CITY OF CRYSTAL LAKE
AGENDA

CITY COUNCIL
REGULAR MEETING

City of Crystal Lake
100 West Woodstock Street, Crystal Lake, IL
City Council Chambers
June 18, 2013
7:30 p.m.

1. **Call to Order**

2. **Roll Call**

3. **Pledge of Allegiance**

4. **Approval of Minutes – June 4, 2013 Regular City Council Meeting**

5. **Accounts Payable**

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

7. **Mayor's Report**

8. **Council Reports**

9. **Consent Agenda**
   a. **Adoption of the June 2013 Prevailing Wage Resolution.**
   b. **Pioneer Center for Human Services Class "19" Temporary Liquor License request.**
   c. **Downtown Crystal Lake Main Street Temporary Use Permit request for the Johnny Appleseed Festival and Great Ball Race and request for waiver of the Temporary Use Permit application fee.**
   d. **145 Erick Street – Annexation Agreement Public Hearing Continuation.**
   e. **Resolution of authorization for the OSLAD project application to apply for funding for a SCUBA facility at the Three Oaks Recreation Area.**
   f. **Ordinance amending the text of the Crystal Lake Watershed Stormwater Management Program Implementation Plan.**
   g. **City Code Amendment decreasing the number of Class 1, Class 2, Class 3 and Class 15 liquor licenses.**

10. **Cub Scout Pack 168 request to overnight camp at the Three Oaks Recreation Area.**

11. **Existing Retailer Job Creation and Investment Program Matching Grant request – Kitchen Outfitters, 64 N. Williams Street.**

12. **Existing Retailer Job Creation and Investment Program Matching Grant request – ABC Supply Company, 145 Erick Street.**

13. **91 S. Walkup – Simplified Residential Variation to allow a garage in the front yard setback.**

14. **7808 Virginia Road – Use Variation to allow a single-family residence in the M-L zoning district.**

15. Resolution authorizing grant funding to the Crystal Lake Civic Center Authority for exterior building maintenance repairs.

16. Bond Ordinance for issuance of General Obligation Bonds Series 2013, for wastewater treatment plant improvements, and water works, sewer and wastewater system improvements and costs associated with the issuance of the bonds and proceeds.

17. Three Oaks Recreation Area Wakeboard Proposal Review.

18. Boat Usage at Three Oaks Recreation Area – Discussion Only.

19. Resolution authorizing a letter of communication regarding the City's project priorities for the McHenry County 2040 Long-Range Transportation Plan.

20. Bid award and resolution authorizing execution of a service agreement for Wastewater Treatment Plant #2 Ultraviolet System parts.

21. Bid award and resolution authorizing execution of a service agreement for the Bard Road Water Storage Tank Painting & Maintenance with a 10 percent contingency for justifiable additions.

22. Bid awards and resolution authorizing execution of service agreements for the Design, Printing, Labeling and Mailing of the City Newsletter, and Printing and Delivery Services for Letterhead, Envelopes, Mailing Labels, and Business Cards.

23. Resolution waiving the bidding requirement for the repair of the generator at Wastewater Treatment Plant #2 and authorizing execution of a Purchase Order for repairs to the generator at Wastewater Treatment Plant #2.

24. Council Inquiries and Requests.

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

26. Reconvene to Regular Session.

27. Ad Hoc Clean Air Counts Advisory Committee Appointment.

28. Board and Commission Reappointments.

29. Resolution authorizing execution of the 2012-2015 Collective Bargaining Agreement between the City of Crystal Lake and the Metropolitan Alliance of Police, Crystal Lake Chapter #177.

30. Adjourn

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

Agenda Item No: 9a

City Council
Agenda Supplement

Meeting Date: June 18, 2013

Item: Prevailing Wage Resolution

Staff Recommendation: Motion to adopt the June 2013 Prevailing Wage Resolution.

Staff Contact: Ann Everhart, Director of Human Resources

Background:

Each year during the month of June, the City must obtain a copy of the prevailing wages from the Illinois Department of Labor and adopt a resolution requiring that the prevailing rates be paid. Attached is a copy of the Resolution, and the McHenry County Prevailing Wages for June 2013.

Votes Required to Pass:

Simple majority vote of the City Council.

DRAFT

The City of Crystal Lake Illinois

A RESOLUTION ASCERTAINING THE PREVAILING RATE OF WAGES FOR LABORERS, MECHANICS, AND OTHER WORKERS ENGAGED IN THE CONSTRUCTION OF PUBLIC WORKS UNDER THE JURISDICTION OF THE CITY OF CRYSTAL LAKE.

WHEREAS, the State of Illinois has enacted "An ACT regulating wages of laborers, mechanics and other workers employed in any public works by the State, County, City or any public body or any political subdivision or by anyone under contract for public works." Approved June 26, 1941, codified as amended, 820 ILCS 130/1. (1993), formerly Ill. Rev. Stat., Ch. 48, par. 39s-1 et seq.; and

WHEREAS, the aforesaid ACT requires that the CITY OF CRYSTAL LAKE, McHenry County, investigate and ascertain the prevailing rate of wages as defined in said Act for laborers, mechanics and other workers in the locality of McHenry County employed in performing the construction of public works for said CITY OF CRYSTAL LAKE.

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

SECTION 1: To the extent and as required by "An ACT regulating wages of laborers, mechanics and other workers employed in any public works by the State, County, City or any public works," approved June 26, 1941, as amended, the general prevailing rate of wages in this locality for laborers, mechanics and other workers engaged in the construction of public works coming under the jurisdiction of the CITY OF CRYSTAL LAKE is hereby ascertained to be the same as the prevailing rate of wages for construction work in the McHenry County area as determined by the Department of Labor of the State of Illinois as of June 2013, a copy of that determination being attached hereto and incorporated herein by reference. As required by said ACT, any and all revisions of the prevailing rate of wages by the Department of Labor of the State of Illinois shall supersede the Department's June determination and apply to any and all public works construction undertaken by the CITY OF CRYSTAL LAKE. The definition of any terms appearing in this Resolution which are also used in the aforesaid ACT shall be the same as in said ACT.

SECTION 2: Nothing herein contained shall be construed to apply said general prevailing rate of wages as herein ascertained to any work or employment except public works construction of the CITY OF CRYSTAL LAKE to the extent required by the aforesaid ACT.

DRAFT

SECTION 3: The CITY OF CRYSTAL LAKE City Clerk shall publicly post or keep available for inspection by any interested party in the main office of the CITY OF CRYSTAL LAKE this determination or any revisions of such prevailing rate of wage. A copy of this determination or of the current revised determination of prevailing rate of wages then in effect shall be attached to all contract specifications.

SECTION 4: The CITY OF CRYSTAL LAKE City Clerk shall mail a copy of this determination to any employer, and to any association of employers and to any person or association of employees who have filed their names and addresses, requesting copies of any determination stating the particular rates and the particular class of workers whose wages will be affected by such rates.

SECTION 5: The CITY OF CRYSTAL LAKE City Clerk shall promptly file a certified copy of this Resolution with both the Secretary of State Index Division and the Department of Labor of the State of Illinois.

SECTION 6: The CITY OF CRYSTAL LAKE City Clerk shall cause to be published in a newspaper of general circulation within the area a copy of this Resolution, and such publication shall constitute notice that the determination is effective and that this is the determination of this public body.

PASSED this 18th day of June 2013.

APPROVED:

_____
MAYOR

(SEAL)

ATTEST:

_____
CITY CLERK

PASSED:

APPROVED:

Agenda Item No: 9b

City Council
Agenda Supplement

Meeting Date: June 18, 2013

Item: Temporary Liquor License – Pioneer Center for Human Services

Staff Recommendation: Motion to approve issuance of a Class "19" Temporary Liquor License to Pioneer Center for Human Services

Staff Contact: George Koczwara, Deputy City Manager

Background:
The City has received a request from Pioneer Center for Human Services for the issuance of a Class "19" Temporary Liquor License in order to sell beer, wine and alcoholic liquor drinks at their 3rd Annual Moonlight & Music fundraising event being held on the grounds of Crystal Lake Country Club, located at 721 Country Club Road, on Friday, June 21, 2013 from 6:00 p.m. to 10:00 p.m.

Section 329-5-S of the City Code permits the issuance of a Class "19" Temporary Liquor License for the retail sale of beer, wine and alcoholic liquor drinks 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: 9c

City Council
Agenda Supplement

Meeting Date: June 18, 2013

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 21st annual Johnny Appleseed Festival on Saturday, September 28, 2013, 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 giant slide, 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 28, 2013. 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 20, 2013).
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 June 18, 2013 City Council meeting to answer any questions.

Votes Required to Pass: A simple majority vote.

Agenda Item No: 9d

City Council
Agenda Supplement

Meeting Date: June 18, 2013

Item: 2012-86 Tonyan
Annexation Agreement Public Hearing Continuation

145 Erick Street

Recommendation: Motion to continue the public hearing on the annexation agreement to the July 2, 2013, City Council meeting for the Tonyan Annexation and Zoning Petition.

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

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Background: The petitioner needs to request a continuation because the legal notice for the annexation public hearing was not published by the required date for the hearing.

It is requested that this matter be continued to the July 2, 2013, City Council meeting for the respective Annexation Agreement Public Hearing.

Votes Required to Pass: A simple majority vote.

Agenda Item No: 9e

City Council
Agenda Supplement

Meeting Date: June 18, 2013

Item: Consideration of the OSLAD Grant "Resolution for Authorization"

Staff Recommendation: Motion to adopt a resolution of authorization for the OSLAD project application to apply for funding for a SCUBA facility at the Three Oaks Recreation Area.

Staff Contact: Eric T. Helm, Deputy City Manager

Background:

As noted in the attached memorandum dated May 30, 2013, City Staff has identified a potential source of funding for the development of a SCUBA facility at the Three Oaks Recreation Area. The Illinois Department of Natural Resources administers the Open Space Land Acquisition and Development Grant, or OSLAD for qualifying projects. The program reimburses governmental organizations 50% of project costs, to a $400,000 match.

As a requirement of the grant application, the City must pass, and submit in its grant application, a "DOC-3 Resolution of Authorization". This resolution certifies and acknowledges the following:

- The local sponsor (City) has 100% of the funds necessary to complete the project identified in the application.
- The project will be completed within the timeframe established in the project agreement and that the reimbursement request must be submitted within one year of the expiration date. All projects must be completed within two years of the approval of the grant agreement.
- The local sponsor (City) will comply with the terms, conditions and regulations of the OSLAD program (see attached), and associated State and Federal laws.
- The area using the OSLAD funds will be maintained and open to the general public.

The resolution, along with the "General OSLAD/LWCF Compliance Requirements for Approved Projects" are attached.

Votes Required to Pass:

Simple majority vote of the City Council.

DRAFT

STATE OF ILLINOIS / DNR
OSLAD/LWCF PROJECT APPLICATION FORM

DOC-3 RESOLUTION OF AUTHORIZATION

1. Project Sponsor:
City of Crystal Lake

2. Project Title:
Three Oaks Recreation Area

The City of Crystal Lake (local project sponsor) hereby certifies and acknowledges that it has 100% of the funds necessary (includes cash and value of donated land) to complete the pending OSLAD/LWCF project within the timeframes specified herein for project execution, and that failure to adhere to the specified project timeframe or failure to proceed with the project because of insufficient funds or change in local recreation priorities is sufficient cause for project grant termination which will also result in the ineligibility of the local project sponsor for subsequent Illinois DNR outdoor recreation grant assistance consideration in the next two (2) consecutive grant cycles following project termination.

Acquisition and Development Projects

It is understood that the project should be completed within the timeframe established in the project agreement and the reimbursement request must be submitted within one year of the expiration date. Failure to do so will result in the Project Sponsor forfeiting all project reimbursements, and relieves DNR from further payment obligations on the grant.

The City of Crystal Lake (local project sponsor) further acknowledges and certifies that it will comply with all terms, conditions and regulations of 1) the Open Space Lands Acquisition and Development (OSLAD) program (17 IL Adm. Code 3025) or federal Land & Water Conservation Fund (LWCF) program (17 IL Adm. Code 3030), as applicable, 2) the federal Uniform Relocation Assistance & Real Property Acquisition Policies Act of 1970 (P.L. 91-646) and/or the Illinois Displaced Persons Relocation Act (310 ILCS 40 et. seq.), as applicable, 3) the Illinois Human Rights Act (775 ILCS 5/1-101 et.seq.), 4) Title VI of the Civil Rights Act of 1964, (P.L. 83-352), 5) the Age Discrimination Act of 1975 (P.L. 94-135), 6) the Civil Rights Restoration Act of 1988, (P.L. 100-259) and 7) the Americans with Disabilities Act of 1990 (PL 101-336); and will maintain the project area in an attractive and safe conditions, keep the facilities open to the general public during reasonable hours consistent with the type of facility, and obtain from the Illinois DNR written approval for any change or conversion of approved outdoor recreation use of the project site prior to initiating such change or conversion; and for property acquired with OSLAD/LWCF assistance, agree to place a covenant restriction on the project property deed at the time of recording that stipulates the property must be used, in perpetuity, for public outdoor recreation purposes in accordance with the OSLAD/LWCF programs and cannot be sold or exchanged, in whole or part, to another party without approval from the Illinois DNR.

BE IT FURTHER PROVIDED that the City of Crystal Lake (local project sponsor) certifies to the best of its knowledge that the information provided within the attached application is true and correct. This Resolution of Authorization has been duly discussed and adopted by the City of Crystal Lake (local project sponsor) at a legal meeting held on the ____ day of _____, 20__.

_____

(Authorized Signature)

_____

(title)

ATTESTED BY: _____

_____

(title)

Agenda Item No: 9f

City Council
Agenda Supplement

Meeting Date: June 18, 2013

Item: Crystal Lake Watershed Stormwater Management Program Implementation Plan Text Amendment

Staff Recommendation: Motion to adopt an ordinance amending the text of the Crystal Lake Watershed Stormwater Management Program Implementation Plan

Staff Contact: Erik D. Morimoto, Director of Engineering and Building
Abigail Wilgreen, Assistant City Engineer

Background:

On November 6, 2007, the City Council adopted the *Crystal Lake Watershed Stormwater Management Design Manual* and the *Crystal Lake Watershed Stormwater Management Program Implementation Plan.* The purpose of both documents is to protect Crystal Lake by regulating the stormwater management practices of properties that develop or redevelop in the watershed.

The *Crystal Lake Watershed Stormwater Management Program Implementation Plan* (Implementation Plan) provides more detail on how the watershed regulations would be executed by the City. The implementation plan gives specific details on what the responsibilities of developers, property owners, and the City are in the watershed.

Per the requirements of the implementation plan, staff has been working with special counsel to establish a "Crystal Lake Watershed Stormwater Facilities Non-Residential Maintenance Plan, Grant of Easement and Funding Agreement" (agreement). This agreement would be utilized whenever an existing or new development is completed within the watershed.

Within the last few years, two existing sites within the watershed have moved forward with redevelopment: Fair Oaks Nursing Home and Brilliance Honda. Both are still in progress at this time. Attorneys representing both properties have expressed concern with regards to the City having complete control over any required repairs or replacements which may be needed within the stormwater easement areas. Based on this feedback, staff is bringing forward for City Council discussion a request to amend the existing language of the implementation plan, but

maintain the ability for the City to ensure that the quality and quantity of the water reaching the lake is protected.

The following factors would be considered in this amendment to the implementation plan:

a. Maintain City control for any repair or replacement scope of services;
b. Maintain City approval of the final contractor selection to verify qualifications;
c. Verify quality of repair or replacement work through inspection by the City-hired consultant; and
d. Allow more flexibility and potential cost savings for the property owner.

Proposed Amended Language

The following language, on page 9, is proposed to be added to the implementation plan; the existing approved implementation plan is attached for reference.

> "For non-residential developments, as part of the maintenance agreements, the City will have the inspection and enforcement responsibility to perform proper maintenance of the facilities as necessary. If a major repair or replacement is needed *and it is not an emergency repair*, the City will *immediately contact the property owner of the necessary repair or replacement by providing the scope of work established by the City-hired consultant. The property owner shall have the option to:*
>
> 1. *Independently obtain a contract for the necessary repair or replacement. Prior to any work commencing, the property owner is required to submit and receive approval of the proposed contractor's qualification to perform the proposed repair or replacement; or*
> 2. *Direct the City to make the repair or replacement.*
>
> *Should the owner direct the City to make the repair or replacement,* the City will assess a fee under the terms of the maintenance agreement to allow the City to make the repair or utilize funds from performance escrows or an established SSA, or other financial commitment relating to that development."

All agreements with developers will include the following process for repairing stormwater facilities:

a. City will send the scope of work via certified mail to the owner, unless the repair is of an emergency nature. The scope of work shall outline a timeframe to complete the work, which will be based upon the magnitude of the repair or replacement;
b. Owner will be required to respond to the City representative in writing within five business days of receiving the scope of services with their decision to either complete the work on their own or have the City hire a contractor;
c. Owner will have 10 business days from the date of receiving the scope of services to provide the City with the qualifications, including a minimum of three references, of the contractor to perform the work. The City shall have the right to approve or disapprove the owner's contractor based upon the provided qualifications and reference checks. Should the City not approve the contractor, the City shall immediately move forward with hiring

a contractor on an emergency basis, of which the City will assess the fee under the terms of the agreement.

d. Owner will be required to obtain a building permit prior to work commencing. The building permit submittal shall include the application and the proposal which outlines the specific work to be completed.
e. City-hired consultant will inspect the repair or replacement to ensure it is completed correctly. Should it not be completed correctly, the owner has five business days to remedy the problem. Should the correction not be completed, the City will hire a contractor to complete the work on an emergency basis, for which the fees will be assessed under the terms of the agreement.

Benefits of the Amended Language

Allowing the property owner to obtain their own contractor to complete the necessary repairs or replacement work provides the following potential benefits:

a. It allows for more flexibility by the property owner with regards to any required repair or replacement work;
b. The property owner is not bound to the same prevailing wage requirements of a municipal body when selecting a contractor and, therefore, might obtain smaller fees for the work;
c. The protection of the lake is not sacrificed due to the retention of a City-specified scope of work, City approval of the property owner's contractor selection, and field inspection of the repair or replacement by the City-hired consultant.

Special counsel has reviewed this recommended amendment and has no legal concerns with this update.

Votes Required to Pass:

A simple majority of the City Council in attendance.

DRAFT

The City of Crystal Lake Illinois

ORDINANCE

WHEREAS, the Crystal Lake Watershed is an ecologically sensitive area that is protected by City Ordinance; and

WHEREAS, Crystal Lake is sensitive to changes in the quality and quantity of stormwater runoff in the Crystal Lake Watershed and warrants protection; and

WHEREAS, the *Crystal Lake Watershed Management Design Manual* and the *Crystal Lake Watershed Management Program Implementation Plan*, which were adopted on November 6, 2007, regulate stormwater management practices for properties that develop or redevelop in the Crystal Lake Watershed; and

WHEREAS, since the adoption, City staff has received feedback from developers regarding regulations that give the City control over repairs and/or replacement of stormwater management facilities in stormwater management easements; and

WHEREAS, City staff has been working with developers and special counsel to develop revised regulations that allow private owners to provide their own contractor for repairs and/or replacement of stormwater management facilities on their own property in non-emergency situations, while still protecting the quantity and quality of stormwater run-off.

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

SECTION I: That the Maintenance Post-Construction Non-Residential Development section found on pages eight through nine of the *Crystal Lake Watershed Stormwater Management Program Implementation Plan* be amended to read as follows:

DRAFT

Non-Residential Developments

For non-residential developments, routine maintenance tasks such as debris removal, vegetation management, erosion control, animal control, and minor structural repairs will be the responsibility of the owner or other responsible party. However, those tasks will be performed by a City-hired contractor under a maintenance agreement between the City and the owner.

For non-residential developments, as part of the maintenance agreements, the City will have the inspection and enforcement responsibility to perform proper maintenance of the facilities as necessary. If a major repair or replacement is needed *and it is not an emergency repair*, the City will *immediately contact the property owner of the necessary repair or replacement by providing the scope of work established by the City-hired consultant. The property owner shall have the option to:*

1. *Independently obtain a contract for the necessary repair or replacement. Prior to any work commencing, the property owner is required to submit and receive approval of the proposed contractor's qualification to perform the proposed repair or replacement; or*
2. *Direct the City to make the repair or replacement.*

Should the owner direct the City to make the repair or replacement, the City will assess a fee under the terms of the maintenance agreement to allow the City to make the repair or utilize funds from performance escrows or an established SSA, or other financial commitment relating to that development.

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 if any part of any ordinance or code of the City is in conflict with this Ordinance, the terms and provisions of this Ordinance shall apply.

DATED at Crystal Lake, Illinois, this eighteenth day of June, 2013.

CITY OF CRYSTAL LAKE, an Illinois Municipal Corporation

BY: _____
Aaron T. Shepley, Mayor

SEAL

ATTEST:

_____
Nick Kachiroubas, City Clerk

PASSED: June 18, 2013

APPROVED: June 18, 2013

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

Agenda Item No: 9g

City Council
Agenda Supplement

Meeting Date: June 18, 2013

Item: City Code Amendment – Liquor License Provisions

Staff Recommendation: Adopt an Ordinance decreasing the number of Class "1" liquor licenses from the current 11 licenses to 9 licenses, the number of Class "2" liquor licenses from the current 6 licenses to 5 licenses, the number of Class "3" liquor licenses from the current 9 licenses to 7 licenses and decreasing the number of Class "15" liquor licenses from the current 4 licenses to 3 licenses.

Staff Contact: George Koczwara, Deputy City Manager

Background:
Due to the closing of Exclusively Napa, which held a Class "3" liquor license, the closing of The Living Room Martini Lounge, which help a Class "3" liquor license, the closing of Viv's Tap Room, which held a Class "1" liquor license, and the closing of Wild Orchid Thai Restaurant, which held a Class "2" liquor license, as well as the non-renewal of the Class "15" liquor license held by Kalck's Butcher Shop and the Class "1" liquor license held by Mama Rini's, 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 11 licenses to 9 licenses, decreasing the number of Class "2" liquor license from the current 6 licenses to 5 licenses, decreasing the number of Class "3" liquor licenses from the current 9 licenses to 7 licenses, and decreasing the number of Class "15" liquor licenses from the current 4 licenses to 3 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, and a Class "13" liquor license created but not yet issued for Joseph's Marketplace.

Votes Required to Pass:
Simple majority.

Agenda Item No: 10

City Council
Agenda Supplement

Meeting Date: June 18, 2013

Item: Boy Scout Troop 168 Request for Special Event

Staff Recommendation: Motion to approve the Boy Scout Troop 168 request to overnight camp at the Three Oaks Recreation Area from 3:00 p.m. on Saturday, September 14, 2013 through Noon on Sunday, September 15, 2013.

Staff Contact: Eric T. Helm, Deputy City Manager

Background:

The City has received a request from Boy Scout Troop 168 for the use of the Three Oaks Recreation Area picnic grove and pavilion for overnight camping from 3:00 p.m. on Saturday, September 14, 2013 through Noon on Sunday, September 15, 2013. Approximately thirty individuals would camp in the picnic grove, including 25 scouts and 6 trained leaders. Chapter 383 of the City Code allows camping only when approved by the Mayor and City Council.

383- 2 **General Rules; Use of Property and Facilities**

G. Camping and open fires within the recreational area are prohibited except as authorized by the Mayor and City Council.

In addition, the petitioner is requesting the exclusive use of the pavilion and picnic grove during this time. The petitioner will clean up the site and dispose of trash from the activities. Since the petitioner is requesting the overnight use of the facility, City Staff recommends that a City Security Staff member monitor the facility during the time when no other Three Oaks staff is present. The additional Security Staff time would be 4.5 hours from 2:00 AM – 6:30 AM.

During the entire event, the scouts will provide the City with an insurance certificate naming the City as additional insured and sign an indemnity/hold harmless agreement. In addition, each parent will sign a "Participant Form" on behalf of their child, which will provide the City further liability protection.

Attached, for your information, is a copy of the request letter. The petitioner has agreed to pay the refundable damage security deposit of $550. The petitioner is requesting a waiver of the following fees:

Special Event Application Fee:	$50
Pavilion Rental Fee:	$50
Additional Site Security Staff:	$54 (4.5 hours x $12 per hour)
Total:	$154

For reference, in the past, the City Council has approved overnight camping for Crystal Lake scout groups. In addition, the City Council has waived the application fee, pavilion rental fees, and additional security staff fees for all scout camping events.

Votes Required to Pass:

Simple majority vote of the City Council.

Agenda Item No: 11

City Council
Agenda Supplement

Meeting Date: June 18, 2013

Item: Existing Retailer Job Creation and Investment Program Matching Grant application request #2013-17-03 for Kitchen Outfitters, at 64 N. Williams Street, to request $10,000 in matching grant funds.

John Behrens, Kitchen Outfitters

Recommendations: City Council's discretion:

1. Motion to approve the Grant Agreement with Kitchen Outfitters, and to award $10,000 in grant funding for the new retail business's furniture, fixtures and equipment and employees;
2. Motion to deny the grant application request.

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

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Background:

- On November 1, 2011, the City Council approved the Retailer and Manufacturer Job Creation and Investment Programs, which provide grant funding to new and existing retailers who occupy vacant space and hire new full-time or part-time employees and/or install eligible furniture, fixtures, and equipment.
- In March of 2013, several changes were made to the grant program. The Existing Retailer Job Creation and Investment program allows for grant funds to be disbursed to new businesses that purchase furniture, fixtures and equipment and hire new full-time and part-time employees.

Key Factors:

KITCHEN OUTFITTERS (64 N. Williams Street)

Kitchen Outfitters is a new retail business to be located in Downtown Crystal Lake at 64 N. Williams Street. Kitchen Outfitters will be spending $12,750 on new furniture, fixtures and equipment (FFE). In addition, they will be hiring 2 new full-time employees and 1 part-time employee. In accordance with the matching grant program guidelines, Kitchen Outfitters is eligible for a $10,000 grant award.

In order to objectively analyze the applications for funding, eligibility criteria have been established in the Ordinance approving this program. The list below outlines the evaluation of the applicant's request in relation to our eligibility criteria:

1. The program is open to any new sales-tax generating business that will occupy vacant retail space or a building or that will construct a new building for its business.
   ☒ *Meets* ☐ *Does not meet*

2. Applicant must meet a minimum annual taxable sales threshold of at least $100,000.
   ☒ *Meets* ☐ *Does not meet*

3. Applicant's business must provide a stocked retail showroom for retail products.
   ☒ *Meets* ☐ *Does not meet*

4. Applicant must provide written proof of employment recruitment and of FFE costs.
   ☒ *Meets* ☐ *Does not meet*

5. Applicant must file an application for grant funding prior to commencing improvements.
   ☒ *Meets* ☐ *Does not meet*

6. Grant recipient may re-apply after 5 years from the date of recipient's previous award.
   ☒ *Meets* ☐ *Does not meet*

7. Eligible FFE includes, but is not limited to, shelving, racks, tables, chairs, furniture, point-of-sale systems, fixed computer equipment used in business operation, televisions located in dining rooms or showrooms, office furniture and appliances.
   ☒ *Meets* ☐ *Does not meet*

The applicant's request has been evaluated based on the above eligibility criteria and their planned purchase of FFE and the new employees. The current application would meet 7 of the 7 eligibility criteria.

SUMMARY OF CURRENT REQUESTS

The chart below provides a complete summary of the grant funding requests. For the 2013-2014 Fiscal Year, there would be $80,000 budgeted 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
2013-17-01	Dream Gowns Bridal	16 W. Crystal Lake Plaza	$10,000.00			$10,000.00	$10,000.00
2013-17-02	ABC Supply Company	171 Erick St			$20,000.00	$20,000.00	
2013-17-03	Kitchen Outfitters	64 N. Williams	$10,000.00			$10,000.00	
	Totals		***$10,000.00***	***$0.00***	***$20,000.00***	***$30,000.00***	***$10,000.00***

Votes Required to Pass: A simple majority vote.

DRAFT

RESOLUTION

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE that the City Manager is hereby authorized and directed to execute an agreement with John and Mary Behrens of Kitchen Outfitters, for a Retailer Job Creation & Investment Matching Grant in an amount not to exceed $10,000.

DATED this ____ day of _____, 2013.

CITY OF CRYSTAL LAKE, an
Illinois municipal corporation,

By:_____
MAYOR

SEAL
ATTEST

_____
CITY CLERK

PASSED:
APPROVED:

Agenda Item No: 12

City Council
Agenda Supplement

Meeting Date: June 18, 2013

Item: Existing Retailer Job Creation and Investment Program Matching Grant application request #2013-17-02 for ABC Supply Company, at 145 Erick Street, to request $20,000.00 in matching grant funds.

Don Jeziorski, ABC Supply Company

Recommendations: City Council's discretion:

1. Motion to approve the Grant Agreement with ABC Supply, and to award $20,000 in grant funding for expansion of the business;
2. Motion to deny the grant application request.

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

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Background:

- On November 1, 2011, the City Council approved the Retailer and Manufacturer Job Creation and Investment Programs, which provide grant funding to new and existing retailers who occupy vacant space and hire new full-time or part-time employees and/or install eligible furniture, fixtures, and equipment.
- In March of 2013, several changes were made to the grant program. The Existing Retailer Job Creation and Investment program allows for grant funds to be disbursed to companies expanding. It also allows for the grant award to be calculated based upon the annual taxable sales collected.

Key Factors:

ABC SUPPLY COMPANY (171 and 145 Erick Street)

ABC Supply Company is currently located at 171 Erick Street. They have a construction supply business. ABC Supply recently considered relocating to a larger property due to the need for additional outside storage. Several locations outside of Crystal Lake were considered. Due to the contribution that ABC Supply makes to the City, as a special case, staff offered to include ABC Supply in the Existing Retailer Job Creation and Investment Matching Grant Program. In accordance with the matching grant program guidelines, ABC Supply does over $7.5M in annual taxable sales, thereby making them eligible for a matching grant of up to $20,000. City Staff worked with ABC Supply, Wolf Builders, and Mr. Tonyan to allow ABC Supply to expand their outside storage area on Mr. Tonyan's property, and in conjunction, annex Tonyan's property to

Crystal Lake. This would be a win-win situation for the City, ABC Supply, Tonyan, and Wolf Builders.

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

1. The program is open to any existing Crystal Lake sales-tax revenue generating business that will:
   a. Expand its current location by at least 20% in gross floor area into space that was vacant immediately before the expansion (excludes businesses generating over $7,500,000 in annual taxable sales) or
   b. Relocate to vacant space that is 20% larger than its current location, in a new building or into a different existing building not within the same shopping center (excludes businesses generating over $7,500,000 in annual taxable sales).

   ☒ *Meets* ☐ *Does not meet*

2. Applicants must meet a minimum annual taxable sales threshold of at least $150,000 in annual sales over the 12-month period immediately preceding the date of application for the grant award.

   ☒ *Meets* ☐ *Does not meet*

3. The total eligible FFE associated with the renovation or expansion project must exceed $10,000.

   ☒ *Meets* ☐ *Does not meet*

4. The grant award amount cannot exceed 50% of the applicant's expenditures on eligible furniture, fixtures and equipment.

   ☒ *Meets* ☐ *Does not meet*

5. Applicant's business must provide a stocked retail showroom for retail products.

   ☒ *Meets* ☐ *Does not meet*

6. Applicant must provide written proof of FFE costs.

   ☒ *Meets* ☐ *Does not meet*

7. Applicant must file an application for grant funding prior to commencing improvements.

   ☒ *Meets* ☐ *Does not meet*

8. Grant recipient may re-apply after 10 years from the date of recipient's previous award.

   ☒ *Meets* ☐ *Does not meet*

9. Award calculation may include both new employees and FFE costs, up to maximum award amount.

   ☒ *Meets* ☐ *Does not meet*

10. Approved applicants shall be required to maintain the FFE for the duration of the Grant Agreement with the City of Crystal Lake, which shall be at least four years.

☒ *Meets* ☐ *Does not meet*

The applicant's request has been evaluated based on the expansion of their business within the City of Crystal Lake and the overall annual sales the company does. The current application would meet 10 of the 10 eligibility criteria.

SUMMARY OF CURRENT REQUESTS

According to the Ordinance for this incentive program, the pavement and fencing improvements could be considered eligible improvements with City Council authorization. Staff recommends that these improvements be included as eligible improvements for only this request.

The chart below provides a complete summary of the grant funding requests. For the 2013-2014 Fiscal Year, there would be $80,000 budgeted 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
2013-17-01	Dream Gowns Bridal	16 W. Crystal Lake Plaza	$10,000.00			$10,000.00	$10,000.00
2013-17-02	ABC Supply Company	171 Erick St			$20,000.00	$20,000.00	
	Totals		***$10,000.00***	***$0.00***	***$20,000.00***	***$30,000.00***	***$10,000.00***

CONDITIONS OF APPROVAL
If approved, the following conditions are recommended:

1. The Tonyan property at 145 Erick Street shall be annexed into the City of Crystal Lake.

Votes Required to Pass: A simple majority vote.

DRAFT

RESOLUTION

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE that the City Manager is hereby authorized and directed to execute an agreement with Donald Jeziorski of ABC Supply Company, for a Retailer Job Creation & Investment Matching Grant in an amount not to exceed $20,000.

DATED this ____ day of _____, 2013.

CITY OF CRYSTAL LAKE, an
Illinois municipal corporation,

By:_____
MAYOR

SEAL
ATTEST

_____
CITY CLERK

PASSED:
APPROVED:

Agenda Item No: 13

City Council
Agenda Supplement

Meeting Date: June 18, 2013

Item: REPORT OF THE PLANNING & ZONING COMMISSION

#2013-25 Whitney, 91 S. Walkup

Simplified Residential Variation from Article 4-600, Accessory Structures and Uses, to allow a garage (accessory structure) in the front yard setback

James Whitney, 91 S. Walkup, Crystal Lake

PZC Recommendation: Motion to approve the Planning and Zoning Commission recommendation and adopt an ordinance granting a variation to allow a garage (accessory structure) in the front yard setback at 91 S. Walkup

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

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Background:

- Development: Lot 11 in Whyte and Beardsley's Subdivision platted in 1914
- Existing Improvements: Two-story residence with detached garage
- Request: Variation to allow a garage (accessory structure) in the required front yard setback as close as 5 feet from the front property line

Key Factors

- History: The property is Lot 11 in Whyte and Beardsley's Subdivision platted in 1914. Three land-locked parcels were created through this subdivision. Per the current provisions of the UDO, land-locked parcels cannot be created as every principal building or structure must be constructed upon a zoning lot or parcel of land which abuts a public street or an approved private street. Two of the three land-locked parcels have been consolidated with other lots. The property in question is the only land-locked lot left.
- Current Condition and Ordinance Standards: A 12-foot wide ingress and egress easement provides access to this property off Paddock Street. Per the UDO, the front lot line is that boundary of a lot which is along a public right-of-way, or where no public right-of-way exists, along a private right-of-way, easement or access way. Where access to a lot is via

an access easement, the edge of the easement is considered the front lot line. Therefore, for this property, the east property line is considered the front. The west property line, abutting 87 Walkup Ave., is considered the rear.

- Details: It is the petitioner's intent to demolish the existing detached garage (on the north side). A 2-story addition to the residence will be added to this side and will meet the side yard setback requirement. The existing wooden deck (on the east side of the house) is proposed to be removed and replaced with a porch. A new garage is proposed to be constructed in the southeast corner of the property, in the front yard, as close as 5 feet from the front property line, requiring the approval of a variation.

PZC Highlights

- The PZC felt that this was a unique land-locked lot and had no concerns with the request.
- They felt that this request met the Findings of Fact for a variation and recommended **approval (5-3)** 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, received 5-17-2013
   B. Plat of Survey/Site Plan, AES, received 5-17-13

2. A variation to allow an accessory structure in the front yard is hereby granted.

3. The proposed addition must meet all other density and dimensional standards including building height, lot coverage, impervious coverage, etc.

4. The proposed addition must be architecturally compatible with the existing residence.

5. Any addition to the residence (principal structure) must be at least 5 feet from the garage (accessory structure).

6. Overhang/eave is not allowed less than 4'-0" to the property line. Overhang/eave that is 4'-0" to 5'-0" from the property line shall be constructed to have a 1-hour fire-resistance rating. This rating shall be tested for exposure from the underside.

7. A grading plan consisting of existing and proposed grades is required. Existing grading and drainage patterns must be maintained.

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

Votes Required to Pass: A simple majority vote.

DRAFT

ORDINANCE NO. _____
FILE NO. _____

AN ORDINANCE GRANTING A VARIATION
AT 91 S. WALKUP AVENUE

WHEREAS, pursuant to the terms of the Application (File #2013-25) before the Crystal Lake Planning and Zoning Commission, the Applicant has requested the granting of a Simplified Residential Variation from Article 4-600, Accessory Structures and Uses, to allow a garage (accessory structure) in the front yard setback; and

WHEREAS, it is in the best interests of the City of Crystal Lake that the Variation be granted as requested in said Application.

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

SECTION I: That a Variation be granted from the Crystal Lake Unified Development Ordinance Article 4-600, Accessory Structures and Uses, to allow a garage (accessory structure) in the front yard setback

at the property at 91 S. Walkup Avenue, Crystal Lake, Illinois.

SECTION II: That the Variation be granted with the following conditions:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
   A. Application, received 5-17-2013
   B. Plat of Survey/Site Plan, AES, received 5-17-13

2. A variation to allow an accessory structure in the front yard is hereby granted.

3. The proposed addition must meet all other density and dimensional standards including building height, lot coverage, impervious coverage, etc.

4. The proposed addition must be architecturally compatible with the existing residence.

5. Any addition to the residence (principal structure) must be at least 5 feet from the garage (accessory structure).

6. Overhang/eave is not allowed less than 4'-0" to the property line. Overhang/eave that is 4'-0" to 5'-0" from the property line shall be constructed to have a 1-hour fire-resistance rating. This rating shall be tested for exposure from the underside.

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7. A grading plan consisting of existing and proposed grades is required. Existing grading and drainage patterns must be maintained.

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

SECTION III: That the City Clerk be and is hereby directed to amend the official zoning map of the City of Crystal Lake and all pertinent records of the City of Crystal Lake to show the granting of a Simplified Residential Variation in accordance with the provisions of this Ordinance, as provided by law.

SECTION IV: That this Ordinance shall be in full force and effect from and after its passage 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: 14

City Council
Agenda Supplement

Meeting Date: June 18, 2013

Item: REPORT OF THE PLANNING & ZONING COMMISSION

#2013-24 Ziccardi

Request: Use Variation to allow a single-family residence in the M-L zoning district.

Petitioner: Lisa Ziccardi, petitioner
7808 Virginia Road

PZC Recommendation: To approve the petitioner's request and adopt an ordinance granting the Use Variation to allow a single-family residence in the M-L Manufacturing Limited zoning district at 7808 Virginia Road.

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

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Background:

- Previous Approvals: In 1999, the property was involuntarily annexed to stop a cell tower being located on the property. The property was rezoned from E to M-L in 2003.
- Existing Use: The lot is improved with a residential structure converted for a current office user. There is an existing 13-space parking lot out front.
- Business Plan: The petitioner will open a pet care facility which will offer dog daycare and overnight boarding. To provide care and security for the dogs, the petitioner plans to live at the location as well.

Key Factors:

- Request: A Use Variation to allow a single-family residence in the M-L zoning district.
- UDO Standards: Single-Family residences are only permitted in the F, E, R-1, R-2, R-3A, and R-3B districts. Also as a Special Use in the B-4 Downtown Business district.

PZC Highlights:

- The Planning and Zoning Commission was in favor of this location for the Pet Care facility. Pet Care is a Limited Use in the M-L zoning district and the petitioner meets the criteria.

- The Planning and Zoning Commission discussed the zoning for the area and if a residence would affect future development. One commissioner stated that the area has been zoned for industry and has not really developed that way. This is a unique area backing to the Three Oaks Recreation Area.
- The majority of the Commission members felt that the Use Variation was warranted.

The PZC recommended **approval (5-2)** of the petitioner's request for a Use Variation with the following conditions:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
   A. Application (Ziccardi, received 05/13/13)
   B. Plat of Survey (Leipnitz, dated 10/06/2003, received 05/13/13)
   C. Floor Plan (Ziccardi, received 05/13/13)
2. A garage shall be constructed to allow for at least 1 car to be parked inside.
3. The residential use shall not be increased in intensity and used for multi-family, group or family care.
4. Signage shall be consistent with the Office Signs standards in the UDO.
5. A 6-foot high solid fence shall be constructed as part of the occupancy requirements to meet the Limited Use Criteria.
6. The petitioner shall address all of the review comments and requirements of the Engineering and Building and Planning and Economic Development Departments.

Votes Required to Pass: A simple majority vote.

DRAFT

ORDINANCE NO. _____
FILE NO. _____

AN ORDINANCE GRANTING A USE VARIATION
AT 7808 VIRGINIA ROAD

WHEREAS, pursuant to the terms of a Petition (File #2013-24) before the Crystal Lake Planning and Zoning Commission, the Petitioner has requested the granting of a Use Variation from Article 2 Land Uses to allow a single family residence in the M-L Manufacturing Limited zoning district; and

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

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

Section I: That a Use Variation be granted from Article 2 Land Uses to allow a single family residence in the M-L Manufacturing Limited zoning district

at the property commonly known as 7808 Virginia Road, City of Crystal Lake,.

Section II: That the Use Variation be granted with the following conditions:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
   A. Application (Ziccardi, received 05/13/13)
   B. Plat of Survey (Leipnitz, dated 10/06/2003, received 05/13/13)
   C. Floor Plan (Ziccardi, received 05/13/13)

2. A garage shall be constructed to allow for at least 1 car to be parked inside.

3. The residential use shall not be increased in intensity and used for multi-family, group or family care.

4. Signage shall be consistent with the Office Signs standards in the UDO.

5. A 6-foot high solid fence shall be constructed as part of the occupancy requirements to meet the Limited Use Criteria.

6. The petitioner shall address all of the review comments and requirements of the Engineering and Building and Planning and Economic Development Departments.

DRAFT

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

Section IV: That this Ordinance shall be in full force and effect from and after its passage 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: 15

City Council
Agenda Supplement

Meeting Date: June 18, 2013

Item: Raue Center for the Arts Funding Request

Council Discretion: Motion adopting a resolution authorizing grant funding to the Crystal Lake Civic Center Authority for exterior building maintenance repairs.

Staff Contact: George Koczwara, Deputy City Manager

Background:
The City has received a request from the Raue Center for the Arts for funding of exterior building maintenance repairs to their facility. The building maintenance repairs are necessary to further prevent moisture deterioration to the building. Following the request, City staff met with representatives of the Raue Center to finalize the repairs that need to be done and sought quotations for the work. A summary of the work required is as follows:

Rebuild the back of the front parapet:
Removal of duct work - $6,339.00
Masonry work - $8,560.00
Roof repairs - $3,400.00

Additional Tuck-pointing Repairs
Tuck-pointing - $5,480.00

HVAC Replacement
Replacement of the 30-Ton Roof Top Unit - $33,724.00

The total estimated grant request is approximately $57,500.

Discussion:
The Raue Center building at 26 N. Williams Street is owned by the Crystal Lake Civic Center Authority, which is a municipal corporation established by State Statute. The board members of the Crystal Lake Civic Center Authority are appointed by the City Council. The Crystal Lake Civic Center Authority signed a lease with the not-for-profit Raue Center for the Arts, Inc. for a 99-year term. Under the terms of the lease agreement, the Raue Center for the Arts, Inc. is

responsible for the maintenance of the building and property. Since the Civic Center Authority is the owner of the building at 26 N. Williams Street, if the Raue Center for the Arts, Inc. were to dissolve, the continued maintenance of the building would become the responsibility of the Civic Center Authority, which by law does not have any taxing authority, nor do they have the authority to borrow money.

Based on the direction of the City Council, City staff will finalize specifications for the above-mentioned work in order to seek competitive pricing.

Votes Required to Pass:
Simple majority vote of the City Council

DRAFT

RESOLUTION

WHEREAS, the City of Crystal Lake has received a grant funding request from the Crystal Lake Civic Center Authority in the approximate amount of $57,500 for building maintenance repairs to the Raue Center for the Arts facility, including rebuilding the back of the front parapet, tuck-pointing repairs and HVAC replacement; and

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

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE to authorize funding to the Crystal Lake Civic Center Authority for the rebuilding of the back of the front parapet, tuck-pointing repairs and HVAC replacement for the Raue Center for the Arts facility.

BE IT FURTHER RESOLVED that funds for the repairs to the Raue Center for the Arts facility will be from the City's Capital Reserve Fund.

DATED this 18th day of June, 2013

CITY OF CRYSTAL LAKE, an
Illinois municipal corporation,

By:_____
MAYOR

SEAL
ATTEST

_____
CITY CLERK

PASSED: June 18, 2013
APPROVED: June 18, 2013

Agenda Item No: 16

City Council
Agenda Supplement

Meeting Date: June 18, 2013

Background: Bond Ordinance for issuance of General Obligation Bonds Series 2013, for wastewater treatment plant improvements, and water works, sewer and wastewater system improvements and costs associated with the issuance of the bonds and proceeds, in the approximate amount of $9,965,975.

Staff Recommendation: Motion to adopt an ordinance providing for the issuance of approximately $9,965,975 General Obligation Bonds Series 2013 City of Crystal Lake and proceeds, McHenry County, Illinois, and the levy of a direct annual tax sufficient to pay the principal and interest on said bonds.

Staff Contact: Mark F. Nannini, Director of Finance
Victor Ramirez, Director of Public Works

Background:

A modern, efficient, reliable water and sewer system is an important foundation of Crystal Lake's quality of life. Residents count on the City to deliver safe drinking water to protect public health, fight fires, and supply the water needs of business and industry. Investments in the utility system ensure that residents of Crystal Lake have adequate supplies of high quality water 365 days a year. The City's water and sewer infrastructure is also an important asset that supports economic growth. Sustainable water and sewer utility services encourage the location of new companies and the development of business – growth that benefits both taxpayers and consumers.

As part of the most recent budget deliberations, a number of capital improvement projects were outlined for water and utility services. Since the Water and Sewer Fund is an enterprise fund, these projects will be funded through user charges. Under governmental Generally Accepted Accounting Principles (GAAP), there are three categories of fund types: governmental, proprietary (i.e. enterprise funds), and fiduciary. The City's Water and Sewer Fund operates as a

proprietary or enterprise fund. GAAP requires state and local governments to use the enterprise fund type to account for "business-type activities" – activities similar to those found in the private sector. Business-type activities include services primarily funded through user charges. Because of the needed scope of the capital projects, as discussed during budget deliberations, the City will issue bonds to pay for the projects to be repaid through annual user charges.

Bond Issuance:

On June 18, 2013, the City will accept bids for its bond issue and proceeds totaling approximately $9.965 million. The bonds are being sold for the purpose of raising capital to fund water and sewer infrastructure projects. The bonds will be paid back over a 20-year period with an estimated average annual payment of $688,000. Based on current market conditions, the estimated average borrowing rate is 3.3%, which will result in an additional premium (proceeds) paid to the City for the bonds.

The issuance of 2013 Series Bonds will cover items presented to City Council during the Fiscal Year 2014 Budget presentation. These items include: watermain replacements along View Street, Crystal Lake Avenue and the Country Club Road area, Lift Station SCADA implementation, Lift Station generators, Lift Station #8 force main replacement, Well #18 replacement, rehab/painting of two water storage tanks at Water Treatment Plant #4 and the Bard Water Tower, replacement of Water Treatment Plant 2 & 3 chemical systems, Water Treatment Plant #3 valve replacement and controllers, SCADA additions for the northeast portion of the City, Water Treatment Plant #3 generator and parking lot replacement, engineering and plan for Wastewater Treatment Plant #2 Digester, Water Rate Study, rebuild one clarifier at Wastewater Treatment Plant #2, replace Bio-solids building at Wastewater Treatment Plant #2, digester improvements at Wastewater Treatment Plant #3, install screening on lines for Wastewater Treatment Plant #3 & Lift Station #12, hydraulic improvements to Wastewater Treatment Plant #2 and replace blower MCC Panel at Wastewater Treatment Plant #2. These items together with bond issuance costs equate to the total $9,965,975 bond issue, with proceeds.

The new Bonds will be marketed as General Obligation Bonds and offering documents will state the ability of the City to levy property taxes solely to pay debt service as a backup to user fees. The annual debt service attributable to the water and sewer system improvements will be payable from an increase in utility rates, already approved by City Council at the April 16, 2013 City Council meeting and as outlined in a utility rate study presented to City Council several years ago. User fees from the increase in utility rates will allow the City to abate all property taxes for the debt service associated with this bond issue.

Attached is a copy of the bond ordinance prepared by the City's Bond Counsel, Chapman & Cutler. The competitive bid process will be held on the same day as the June 18, 2013 City Council meeting in an effort to obtain the most competitive interest rate. Immediately prior to the City Council meeting, a newer version of the enclosed ordinance will be distributed to Council members together with the results of the competitive sale. The options chosen and the ordinance presented on June 18, 2013 will reflect the best interest rate based on the competitive sale and the most favorable financing structure for the City of Crystal Lake. Staff and Bond Counsel request that the City Council vote on the ordinance at the June 18, 2013 Council meeting to complete the authorization for the sale of the bonds.

To provide a complete understanding of the use of the expected bond proceeds, below is the breakdown:

Utility System Improvements Total = $9,870,973

- Watermain replacements for View Street, Crystal Lake Avenue and the Country Club Road area ($3,201,973)
- Lift Station SCADA implementation ($207,000)
- Lift Station generators ($150,000)
- Lift Station #8 force main replacement ($45,000)
- Well #18 replacement ($372,000)
- Rehab/painting of the Bard Tower ($435,000)
- Replacement of Water Treatment Plant 2 & 3 chemical systems ($32,000)
- Water Treatment Plant #3 valve replacement and controllers ($70,000)
- SCADA additions for the northeast portion of the City ($28,000)
- Water Treatment Plant #3 generator and parking lot replacement ($690,000)
- Engineering and plan for Wastewater Treatment Plant #2 additional Digester ($800,000)
- Water Rate Study ($25,000)
- Rebuild one clarifier at Wastewater Treatment Plant #2 ($200,000)
- Replace Bio-solids building at Wastewater Treatment Plant #2 ($575,000)
- Chlorides and standards filing ($100,000)
- Improvements to Digester at Wastewater Treatment Plant #3 ($400,000)
- Install screening on lines for Wastewater Treatment Plant #3 & Lift Station #12 ($700,000)
- Hydraulic improvements to Wastewater Treatment Plant #2 ($500,000)
- Replace blower MCC Panel at Wastewater Treatment Plant #2 ($200,000)
- Recoat two water storage tanks at Water Treatment Plant #4 ($1,140,000).

Cost of Issuance Total = $65,000

Bond Counsel, Financial Advisor, Bond registrar, administrative fees, rating agency fees, printing of documents, CUSIP Service Bureau, electronic auction and delivery charges.

Estimated Underwriter Fees Total = $30,000

Fee for issuance and recording of the bonds. When investment bankers underwrite bonds, they assume the risk of buying the newly issued bonds from the governmental unit. They then resell the bonds to the public or to dealers who sell them to the public.

Total Bond Proceeds = $9,965,975

Kelly Kost, the City's Bond Counsel, Robert Lewis PMA Securities Inc., the City's financial advisor, and City Attorney John Cowlin have reviewed and approved the attached documents.

Votes Required to Pass:

A simple majority of the City Council.

Agenda Item No: 17

City Council
Agenda Supplement

Meeting Date: June 18, 2013

Item: Three Oaks Recreation Area Wakeboard Proposal Review

Staff Recommendation: City Council Discretion

Staff Contact: Eric T. Helm, Deputy City Manager

Background:

At a City Council workshop meeting on October 30, 2012, City Staff presented the concept of a wakeboard park for the Three Oaks Recreation Area. Following the City Council workshop meeting discussion on October 30, 2012, the Council directed the City Staff to create a Request for Proposal to solicit interest from developers for this amenity. Based on the submitted proposals and information provided by City Staff, City Staff is requesting the following direction from the City Council:

- Is a wakeboard facility a desirable amenity for the Three Oaks Recreation Area?
- If the Council desires such an amenity, which developer should be selected for the City to negotiate final terms and receive a final site plan?

On February 1, 2013, the City received proposals from three developers for a wakeboard park at Three Oaks:

Proposer	Proposer Address
Copley McGinnis Group, LLC	33 Gates Street Crystal Lake, IL
Aacadia Wake Park	265 Exchange Drive, Suite 205 Crystal Lake, IL
America's Cable Park Group, LLC	580 North Cedar Drive Allen, TX 75002

Recommended Developer

Of the three RFP's City Staff has determined that Copley McGinnis Group LLC has submitted a proposal that is potentially the most advantageous to the City. If the Council so decides to pursue a wakeboard facility, it is recommended that the City enters into negotiations with Copley McGinnis Group for the site development. The reason for this recommendation is listed below:

Approach to Work

While this developer has no experience operating a wakeboard facility, it has presented a detailed plan for the implementation of the concept at the Three Oaks Recreation Area. This proposal contains documents that demonstrate an understanding and willingness to implement a wakeboard facility. Copley McGinnis was the only developer to submit the following detailed information:

- Letter of confirmation from an insurance provider that provides insurance to several other wakeboard facilities.
- Letter from financial institution outlining access to funding.
- 12 month sales forecast and operations budget, depicting positive cash flow.
- Five year financial forecast, depicting positive cash flow.
- 10 year mortgage payback schedule.
- Estimated construction costs.

Design and Aesthetics Treatments

Copley McGinnis submitted a detailed concept/landscaping plan that prioritizes the aesthetics of the site. While detailed elevations would be provided at a later date, it appears that the proposed architectural team understands the priority of designing the wakeboard facility to blend into the current landscaping elements. Also, the proposed team includes engineers and architects that were directly involved in the original development of the Three Oaks Recreation Area.

Quality Control Assurance and Safety

Copley McGinnis submitted a quality control assurance and safety program which outlines a priority of guest safety.

Compensation and Lease Duration

The Copley McGinnis proposal provides rent compensation and use length conditions that are typical of other wakeboard facilities around the country. The table on the following page compares the submitted proposal for the Three Oaks Recreation Area with other developer-government agreements.

Facility Name	Governmental Entity	Length of Use	Rent
"Vulkan Cable Park" Three Oaks Recreation Area	*City of Crystal Lake, IL*	*10-year minimum (*developer may request 20-year minimum) 5-year extensions*	*5% of gross revenue: Minimum (annual): $15,000*
Cowtown Watersports Complex	Tarrant Regional Water District, Fort Worth, TX	10-year minimum Two 5-year extensions possible	5% of gross revenues; Minimum: $4,500 / month
Hydrous	City of Allen, TX	15-year minimum Two 5-year extensions possible	1% of gross revenues; Minimum (annual): 2012 – 2020: $12,000 2021 – 2026: $16,000 2027 – 2031: $20,000 2032 – 2036: $24,000
Lake Tye Park	City of Monroe, WA	10-year minimum Three 5-year extensions possible	2% of gross revenues; Minimum (annual): Year One: $12,000 Year Two: $18,000 Years Three - Ten: $24,000 Extension Years: $26,000

Recommended Actions to Pursue the Development

If the City Council concurs with the City Staff's developer recommendation, the following actions are proposed:

1. Concept Plan Development and Traffic Analysis: The developer would create a Concept Plan that would be an exhibit to the Property Use Agreement. In addition, the developer will pay for a traffic analysis using a City-approved certified traffic engineer. As a result of the analysis, the City and developer will negotiate any necessary roadway or parking improvements.

2. Negotiate Property Use Agreement with the Recommended Developer: In consultation with the City's legal counsel, City Staff has developed a proposed property use agreement. The details of this agreement are pending negotiations with the developer. The results of these future negotiations, including the concept plan, would be brought back to the City Council for ultimate final approval.

3. Amendment to the Special Use Permit granted for the development of the Three Oaks Recreation Area: The original Special Use Permit for the Three Oaks Recreation Area was created in 2009. This approval was conditioned upon the plan created by Hitchcock Design Group. The wakeboard development would require an amendment to that SUP approval, which would be reviewed by the Planning and Zoning Commission and approved by the City Council.

4. Final Site Plan and Facility Plan Development: Upon execution of the Property Use Agreement, the developer would submit the final site plan/facility plan to the City for permit review and approval. These plans must be substantially similar to the concept plan contained in the Property Use Agreement.

The final site plan would contain the following for City Staff permit review:

- *Specific Project Data* (i.e. building area, FAR, coverage, parking and landscaping calculations, etc.)
- *Final Engineering* (grading plan, final stormwater analysis and supporting calculations, etc.).
- Floor Plans
- Building and Equipment Elevations
- Landscaping Plan
- Sign Elevations
- Tree Survey
- Watershed Analysis

Agenda Item No: 18

City Council
Agenda Supplement

Meeting Date: June 18, 2013

Item: Discussion of Boat Usage at Three Oaks Recreation Area

Staff Recommendation: Discussion Only

Staff Contact: Eric T. Helm, Deputy City Manager

Background:

At the May 7, 2013 City Council meeting, Councilmember Jeffrey Thorsen requested that the City Council discuss boat usage on the lakes at the Three Oaks Recreation Area. Per this request, City Staff is placing this item on the agenda for Council discussion.

Agenda Item No: 19

City Council
Agenda Supplement

Meeting Date: June 18, 2013

Item: McHenry County 2040 Long Range Transportation Plan

Staff Recommendation: Motion to adopt a resolution to authorize the Mayor to sign a letter that communicates the City's project priorities for the McHenry County 2040 Long Range Transportation Plan.

Staff Contact: Erik Morimoto, Director of Engineering and Building
Michelle Rentzsch, Director of Planning & Economic Development

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Background:

The McHenry County Division of Transportation is developing the County's 2040 Long-Range Transportation Plan. When complete, the Long Range Plan will provide a blueprint for future transportation decisions, prioritizing which and when projects are built, maintaining the existing transportation system, and expanding transportation options. At this stage of the planning process, a list of goals and transportation projects to meet those goals has been developed by the County with the help of the public through their various outreach efforts.

Input is being sought by the County from local elected officials to help prioritize potential projects included in the Long Range Plan. A complete list of the projects is attached and can also be found by visiting the County's 2040 Transportation Plan website at http://www.2040mchenrycountyplan.org/projects. The County has requested a letter indicating the City Council's highest priorities, concerns with any of the projects listed, and any additional projects for the County to consider.

Recommendation:

The City of Crystal Lake is fully supportive of improvements to infrastructure that not only stimulate economic growth in McHenry County, but also simultaneously enhance the mobility and safety of motorists on area roadways. While the City has a long standing reputation for supporting alternative modes of transportation, with several recent bicycle-friendly improvements similar in nature to projects in the County's list, it is recommended that the Long Range Transportation Plan place a priority on addressing many of the region's current

transportation capacity, safety, and redevelopment needs. The plan should continue to support the other goals that prepare for future growth, but take the effects of the recent recession into consideration.

Staff from the Community Development Department have reviewed the County's list and suggests identifying six projects, from among all the projects proposed, as the highest priority for the City of Crystal Lake and the region (in alphabetical order):

- Ackman Road and Miller Road Extensions to IL Route 47: New road to complete east-west links between IL Route 47 and Randall Road. This project would provide cars greater access between IL Route 47 and Randall Road by extending Miller Road to Ackman Road, which would be extended one mile to the west to the intersection of IL Route 47. This project would provide cars and trucks greater access to Ackman Road. The Ackman Road extension to IL Route 47 was included in the County's last transportation plan.
- Haligus Road/Mt. Thabor Road and IL Route 176 Intersection Improvement: This project would realign the existing Mt. Thabor and Doty Road into one intersection with Lucas Road and the Mt. Thabor and Haligus Road intersections into one intersection with IL Route 176. This work will greatly reduce unsafe conditions at the IL Route 176 intersections.
- Illinois Route 31 Improvements, from Crystal Lake to McHenry: Improvements include adding lanes for cars and trucks, turning lanes at intersections, and a multi-use trail from IL Route 176 in Crystal Lake to IL Route 120 in McHenry. Appropriate turning lanes at intersections will greatly reduce car and truck delays. This work will greatly reduce unsafe conditions at the intersections. A proposed multi-use trail would provide a regional facility and accommodate existing Route 806 bus services.
- Metra Union Pacific Northwest Line Upgrades: More frequent train service, construction of coach yards in Woodstock and Johnsburg, new stations in Johnsburg, Prairie Grove, and Woodstock. The capacity in peak hours would increase by 63 percent. This project would add over 1,000,000 trips to the Metra UPNW line each year. The number of inbound trains would increase from 17 to 24. The number of outbound (reverse-commute) trains would increase from four to eight.
- Randall Road Improvements: Widening between Ackman Road and County Line Road to three lanes in each direction with a center median and various intersection improvements. Randall Road has become, within the last ten years, a regional activity and commercial corridor. Local residents access Randall Road for basic services such as groceries, banking, and health care and mix with regional traffic for shopping and dining. Some industry and agricultural uses are also present. Commuters use this highway to travel by car to access Interstate 90.
- US Route 14 Improvements, from Crystal Lake to Woodstock: Improvements include adding lanes for cars and trucks, turning lanes at intersections, and a multi-use trail from the Community College to Lake Avenue in Woodstock. Appropriate turning lanes at intersections will greatly reduce car and truck delays. This work will greatly reduce

unsafe conditions at the intersections. A proposed multi-use trail would provide a regional facility and accommodate existing Route 808 bus services.

In addition, City staff recommends three additional projects that were not included in the draft Long Range Plan, but will significantly improve traffic conditions in the region.

- Countywide Bicycle and Pedestrian Facility Master Plan: Most bicycle and pedestrian facilities are planned and implemented at a municipal level between local destinations. A countywide master plan for non-motorized transportation facilities would provide connections between towns and in rural areas and would benefit the region. These arterial highways and collectors between municipalities are typically under the jurisdiction of the State or County and are more difficult to coordinate for bicycle or pedestrian improvements.
- Hillside Road/Country Club Road and Ridgefield Road/Country Club Road Intersection Improvements: This project would include capacity improvements to the roadway network in the unincorporated Ridgefield area. This area warrants improvement to accommodate the current level of traffic based on a recent traffic analysis and would be affected by the future expansion of nearby McHenry County College.
- Illinois Route 176 at Main Street Intersection Improvement: This project would improve the ability for traffic on Main Street to turn safely at the IL Route 176 intersection. These improvements could potentially add additional lanes and a traffic signal if warranted. This improvement would also alleviate traffic congestion on the collector streets in the historic downtown directly to the south and reduce traffic queues on northbound Walkup Road that currently extend across the Union Pacific Railroad tracks.

Attached is a draft letter to the County, which can be modified based upon input from City Council, outlining the City's transportation priorities.

Votes Required to Pass:

A simple majority of the City Council in attendance.

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 Mayor be authorized to sign a letter that communicates the City's project priorities for the McHenry County 2040 Long Range Transportation Plan.

DATED this eighteenth day of June, 2013.

CITY OF CRYSTAL LAKE, an Illinois Municipal Corporation

BY: _____
Aaron T. Shepley, Mayor

ATTEST:

_____
Nick Kachiroubas, City Clerk

PASSED: June 18, 2013

APPROVED: June 18, 2013

Agenda Item No: 20

City Council
Agenda Supplement

Meeting Date: June 18, 2013

Item: Ultraviolet System parts replacement at WWTP #2

Staff Recommendation: Motion to award the bid for Wastewater Treatment Plant #2 Ultraviolet System parts for five (5) years in the submitted bid amounts starting July 1, 2013 to the lowest responsive and responsible bidder, Trojan Technologies, and adopt a resolution authorizing the City Manager to execute a service agreement with Trojan Technologies.

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

Background:
On May 20, 2013, the City of Crystal Lake publicly opened and read aloud bids for replacement parts and replacement controller for this disinfectant system. The following is a breakdown of the bids received:

Company	Anticipated Annual Cost based on Prices Submitted	% Increase Year 2	% Increase Year 3	% Increase Year 4	% Increase Year 5
√ Trojan Technologies London, Ontario	$47,646.55	5	5	5	5
Methodworks Boise, ID	Incomplete Bid (non-OEM parts)				

√ Indicates the lowest responsive and responsible bidder.

The UV system was initially installed at the City's Wastewater Treatment Plant #2 during the plant upgrade in 2001. Per the facility's NPDES permit, the system must operate 24 hours per day from May 1st to October 31st each year to disinfect plant effluent and protect public health. The City's system has two chambers with one running at all times, and both in service simultaneously during high-flow events.

Due to this constant use, the UV lamps and sleeves burn out at a rate of approximately 50% per year. These items, along with seals, bearings and probes, are the most common maintenance required for the system.

Over the past several years, staff has tried to utilize non-original equipment manufacturer (OEM) parts on this system. While these parts can be less expensive, the failure rates of these parts are

significantly greater than OEM parts. For this reason, a specification was written to provide for OEM parts for use with our system. Additionally, we requested five-year pricing to lock in prices for replacement parts to help ensure a future year purchase does not reflect an even higher escalation factor. While we are purchasing $47,000 worth of parts this year, that number may be less in future years, depending on wear and tear on the equipment.

Methodworks bid non-OEM parts. While their bid was reviewed and considered, they did not submit pricing for all of the parts needed by the City at this time. In addition, staff has not had a favorable experience in the past with the parts that were bid.

Recommendation:

It is the recommendation of staff to award the bid for UV System parts for Wastewater Treatment Plant #2 to the lowest responsive and responsible proposer, Trojan Technologies, in the amount bid.

Votes Required to Pass:

Simple majority vote is needed to approve the authorizing resolution.

DRAFT

RESOLUTION

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE that the City Manager be and he is hereby authorized and directed to execute an agreement with Trojan Technologies for UV System parts for Wastewater Treatment Plant #2 in the submitted bid amount of $47,646.55 for the first year, with a 5% increase each year for the next four (4) years.

DATED this 18th day of June, 2013.

CITY OF CRYSTAL LAKE, an
Illinois municipal corporation,

By:_____
MAYOR

SEAL
ATTEST

_____
CITY CLERK

PASSED: June 18, 2013
APPROVED: June 18, 2013

Agenda Item No: 21

City Council
Agenda Supplement

Meeting Date: June 18, 2013

Item: Painting & Maintenance of Bard Road Water Storage Tank

Staff Recommendation: Motion to award the bid for the Bard Road Water Storage Tank Painting & Maintenance to the lowest responsive and responsible bidder, Era Valdivia Contractors, Inc., and adopt a resolution authorizing the City Manager to execute a service agreement with Era Valdivia Contractors, Inc. in the submitted bid amount of $450,400.00 with a 10 percent contingency for justifiable additions.

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

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Background:

The City of Crystal Lake's water system includes four elevated water storage tanks and four ground water storage tanks. Seven of these water tanks are constructed of steel and one of concrete. Three of the towers, WTP#3 ground reservoir, Ambutal and McCormick Towers, have been recently rehabilitated and repainted. Due to the age of the structures, all of the remaining steel water storage tanks will be due for maintenance in the next several years.

The Bard Road Water Storage Tank (located adjacent to Water Treatment Plant #5) is a 500,000 gallon elevated steel water storage tank that was constructed in 1988. It has not been repainted since it was originally constructed.

In April 2012, Dixon Engineering performed an inspection to evaluate the condition of the Bard Road Water Storage Tank. The evaluation recommended that the tank be sandblasted and painted with containment. In addition, Dixon recommended numerous other repairs/improvements as identified on the attached price breakout sheet.

Following the inspection, Dixon Engineering created a bid document, under the direction of City staff, to perform the required repairs and maintenance to the tank, as well as sandblast and paint it in accordance with the recommendation in the inspection report. However, because the condition of the steel cannot be fully realized until the existing paint is removed, there is a

possibility that additional repair work may be necessary. Dixon's field engineer will inspect the tank and recommend any required additional work after sandblasting has been completed.

Discussion:

On May 30, 2013, the City received bids from six contractors to repair and paint the Bard Road Water Storage Tank. The following is a breakdown of the total prices for the bids received to perform the maintenance and repair work, as well as the sandblasting and painting of the Bard Road Water Storage Tank:

Co.	√ *Era Valdivia Contractors, Inc.*	*L.C. United Painting*	*L&T Painting*	*Maxcor, Inc*	Tecorp, Inc.	*Classic Protective Coatings*
	Chicago, IL	*Sterling Heights, MI*	*Clinton Twp, MI*	*New Lenox, IL*	*Joliet, IL*	*Menomonie, WI*
Total	**$ 450,400.00**	**$ 499,000.00**	**$555,900.00**	**$ 677,900.00**	**$ 734,400.00**	**$789,366.00**

√ Indicates the lowest responsive and responsible bidder.

A small portion of the total sum will be reimbursed by the cellular carriers who have antennas on the towers for the installation and painting of new coax and brackets to run their cables up the tank.

Recommendation:

Era Valdivia Contractors, Inc. submitted the lowest pricing of the six companies. City staff and Dixon Engineering have reviewed the bids submitted. Dixon Engineering submitted a written recommendation to the City to use Era Valdivia Contractors, Inc. for this project. Era Valdivia Contractors, Inc. is a prequalified contractor with Dixon for this scope of work, and has successfully completed many similar projects, including the McCormick Tower in Crystal Lake.

It is the recommendation of staff to award the contract for the painting and maintenance of the Bard Road Water Storage Tank to the lowest responsive and responsible bidder, Era Valdivia Contractors, Inc., in the amount of $450,400.00, with a contingency of up to 10% of the purchase price for any additional repair work necessary beyond the scope of this project. Budgeted funds, as well as proceeds from the Water and Sewer Capital Improvement Bond, will be used to fund this improvement.

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 a contract for the painting and maintenance of the Bard Road Water Storage Tank between the City of Crystal Lake and Era Valdivia Contractors, Inc. in the submitted bid amount of $450,400.00 with a 10 percent contingency for justifiable additions.

DATED this 18th day of June, 2013.

CITY OF CRYSTAL LAKE, an
Illinois municipal corporation,

By:_____
MAYOR

SEAL

ATTEST

_____
CITY CLERK

PASSED: June 18, 2013
APPROVED: June 18, 2013

Agenda Item No: 22

City Council
Agenda Supplement

Meeting Date: June 18, 2013

Item: Design, Printing, Labeling and Mailing of City Newsletter, and Printing and Delivery Services for Letterhead, Envelopes, Mailing Labels, and Business Cards.

Staff Recommendation:

1. Motion awarding the five-year (5-Year) bid for the Design, Printing, Labeling and Mailing of the City Newsletter, based on submitted prices, to the lowest responsive and responsible bidder, Hagg Press, and adopting a resolution authorizing the City Manager to execute a service agreement with Hagg Press.

2. Motion awarding the five-year (5-Year) bid for Printing and Delivery Services for Letterhead, Envelopes, Mailing Labels, and Business cards, based on prices submitted, to the lowest responsive, responsible bidder, Service Printing Corporation, and adopting a resolution authorizing the City Manger to execute a service agreement with Service Printing Corporation.

Staff Contact: George Koczwara, Deputy City Manager

Background:

On Friday, June 7, 2013, the City of Crystal Lake publicly opened and read aloud the bids received for a five-year (5-year) contract for the design, printing, labeling and mailing of the City newsletter, as well as printing and delivery services for letterhead, envelopes, mailing labels, and business cards.

In order to receive the best pricing, it is City staff's recommendation to award the design, printing, labeling and mailing of the City's newsletter to Hagg Press, Inc. and the printing and delivery services for letterhead, envelopes, mailing labels, and business cards to Service Printing Corporation.

The City will begin issuing a monthly eight-page (8-page) newsletter starting in August through at least September 2014 to coincide with the City's Centennial celebration. During the contract period, the City has the option to reduce the number of issues printed to a quarterly publication, as well as increase the number of pages of the newsletter from eight (8) to twelve (12), if desired. This contract will include the design, printing, labeling and mailing of the newsletter, including four-color ink for each newsletter.

Design, Printing, Labeling, and Mailing of the City Newsletter: 12 Issues, 8 pages					
Company	**Year 1**	**Year 2**	**Year 3**	**Year 4**	**Year 5**
√ Hagg Press, Inc. Elgin, IL	$40,320	$42,000	$43,680	$45,360	$47,040
McGrath Printing Crystal Lake, IL	$48,720	$50,400	$52,080	$53,760	$53,760
Service Printing Corporation Huntley, IL	$59,438.40	$60,933.60	$62,462.40	$64,024.80	$65,637.60

√ - Indicates lowest responsive and responsible bidder

Also included as part of the contract for newsletter services, the City will establish an opt-out program, which will allow residents to receive an electronic version of the newsletter. The City will establish a Constant Contact type service for sending an email version of the City newsletter. Residents who register on the site will be flagged for removal from the paper mailing database of the City newsletter. The awarded vendor will be responsible for sending out the City newsletter email blast via the Constant Contact website.

In addition, the City received pricing for printing and delivery services for letterhead, envelopes, mailing labels, and business cards. This will provide the City with a cost-savings during the contract period.

Printing and Delivery Services for Letterhead, Envelopes, Mailing Labels, and Business Cards					
Company	**Year 1**	**Year 2**	**Year 3**	**Year 4**	**Year 5**
√ Service Printing Corporation Huntley, IL	$6,286.30	$6,444.05	$6,606.00	$6,765.65	$6,940.60
McGrath Printing Crystal Lake, IL	$7,242.87	$7,327.52	$7,370.80	$7,416.54	$7,416.54
Hagg Press, Inc. Elgin, IL	No Bid	No Bid	No Bid	No Bid	No Bid

√ - Indicates lowest responsive and responsible bidder

As part of the bid, firms were requested to submit pricing for five (5) years. The terms of the Invitation to Bid stipulate that the City may terminate the contract by 30 days written

notice. Although there would be the availability to terminate the agreement, the pricing for the services would be set for five (5) years. The five-year (5-year) term of the agreement allows the City to take advantage of greater economies of scale, as well as ensuring consistency for design, printing, labeling, and mailing services of the City newsletter, as well as printing and delivery services for letterhead, envelopes, mailing labels, and business cards over the period of the contract.

Recommendation:

The City Manager's Office has reviewed all bids received for completeness and accuracy in accordance with the Invitation to Bid document and has verified references provided by Hagg Press, Inc. and Service Printing Corporation and received positive recommendations. It is staff's recommendation to award the Design, Printing, Labeling, and Mailing of the City Newsletter contract to Hagg Press, Inc. and the Printing and Delivery Services for Letterhead, Envelopes, Mailing Labels, and Business Cards contract to Service Printing Corporation based on the submitted prices for a five-year (5-year) contract period.

Votes Required to Pass:

Simple majority vote of the City Council.

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 service agreement for the design, printing, labeling, and mailing of the City newsletter between the City of Crystal Lake and Hagg Press, Inc., and for printing and delivery services for letterhead, envelopes, mailing labels, and business cards between the City of Crystal Lake and Service Printing Corporation based on the submitted prices.

DATED this 18th day of June, 2013

CITY OF CRYSTAL LAKE, an
Illinois municipal corporation,

By:_____
MAYOR

SEAL

ATTEST

_____
CITY CLERK

PASSED: June 18, 2013
APPROVED: June 18, 2013

Agenda Item No: 23

City Council
Agenda Supplement

Meeting Date: June 18, 2013

Item: Wastewater Treatment Plant #2 Generator Repair Authorization

Staff Recommendation: Motion to adopt a resolution waiving the bidding requirement for the repair of the generator at Wastewater Treatment Plant #2 and authorizing the City Manager to execute a Purchase Order between the City and Patten Power Systems for repairs to the generator at Wastewater Treatment Plant #2 in the not-to-exceed amount of $59,300.98.

Staff Contact: Victor Ramirez, Director of Public Works

On April 30, 2013, the radiator on the generator at Wastewater Treatment Plant #2 (WWTP#2) experienced a failure, rendering the whole unit inoperable. This generator was originally installed in 2001. Having a stable power supply is vitally important to wastewater treatment operations, as electrical blowers and pumps are essential to the treatment process.

WWTP#2 is supported by a single 1500 kw backup generator to provide power in cases where ComEd power fails. Storms were in the forecast for the week of the failure, and staff thought it prudent to seek alternative backup power so that the plant could remain operable if the primary power source were lost. Such a loss could result in sanitary sewer back-up of residences and/or the pollution of the tributary streams and the Fox River, and major EPA violations.

As a backup, the City rented a mobile generator from Patten Power Systems to backup the facility while parts could be ordered and repairs could be made to the permanent generator. Mobile rental generators of this size are not prevalent for immediate deployment, and the instant response that Patten was able to provide was a consideration with storms in the forecast.

To make the repairs, the wall louver was removed and the radiator was hoisted out utilizing a crane system. The angles required and equipment necessary made this a technical repair. However, the building was not altered or damaged during the project.

Emergency action was required due to the critical nature of this item, the implications of a power failure without a backup power supply, and the expense of renting a backup generator. Conventional bidding would have taken a full 3 weeks for Council consideration/approval at the May 21, 2013 City Council meeting. Award of the contract and signatures, etc. would have taken an additional 2 weeks. The work would then be performed during the next 1-2 week period, which puts us into mid-June for completion. Under this scenario, essentially Wastewater Treatment Plant #2 would not have a permanent, reliable backup power supply for a minimum of six weeks.

Patten Power Supply has submitted a quote to perform the work, which is broken down as follows:

Radiator (New)	$14,034.00
Site service removal and installation	$ 11,961.00
Rental of a Generator	$ 33,305.98
Total	**$59,300.98**

Patten is the regional distributor of Caterpillar Equipment. As such, they have access to parts and materials more readily than other area companies and they have an inventory of large rental units. In addition, they specialize in repairs of this type, and are well equipped with the equipment and personnel to effectively perform such a job. The cost is comparable to other work performed in the past.

Because the generator is a critical component of the wastewater treatment process and without it Wastewater Treatment Plant #2 may be rendered inoperable, the City Manager directed Public Works staff to continue pursuing the repairs of the generator.

Recommendation:

It is Staff's recommendation to adopt a resolution waiving the bidding requirement for the repair of the backup generator at Wastewater Treatment Plant #2 and authorizing the City Manager to execute a Purchase Order between the City and Patten Power Systems for repairs to the generator at Wastewater Treatment Plant #2 in the not-to-exceed amount of $59,300.98.

Votes Required to Pass:

Super majority

DRAFT

RESOLUTION

A RESOLUTION WAIVING THE BIDDING REQUIREMENTS FOR THE REPAIR OF THE GENERATOR AT WASTEWATER TREATMENT PLANT #2 AND AUTHORIZING THE CITY MANAGER TO EXECUTE A PURCHASE ORDER WITH PATTEN POWER SYSTEMS

BE IT RESOLVED that the bidding requirements for the repair of the generator at Wastewater Treatment Plant #2 are hereby waived.

BE IT FURTHER RESOLVED that the City Manager is hereby authorized to execute a Purchase Order with Patten Power Systems for the repair of the generator at Wastewater Treatment Plant #2 in the not-to-exceed amount of $59,300.98.

DATED this 18th day of June, 2013

CITY OF CRYSTAL LAKE, an
Illinois municipal corporation,

By:_____
MAYOR

SEAL

ATTEST

_____
CITY CLERK

PASSED: June 18, 2013

APPROVED: June 18, 2013

Agenda Item No: 27

City Council
Agenda Supplement

Meeting Date: June 18, 2013

Item: Ad Hoc Clean Air Counts Advisory Committee

Staff Recommendation: Council discretion:
1) Motion to approve the nomination of Scott Hennings to the Ad Hoc Clean Air Counts Advisory Committee.

Staff Contact: Brad Mitchell, Assistant to the City Manager

Background:

In September 2007, the City Council formed an Ad Hoc Clean Air Counts Advisory Committee ("Committee"). The purpose of the Committee is to assist the City in meeting the goals of the Clean Air Counts Campaign, which the City became a member of in August 2007.

In August 2009, the Mayor and City Council approved a resolution increasing the Committee size to nine (9) members. There is currently one vacancy on the Committee. Attached is a list of the current Committee members. The Committee would benefit from the input and participation of one (1) additional member as the Committee moves forward to satisfy the goals and achieve Silver and Gold levels of the Clean Air Counts Program. At the April 23, 2013 Committee meeting, the Committee voted unanimously to recommend the nomination of Crystal Lake resident Scott Hennings to the Committee. Attached for your review is the application submitted by Mr. Hennings to serve on the Committee.

Votes Required to Pass:

Simple majority of City Council present

Agenda Item No: 28

City Council
Agenda Supplement

Meeting Date: June 18, 2013

Item: Board and Commission Reappointments

Mayor's Recommendation: Motion to reappoint members to the Fire & Police Commission, Historic Preservation Commission, Library Board and Police Pension Board as indicated below.

Contact: Aaron T. Shepley, Mayor

Background:

On June 30, 2013, Larry O'Meara's term on the Fire & Police Commission and Robert Cormier's term on the Police Pension Board will expire. Mr. O'Meara has expressed interest in reappointment to the Fire & Police Commission for a three-year term, expiring on June 30, 2016, and Mr. Cormier has expressed interest in reappointment to the Police Pension Board for a two-year term, expiring on June 30, 2015.

Also, on June 30, 2013, terms on the Historic Preservation Commission for LeeAnn Atwood, Brenda Sompolski, and Robert Wyman will expire. Ms. Atwood, Ms. Sompolski and Mr. Wyman have expressed interest in reappointment to the Historic Preservation Commission for a three-year term, expiring on June 30, 2016.

In addition, on June 30, 2013, terms on the Library Board for John Engebretson, Don Peters and Eric Larsen will expire. Mr. Engebretson and Mr. Peters have expressed interest in reappointment to the Library Board for a three-year term, expiring on June 30, 2016. Mr. Larsen has notified the City that he will not seek reappointment to the Library Board.

Fire & Police Commission, Library Board and Police Pension Board appointments and reappointments are nominated by the Mayor with City Council confirmation. Historic Preservation Commission appointments and reappointments are nominated and confirmed by the Mayor and City Council.

Should the Council have any questions, please contact Mayor Shepley.

Votes Required to Pass: Simple majority

Agenda Item No: 29

City Council
Agenda Supplement

Meeting Date: June 18, 2013

Item: 2012-2015 Collective Bargaining Agreement between the City of Crystal Lake and the Metropolitan Alliance of Police, Crystal Lake Chapter #177

Staff Recommendation: Motion to Adopt a Resolution Authorizing the City Manager to Execute the 2012-2015 Collective Bargaining Agreement between the City of Crystal Lake and the Metropolitan Alliance of Police, Crystal Lake Chapter #177

Staff Contact: Ann Everhart, Director of Human Resources

Background:

We are pleased to present to the Mayor and City Council a new collective bargaining agreement between the City of Crystal Lake and the Metropolitan Alliance of Police, Crystal Lake Chapter #177. Negotiation sessions were held between the parties over the past 16 months. The end result provides the City and our police officers with minimal changes to officer residency requirements; benefit levels for vacation and court time; some changes were made relative to the grievance and disciplinary processes, expanding some of the Chief's authority and the use of arbitration in those matters; and a compensation plan increase of 2% for each of the three years of the contract; compliance with state and federal regulations; as well as clear and consistent contract language. This contract was ratified on June 6th by a majority vote of the union members.

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 is authorized to execute the 2012-2015 Collective Bargaining Agreement between the City of Crystal Lake and the Metropolitan Alliance of Police, Crystal Lake Chapter #177.

Dated this 18th day of June, 2013.

CITY OF CRYSTAL LAKE, an Illinois Municipal Corporation

BY: _____
Aaron T. Shepley, Mayor

ATTEST:

_____
Nick Kachiroubas, City Clerk

Passed: June 18, 2013
Approved: June 18, 2013