CITY OF CRYSTAL LAKE
AGENDA

CITY COUNCIL
REGULAR MEETING

City of Crystal Lake
100 West Woodstock Street, Crystal Lake, IL
City Council Chambers
January 20, 2015
7:30 p.m.

1. **Call to Order**

2. **Roll Call**

3. **Pledge of Allegiance**

4. **Approval of Minutes – January 6, 2015 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. Crystal Lake South High School Booster Club request for a Temporary Liquor License for a fundraising event at St. Elizabeth Ann Seton Church on Saturday, February 21, 2015 from 6:30 p.m. to 11:30 p.m.

10. **Virginia Road Mini Storage, 201 S. Virginia Road – Preliminary Planned Unit Development for a mini-warehousing/self storage facility in the M-Manufacturing Zoning District.**

11. **Potter, 1730 Moorland Lane – Variation to allow a 6-foot fence that encroaches 6 feet 4 inches into the required 30-foot corner side yard setback.**

12. **Pence, 145 West Crystal Lake Avenue – Variations from the minimum corner side yard setback requirements to allow a 7-foot encroachment for an addition to the existing non-conforming principal structure.**

13. **Express Employment, 580 E. Terra Cotta Avenue - Special Use Permit to allow an Electronic Message Center (EMC) sign at 580 E. Terra Cotta Avenue.**

14. **UDO (Unified Development Ordinance) Amendment to define and allow Vapor Lounges as part of an e-cigarette retail location in the B-2 and B-4 Zoning Districts.**

15. **Conceptual Planned Unit Development Review for 5501 Northwest Highway – Discussion Only.**

16. **Proposal Award for Budget and Forecasting Management Software and adoption of a Resolution authorizing execution of an agreement for the purchase of Budget and Forecasting Management Software.**

17. **Bid Award for the purchase of an SCBA Compressor for the Fire/Rescue Department and adoption of a Resolution authorizing execution of a purchase agreement for an SCBA Compressor.**

18. **Alternate Retail Electrical Supplier – Waiver of formal bidding requirements, authorization of participation in the Northern Illinois Municipal Electric Cooperative (NIMEC) and adoption of a resolution authorizing execution of a one or two year contract with the lowest responsive and responsible electricity provider.**

19. **Resolution authorizing execution of an intergovernmental agreement between the County of McHenry, the City of Crystal Lake, the City of Harvard, the City of Marengo, the City of McHenry, the City of Woodstock, the Village of Huntley, the Village of Johnsburg, the Village of Ringwood and the Village of Lakewood for general public Dial-A-Ride Transit Service in 2015.**

20. **Council Inquiries and Requests**

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

22. **Reappointments to the Planning and Zoning Commission for four year terms expiring on January 31, 2019.**

23. **Reconvene to Regular Session.**

24. **Adjourn.**

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

Agenda Item No. 4

City Council
Agenda Supplement

Meeting Date: January 20, 2015

Item: Minutes of the January 6, 2015 Regular City Council Meeting

Staff Recommendation: Motion to approve the minutes.

Staff Contact: Nick Kachiroubas, City Clerk
Patricia Eagle, Executive Assistant

Background:

Attached are draft minutes for the January 6, 2015 Regular City Council meeting for your review. Should the Council have questions or note any errors or changes to these meeting minutes, please advise the City Clerk or Patricia Eagle prior to the City Council meeting, if at all possible. Thank you.

Votes Required to Pass:

Simple majority.

Agenda Item No: 9a

City Council
Agenda Supplement

Meeting Date: January 20, 2015

Item: Temporary Liquor License – Crystal Lake South High School Booster Club

Staff Recommendation: Motion to approve the issuance of a Class 16 Temporary Liquor License to the Crystal Lake South High School Booster Club

Staff Contact: Eric Helm, Deputy City Manager

Background:

The City has received a request from the Crystal Lake South High School Booster Club for the issuance of Class 16 Temporary Liquor License in order to sell beer and wine at their fundraiser, "Trivia Night", to be held at St. Elizabeth Ann Seton Church, 1023 McHenry Avenue, on Saturday, February 21, 2015 from 6:30 p.m. to 11:30 p.m.

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

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

Votes Required to Pass:
Simple majority

Agenda Item No: 10

City Council
Agenda Supplement

Meeting Date: January 20, 2015

Item: REPORT OF THE PLANNING & ZONING COMMISSION

#2014-54 Virginia Road Mini Storage

Request: Preliminary PUD approval for mini-warehousing/self storage

Petitioner: Steven Schwartz, petitioner
201 S. Virginia Road

PZC Recommendation: To approve the PZC recommendations and adopt an ordinance granting the Preliminary PUD for Phase 1 of the Virginia Road Mini Storage at 201 S. Virginia Road.

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

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Background:

- Existing Use: The property is currently vacant. The site was previously the Alexander Lumber property.

Key Factors:

- Requests: The petitioner is requesting approval of a Preliminary Planned Unit Development for Phase 1 to allow the construction of the mini-warehousing/self-storage in the M zoning district.
- PUD Variations: As part of the PUD request, the petitioner is requesting several variations:
  - A five foot encroachment into the corner side yard along Dartmoor Drive for the 3,300 square foot mini storage building. The building would be 25 feet back from the right-of-way rather than the 30 feet required.
  - Variation from criterion d from the Self-Storage SUP criteria. The storage buildings are standard metal buildings with roll-up doors. They are being located on an existing impervious surface. To add landscape islands would require the removal of the existing surface. The petitioner has also stated that islands would affect the navigation around the site.

- Variation from the total area of wall signage permitted to allow 204 square feet of wall signs. The maximum permitted is 150 square feet.
- Variation from the number, maximum height, and area for the free-standing signs. The petitioner is requesting 2 free-standing signs. The first, at Dartmoor and Virginia, would be 9 feet high and 77 square feet. The second, at Rakow and Virginia, would be 19 feet high and 77 square feet. Freestanding signs for industrial uses are permitted to be 5 feet in height and 32 square feet.

PZC Highlights:

- Kathleen Martinez of TCI Industries on Dartmoor Drive and Phil Murphy of The Keep on Teckler Boulevard presented concerns about the petition at the meeting. These have been included in your packets.
- The PZC felt that the additional wall signage and free-standing signage was not reasonable or necessary for this use and removed that request from the motion.

The PZC recommended **approval (8-0)** of the petitioner's request for a Preliminary PUD to allow mini-warehousing/self storage facility for Virginia Mini Storage with the following conditions:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
   A. Application (Pearl Street Commercial LLC, received 11/24/14)
   B. Preliminary Engineering (ARC Design, dated 11/21/14, received 11/24/14)
   C. Elevations (Sullivan Goulette & Wilson, dated 11/21/14, received 11/24/14 and 12/18/14)
   D. Site Plan (ARC Design, undated, received 12/18/14)
   E. Floor Plans (Sullivan Goulette & Wilson, dated 11/21/14, received 11/24/14)
   F. Landscape Plan (ARC Design, undated, received 12/18/14)

2. Site and Landscape Plan
   A. Landscape screening or architectural details shall be added to the building to soften the elevations as the elevations all face a roadway or the MCCD Prairie Trail and will be highly visible.
   B. With the Final PUD, provide a final landscape plan.
   C. The site is required to provide 29 parking spaces. 29 compliant spaces shall be provided.
   D. Phase 2 is required to apply for Preliminary and Final PUD approvals.
   E. **Foundation green areas or plantings shall be added to the front and two sides of the building up to the overhead doors. The green areas may include planters. (Added by the PZC)**

3. Elevations
   A. A sample color and material board shall be presented with the Final PUD application for all exterior materials on all buildings.
   B. The parapet on building 2 should not appear tacked on; it should wrap the corner and look more of a substantial part of the building.

4. Signage
   A. The wall signage for the primary building shall not exceed 150 square feet in area.
   B. The freestanding ~~signs~~ **sign** shall be reduced to 32 square feet in area. **(Amended by PZC)**
   ~~C. The cantilevered sign shall be changed to a monument sign. The petitioner shall be permitted to remove existing landscaping along Rakow Road to appropriately locate the sign for visibility. All details for the location of this sign, including the landscaping to be removed, and the aesthetics of the sign shall be provided at Final PUD for review and approval.~~ **(Removed by PZC)**
   D. The petitioner shall provide foundation plantings at the base of each of the monument signs and shall comply with all other requirements of the Unified Development Ordinance.

5. The petitioner shall address all of the review comments and requirements of the Community Development, Fire Rescue, Police, and Public Works Departments and of the City's Stormwater Consultant.

6. **Fencing shall be a 6-foot aluminum "wrought iron style" fence along Dartmoor, as well as the entry ways on both sides of the building and from the entry way off Virginia all the way to Rakow Road. The fence along Rakow and the bike path may be chain link. (Added by the PZC)**

Votes Required to Pass: A simple majority vote.

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ORDINANCE NO. _____
FILE NO. _____

AN ORDINANCE GRANTING A PRELIMINARY PLANNED UNIT DEVELOPMENT FOR VIRGINIA ROAD MINI STORAGE

WHEREAS, pursuant to the terms of the Petition (File #2014-54) before the Crystal Lake Planning and Zoning Commission, the Petitioner has requested a Preliminary Planned Unit Development for multiple buildings on a zoning lot and for mini-warehousing/self-storage and Variation from Article 4-1000 Signs from the maximum size for the wall signs and from the height and area size limits for the free-standing sign for Virginia Road Mini Storage at 201 S. Virginia Road; and

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

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

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

SECTION I: That a Preliminary Planned Unit Development be granted for multiple buildings on a zoning lot and for mini-warehousing/self-storage for Virginia Road Mini Storage for the property located at 201 S. Virginia Road (19-09-352-004, 007, 008, 011, 013), Crystal Lake, Illinois.

SECTION II: That the Preliminary Planned Unit Development be granted with the following conditions:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
   A. Application (Pearl Street Commercial LLC, received 11/24/14)
   B. Preliminary Engineering (ARC Design, dated 11/21/14, received 11/24/14)
   C. Elevations (Sullivan Goulette & Wilson, dated 11/21/14, received 11/24/14 and 12/18/14)
   D. Site Plan (ARC Design, undated, received 12/18/14)
   E. Floor Plans (Sullivan Goulette & Wilson, dated 11/21/14, received 11/24/14)
   F. Landscape Plan (ARC Design, undated, received 12/18/14)

2. Site and Landscape Plan

A. Landscape screening or architectural details shall be added to the building to soften the elevations as the elevations all face a roadway or the MCCD Prairie Trail and will be highly visible.
B. With the Final PUD, provide a final landscape plan.
C. The site is required to provide 29 parking spaces, 29 compliant spaces shall be provided.
D. Phase 2 is required to apply for Preliminary and Final PUD approvals.
E. Foundation green areas or plantings shall be added to the front and two sides of the building up to the overhead doors. The green areas may include planters.

3. Elevations
A. A sample color and material board shall be presented with the Final PUD application for all exterior materials on all buildings.
B. The parapet on building 2 should not appear tacked on, it should wrap the corner and look more of a substantial part of the building.

4. Signage
A. The wall signage for the primary building shall not exceed 150 square feet in area.
B. The freestanding sign shall be reduced to 32 square feet in area.
C. The petitioner shall provide foundation plantings at the base of each of the monument signs and shall comply with all other requirements of the Unified Development Ordinance.

5. The petitioner shall address all of the review comments and requirements of the Community Development, Fire Rescue, Police, and Public Works Departments and of the City's Stormwater Consultant.

6. Fencing shall be a 6-foot aluminum "wrought iron style" fence along Dartmoor, as well as the entry ways on both sides of the building and from the entry way off Virginia all the way to Rakow Road. The fence along Rakow and the bike path may be chain link.

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

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

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

_____
MAYOR

ATTEST:

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CITY CLERK

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Agenda Item No: 11

City Council
Agenda Supplement

Meeting Date: January 20, 2015

Item: REPORT OF THE PLANNING & ZONING COMMISSION

#2014-52 Potter, 1730 Moorland Lane

Request: Variation to allow a 6-foot-high fence that encroaches 6 feet 4 inches into the required 30-foot corner side yard setback

Petitioner: Jeffery Potter, petitioner
1730 Moorland Lane

PZC Recommendation: To approve the PZC recommendations and adopt an ordinance granting the Variation to allow the fence to encroach 6 feet 4 inches into the corner side yard at 1730 Moorland Lane.

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

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Background:

- Existing Use: The petitioner has a corner lot which has 30-foot setbacks on both the front and the side. There is an existing pool, deck and patio off the back of the house.

Key Factors:

- Request: Construction of a 6-foot fence to encompass the patio, which will encroach 6 feet 4 inches into the required 30-foot corner side yard. The petitioner currently has a fence top on the pool to meet the required 48 inch barrier height. The petitioner would like to provide a fence around his property to protect his family and animals. If the fence were constructed at the 30-foot setback it would run in the middle of the existing patio. The variation would allow the fence to be outside of the patio.

PZC Highlights:

- The PZC felt that the petitioner met the Findings of Fact.

The PZC recommended **approval (8-0)** of the petitioner's request for a fence variation with the following conditions:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
   A. Application (Potter, received 11/18/14)
   B. Plat of Survey / Site Plan (Potter, received 11/18/14)

2. The variation is to allow the fence to be constructed approximately 6 feet 4 inches into the required 30-foot side yard to encompass the patio area. No other structures or obstructions should be placed within the 30-foot corner side yard.

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

Votes Required to Pass: A simple majority vote.

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ORDINANCE NO. _____
FILE NO. _____

AN ORDINANCE GRANTING A VARIATION
AT 1730 MOORLAND LANE

WHEREAS, pursuant to the terms of the Application (File #2014-52) before the Crystal Lake Planning and Zoning Commission, the Applicant has requested the granting of a Simplified Residential Variation from Articles 3-200, 3-300(B)(3)(a) and 7-300(B)(4) from the minimum corner side yard setback requirements to allow a 7-foot encroachment for an addition that will be added to the existing nonconforming principal structure; 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 Articles 3-200, 3-300(B)(3)(a) and 7-300(B)(4) from the minimum corner side yard setback requirements to allow a 7-foot encroachment for an addition that will be added to the existing nonconforming principal structure

at the property at 1730 Moorland Lane (19-05-127-013), 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 (Potter, received 11/18/14)
   B. Plat of Survey / Site Plan (Potter, received 11/18/14)

2. The variation is to allow the fence to be constructed approximately 6 feet 4 inches into the required 30-foot side yard to encompass the patio area. No other structures or obstructions should be placed within the 30-foot corner side yard.

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

4. The fence shall be a "wrought iron open style "type fence.

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

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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:

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CITY CLERK

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Agenda Item No: 12

City Council
Agenda Supplement

Meeting Date: January 20, 2015

Item: REPORT OF THE PLANNING & ZONING COMMISSION

Pence – 145 W. Crystal Lake Avenue

Request: Variations from Articles 3-200, 3-300(B)(3)(a) and 7-300(B)(4) from the minimum corner side yard setback requirements to allow a 7-foot encroachment for an addition to the existing nonconforming principal structure.

Petitioner: Ralph Pence, petitioner

PZC Recommendation: To approve the PZC recommendations and adopt an ordinance granting the variation from the required 31-foot corner side yard setback at 145 W. Crystal Lake Avenue.

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

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Background:

- Existing Use: The property is improved with a single family home. The principal structure currently has a corner side yard setback of 24 feet. The required corner side yard setback for the property is 31 feet, due to the setbacks of the two closest structures.
- Background: The structure is nonconforming due to the structure not meeting the corner side yard setback requirement as outlined in the UDO for R-3A zoning. The petitioner is requesting a variation for the corner side yard setback. The proposed addition would increase the non-conformity of the existing principal structure.

Key Factors:

- Request: The petitioner is requesting a variation from the minimum corner side yard setback requirement.
- UDO Standard: The R-3A Two-Family Residential zoning district requires a corner side yard setback that is the average existing setback of the dwellings on the two closest lots for established neighborhoods or 30 feet, whichever is greater. The corner side yard setback has been calculated at 31 feet.

PZC Highlights:

- The PZC found that the 7-foot encroachment on the corner side yard setback for the addition would not be an issue because the existing principal structure currently has a 7-foot encroachment.
- The removal of the existing detached garage eliminates the accessory structure setback encroachment.
- The PZC agreed that the Findings of Fact had been met.

The PZC recommended **approval (7-0)** of the petitioner's request with the following conditions:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
   A. Application (Pence, received 09/05/14)
   B. Survey (Preferred Survey, Inc., dated 10/23/14, received 12/15/14)
   C. Building Renovation and Addition (John M. Behrens, Architect, dated 12/03/14, received 12/15/14)

2. The variation from Article 3-200, 3-300(B)(3)(a) and 7-300(B)(4) from the minimum corner side yard setback requirement to allow a 7-foot encroachment of an addition is hereby granted.

3. The addition to the property may not increase the encroachment of the front yard setback by more than 7-feet.

4. Style, colors and materials shall be continued to the existing principal structure. Subsequent exterior modifications shall be reviewed by staff. If it is determined that the changes are significantly different than these plans reviewed through the variation, the petitioner may be required to revisit the Planning and Zoning Commission and City Council for approval.

5. The petitioner shall address all of the review comments and requirements of the Community Development Department and Fire Rescue Department.

Votes Required to Pass: A simple majority vote.

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ORDINANCE NO. _____
FILE NO. _____

AN ORDINANCE GRANTING A VARIATION
AT 145 W. CRYSTAL LAKE AVENUE

WHEREAS, pursuant to the terms of the Application (File #2014-59) before the Crystal Lake Planning and Zoning Commission, the Applicant has requested the granting of a Simplified Residential Variation from Articles 3-200, 3-300(B)(3)(a) and 7-300(B)(4) from the minimum corner side yard setback requirements to allow a 7-foot encroachment for an addition that will be added to the existing nonconforming principal structure; 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 from Articles 3-200, 3-300(B)(3)(a) and 7-300(B)(4) from the minimum corner side yard setback requirements to allow a 7-foot encroachment for an addition that will be added to the existing nonconforming principal structure

at the property at 145 W. Crystal Lake Avenue (19-05-127-013), 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 (Pence, received 09/05/14)
   B. Survey Preferred Survey, Inc., dated 10/23/14, received 12/15/14)
   C. Building Renovation and Addition (John M. Behrens, Architect, dated 12/03/14, received 12/15/14)

2. The variation from Article 3-200, 3-300(B)(3)(a) and 7-300(B)(4) from the minimum corner side yard setback requirement to allow a 7-foot encroachment of an addition is hereby granted.

3. The addition to the property may not increase the encroachment of the front yard setback by more than 7-feet.

4. Style, colors and materials shall be continued to the existing principal structure. Subsequent exterior modifications shall be reviewed by staff. If it is determined that the changes are

significantly different than these plans reviewed through the variation, the petitioner may be required to revisit the Planning and Zoning Commission and City Council for approval.

5. The petitioner shall address all of the review comments and requirements of the Community Development Department and Fire Rescue Department.

SECTION III: That the City Clerk be and is hereby directed to amend the official zoning map of the City of Crystal Lake and all pertinent records of the City of Crystal Lake to show the granting of 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: 13

City Council
Agenda Supplement

Meeting Date: January 20, 2015

Item: REPORT OF THE PLANNING & ZONING COMMISSION

#2014-55 Express Employment Special Use Permit

Requests: Special Use Permit to allow an Electronic Message Center (EMC) sign at 580 E. Terra Cotta Avenue.

Petitioner: Tom Greeno, Petitioner
Penny Hughes, Petitioner

PZC Recommendation: The Planning and Zoning Commission's motion to approve failed to receive the required votes to pass (3-5), thereby sending a negative recommendation forward and requiring a super majority vote of the City Council.

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

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Background:

- Existing Use: This site is currently an inline retail building. Express Employment is occupying the entire building. There is an existing free-standing sign on the property.

Key Factors:

- Request: Special Use Permit to allow an EMC sign. EMC signs are allowed as a Limited Use in the B-2 zoning district subject to the criteria in 2-400 #61.
- Variations: The petition does not meet the location criteria, which only allows them on Route 14 or Route 31. The lot also does not meet the minimum 2 acre lot area. This requires a Special Use Permit.

PZC Highlights:

- The PZC wanted a larger discussion if the UDO text should be amended to allow EMC signs in other locations than just Route 14 and Route 31 rather than approve variations to the ordinance.
- They recommended that staff propose a text amendment, which the City Council could refer to them for review.

The PZC made a motion to approve. Motion failed **(3-5).**

If a motion to approve the petitioner's request is made, the following conditions are recommended:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
   A. Application (Greeno, received 11/21/14)
   B. Site Plan (Unnamed, received 11/21/14)
   C. Sign Plans (Hughes Signs, received 12/10/14)
2. A minimum of 1 square-foot of landscape per square-foot of sign area shall be planted alongside the sign. The landscape shall consist of trees, bushes and flowers. Provide a landscape plan for review.
3. The site is missing the required PUD landscape along the front of the property. Work with staff to replace this landscape by June 1, 2015.
4. The sign shall meet the EMC criteria listed in Article 2-400 #61 with the exception of a(i) and a(ii).
5. The petitioner shall address all of the review comments and requirements of the Community Development Department.

Votes Required to Pass: A super majority vote (5 votes).

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ORDINANCE NO. _____
FILE NO. _____

AN ORDINANCE GRANTING A SPECIAL USE PERMIT
AT 580 E. TERRA COTTA AVENUE

WHEREAS, pursuant to the terms of a Petition (File #2014-55) 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 (EMC) sign for the property located at 580 E. Terra Cotta Avenue; and

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

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

Section I: That a Special Use Permit be issued to allow an Electronic Message Center (EMC) sign for the property commonly known as 580 E. Terra Cotta Avenue (14-33-277-008), 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 (Greeno, received 11/21/14)
   B. Site Plan (Unnamed, received 11/21/14)
   C. Sign Plans (Hughes Signs, received 12/10/14)

2. A minimum of 1 square-foot of landscape per square-foot of sign area shall be planted alongside the sign. The landscape shall consist of trees, bushes and flowers. Provide a landscape plan for review.

3. The site is missing the required PUD landscape along the front of the property. Work with staff to replace this landscape by June 1, 2015.

4. The sign shall meet the EMC criteria listed in Article 2-400 #61 with the exception of a(i) and a(ii).

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

Section III: That the City Clerk be and is hereby directed to amend the official zoning map of the

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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: 14

City Council
Agenda Supplement

Meeting Date: January 20, 2015

Item: REPORT OF THE PLANNING & ZONING COMMISSION

#2014-57 UDO Text Amendment (Vapor Lounge)

Request: UDO Text Amendment to define and allow Vapor Lounges as part of an e-cigarette retail location in the B-2 and B-4 zoning districts.

PZC Recommendation: To approve the PZC recommendation and to adopt an ordinance granting the Text Amendment allowing Vapor Lounges.

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

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Background:

- Based on the recent discussions at the City Council meeting for electronic cigarettes, staff has proposed the following change to clarify the UDO and create a use category for "vapor lounge."

Key Factors:

- Request: A Text Amendment to define and allow Vapor Lounge (as part of an e-cigarette retail store) as a permitted use in the B-2 and B-4 zoning districts.

PZC Highlights:

- Three of the PZC members had concerns over the possible health effects of e-cigarettes and voted no on the request.
- The following changes are proposed:

Article 2-Land Use

Section 2-300 Permitted Uses Table

The proposed text amendment would allow a Vapor Lounge, but only when ancillary to an e-cigarette retail store. E-Cigarette retail stores fall under "All Other Miscellaneous Store Retailers."

TABLE 2-300 PERMITTED USES TABLE																
	F	E	RE	R-1	R-2	R-3A	R-3B	O	B-1	B-2	B-4	M-L	M	W	USE CRITERIA	NAICS
Food Services and Drinking Places																
Vapor Lounge (as part of an e-cigarette retail store)										**P**	**P**					

Article 10-Definitions

ELECTRONIC CIGARETTE / E-CIGARETTE: Any electronically actuated device which in operation causes the user to exhale any smoke, vapor, or other substance other than those produced by unenhanced human exhalation. "Electronic cigarette" or "e-cigarette" includes any such device, whether manufactured, distributed, marketed, or sold as an electronic cigarette, an electronic cigar, an electronic cigarillo, an electronic pipe, an electronic hookah, or under any other product name or descriptor. The term "electronic cigarette" does not include any asthma inhaler or other device that has been specifically approved by the United States Food and Drug Administration.

E-CIGARETTE RETAIL STORE: A retail establishment that derives more than 80% of its gross revenue from the sale of electronic cigarettes and related products, and in which the sale of other products is merely incidental. "Electronic Cigarette Retail Store" does not include an e-cigarette department or section of a larger commercial establishment or any establishment with any type of liquor, food, or restaurant license.

VAPE: To inhale and exhale the vapor from an e-cigarette.

VAPOR LOUNGE: An area with seating and tables where customers of an electronic cigarette retail store may vape or sample electronic cigarette products before purchase.

The PZC recommended **approval (5-3)** of the request.

Votes Required to Pass: A simple majority vote.

DRAFT

ORDINANCE NO. _____
FILE NO. _____

AN ORDINANCE AMENDING CHAPTER 650 OF THE CODE OF ORDINANCES OF THE CITY OF CRYSTAL LAKE, ILLINOIS, PROVIDING FOR A TEXT AMENDMENT TO THE UNIFIED DEVELOPMENT ORDINANCE

WHEREAS, a hearing of said Petition was held before the City of Crystal Lake Planning and Zoning Commission in the manner and in the form as prescribed by Ordinance and Statute;

WHEREAS, as a result of said hearing, the taking of evidence, and the viewing of exhibits advanced thereat, the Crystal Lake Planning and Zoning Commission did recommend to the City Council of the City of Crystal Lake the approval of the requested text amendment (File #2014-57); and

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE, McHENRY COUNTY, ILLINOIS, that the Crystal Lake Unified Development Ordinance, and such Ordinance as amended, be and the same is hereby amended as follows:

SECTION 1

Section 2-300 Permitted Uses Table

TABLE 2-300 PERMITTED USES TABLE																	
	F	E	RE	R-1	R-2	R-3A	R-3B	O	B-1	B-2	B-4	M-L	M	W	USE CRITERIA	NAICS
Food Services and Drinking Places																	
Vapor Lounge (as part of an e-cigarette retail store)										**P**	**P**						

Article 10-Definitions

ELECTRONIC CIGARETTE / E-CIGARETTE: Any electronically actuated device which in operation causes the user to exhale any smoke, vapor, or other substance other than those produced by unenhanced human exhalation. "Electronic cigarette" or "e-cigarette" includes any such device, whether manufactured, distributed, marketed, or sold as an electronic cigarette, an electronic cigar, an electronic cigarillo, an electronic pipe, an electronic hookah, or under any other product name or descriptor. The term "electronic cigarette" does not include any asthma inhaler or other device that has been specifically approved by the United States Food and Drug Administration.

DRAFT

E-CIGARETTE RETAIL STORE: A retail establishment that derives more than 80% of its gross revenue from the sale of electronic cigarettes and related products, and in which the sale of other products is merely incidental. "Electronic Cigarette Retail Store" does not include an e-cigarette department or section of a larger commercial establishment or any establishment with any type of liquor, food, or restaurant license.

VAPE: To inhale and exhale the vapor from an e-cigarette.

VAPOR LOUNGE: An area with seating and tables where customers of an electronic cigarette retail store may vape or sample electronic cigarette products before purchase.

SECTION 2: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 3: 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: January 20, 2015

Item: Conceptual Planned Unit Development review for 5501 Northwest Highway.

Recommendation: For discussion only.

Contact: James Richter II, Planning & Economic Development Manager

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Background: Quattro Development is interested in purchasing Mike Pauly's former dealership property with the goal of repurposing the existing 7,800 SF retail building for a mattress store. The subject property is a high-visibility parcel located in the Vulcan Lakes TIF District for which the City Council contemplated a vision during the review and adoption of the TIF District. Therefore, it is appropriate for the City Council to review and comment on the developer's conceptual plans.

Project Info:

- The property is currently improved with three buildings, on approximately one-acre. The primary structure is a 7,800 square-foot building, previously occupied by LeWalt Glass. There are two metal buildings in the rear of the property, both of which are rentals. The proposed development plans would include either the demolition of the two metal buildings or a donation of this portion of the property to the City.
- This property was annexed in 1998, and rezoned to B-2 PUD upon annexation.
- The petitioner is requesting a Conceptual Planned Unit Development review to build a Mattress Firm retail store in the primary building fronting Route 14.

Vulcan Lakes TIF Redevelopment Plan and Program Vision:

Route 14 Area

The Redevelopment Plan adopted along with the Vulcan Lakes TIF District provides for the City's vision of the subject properties at the time of adoption. The plan indicates that redevelopment activity in the area should focus on **the creation of commercial activities that take advantage of proximity to the existing lakes**. Such a focus will create a mix of commercial uses unique along the Route 14 corridor, distinct from existing adjacent retailers and create a destination that is unmatched along the corridor. Commercial redevelopment **should include the creation of restaurants and entertainment venues that have views of the lake and are oriented towards the lake**. A boardwalk running east-to-west the length of the area would allow patrons to more easily visit all the commercial establishments and add to the uniqueness of the area.

Comprehensive Land Use Plan 2020 Vision Summary Review:

The Comprehensive Plan designates the subject property as Commerce, which intends to maintain a dynamic and sustainable base of commercial uses that provides a solid tax base, goods, services, and jobs to the City as well as the surrounding region through coordination of land use vision plans and zoning regulations. The following goals are applicable to this request:

Land Use: Three Oaks Recreation Area and Surrounding Properties

Goal: Maintain Three Oaks Recreation Area as a premier recreation asset and as a focal point for appropriate redevelopment along the Route 14 and Main Street Corridors [also immediately adjacent to Three Oaks].

Possible ways by which this goal can be accomplished would include the following:

	Supporting Actions	Success Indicators
7.3a	Promote redevelopment and tenant occupation of the existing buildings.	Number of new occupancy permits for properties in this area. Redevelopment of the existing buildings.
7.3b	Encourage a variety of uses that can be self-sustaining and that attract people from and to the Three Oaks Recreation Area	Redevelopment of Crystal Court. Number of new occupancies for specialty recreation retailers. Number of new occupancies for restaurant or food places.

Development Analysis:

Zoning/Site Conditions

- The site is currently zoned B-2 PUD General Commercial, Planned Unit Development. This zoning classification is generally consistent with the area.
- The developer has provided three conceptual site plans for the property, two of which illustrate the back 1/3 to 1/2 of the property as a donation to the City.
- The photo below is the view looking south from the back of the subject property.



Site Layout

- The site layout is relatively standard for a freestanding retail use.
- Customer parking is planned for the front of the building, with employee parking in back on two options, and no parking in the back on a third option.
- Two entrances currently serve this property. There appears to be cross-access to the adjacent property to the east.
- Additional parking lot landscaping would be required to meet the current UDO standards, including three additional end and middle-row landscape islands.
- A future boardwalk along the south side (rear) of the properties has been planned to connect the north entrance to Three Oaks (at Route 14) with Pingree Road. The developer would need to provide the City with easements to construct the boardwalk along the back of this property.

Building Elevations

- The building would be refaced with brick, block and EIFS, with a flat roof that is screened by a cornice.
- Red awnings are proposed above the windows along the front (north) elevation, and wrapping around the east and west sides.
- The rear elevation would be simple, flat, and comprised of face brick.

Parking

- Retail sales-oriented uses require 5 parking spaces per 1,000 SF of gross floor area. At 7,800 square feet, 39 parking spaces are required for the subject property. 31 spaces are proposed in the current plan.

PZC Summary

- Notification was provided to the surrounding property owners within 200 feet and there was no one present in support or objection at the PZC meeting.
- The majority of the Planning & Zoning Commissioners commented that the proposed use would not be preferred on the subject property.
- After further discussion, several of the Commissioners provided design recommendations for improving the building and site designs, including additional architectural features.

The following comments and questions are for discussion and consideration of this project:

1. This property overlooks the Three Oaks Recreation Area. Is this site the highest and best use for this type of development? As the Comprehensive Land Use Plan suggests, would the proposal provide a self-sustaining use that attracts people to and from the Three Oaks Recreation Area?

2. The proposed building and site layout does not give attention to the lake views from the rear of the property – do you think that it should? Several of the developer's conceptual plans propose a donation of between 1/3 to 1/2 of the property to the City for future use. Would this donation influence the Council's decision on the proposed use?

3. Are the architectural materials and design details acceptable? Is the type of building appropriate for the Route 14 corridor? Would a CMU knee-wall improve the overall appeal of the building, or should the predominant glass front be retained?

4. The proposed awnings are bright red – is this a complementary color to the building? Is this color too bold? Are there other ways to make the building stand out?

5. For this user and future users, would it make sense to add features, uses, etc., that cater to the natural views available at the building?

Votes Required to Pass: For discussion only.

Agenda Item No: 16

City Council
Agenda Supplement

Meeting Date: January 20, 2015

Item: Budget and Forecasting Management Software

Staff Recommendation: Motion to award the proposal for Budget and Forecasting Management Software to the lowest responsive, responsible proposer, Computron Software LLC, and to adopt a resolution authorizing the City Manager to execute an agreement with Computron Software LLC in the proposal amount.

Staff Contact: George Koczwara, Director of Finance

Background:

The 2014/2015 Budget includes funds for financial forecasting. A long-range financial forecast provides an analysis of the City's current revenue and expenditure picture, a variety of forecasts on future financial condition, and a discussion of future financial issues. A long-range financial forecast presents a model of likely future-year financial events and their impact on the City's financial base. In order to initiate the modeling needed to identify priorities, allocate its available resources efficiently, and continue to deliver quality services to the community, a Request for Proposals was issued for Budget and Forecasting Management Software.

Budget and Forecasting Management Software:

On September 23, 2014, the City opened proposals received for a comprehensive software system for budgeting, forecasting, long-range planning, in-depth analysis, and reporting. The system will serve as an alternative to spreadsheet budgeting and will provide departments and budget managers with an easy-to-use interface for entering data and analyzing results. The RFP specified a secure, centrally managed system for budget preparation and analysis and also support of the City's planned initiatives of multi-year budgets and performance budgeting. Below is a summary of the costs for the proposals received for a complete solution including software, implementation and annual maintenance for a period of five years.

Company	Total Solution Cost
Computron Software LLC *√ Lyndhurst, NJ	$94,500.00
PowerPlan Corp. Huntington Beach, CA	$98,800.00
Computron Software LLC Lyndhurst, NJ	$139,500.00
Neubrain Rockville, MD	$143,742.00
Questica, Inc. Ontario, Canada	$193,750.00

* Negotiated Price

√ Indicates the lowest responsive and responsible proposer

Highlight of Budget and Forecasting Management Software

Budgeting and Reporting Process Efficiency
Building budgets on spreadsheets presents a number of challenges. Formulas exist independently on distributed spreadsheets and cannot be centrally managed. Spreadsheets have to be sent out to individuals then collected and compiled. Integrating actual data, on a timely basis, into spreadsheets is a difficult and time-consuming process. Controlling user access to key data and tracking budgets through the submission process is limited. Consolidation and rollups are a manual process that often involve formatting or cutting and pasting with little flexibility offered to perform real analysis. The proposed Budget and Forecasting Management Software would replace spreadsheet budgeting and bring efficiency to the budgeting and reporting process.

Improve Accuracy and Eliminate Errors
Using spreadsheets for budgeting creates chances for formula errors and broken links which may provide results that contain errors. The proposed Budget and Forecasting Management Software will enable formulas to be centrally managed, and changes or additions flow across the organizational structure ensuring that calculations are accurate and consistent. Users will be able to analyze historical trends and utilize up-to-date results as the basis for budget projections. An audit trail functionality will record changes, providing traceability for all changes in the system.

Access to Essential Data
Data access will be provided in an easy-to-navigate, online format where users can drill down to lower levels of detail or pivot the data to review targeted selections across budget areas. The proposed Budget and Forecasting Management Software will combine financial and non-financial data from multiple systems along with ratio analysis, key metrics, and supporting details in a single system, adding insight and understanding to the results.

Supports a Collaborative Process
The budgeting process should include resources from different areas of the organization. Currently, staff members preparing budgets lack the proper tools to more effectively participate in a collaborative process. The proposed Budget and Forecasting Management Software will provide a platform to bring participations and controls to a multi-user budgeting and reporting environment.

Scalability
The proposed Budget and Forecasting Management Software will offer a combination of flexible configuration options, streamlined setup, and easy-to-learn and relevant features that will allow for a very quick return on investment.

Recommendation:
The Finance Department, City Manager's Office, Human Resources and Information Technology have reviewed all proposals received for completeness and accuracy in accordance with the request for proposals document.

A staff committee, including end users was formed to ultimately select a quality software package reasonable in cost, not only addressing current needs but also a package that would allow for flexibility and growth. After careful evaluation and extensive interviews, demos and reference calls, it is staff's recommendation to award the bid to the lowest responsive and responsible proposer, Computron Software LLC in the negotiated proposal amount of $94,500.

As part of the review process, staff reviewed a demonstration from each of the four software proposers. Although the proposal submitted by PowerPlan provided the lowest initial proposed price, its proposal was not compliant with the RFP specifications. One key deviation from the RFP specifications was the ability for the proposed software to interact live with the City's accounting software (Springbrook). Because of this key

deviation, along with other deviations from the specifications, as well as PowerPlan's lack of experience with the City's accounting software, staff entered into negotiations with the second lowest proposer, Computron. The City's Purchasing Ordinance provides the Purchasing Officer with the authority to negotiate with the entities submitting proposals based on the best interests of the City. Following negotiations, Computron has agreed to continue to provide the product they proposed originally at a price which is lower than the price that was submitted by PowerPlan. The City's Special Counsel has reviewed this agreement.

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 an agreement with Computron Software LLC in the proposal amount.

DATED this 20th day of January, 2015.

CITY OF CRYSTAL LAKE, an
Illinois municipal corporation,

By:_____
MAYOR

SEAL
ATTEST

_____
CITY CLERK

PASSED: January 20, 2015
APPROVED: January 20, 2015

Agenda Item No: 17

City Council
Agenda Supplement

Meeting Date: January 20, 2015

Item: SCBA Compressor Bid

Staff Recommendation: Motion to award the bid for purchase of an SCBA Compressor to Breathing Air Systems, Inc. and adopt a resolution authorizing the City Manager to execute an agreement with Breathing Air Systems, Inc. in the amount bid with a 10% contingency for unforeseen expenses.

Staff Contact: Paul DeRaedt, Fire Rescue Chief

Background:

On Friday, December 19, 2014, the City of Crystal Lake publicly opened and read aloud the bids received for a Self-Contained Breathing Apparatus (SCBA) Compressor. The lowest responsive and responsible bidder will furnish a turnkey unit for filling of the firefighter breathing equipment units, as well as Self-Contained Underwater Breathing Apparatus (SCUBA) for dive rescue. Prices for each bid were evaluated for compliance and compared against the other bidders.

The current SCBA compressor is 15 years old and is used on a daily basis after emergency calls and training exercises where the crews have worn an SCBA. The compressor has required more service in the past few years and the parts to make the repairs are becoming more difficult to find. This compressor has reached the end of its serviceable life and does not meet the changing specifications and standards of the industry. The existing unit will be taken as a trade-in with a credit provided for such.

The Fire Rescue Department compared the pricing package submitted by each bidder. Listed below is a comparison of pricing:

BIDDER	Original Bid	Trade-in Value	Total
Breathing Air Systems, Inc Moweaqua, IL	$ 58,876.60	$8,500.00	$50,376.60 ✓
SCBA's, Inc. Washington, IL	$ 54,560.00	$2,500.00	$52,060.00

✓ *Indicates recommended lowest responsive and responsible bidder*

Recommendation:

The City Manager's Office and the Fire Rescue Department have reviewed all bids received for completeness and accuracy in accordance with the invitation to bid document. The Fire Rescue Department staff has verified references and has received positive recommendations.

It is staff's recommendation to award the bid to the lowest responsive and responsible bidder, Breathing Air Systems, Inc.

There are sufficient funds in the FY 2014/2015 Budget for this item.

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 hereby authorized and directed to execute an agreement for the purchase of an SCBA Compressor between the City of Crystal Lake and Breathing Air Systems, Inc. in accordance with the submitted bid with a 10% contingency for unforeseen expenses.

DATED this 20th day of January, 2015

CITY OF CRYSTAL LAKE, an
Illinois Municipal Corporation,

By: _____
MAYOR

SEAL

ATTEST

_____
CITY CLERK

PASSED:
APPROVED:

Agenda Item No: 18

City Council
Agenda Supplement

Meeting Date: January 20, 2015

Item: Alternate Retail Electrical Supplier

Staff Recommendation: Motion to adopt a resolution waiving the formal bidding requirements for electricity purchase, authorizing participation in the Northern Illinois Municipal Electric Collaborative (NIMEC), and authorizing the City Manager to execute a one or two year contract with the lowest responsive and responsible electricity provider.

Staff Contact: Eric T. Helm, Deputy City Manager

Background:

In 2007, the State of Illinois implemented a plan to deregulate Commonwealth Edison. Under deregulation, ComEd no longer generates electricity for its customers but continues to provide power through its distribution system. As a result of the deregulation, electricity is purchased based on market price and is no longer dominated by one electrical supplier. In order to take advantage of de-regulation, it is recommended that the City receive bids from several electrical suppliers for its non-franchise City owned facilities, including wastewater and water treatment plants. City staff recommends that the City continue its relationship with the Northern Illinois Municipal Electric Collaborative (NIMEC) to conduct the bidding process and recommend to the City the most advantageous pricing for City facilities. This program is specifically for City owned facilities, as opposed to the recently approved electrical aggregation program for residential customers.

Northern Illinois Municipal Electric Collaborative (NIMEC)

In 2006, the City joined NIMEC, which is a municipal Collaborative that pools the energy needs of members in order to secure more competitive pricing than can be provided individually to a single municipally, based on higher volumes. The Collaborative is made up of 110 members, most of which are municipalities. The amount of aggregated energy purchases of the Collaborative is $20 million.

Since 2006, the City has utilized NIMEC to receive electrical supply pricing for City facilities and has experienced energy cost savings. The City's current contract with Integrys Energy Services expires in May 2015. Following the expiration of this contract, the City could revert to ComEd's supplier for

electrical supply. However, ComEd's supplier only offers a floating market rate, which changes every hour. Therefore, the rate of this hourly market rate is impossible to estimate, as it is dependent upon future market conditions, as well as the specific times the accounts consume the power. The only source of fixed electrical rates in Illinois are from third party, non-ComEd, suppliers.

NIMEC Bidding Process

NIMEC bids out the collective loads of its members to three of the larger power suppliers in northern Illinois. The collective usage of the NIMEC group ($15 to $20 million annually) allows NIMEC to negotiate rates lower than what individual municipalities could negotiate on their own. This makes utilizing NIMEC bid pricing a very attractive option.

Sometime between February 1st and April 1st of this year, depending on the state of the energy market pricing, NIMEC will conduct bidding for electrical supply for its members' non-franchise government owned facilities. Following receipt of the bids, NIMEC will recommend whether the City should accept these prices or revert to the ComEd supplier's floating rate.

Because commodity pricing is volatile (much like the stock market), pricing can only be held for one day. As such, it is necessary to delegate signing authority to the City Manager to accept the NIMEC bid on the day of the bid with the lowest cost electricity provider within hours of the bids being received by NIMEC. The resolution attached for City Council consideration directs the City Manager to engage the services of NIMEC and provides City Council authorization to allow the City Manager to execute a contract with the successful energy supplier upon receipt of the bids by NIMEC.

Also, after the bids are opened, an analysis will be conducted of the submitted bids to determine the optimal length of the electrical supply contract for the City. The City will sign either a one year or two year contract for fixed electrical supply pricing based on NIMEC's recommendation.

Recommendation

It is staff's recommendation to approve the waiving of formal bidding requirements for electricity purchase, authorizing participation in the Northern Illinois Municipal Electric Collaborative (NIMEC), and authorizing the City Manager to execute a contract with the lowest responsible electricity provider.

Votes Required to Pass:

Super majority.

DRAFT

RESOLUTION

A RESOLUTION WAIVING THE BIDDING REQUIREMENTS FOR ELECTRICITY PURCHASE, AUTHORIZING PARTICIPATION IN THE NORTHERN ILLINOIS MUNICIPAL ELECTRIC COLLABORATIVE (NIMEC) AND AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT WITH THE LOWEST RESPONSIVE AND RESPONSIBLE ELECTRICITY PROVIDER

WHEREAS, the Mayor and City Council find as follows:

A. On January 2, 2007 the State of Illinois implemented a plan to deregulate Commonwealth Edison;

B. Under the aforementioned deregulation plan, Commonwealth Edison no longer generates electricity for its customers, but will continue to provide electric power through its distribution system;

C. As a result of this deregulation, electricity will be purchased based on market price and Exelon, the parent company of Commonwealth Edison, is no longer the sole supplier of electricity in Northern Illinois, resulting in new electricity suppliers being able to compete against Exelon, and competitive market forces dictating the price of electricity;

D. Municipalities across the State are entering the market to purchase electric power in order to mitigate some of the economic impact of rising rates, which, on a practical basis, can only be done using a third party who will serve as a broker for the municipalities and has the knowledge and experience to seek bids from the various electricity providers;

E. The City of Crystal Lake has selected the Northern Illinois Municipal Electric Collaborative (NIMEC) to serve as the City's broker relative to the acquisition of electrical energy due to NIMEC's municipal experience and the fact that NIMEC is a municipal Collaborative which will be pooling the energy needs of members of the Collaborative in order to secure more competitive pricing based on higher volumes than can be provided individually to a single municipality;

F. The amount of compensation that NIMEC receives, if the City chooses the NIMEC electricity supplier, is being built into the prices bid by the electricity supplier and equaling 1% of the cost per kilowatt hour (as would be the case with any broker), so there will be no direct payments made to NIMEC by the City;

DRAFT

G. That because of the way the bidding process works, the City Manager will need to have the authority to sign a contract with the electricity provider which is deemed most favorable for the City within hours of the bids being received by NIMEC.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Crystal Lake that the Northern Illinois Municipal Electric Collaborative (NIMEC) is hereby appointed as the City's broker for purposes of obtaining a supply of electricity for the City's municipal needs, and City Staff is hereby directed to take all actions necessary to establish said broker relationship.

BE IT FURTHER RESOLVED that the bidding requirements are hereby waived and instead the City of Crystal Lake will participate in the NIMEC bid for electricity. Also, the City Manager is authorized to discuss and negotiate energy rates directly with suppliers in an effort to secure a lower energy cost for the City of Crystal Lake.

BE IT FURTHER RESOLVED that, in light of the time constraints applicable to the acceptance of a competitive bid for a supply of electricity, once the bids are received by NIMEC, the City Manager is hereby authorized to execute a one or two-year contract with the lowest responsible bidder, provided the bid is at a rate that is of benefit to the City.

DATED this 20th day of January, 2015

CITY OF CRYSTAL LAKE, an
Illinois municipal corporation,

By:_____
MAYOR

SEAL

ATTEST

_____
CITY CLERK

PASSED:
APPROVED:

NIMEC Bid Fact Sheet

- 150 NIMEC members, mostly northern Illinois municipalities
- Purchasing power: $20 million/year
- NIMEC member retention rate: 98%
- NIMEC's first annual bid: 2008
- Offering 12 and 24 month pricing options
- NIMEC solicits bids from Constellation (owned by Exelon), Dynegy, and MC Squared. All public companies.
- Bids must be accepted by signing power agreement on the day of the bid.
- Members are under no obligation to accept the bids.

Agenda Item No: 19

City Council
Agenda Supplement

Meeting Date:	January 20, 2015
Item:	An Intergovernmental Agreement for Public Dial-A-Ride Transit Service in 2015.
Staff Recommendation:	Motion to adopt a Resolution authorizing the City Manager to execute an intergovernmental agreement between the County of McHenry, the City of Crystal Lake, the City of Harvard, the City of Marengo, the City of McHenry, the City of Woodstock, the Village of Huntley, the Village of Johnsburg, the Village of Ringwood, and the Village of Lakewood for general public dial-a-ride transit service in 2015.
Staff Contact:	Brad Mitchell, Assistant to the City Manager

Background:

At the November 15, 2011 City Council meeting, the City Council approved an Intergovernmental Agreement (IGA) between the County and the City of Crystal Lake, the City of McHenry, and the City of Woodstock to combine local dial-a-ride programs into one contracted service called MCRide with Pace Suburban Bus. The MCRide program started on February 1, 2012. The combined local dial-a-ride services provide greater consistency between service fares and hours, improves service performance monitoring and enables direct accounting for federal grant funding. A condition of the IGA requires that partner agencies renew the IGA annually. The attached IGA will provide annual dial-a-ride transit services in 2015, and is similar to the IGA approved by the City Council for dial-a-ride transit services for 2012, 2013 and 2014.

In 2015, the MCRide service area will expand into new areas of McHenry County, including the Cities of Marengo and Harvard, the Villages of Huntley, Johnsburg, and Ringwood, and the Townships of Grafton and Marengo.

The partner agencies will pay an amount not to exceed $2 per capita based on the 2010 decennial census. The monthly invoice will be based on the total annual amount, described above, less anticipated grant monies allocated to each community equal to 25% of all grant monies, and then allocated based on proportion as detailed in the below table:

Municipality	2010 pop.	% pop.	2015 Costs to Budget ($2/cap.)	2015 Estimated Grants ($94,755 * % pop.)*	2015 Estimated Cost after Grants	Estimated Monthly Invoice
City of:						
Crystal Lake	**40,743**	**28%**	**$81,486**	**$26,648**	**$54,838**	**$4,570**
Harvard	9,447	7%	$18,894	$6,179	$12,715	$1,060
Marengo	7,648	5%	**$21,296	$5,002	$16,294	$1,358
McHenry	26,992	19%	$53,984	$17,654	$36,330	$3,027
Woodstock	24,770	17%	$49,540	$16,201	$33,339	$2,778
Village of:						
Huntley	24,291	17%	$48,582	$15,887	$32,695	$2,725
Johnsburg	6,337	4%	$12,674	$4,145	$8,529	$711
Ringwood	836	1%	$1,672	$547	$1,125	$94
Lakewood	3,811	3%	$7,622	$2,493	$5,129	$427
City Totals	**144,875**	**100%**	**$289,750**	**$94,755**	**$194,995**	**$16,250**

*County/Municipal split of grants is 75%/25%

**City of Marengo has a separate agreement with Marengo Township to collect $6,000 annually for General Public service throughout the Township.

The County will continue to utilize the $600,000 in federal funding awarded from the Regional Transportation Authority to fund the MCRide program. The funding will continue to cover 50% of the operating costs associated with all identified trips provided to riders with a disability (about 35% of all riders). In addition, each partner agency will continue to commit 100% of the funding detailed in their current contract with Pace for dial-a-ride services. The County will pay the monthly Pace invoices, and each municipality will be invoiced an annual amount of up to $2.00 per capita by the County. Anticipated grant monies will be estimated for each month and subtracted from the invoice amount. Should actual grant reimbursement differ from estimates, the appropriate amount will be added or subtracted on the earliest subsequent invoice.

Prior to the MCRide program, the City contracted directly with Pace for annual dial-a-ride services. The City's annual contribution under the previous contract structure with Pace for dial-a-ride services was approximately $137,229. Since establishing the MCRide program, and due in large part to the awarded federal funding being used towards the MCRide program, the City's contribution for dial-a-ride services has been substantially reduced. In 2015, the City is anticipated to pay approximately $4,570 a month, which is $54,840 annually. The exact monthly payment is not certain since the City's share is dependent upon available grant funding and the number of partner agencies. The City's 2015 estimated payment of $4,570 is comparable to previous years' payments made to the program by the City.

By entering into this IGA, all parties agree to continue the MCRide program, which provides service standardization, related to fare structure, service hours, and trip reservation policies. The following is service information regarding the MCRide program:

Fare Structure
As of January 2014, all fares were adjusted to be consistent throughout the MCRide service area.

Fair Type	Current Base Fare up to 5 miles plus 25 cents for each additional mile.
General Public	$2.00
Senior	$1.00
Disabled	$1.00

Standard Senior Definition
Persons 60 years and older will be considered seniors to be consistent with the federal Older Americans Act Title III regulations.

Service Hours
Service hours will be the same for all partner agencies.

Table 2	Monday-Friday Start	Monday-Friday End	Saturday Start	Saturday End
Service Hours	6:00 a.m.	7:00 p.m.	9:00 a.m.	5:00 p.m.
Reservation Hours	5:30 a.m.	6:00 p.m.	8:30 a.m.	4:00 p.m.

Trip Reservation
General Public Riders: the day before the requested trip, and up to one (1) hour before the requested trip.

Seniors and Individuals with Disabilities: between seven (7) days in advance before the requested trip, and up to one (1) hour before the requested trip.

"No Show" Policy
Any ride cancelled with less than two (2) hours notice is considered a "late cancel". Any ride where the vehicle arrives and the client does not take the ride is considered to be a "no show". Riders with habitual late cancels or no shows may be suspended from service for one month.

It should be noted, that as part of the IGA, partner agencies agree to monitor service-cost effectiveness and make additional changes to service hours, fares, and trip reservation policies only after all partner agencies have affirmed the changes in writing and the public has been given at least four (4) weeks notice of these changes.

Also, if there is a time when it is agreed by all partners not to continue the MCRide program or if the City at anytime decides no longer to participate in the program, the City will be able to return to its original agreement with Pace for dial-a-ride services.

The IGA has been approved by McHenry County and is awaiting approval by the remaining partner agencies. There will be no service disruption to the MCRide program during the IGA renewal process.

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 an intergovernmental agreement between the County of McHenry, the City of Crystal Lake, the City of Harvard, the City of Marengo, the City of McHenry, the City of Woodstock, the Village of Huntley, the Village of Johnsburg, the Village of Ringwood, and the Village of Lakewood for general public dial-a-ride transit service in 2015.

DATED this 20th day of January, 2015.

CITY OF CRYSTAL LAKE, an
Illinois municipal corporation,

By:_____
MAYOR

SEAL

ATTEST

_____
CITY CLERK

PASSED: January 20, 2015
APPROVED: January 20, 2015

Agenda Item No: 22

City Council
Agenda Supplement

Meeting Date: January 20, 2015

Item: Planning and Zoning Commission Reappointments

Recommendation: Motion to confirm the reappointments of members to the Planning & Zoning Commission.

Contact: Aaron T. Shepley, Mayor

Background:

The four year terms of Dave Goss and Vince Esposito on the Planning and Zoning Commission are expiring on January 31, 2015. Mr. Goss and Mr. Esposito have both expressed interest in reappointment to terms expiring on January 31, 2019.

Planning and Zoning Commission appointments/reappointments are made by Mayor Shepley and confirmed by the City Council.

Votes Required to Pass:

Simple majority.