdiction. The Council of Mayors then allocates these funds to road projects in its jurisdiction that it deems worthy enough through Surface Transportation Program (STP) grants. These funds help offset the cost of construction and construction engineering, paying eighty percent of the cost for these two items, up to $1.5 million per project. The other twenty percent, along with all of the design engineering required for road improvements, is the responsibility of the Local Agency to provide. Periodically, when there is room in the program, the Council of Mayors issues a call for projects, and asks communities to submit projects for inclusion in the grant program. The City has submitted many projects in the past and has been successful in obtaining grants, such as the Pingree Road improvements, the East Crystal Lake Avenue improvements, and the Illinois Route 176 and Briarwood traffic signal installation, through this program.

This most recent call for projects will fund projects for the 2015, 2016, and 2017 Federal Fiscal Years. However, once programmed, projects can be funded sooner if they are ready. For the current call for projects, the City is submitting grant applications for the following four improvements.

North Main Street Improvement from Illinois Route 176 to the Union Pacific Railroad Tracks: This project would reconstruct the section of North Main Street between Route 176 and Prairie Street. The section between Prairie Street and the railroad tracks would be resurfaced. An improvement to the intersection of Route 176 and North Main Street would also be included in the proposed project, which could potentially include a traffic signal or other type of traffic channelization with Illinois Department of Transportation approval.

Dole Avenue Reconstruction: This project would reconstruct Dole Avenue from Crystal Lake Avenue to Lake Shore Drive. Dole Avenue has a roadway base of indeterminate material and is in extremely poor condition, which causes the surface to age and degrade more rapidly than other streets. The City resurfaced Dole Avenue in 2009 using federal funding as a temporary measure so the City could plan and budget for a permanent reconstruction project. The Engineering and Building Department anticipates that this road will continue to degrade to the point that reconstruction is necessary by the end of the STP five-year program in Federal Fiscal Year 2017.

Miller Road Local Agency Functional Overlay (LAFO): This project would resurface Miller Road between Rakow Road and Frank Road. West of Frank Road, Lake in the Hills has jurisdiction over Miller Road. The City approached the Village of Lake in the Hills about a joint project, but their portion of Miller Road was resurfaced just a few years ago, and is still in adequate condition. Joint applications receive additional points in the ranking process, as adopted by the Council of Mayors.

Ballard Road LAFO: The Village of Lakewood asked the City to participate in a joint application for the resurfacing of Ballard Road from Briarwood Road to Haligus Road. The City has jurisdiction of approximately 1,400 feet of Ballard Road from Briarwood Road to Pauline Avenue. The Engineering and Building Department has determined that the pavement surface on Ballard Road will need to be replaced soon, and it would be beneficial to seek grant funding for this project. Lakewood would be the lead agency for this project. The City's participation in the project would be about $65,400.

The STP program is a great opportunity for the City to obtain grant funding for much needed road improvement projects. The Engineering and Building Department staff has determined that these four projects are likely to score well using the ranking criteria and have a good chance of being funded. In addition, the City could seek other sources of funding for these projects.

The attached resolutions commit City funding for these projects, if selected, but do not allocate any dollars at this time. The Council has adopted this type of resolution in the past when the City has applied for previous STP grants. Should the City determine that other projects become a higher priority following award of the grant, the City can then decide not to fund the project.

If the City is awarded these projects, the Engineering and Building Department will program these projects into the capital improvement plan for future budgets. The City typically uses MFT funds to pay for the local responsibility. If the projects do not rank high enough to receive status, then the City is not obligated to fund the project.

The attached resolutions are required as part of the STP program application for consideration in the competitive grant award process.

Votes Required to Pass:

Simple Majority of the Council

DRAFT

The City of Crystal Lake Illinois

A RESOLUTION APPROVING THE LOCAL MATCH FOR CERTAIN STREET IMPROVEMENTS THROUGH THE MCHENRY COUNTY COUNCIL OF MAYORS SURFACE TRANSPORTATION PROGRAM

WHEREAS, the City of Crystal Lake is a member of the McHenry County Council of Mayors; and

WHEREAS, the McHenry County Council of Mayors has adopted policies for the implementation of the Surface Transportation Program (STP), and

WHEREAS, those policies require that to receive STP funding through the Council of Mayors, a project sponsor must submit a STP project application and a resolution stating that the required 20 percent match for that project will be available through the life of the project.

WHEREAS, the funds received from STP can be applied only to construction and construction engineering costs and not to design costs or right of way acquisition.

NOW THEREFORE BE IT RESOLVED that the City of Crystal Lake applies for STP funding for the reconstruction of Dole Avenue between Crystal Lake Avenue and Lake Shore Drive.

BE IT FURTHER RESOLVED that the City of Crystal Lake hereby agrees that it will allocate the required 20 percent local match, estimated to be $506,400 to the

DRAFT

improvement of the specified route so long as the project is programmed in the McHenry County Council of Mayors' Five Year Program or is on its Multi-Year B-List of projects.

DATED at Crystal Lake, Illinois, this seventh day of August, 2012.

CITY OF CRYSTAL LAKE, an Illinois Municipal Corporation

BY: _____
AARON T. SHEPLEY, MAYOR

SEAL

ATTEST:

_____
NICK KACHIROUBAS, CITY CLERK

PASSED: August 7, 2012

APPROVED: August 7, 2012

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

DRAFT

The City of Crystal Lake Illinois

A RESOLUTION APPROVING THE LOCAL MATCH FOR CERTAIN STREET IMPROVEMENTS THROUGH THE MCHENRY COUNTY COUNCIL OF MAYORS SURFACE TRANSPORTATION PROGRAM

WHEREAS, the City of Crystal Lake is a member of the McHenry County Council of Mayors; and

WHEREAS, the McHenry County Council of Mayors has adopted policies for the implementation of the Surface Transportation Program (STP), and

WHEREAS, those policies require that to receive STP funding through the Council of Mayors, a project sponsor must submit a STP project application and a resolution stating that the required 20 percent match for that project will be available through the life of the project.

WHEREAS, the funds received from STP can be applied only to construction and construction engineering costs and not to design costs or right of way acquisition.

NOW THEREFORE BE IT RESOLVED that the City of Crystal Lake applies for STP funding for the improvement N. Main Street between Illinois Route 176 and the Union Pacific Railroad Tracks.

BE IT FURTHER RESOLVED that the City of Crystal Lake hereby agrees that it will allocate the required 20 percent local match, estimated to be $669,241 to the

DRAFT

improvement of the specified route so long as the project is programmed in the McHenry County Council of Mayors' Five Year Program or is on its Multi-Year B-List of projects.

DATED at Crystal Lake, Illinois, this seventh day of August, 2012.

CITY OF CRYSTAL LAKE, an Illinois Municipal Corporation

BY: _____
AARON T. SHEPLEY, MAYOR

SEAL

ATTEST:

_____
NICK KACHIROUBAS, CITY CLERK

PASSED: August 7, 2012

APPROVED: August 7, 2012

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

DRAFT

The City of Crystal Lake Illinois

A RESOLUTION APPROVING THE LOCAL MATCH FOR CERTAIN STREET IMPROVEMENTS THROUGH THE MCHENRY COUNTY COUNCIL OF MAYORS SURFACE TRANSPORTATION PROGRAM

WHEREAS, the City of Crystal Lake is a member of the McHenry County Council of Mayors; and

WHEREAS, the McHenry County Council of Mayors has adopted policies for the implementation of the Surface Transportation Program (STP), and

WHEREAS, those policies require that to receive STP funding through the Council of Mayors, a project sponsor must submit a STP project application and a resolution stating that the required 20 percent match for that project will be available through the life of the project.

NOW THEREFORE BE IT RESOLVED that the City of Crystal Lake applies for STP funding for the resurfacing of Miller Road between Rakow Road and Frank Road.

BE IT FURTHER RESOLVED that the City of Crystal Lake hereby agrees that it will allocate the required 20 percent local match, estimated to be $91,010 to the improvement of the specified route so long as the project is programmed in the McHenry County Council of Mayors' Five Year Program or is on its Multi-Year B-List of projects.

DATED at Crystal Lake, Illinois, this seventh day of August, 2012.

DRAFT

CITY OF CRYSTAL LAKE, an Illinois
Municipal Corporation

BY: _____
AARON T. SHEPLEY, MAYOR

SEAL

ATTEST:

_____
NICK KACHIROUBAS, CITY CLERK

PASSED: August 7, 2012

APPROVED: August 7, 2012

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

DRAFT

The City of Crystal Lake Illinois

A RESOLUTION APPROVING THE LOCAL MATCH FOR CERTAIN STREET IMPROVEMENTS THROUGH THE MCHENRY COUNTY COUNCIL OF MAYORS SURFACE TRANSPORTATION PROGRAM

WHEREAS, the City of Crystal Lake is a member of the McHenry County Council of Mayors; and

WHEREAS, the McHenry County Council of Mayors has adopted policies for the implementation of the Surface Transportation Program (STP), and

WHEREAS, those policies require that to receive STP funding through the Council of Mayors, a project sponsor must submit a STP project application and a resolution stating that the required 20 percent match for that project will be available through the life of the project, and

WHEREAS, the Village of Lakewood has requested that the City of Crystal Lake participate in the resurfacing of Ballard Road.

NOW THEREFORE BE IT RESOLVED that the City of Crystal Lake agrees to participate in the Village of Lakewood's application for STP funding for the resurfacing of Ballard Road between Briarwood Road and Haligus Road for the City owned portion of roadway.

BE IT FURTHER RESOLVED that the City of Crystal Lake hereby agrees that it will allocate the required 20 percent local match, estimated to be $64,500 to the

DRAFT

improvement of the specified route so long as the project is programmed in the McHenry County Council of Mayors' Five Year Program or is on its Multi-Year B-List of projects.

DATED at Crystal Lake, Illinois, this seventh day of August, 2012.

CITY OF CRYSTAL LAKE, an Illinois Municipal Corporation

BY: _____
AARON T. SHEPLEY, MAYOR

SEAL

ATTEST:

_____
NICK KACHIROUBAS, CITY CLERK

PASSED: August 7, 2012

APPROVED: August 7, 2012

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

Agenda Item No: 25

City Council
Agenda Supplement

Meeting Date: August 7, 2012

Item: ANNEXATION PUBLIC HEARING
Annexation of 4814 State Street

Recommendation: 1) Motion to adopt an ordinance approving the annexation of 0.18 acres located at 4814 State Street.
2) Motion to approve the ordinance authorizing the execution of an annexation agreement and approving the annexation agreement as presented.

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

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Background: As is permissible via Illinois State Statute (65 ILCS 5/7-1-8), any municipality by ordinance may annex any territory contiguous to it when the owners of the territory petition for annexation.

The property in question is located at 4814 State Street, contains approximately 0.18 acres, and is improved with a single family residence. The property owners have voluntarily petitioned to annex this property to the City.

The proposed annexation agreement provides stipulations to accommodate the annexation of the several parcels along State Street.

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

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

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

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

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

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

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

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

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

DRAFT

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

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

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

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

AYES:

NAYS:

ABSENT:

PASSED this 7th day of August, 2012

APPROVED by me this 7th day of August, 2012

_____
MAYOR

ATTEST:

_____
CITY CLERK

Agenda Item No: 26

City Council
Agenda Supplement

Meeting Date: August 7, 2012

Item: ANNEXATION PUBLIC HEARING
Annexation of 4902 State Street

Recommendation: 1) Motion to adopt an ordinance approving the annexation of 0.17 acres located at 4902 State Street.
2) Motion to approve the ordinance authorizing the execution of an annexation agreement and approving the annexation agreement as presented.

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

Background: As is permissible via Illinois State Statute (65 ILCS 5/7-1-8), any municipality by ordinance may annex any territory contiguous to it when the owners of the territory petition for annexation.

The property in question is located at 4902 State Street, contains approximately 0.17 acres, and is improved with a single family residence. The property owners have voluntarily petitioned to annex this property to the City.

The proposed annexation agreement provides stipulations to accommodate the annexation of the several parcels along State Street.

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

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

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

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

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

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

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

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

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

DRAFT

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

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

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

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

AYES:

NAYS:

ABSENT:

PASSED this 7th day of August, 2012

APPROVED by me this 7th day of August, 2012

_____
MAYOR

ATTEST:

_____
CITY CLERK

Agenda Item No: 27

City Council
Agenda Supplement

Meeting Date: August 7, 2012

Item: ANNEXATION PUBLIC HEARING
Annexation of 4910 State Street

Recommendation: 1) Motion to adopt an ordinance approving the annexation of 0.17 acres located at 4910 State Street.
2) Motion to approve the ordinance authorizing the execution of an annexation agreement and approving the annexation agreement as presented.

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

Background: As is permissible via Illinois State Statute (65 ILCS 5/7-1-8), any municipality by ordinance may annex any territory contiguous to it when the owners of the territory petition for annexation.

The property in question is located at 4910 State Street, contains approximately 0.17 acres, and is improved with a single family residence. The property owners have voluntarily petitioned to annex this property to the City.

The proposed annexation agreement provides stipulations to accommodate the annexation of the several parcels along State Street.

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

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

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

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

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

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

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

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

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

DRAFT

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

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

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

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

AYES:

NAYS:

ABSENT:

PASSED this 7th day of August, 2012

APPROVED by me this 7th day of August, 2012

_____
MAYOR

ATTEST:

_____
CITY CLERK

Agenda Item No: 28

City Council
Agenda Supplement

Meeting Date: August 7, 2012

Item: ANNEXATION PUBLIC HEARING
Annexation of 4916 State Street

Recommendation: 1) Motion to adopt an ordinance approving the annexation of 0.18 acres located at 4916 State Street.
2) Motion to approve the ordinance authorizing the execution of an annexation agreement and approving the annexation agreement as presented.

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

Background: As is permissible via Illinois State Statute (65 ILCS 5/7-1-8), any municipality by ordinance may annex any territory contiguous to it when the owners of the territory petition for annexation.

The property in question is located at 4916 State Street, contains approximately 0.18 acres, and is improved with a single family residence. The property owners have voluntarily petitioned to annex this property to the City.

The proposed annexation agreement provides stipulations to accommodate the annexation of the several parcels along State Street.

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

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

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

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

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

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

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

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

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

DRAFT

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

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

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

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

AYES:

NAYS:

ABSENT:

PASSED this 7th day of August, 2012

APPROVED by me this 7th day of August, 2012

_____
MAYOR

ATTEST:

_____
CITY CLERK

Agenda Item No: 29

City Council
Agenda Supplement

Meeting Date: August 7, 2012

Item: ANNEXATION PUBLIC HEARING
Annexation of 5006 State Street

Recommendation: 1) Motion to adopt an ordinance approving the annexation of 0.18 acres located at 5006 State Street.
2) Motion to approve the ordinance authorizing the execution of an annexation agreement and approving the annexation agreement as presented.

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

Background: As is permissible via Illinois State Statute (65 ILCS 5/7-1-8), any municipality by ordinance may annex any territory contiguous to it when the owners of the territory petition for annexation.

The property in question is located at 5006 State Street, contains approximately 0.18 acres, and is improved with a single family residence. The property owners have voluntarily petitioned to annex this property to the City.

The proposed annexation agreement provides stipulations to accommodate the annexation of the several parcels along State Street.

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

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

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

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

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

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

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

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

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

DRAFT

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

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

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

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

AYES:

NAYS:

ABSENT:

PASSED this 7th day of August, 2012

APPROVED by me this 7th day of August, 2012

_____
MAYOR

ATTEST:

_____
CITY CLERK