CITY OF CRYSTAL LAKE
AGENDA

CITY COUNCIL
REGULAR MEETING

City of Crystal Lake
100 West Woodstock Street, Crystal Lake, IL
City Council Chambers
July 15, 2014
7:30 p.m.

1. **Call to Order**

2. **Roll Call**

3. **Pledge of Allegiance**

4. **Approval of Minutes – July 1, 2014 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. **St. Thomas the Apostle Church request to close Lake Street between Washington Street and the western portion of the St. Thomas the Apostle Church property on July 27, 2014 for an outdoor mass and picnic.**

10. **Mayfair Carpet & Furniture, 661 N. Main Street – Special Use Permit to allow an electronic message center in the "B-2" General Commercial district; Variation from the Special Use Criteria for electronic message center signs for the requirement that electronic message center signs must be located on Route 14 or 31, to allow an EMC sign on a property located on Main Street; Variation from Article 4-1000 Signs, for the maximum sign area of 50 square feet, to allow a total area of 71.6 square feet; Variation from Article 4-1000 Signs, for the maximum sign height of 8 feet, to allow a 16-foot-tall free-standing sign; Variation from Article 4-1000-Signs, to allow the sign base to be less than 80% of the sign width; and Variation from Article 4-1000 Signs, from the minimum 10-foot sign setback, to allow a 1.5-foot setback from the front property line.**

11. **Ordinance granting a one-year extension to the Plat of Subdivision and Planned Unit Development zoning approvals.**

12. **Bid award and resolution authorizing execution of the contract for the 2014 Sidewalk and Curb Replacement Program and allowing for a 10 percent contingency.**

13. **Resolution authorizing execution of an agreement for the purchase of one (1) ambulance through the Suburban Purchasing Cooperative Program; and resolution designating Ambulance 350 as surplus equipment and authorizing execution of an agreement for the trade-in of Ambulance 350.**

14. **Resolution authorizing execution of the Local Agency Agreement for Federal Participation with IDOT for construction of the South Main Street improvement.**

15. Resolution appropriating MFT funds for the South Main Street improvement.

16. Resolution authorizing execution of a memorandum of understanding between the City of Crystal Lake and Southeast Emergency Communication for the installation of a roof-mounted, omnidirectional, RF antenna and support cabling.

17. Resolution authorizing payment for annual NPDES permit fees under protest, and the addition of an equal amount to the Accounts Payable list.

18. Council Inquiries and Requests

19. 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.

20. Reconvene to Regular Session

21. 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: July 15, 2014

Item: St. Thomas the Apostle Church Street Closure Request

Staff Recommendation: Motion to approve the closure of Lake Street between Washington Street and the western portion of the St. Thomas the Apostle Church property on Sunday, July 27, 2014, from 7:00 a.m. to 5:00 p.m. for an outdoor mass and picnic.

Staff Contact: Brad Mitchell, Assistant to the City Manager

Background:

The City has received a request from St. Thomas the Apostle Church for the closure of Lake Street between Washington Street and the western portion of the St. Thomas the Apostle Church property on Sunday, July 27, 2014 from 7:00 a.m. until 5:00 p.m. for an Outdoor Mass and Picnic. Closing Lake Street would make it safer for the participants to move between the St. Thomas school area to the parking lot and grassy area across the street from the school, as well as provide for adequate time for setup and cleanup. The City Council approved a similar request in 2013.

City staff has reviewed the petitioner's request and does not have concerns regarding the closure of Lake Street, providing the following conditions are met:

1) City-owned barricades must be used to block off the street closure sections. Barricades shall be placed to allow access to existing crosswalks. In addition, a "Local Traffic Only" sign must be temporarily placed at the entrance to Lake Street from Dole Avenue. The petitioner must complete and submit a Barricade Borrowing Application.
2) The petitioner must send a notice to all affected property owners along Lake Street.
3) Emergency vehicle access must be maintained throughout the event. Items should not be placed on the roadway to prohibit access, and volunteers should

be available to remove barricades to allow emergency vehicles on the roadway, if necessary.

4) Emergency access to the School must be maintained throughout the event. The petitioner must provide a plan of the event layout.
5) Local traffic access to Lake Street must be maintained throughout the event. Volunteers should be available to remove barricades to allow property owners on the roadway, if necessary.
6) All debris created by the event shall be cleaned up during and after the event.
7) The petitioner must adhere to the required City insurance provisions for the use of City-owned property by providing a certificate of insurance naming the City as additional insured, and sign the required Indemnity/Hold Harmless agreement.
8) If tents or canopies will be used, the petitioner shall contact the Fire Rescue Department for further review.
9) Any additional permits or requests for signage shall be made through the Community Development Department.
10) In the case of inclement weather, an alternate date can be approved by the City Manager.

The petitioner has agreed to meet these conditions. The letter requesting approval for the closure of Lake Street and a map indicating the portion of the roadway to be closed have been attached for City Council consideration.

Votes Required to Pass:

Simple majority vote of the City Council

Agenda Item No: 10

City Council
Agenda Supplement

Meeting Date: July 15, 2014

Item: REPORT OF THE PLANNING & ZONING COMMISSION

#2014-26 Mayfair Carpet & Furniture – 661 N. Main Street

1) Special Use Permit to allow an electronic message center in the "B-2" General Commercial district;
2) Variation from the Special Use Criteria for electronic message center signs for the requirement that electronic message center signs must be located on Routes 14 or 31, to allow an EMC sign on a property located on Main Street.
3) Variation from Article 4-1000 Signs, for the maximum sign area of 50 square feet, to allow a total area of 71.6 square feet;
4) Variation from Article 4-1000 Signs, for the maximum sign height of 8 feet, to allow a 16-foot-tall free-standing sign;
5) Variation from Article 4-1000 Signs, to allow the sign base to be less than 80% of the sign width;
6) Variation from Article 4-1000 Signs, from the minimum 10-foot sign setback, to allow a 1.5-foot setback from the front the property line.

Redmond Murphy, Mayfair Carpet & Furniture, petitioner
Kelly Murphy, Mayfair Carpet & Furniture, petitioner
Penny Hughes, Hughes Signs, petitioner

PZC Recommendation: Motion to approve the Planning and Zoning Commission recommendation and adopt an ordinance granting a Special Use Permit and Variations for signage at 661 S. Main Street.

Staff Contact: James Richter II, Planning and Economic Development Manager

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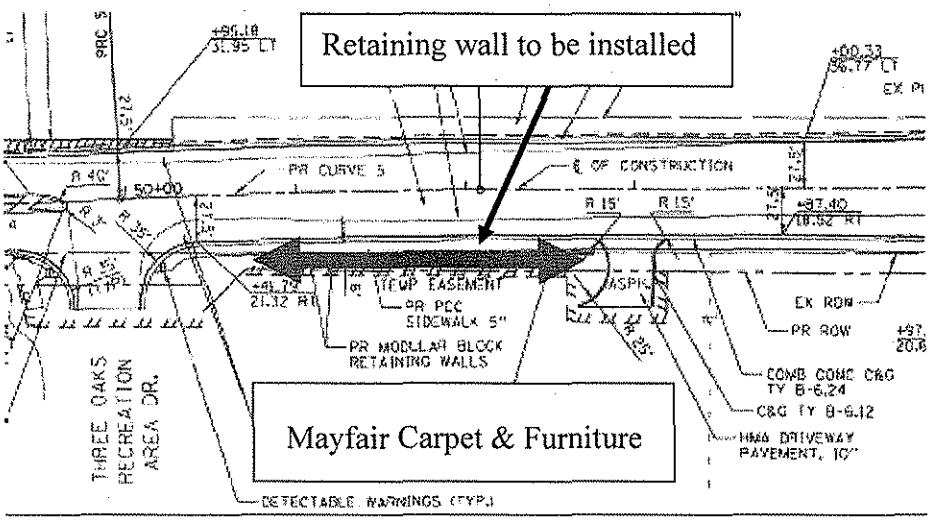
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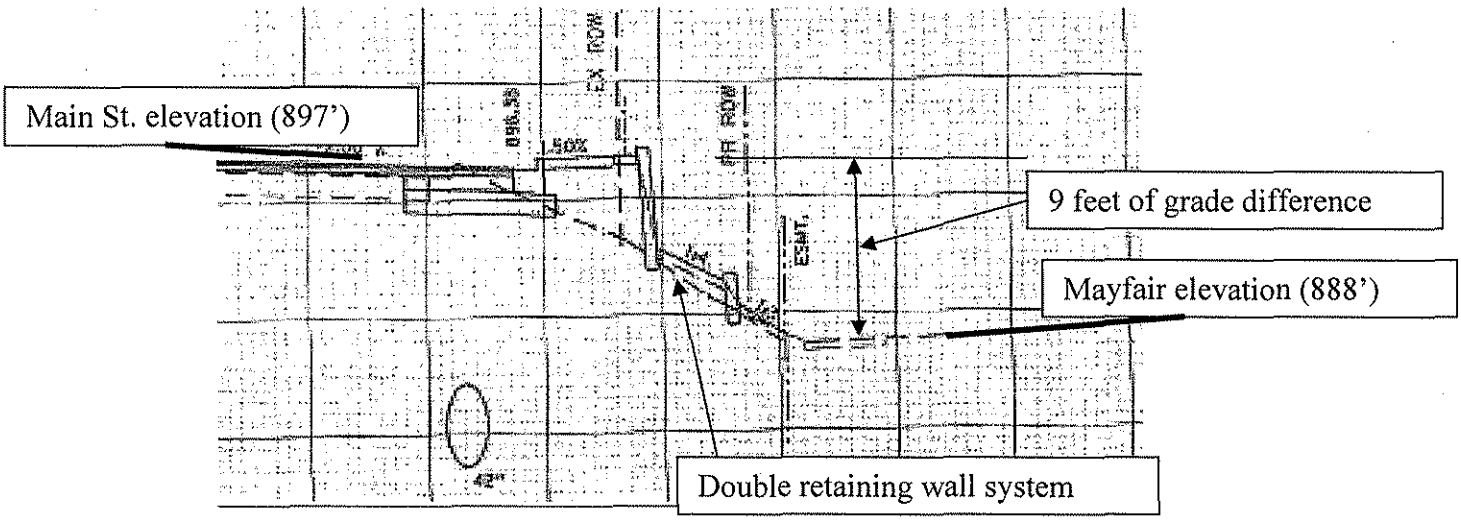
- Development: Mayfair Carpet & Furniture, 661 S. Main Street

- Request: Special Use Permit and Variations for an Electronic Message Center Sign that is being relocated due to the South Main Street widening project.

Land Use Analysis:

- Details: The petitioner is before the City as a result of the South Main Street roadway widening project that displaces their free-standing sign. Due to grade difference in this area, the petitioner is seeking setback and height variations to allow the sign to be seen by people using South Main Street.





- The UDO permits one free-standing sign that is 50 square feet in area and 8 feet tall for this property. The proposed free-standing sign would be 16 feet tall and approximately 71.6 square feet in area, per face. (The existing sign on-site measures 47 square feet per side). The new sign would be located no less than 1.5 feet from the property line. The petitioner lost about 12 feet of his property through the roadway acquisition process for the South Main Street widening and improvement project.

***PZC* Highlights**

Overall, the Planning and Zoning Commission supported the applicant's request. Following a brief discussion regarding the impact of the roadway project on this property and the signage, all but one member was in favor of the request as proposed. The single dissenting vote was cast based upon the opinion that the City should not deviate from the EMC criteria that limits these signs to Routes 14 and 31. The PZC felt that the petitioner met the Findings of Fact and recommended **approval (5-1)** of the request.

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
   A. Application, Mayfair Carpet & Furniture, received 5/19/14
   B. Site/ Sign Plans, Hughes Signs, received 5/19/14 and 5/22/14

2. A Special Use Permit to allow an electronic message center sign at this location is hereby granted.

3. Variations:
   A. A variation from the Special Use Criteria for electronic message center signs for the requirement that electronic message center signs must be located on Routes 14 or 31 to allow an EMC sign on a property located on Main Street, is hereby granted.
   B. A variation from Article 4-1000 Signs, for the maximum sign area requirement of 50 square feet to allow a total area of 71.6 square feet, is hereby granted.
   C. A variation from Article 4-1000 Signs, for the maximum sign height requirement of 8 feet to allow a 16-foot tall free-standing sign, is hereby granted.
   D. A variation from Article 4-1000 Signs to allow the base of the sign to be less than 80% of the sign width, is hereby granted.
   E. A variation from Article 4-1000 Signs, for minimum 10-foot sign setback to allow a 1.5-foot setback from the front the property line, is hereby granted.

4. Landscaping meeting the provisions of the Ordinance shall be provided at the base of the free-standing sign.

5. Electronic Message Center Sign
   A. The sign structure must use materials or architectural elements from the principal structure on site.
   B. The EMC unit must be equipped with both a programmed dimming sequence as well as an additional overriding mechanical photocell that adjusts the brightness of the display to the ambient light at all times of day. Such programming and mechanical equipment shall be set so that the EMC, at night or in overcast conditions, will be no more than 40% of the daytime brightness level.
   C. The EMC unit must have the "flash" feature disabled and messages shall have a 5-minute "hold" time.

D. The messages displayed on the EMC can transition from one message to another only by fading or dissolving to black with another message appearing immediately thereafter, without movement or other transition effects between messages.

E. All messages displayed on the EMC must be static and cannot reflect movement, flashing, scrolling or changes in shape or size of messages or portions of messages. Streaming and/or live-time video is not permitted and this function of the EMC must be disabled.

F. The EMC unit must be equipped to override commercial messages for emergency situations such as an "Amber Alert" or other such acute public emergencies.

G. The EMC sign must be set in a manner that the display will turn dark in case of a malfunction.

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

Votes Required to Pass: A simple majority vote.

DRAFT

ORDINANCE NO. _____
FILE NO. _____

AN ORDINANCE GRANTING A SPECIAL USE PERMIT
AND VARIATIONS
AT 661 S. MAIN STREET

WHEREAS, pursuant to the terms of a Petition (File #2014-26) before the Crystal Lake Planning and Zoning Commission, the Petitioner has requested the issuance of a Special Use Permit to allow an electronic message center in the "B-2" General Commercial district; and Variations from: A. the Special Use Criteria for electronic message center signs for the requirement that electronic message center signs must be located on Routes 14 or 31, to allow an EMC sign on a property located on Main Street; B. Article 4-1000 Signs, for the maximum sign area of 50 square feet, to allow a total area of 71.6 square feet; C. Article 4-1000 Signs, for the maximum sign height of 8 feet, to allow a 16-foot tall freestanding sign; D. Article 4-1000 Signs, to allow the sign base to be less than 80% of the sign width; and E. Article 4-1000 Signs, from minimum 10-foot sign setback, to allow a 1.5-foot setback from the front the property line for Mayfair Carpet and Furniture located at 661 S. Main Street; and

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

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

Section I: That a Special Use Permit to allow an electronic message center in the "B-2" General Commercial district; and Variations from: A. the Special Use Criteria for electronic message center signs for the requirement that electronic message center signs must be located on Routes 14 or 31, to allow an EMC sign on a property located on Main Street; B. Article 4-1000 Signs, for the maximum sign area of 50 square feet, to allow a total area of 71.6 square feet; C. Article 4-1000 Signs, for the maximum sign height of 8 feet, to allow a 16-foot tall freestanding sign; D. Article 4-1000 Signs, to allow the sign base to be less than 80% of the sign width; and E. Article 4-1000 Signs, from minimum 10-foot sign setback, to allow a 1.5-foot setback from the front the property line for the property commonly known as 661 S. Main Street (19-09-104-005), Crystal Lake, Illinois.

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

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
   A. Application, Mayfair Carpet & Furniture, received 5/19/14
   B. Site/ Sign Plans, Hughes Signs, received 5/19/14 and 5/22/14

2. A Special Use Permit to allow an electronic message center sign at this location is hereby granted.

3. Variations

A. A variation from the Special Use Criteria for electronic message center signs for the requirement that electronic message center signs must be located on Routes 14 or 31 to allow an EMC sign on a property located on Main Street, is hereby granted.

B. A variation Article 4-1000 Signs, for the maximum sign area requirement of 50 square feet to allow a total area of 71.6 square feet, is hereby granted.

C. A variation Article 4-1000 Signs, for the maximum sign height requirement of 8 feet to allow a 16-foot tall freestanding sign, is hereby granted.

D. A variation from Article 4-1000 Signs to allow the base of the sign to be less than 80% of the sign width, is hereby granted.

E. A variation from Article 4-1000 Signs, for minimum 10-foot sign setback to allow a 1.5-foot setback from the front the property line, is hereby granted.

4. Landscaping meeting the provisions of the Ordinance shall be provided at the base of the freestanding sign.

5.Electronic Message Center Sign

A. The sign structure must use materials or architectural elements from the principal structure on site.

B. The EMC unit must be equipped with both a programmed dimming sequence as well as an additional overriding mechanical photocell that adjusts the brightness of the display to the ambient light at all times of day. Such programming and mechanical equipment shall be set so that the EMC, at night or in overcast conditions, will be no more than 40% of the daytime brightness level;

C. The EMC unit must have the "flash" feature disabled and messages shall have a 5-minute "hold" time.

D. The messages displayed on the EMC can transition from one message to another only by fading or dissolving to black with another message appearing immediately thereafter, without movement or other transition effects between messages

E. All messages displayed on the EMC must be static and cannot reflect movement, flashing, scrolling or changes in shape or size of messages or portions of messages. Streaming and/or live-time video may is not permitted and this function of the EMC must be disabled.

F. The EMC unit must be equipped to override commercial messages for emergency situations such as an "Amber Alert" or other such acute public emergencies.

G. The EMC sign must be set in a manner that the display will turn dark in case of a malfunction.

6. The petitioner shall address all of the review comments and requirements of the Community 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 issuance of a Special Use Permit in accordance with the provisions of this Ordinance, as provided by law.

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

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

_____
MAYOR

ATTEST:

_____
CITY CLERK

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

Agenda Item No: 11

City Council
Agenda Supplement

Meeting Date: July 15, 2014

Item: Zoning Approvals Extension

Recommendation: Motion to approve the ordinance granting a 1-year extension to the plat of subdivision and PUD zoning approvals.

Contact: James Richter II, Planning & Economic Development Manager

Background: The City's Unified Development Ordinance sets expiration time periods for certain approvals. A preliminary plat of subdivision approval is valid for one year, unless extended by the City Council. A special use permit approval is valid for two years, unless extended by the City Council, and preliminary and final planned unit developments have the same requirements

The Unified Development Ordinance allows Special Use Permits to seek an unlimited number of 1-year extensions, with PUDs are limited to 3, 1-year extensions. Property owners with approvals pending expiration were recently notified in writing as a reminder of their pending expiration dates. Many of those that were notified have failed to reply. The following chart outlines the petitioners that have requested extensions of their approvals, as well as their approval extension history:

Petition # / Name	Original Approval Date	Extension History	Proposed Extension Date
07-21 Bard/Bartley Square	3-4-08	3-4-13 (1st)	3-3-15
08-78 Rigsby/Hahn*	12-16-08	12-16-13 (1st)	12-16-15
07-17 Preston Pines	7-17-08	7-7-11 (1st) 7-17-14 (2nd)	7-17-15
07-59 Al/Joes Deli	8-7-07	6-14-11 (1st) 8-7-14 (2nd)	8-7-15
08-49 Fairfield Inn	9-2-08	9-2-11 (1st) 9-2-14 (2nd)	9-2-15^
04-38 Pine Tree Mall	10-5-04	10-4-07 (1st) 10-4-08 (2nd) 10-4-09 (3rd) 10-4-10 (4th) 10-4-11 (5th) 10-5-14 (6th)	10-5-15

*Guaranteed extensions through the Settlement Decree

^ Petitioner requested an extension to 2016 – the UDO would allow for a 1-year extension, to 2015

The economy has greatly reduced the speed of development, and the City has previously granted a mass three-year extension to all valid zoning approvals (reflected in the chart below). In an effort to

provide continued flexibility for development of the properties that have existing zoning approvals, an extension of the abovementioned approvals is suggested. This would provide some additional time for property owners, given the lag in the economy that is slowly turning around.

The petitioners have been requested to attend the City Council meeting to answer any questions about their pending projects.

Votes Required to Pass: A simple majority vote.

DRAFT

ORDINANCE NO. _____
FILE NO. _____

AN ORDINANCE GRANTING EXTENSIONS
FOR CERTAIN APPROVALS

WHEREAS, various petitions have been granted approval by the Mayor and City Council since 2005 that contain certain expirations, as regulated by the Unified Development Ordinance; and

WHEREAS, certain petitions were granted extensions on May 3, 2011; and

WHEREAS, it is in the best interests of the CITY OF CRYSTAL LAKE that the zoning approvals be granted further extensions.

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

Section I: That extensions be granted to the following petition approvals as follows:

Petition and Location	
07-21 Bard/Bartley Square SW Bard & Huntley Roads	March 3, 2015
08-78 Rigsby/Hahn 116 N. Virginia Road	December 16, 2015
07-17 Preston Pines Units 3-6 N. Route 176; E. Route 31	July 17, 2015
07-59 Al/Joes Deli SW Congress & Exchange	August 7, 2015
08-49 Fairfield Inn 900 COG Circle	September 2, 2016
04-38 Pine Tree Mall SE Routes 14 & 176	October 5, 2015

Section II: 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 this Ordinance, as provided by law.

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

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

DRAFT

_____

MAYOR

ATTEST:

_____

CITY CLERK

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Agenda Item No: 12

City Council
Agenda Supplement

Meeting Date: July 15, 2014

Item: 2014 Sidewalk and Curb Replacement Program

Staff Recommendation: Motion to award the 2014 Sidewalk and Curb Replacement Program bid to the lowest responsive and responsible bidder, D'Land Construction, LLC, in the bid amount of $94,316.59, and adopt a resolution authorizing the City Manager to execute the contract with D'Land Construction, LLC, allowing for a 10 percent contingency.

Staff Contact: Abigail Wilgreen, City Engineer

Background:

On July 7, 2014, bids received for the 2014 Sidewalk and Curb Replacement Program were opened and publicly read. The City received four bids, and the results are tabulated below.

Firm	*Amount of Bid*[2]
D'Land Construction, LLC[1] Bensenville, IL	$94,316.59
Upland Construction & Maintenance, LLC Wonder Lake, IL	$99,810.95
Chadwick Contracting Company Lake in the Hills, IL	$157,914.30
Landmark Contractors, Inc. Huntley, IL	$158,222.37

[1] Indicates Recommended Lowest Responsive and Responsible Bidder
[2] Bids as Calculated With Adjusted Quantities

Every year, the City's Engineering Division surveys one quarter of the City, and evaluates all of the sidewalks in that section of the City. The City also routinely responds to reports of damaged sidewalks and curbs that are received from residents and staff. The City keeps records of all the damaged sidewalks and prepares a sidewalk repair program annually to repair all of the sidewalks that meet the replacement criteria.

Specifications were mailed to various contractors and standard bid advertisement procedures were followed. D'Land Construction has been the low bidder for previous projects for the City,

most recently the 2012 Sidewalk and Curb Program. This project is included in the Fiscal Year 2014-2015 budget.

Votes Required to Pass:

Simple majority of City Council present.

DRAFT

The City of Crystal Lake Illinois

RESOLUTION

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE that the City Manager be authorized to execute the contract with D'Land Construction, LLC, for the 2014 Sidewalk and Curb Replacement Program in the amount of $94,316.59. The City Manager is additionally authorized to approve up to 10 percent in justifiable contract amendments from a contingency allowance.

DATED this fifteenth day of July, 2014.

CITY OF CRYSTAL LAKE, an Illinois Municipal Corporation

BY: _____
MAYOR

SEAL

ATTEST:

_____
CITY CLERK

PASSED: July 15, 2014
APPROVED: July 15, 2014

Agenda Item No: 13

City Council
Agenda Supplement

Meeting Date: July 15, 2014

Item: Ambulance Replacement and Trade-in

Staff Recommendation: Motion to:

1. Adopt a resolution authorizing the City Manager to execute an agreement with Foster Coach Sales, Inc. for the purchase of one (1) ambulance in the amount of $187,948, through the Suburban Purchasing Cooperative Program.

2. Adopt a resolution designating Ambulance 350 (2008 Ford) as surplus equipment and authorize the City Manager to execute an agreement with Foster Coach Sales, Inc. for the trade-in of Ambulance 350 in the trade-in amount of $7,000.

Staff Contact: James P. Moore, Fire Rescue Chief

Background:

Ambulance Purchase

The 2014-2015 fiscal year Fire Rescue Budget includes funds for the replacement of an ambulance. As members of the Suburban Purchasing Cooperative Program, the City is able to take advantage of the cooperative members' leveraged contract. This program allows members to combine purchasing power, which enables significant cost reductions.

All items that are bid through the SPC follow the same State public procurements statutes that the City follows for a competitive, sealed bidding process. A SPC committee created the specifications for the ambulance. Once the sealed bids were opened, the SPC Purchasing Advisory Committee, made up of municipal purchasing agents, reviewed all bids received for completeness and accuracy in accordance with the invitation to bid document.

The SPC awarded the bid for a Type I Horton Ambulance to Foster Coach Sales, Inc. Prior to making this recommendation, staff reviewed the bid submitted by Foster Coach Sales, Inc. and determined the bid for the Type I Horton Ambulance best met the needs of the Fire Rescue

Department. Foster Coach was awarded the bid for the last two ambulances purchased by the City, with the last one being nearly identical to the proposed ambulance purchase.

Ambulance Surplus Designation
The Fire Rescue Department has established an ambulance life cycle in order to provide reliable emergency medical transportation. The established life cycle places an ambulance in front-line service for four years followed by two years in reserve/call-back service.

Ambulance 350 (2008 Ford) was designated for replacement in 2014. With over 97,000 miles, 6,115 engine hours, and 6 years of service, the ambulance is being replaced with a 2014 Ford Ambulance from Foster Coach Sales, Inc. that was previously approved by City Council.

Staff has evaluated two options for the sale of this surplus equipment (auction and trade-in) and has determined that the trade-in option will garner the greatest selling price. A trade-in price from Foster Coach Sales, Inc. in the amount of $7,000 has been offered for Ambulance 350.

Recommendation:

After careful examination, it is staff's recommendation to authorize the City Manager to purchase a new Type I Horton Ambulance from Foster Coach Sales, Inc. through the Suburban Purchasing Cooperative in the total amount of $187,948.

It is also staff's recommendation to designate Ambulance 350 (2008 Ford) as surplus equipment and to authorize the City Manager to execute an agreement with Foster Coach Sales, Inc for the trade-in of Ambulance 350 (2008 Ford) in the trade-in amount of $7,000.

Votes Required to Pass:

Simple Majority

DRAFT

RESOLUTION

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE that the City Manager be and he is hereby authorized and directed to execute, and the City Clerk is hereby directed to attest, an agreement with Foster Coach Sales, Inc. through the Suburban Purchasing Cooperative for the purchase of a new Type I Horton Ambulance in the total amount of $187,948.

BE IT ALSO RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE that the 2008 Ford Ambulance is hereby designated as surplus equipment.

BE IT ALSO RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE that the City Manager be and he is hereby authorized and directed to execute an agreement with Foster Coach Sales, Inc. for the trade-in of the 2008 Ford Ambulance in the trade-in amount of $7,000.

Dated this 15th day of July, 2014.

CITY OF CRYSTAL LAKE, an
Illinois Municipal Corporation

By:_____
Mayor

SEAL
ATTEST:

_____
City Clerk

PASSED: July 15, 2014
APPROVED: July 15, 2014

Agenda Item No: 14

City Council
Agenda Supplement

Meeting Date: July 15, 2014

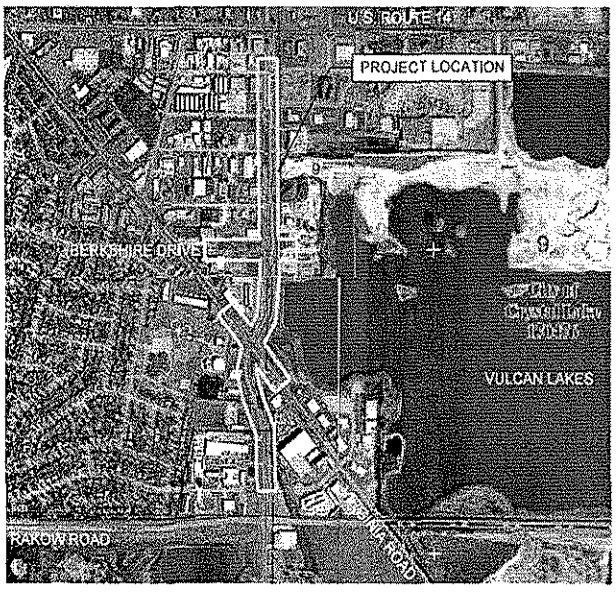
Item: Local Agency Agreement for Federal Participation with IDOT for Construction of the South Main Street improvement.

Staff Recommendation: Motion to adopt a resolution authorizing the City Manager to execute the Local Agency Agreement for Federal Participation with IDOT for construction of the South Main Street improvement.

Staff Contact: Abigail Wilgreen, City Engineer

Background:

The improvement to South Main Street is a programmed construction project that will widen Main Street to a five-lane section from Liberty Drive to Jennings Drive. This improvement will tie into the Rakow Road improvements to the south and the improvements to Route 14 and Main Street, completed in 2002, to the north. The City has obtained $1.5 million in federal Surface Transportation Program (STP) funding for the construction.



This project will create a continuous four-lane roadway between Rakow Road and Crystal Lake Avenue and eliminate the traffic bottleneck that currently exists in the City's primary gateway to the Route 14 commercial corridor from the south. The specific project scope includes:

- Widening and resurfacing;
- Upgraded storm sewer;
- Upgraded traffic signals with illuminated street name signs; and
- Installation of dual modular block retaining walls in front of Mayfair Carpet.

Included in the proposed scope of improvement is the intersection of Main Street/Pyott Road and Virginia Road. Three legs of this intersection, the Pyott Road leg and the two Virginia Road legs, are under the jurisdiction of McHenry County. In addition, the traffic signal system at the intersection is under the jurisdiction of the County.

The City and McHenry County entered into an intergovernmental agreement on December 16, 2011 that committed the County to funding the improvements along their sections of roadway, which includes participation with Phase II Engineering, the right-of-way and easement acquisition, the construction, and the Phase III Engineering.

The attached agreement is a standard agreement that is used for all projects using federal funds. Once this agreement has been executed and all necessary approvals have been secured, IDOT will be able to let the project. The City is targeting a letting for September 19, 2014. Construction is anticipated to start in the spring of 2015.

Below is a summary of the City's estimated financial breakdown for the construction portion of this project:

- Pre-bid construction estimate	$ 5,890,419
- STP Funding Grant	-$ 1,500,000
- County's estimated share for construction	-$ 2,341,442
- City's estimated share for construction	$ 2,048,977

Proceeds from the City's Motor Fuel Tax Fund will be used to pay for the City's share for construction. Since this project will be coordinated by IDOT, the City will make payments to IDOT during the course of construction. As part of the agreement with the County, the City will also make payments on behalf of the County and then the County will reimburse the City for the County's share. Since construction is anticipated to start in the spring 2015, no construction payments will be made from the current fiscal year's budget.

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 City Manager be authorized to execute the Local Agency Agreement for Federal Participation for the South Main Street improvement.

DATED this fifteenth day of July, 2014.

CITY OF CRYSTAL LAKE, an Illinois Municipal Corporation

BY: _____
MAYOR

SEAL

ATTEST:

_____
CITY CLERK

PASSED: July 15, 2014
APPROVED: July 15, 2014

Agenda Item No: 15

City Council
Agenda Supplement

Meeting Date: July 15, 2014

Item: Appropriation of MFT funds for the South Main Street Improvement.

Staff Recommendation: Motion to adopt a resolution appropriating $4,829,461 in MFT funds for the South Main Street improvement.

Staff Contact: Abigail Wilgreen, City Engineer

Background:

It is requested that the Council allocate $4,829,461 in Motor Fuel Tax (MFT) funds for the South Main Street Improvement. This allocation is for the construction of the project and a 10 percent contingency. Any funds that are obligated and not spent will be returned to the City's unobligated balance once the project is complete. The City has sufficient reserves in its MFT fund for the construction.

Below is a summary of the City's MFT allocation for the construction portion of this project:

- Pre-bid construction estimate	$ 5,890,419
- STP Funding Grant	-$ 1,500,000
- Subtotal	$ 4,390,419
- Contingency (10%)	$ 439,042
- Total MFT allocation	$ 4,829,461

Since this project will be coordinated by IDOT, the City will make payments to IDOT during the course of construction. As part of an agreement with McHenry County, the County will reimburse the City a portion of the construction costs for this project. The City will make payments on behalf of the County and then the County will reimburse the City for the County's share. The City's total estimated portion for the construction of this project is estimated at $2,048,977, assuming no use of the construction contingency.

Votes Required to Pass:

Simple majority of City Council present.

Illinois Department of Transportation

Resolution for Improvement by Municipality Under the Illinois Highway Code

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

Name of Thoroughfare	Route	From	To
South Main Street	FAU 124	US Route 14	Rakow Road

BE IT FURTHER RESOLVED,

1. That the proposed improvement shall consist of widening South Main Street

and shall be constructed 48 feet wide

and be designated as Section 08-00106-00-FP

2. That there is hereby appropriated the (additional ☒ Yes ☐ No) sum of four million, eight hundred and twenty-nine thousand, four hundred and sixty-one Dollars ($4,829,461.00) for the improvement of said section from the municipality's allotment of Motor Fuel Tax funds.

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

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

Approved

Date

Department of Transportation

Regional Engineer

I, Nick Kachiroubas Clerk in and for the
City of Crystal Lake
(City, Town or Village)
County of McHenry , hereby certify the foregoing to be a true, perfect and complete copy of a resolution adopted by the Council
(Council or President and Board of Trustees)
at a meeting on July 15, 2014
(Date)
IN TESTIMONY WHEREOF, I have hereunto set my hand and seal this 15th day of July, 2014

(SEAL)

City, Town, or Village Clerk

Agenda Item No: 16

City Council
Agenda Supplement

Meeting Date: July 15, 2014

Item: Southeast Emergency Communication (SEECOM) Memorandum of Understanding

Staff Recommendation: Motion to adopt a resolution authorizing the City Manager to execute a memorandum of understanding between the City of Crystal Lake and Southeast Emergency Communication (SEECOM) for the installation of a roof-mounted, omnidirectional, RF antenna and support cabling at the Crystal Lake City Hall.

Staff Contact: Eric T. Helm, Deputy City Manager

Background:
Southeast Emergency Communication (SEECOM) provides dispatching services for 15 area communities. In order to support future technologies and accommodate the needs of member agencies, SEECOM has requested that the City allow it to install an omnidirectional RF antenna on the roof of the Crystal Lake City Hall Police Station. This new antenna will allow for SEECOM to receive identification displays from the County's StarCom radio communications system.

A summary of the attached memorandum of understanding is listed below:

- SEECOM is allowed to install the antenna at SEECOM's sole cost on the roof at the Crystal Lake City Hall.
- The antenna will be installed on the base of a City-owned antenna that services the City's Emergency Operations Center. As part of the City's investigation of this request, SEECOM provided two professional opinions that the proposed antenna will not cause interference with the existing City antenna.
- If the SEECOM proposed antenna causes interference with any existing City antenna on the roof, SEECOM shall remove the antenna immediately.
- The SEECOM proposed antenna shall be properly grounded and installed to ensure the City's roof and antenna are not negatively impacted.

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 memorandum of understanding between the City of Crystal Lake and Southeast Emergency Communication (SEECOM) for the installation of a roof-mounted, omnidirectional, RF antenna and support cabling at the Crystal Lake City Hall.

DATED this 15th day of July, 2014.

CITY OF CRYSTAL LAKE, an
Illinois municipal corporation,

By:_____
MAYOR

SEAL

ATTEST

_____
CITY CLERK

PASSED:
APPROVED:

Agenda Item No: 17

City Council
Agenda Supplement

Meeting Date: July 15, 2014

Item: Illinois Environmental Protection Agency Annual National Pollution Discharge Elimination System Permit (NPDES) Fees.

Staff Recommendation: Motion to adopt a resolution authorizing payment in the amount of $48,500.00, for annual NPDES permit fees under protest, and the addition of an equal amount to the Accounts Payable list.

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

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Background:

As part of the State of Illinois adoption of its annual budget in 2003 and its efforts to overcome a budget deficit, unprecedented annual fees have been established for holders of National Pollution Discharge Elimination System (NPDES) Permits. These permits, which regulate the operation and discharges of the City's wastewater and storm water systems, are required under the Clean Water Act and are issued by the IEPA. Operation of wastewater and storm water facilities in violation of the permit requirements or without a permit constitutes violations of the Clean Water Act and the State of Illinois compiled statutes relative to Water Pollution Control, and violators are subject to civil and criminal prosecution. The fees are "justified" by the Governor and Legislature as being needed to fund the IEPA and its oversight of NPDES holders' operations, which have, prior to 2003, been funded without permit fees other than new water and sewer extension permit application fees.

The annual permit fees for the wastewater plants are based on design average flows (DAF), with facilities with a DAF of > 1 Million Gallons per Day (MGD) and < 5 MGD receiving an annual fee of $15,000.00, which would be the fee for WWTP #3 since the DAF is 1.7 MGD. Facilities with a DAF > 5 MGD and < 10 MGD are to be charged $30,000.00. The DAF of WWTP #2 is 5.8 MGD. The IEPA has invoiced the City of Crystal Lake in the amount of $30,000.00 for WWTP #2 and $15,000.00 for WWTP #3, with a payment due date of August 1, 2013. In addition to these fees, a fee of $2,500.00 per year is assessed for our Sludge Generator Land Application permit.

Storm water annual permit fees have been assessed to the City for its municipally-owned and operated separate storm sewer system (MS4) in the amount of $1,000.00 and these annual permit fees are due on August 1st of each year.

These NDPES permit fees were unforeseen and not publicized and were, therefore, unbudgeted when first implemented in 2003, but have been budgeted items in subsequent fiscal year budgets. The fees were established within the State of Illinois' FY2004 Budget Implementation Act and became effective July 1, 2003 and, in spite of intense political rhetoric, have not been repealed or modified. The City Council voted to pay these fees under protest in 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012 and 2013. A copy of the letter to be submitted with the 2014 payment is attached, in addition to the invoices for the current year.

The City has been assessed a total of $535,500 in NPDES fees since 2003.

The IEPA website includes the ominous statement that failure to pay the required fees will result in referral to the Attorney General's office for "prosecution as provided for within the act".

Attached for consideration is a resolution authorizing payment of the NPDES Permit Fees in the amount invoiced, totaling $48,500.00.

The City Attorney has reviewed the attached documents.

Votes Required to Pass:

Simple Majority

DRAFT

RESOLUTION

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE that the City Manager is authorized to authorize payment under protest in the amount of $48,500.00 for annual NPDES permit fees and add an equal amount to the Accounts Payable list.

DATED this 15th day of July, 2014.

CITY OF CRYSTAL LAKE, an
Illinois Municipal Corporation,

By: _____
MAYOR

SEAL

ATTEST

_____
CITY CLERK

PASSED: _____

APPROVED: _____