# CITY OF CRYSTAL LAKE
# AGENDA

## CITY COUNCIL
## REGULAR MEETING

**City of Crystal Lake**
**100 West Woodstock Street, Crystal Lake, IL**
**City Council Chambers**
**July 21, 2015**
**7:30 p.m.**

1. **Call to Order**

2. **Roll Call**

3. **Pledge of Allegiance**

4. **Approval of Minutes – July 7, 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. **City Council Reports**

9. **Consent Agenda**

10. **237 Ash Street, Zeitler-Simplified Residential Variations from the maximum impervious surface coverage and front yard setback to allow an encroachment.**

11. **Discussion Only - City Code Amendment to Create a Class "28" Liquor License for a nail salon.**

12. **Discussion Only - City Code Amendment to Create a Class "29" Liquor License for a movie theater.**

13. **Resolution authorizing the execution of a five-year agreement with Andy Frain Services, Inc. for Crossing Guard Service and optional crowd & traffic control services.**

14. **Bid award and resolution authorizing a two-year agreement with Anchor Towing, Inc.; Herrick Auto Rebuilders, Inc.; Ormsby Motors Inc.; and Whitey's Towing Inc., for police directed towing services.**

15. **Bid award and resolution authorizing a three-year purchase agreement with Univar USA for Liquid Aluminum Sulfate (ALUM).**

**16. Bid award and resolution authorizing execution of an agreement with Bergquist and Zimmerman Construction, Inc. for trench drain, grate and catch basin installation and reject all bids from previous bids for trench drain, grates and catch basins.**

**17. Resolution authorizing execution of an agreement with Currie Motors for the purchase of five (5) Police Interceptor Utility/Sedan Vehicles and one (1) Ford Escape trough the Suburban Purchasing Cooperative Program.**

**18. Resolution authorizing payment of Illinois Environmental Protection Agency Annual National Pollution Discharge Elimination System Permit fees and the addition of an equal amount to the Accounts Payable list.**

**19. Council Inquiries and Requests.**

**20. 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.**

**21. Reconvene to Regular Session.**

**22. 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: 10**

# City Council
# Agenda Supplement

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**Meeting Date:** July 21, 2015

**Item:** REPORT OF THE PLANNING & ZONING COMMISSION

Zeitler Variation

**Request:** Simplified Residential Variations from the maximum impervious surface coverage to allow 53% and from the front yard setback to allow a 14-foot 2-inch encroachment.

**Petitioner:** Mark Zeitler, petitioner
237 Ash Street

**PZC Recommendation:** To approve the PZC recommendation and adopt an ordinance granting the Simplified Residential Variations at 237 Ash Street.

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

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**Background:**

- The owner appeared before the PZC in March of 2015 with the original request of the front porch variation, a slightly less impervious surface variation of 52% and a side yard setback variation for the garage area of the house. The petitioner reworked the plans, eliminating the side yard setback for the garage area of the house, which required turning that portion of the house into the yard and increasing the driveway area. This caused the impervious surface to increase to 53%.
- The owner's current plans to remodel the entire house include the following improvements:
  - The front porch is an existing non-conforming structure and would be widened along the front of the house, increasing the non-conformity.
  - The house living area would be expanded to the rear yard and a breezeway connection to the new attached garage is also planned.
  - The existing garage would be demolished and a new connected garage is being constructed. Being attached to the house, the garage becomes part of the principal structure.
  - To reduce the number of variations, the petitioner turned the garage portion towards the center of the yard, this increased the driveway area and the overall impervious surface coverage to 53%, but eliminated the side yard variation.

- The petitioner is meeting the stormwater and watershed requirements and installing a trench drain and underground storage to accommodate the new impervious surface coverage.

**PZC Highlights:**

- The PZC appreciated the petitioner going back and reworking the plans to eliminate one variation and bring forward a better project.
- The PZC felt that the Variations met the Findings of Fact.

The PZC recommended **approval (7-0)** with the following conditions:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
   A. Application (Gentile/Zeitler, received 02/20/15)
   B. Architectural Plans (ZYT Enterprises, dated 06/08/15 and 05/25/15, received 06/16/15)

2. **The petitioner will work with staff to determine a stormwater solution either** extending the curbing alongside the entire length of the driveway without the break to ensure water goes to the storm sewer system and not towards the neighbor's house **or pitching the driveway away from the neighbor's property without a curb**. **(Amended by PZC)**

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

4. **The petitioner has stated he will follow the requirements of the Engineering Department and will go beyond the requirements with more water detention. (Added by PZC)**

**Votes Required to Pass:** A simple majority vote.

DRAFT

ORDINANCE NO. _____
FILE NO. _____

AN ORDINANCE GRANTING VARIATIONS
AT 237 ASH STREET

WHEREAS, pursuant to the terms of the Application (File #2015-14) before the Crystal Lake Planning and Zoning Commission, the Applicant has requested the granting of Simplified Residential Variations from: A. Article 3-200 4 impervious surface coverage to allow approximately 5,143 square feet or 53% of impervious surface, which is 3% more than the 50% permitted; and B. Article 3-300 3 front yard setback and Article 7 non conforming structures, to allow the expansion of the non-conforming front porch to be as close as 14 feet 6 ½ inches from the front lot line, a variation of 14 feet 2 inches from the required 28-foot 8-inch averaged front yard setback; and

WHEREAS, it is in the best interests of the City of Crystal Lake that the Variations 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 Variations be granted from the Crystal Lake Unified Development Ordinance: A. Article 3-200 4 impervious surface coverage to allow approximately 5,143 square feet or 53% of impervious surface, which is 3% more than the 50% permitted; and B. Article 3-300 3 front yard setback and Article 7 non conforming structures, to allow the expansion of the non-conforming front porch to be as close as 14 feet 6 ½ inches from the front lot line, a variation of 14 feet 2 inches from the required 28-foot 8-inch averaged front yard setback

at the property at 237 Ash Street (19-05-129-002), Crystal Lake, Illinois.

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

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
   A. Application (Gentile/Zeitler, received 02/20/15)
   B. Architectural Plans (ZYT Enterprises, dated 06/08/15 and 05/25/15, received 06/16/15)

2. The petitioner will work with Staff to determine a stormwater solution either extending the curbing alongside the entire length of the driveway without the break to ensure water goes to the storm sewer system and not towards the neighbor's house or pitching the driveway away from the neighbor's property without a curb.

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

4. The petitioner has stated that he will follow the requirements of the Engineering Department and will go beyond the requirements with more water detention.

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, approval and publication as provide by law.

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

_____
MAYOR

ATTEST:

_____
CITY CLERK

**Agenda Item No: 11**

# City Council
# Agenda Supplement

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**Meeting Date:** July 21, 2015

**Item:** Creation of Liquor License for a nail salon

**Staff Recommendation:** Discussion Only

**Staff Contact:** Eric T. Helm, Deputy City Manager

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**Background:**

The City has received a request from Julie's Nails, a nail salon which is located at 5150 Northwest Highway, for the Council to consider the adoption of an ordinance providing for amendments to the liquor license restriction provisions of the City Code, creating a new Class "28" liquor license classification.

Julie's Nails would like to serve beer, wine and, champagne incidental to their nail salon services. The City does not currently have a liquor license that would allow a nail salon to sell alcoholic beverages at their establishment.

The proposed Class "28" liquor classification would have several special provisions:

- Must be incidental to the sales of a beauty salon or spa service.
- No more than two alcoholic beverages may be sold to an individual customer on one day.
- Alcohol will not be displayed or visible from the exterior.
- No exterior signage advertising the sale of alcohol will be permitted.

Attached please find a summary of communities and their regulations for salons to have a liquor license.

| City | Code | Hours | Special Provisions |
|---|---|---|---|
| **Crystal Lake (Proposed)** | Class 28 | 10:00 a.m. until 9:00 p.m. Sunday through Saturday | -Incidental to sales.<br>-2 drink limit.<br>-Alcohol will not be visible nor advertised. |
| **Lake in the Hills** | Does not allow. | n/a | n/a |
| **Barrington** | Class 16 | Within the business hours of the salon. | -Beer & wine only.<br>-Full-service personal care establishment (at least 4 different services-but no massage)<br>-2 drink limit.<br>-Incidental to sales.<br>-No advertising.<br>-Serving staff must be BASSETT trained. |
| **South Barrington** | Does not allow. | n/a | n/a |
| **McHenry** | Not permitted per their zoning regulations. | n/a | n/a |
| **Batavia** | Class E-5 | Regular business hours. | -Issued to businesses that provide salon, hair dressing, beautician, manicure, pedicure and/or barbershop services.<br>-Incidental to sales.<br>-Notice must be placed in a conspicuous place that alcohol is to be purchased in conjunction with purchase of services. |
| **Hinsdale** | Class A8 | 11:00 a.m.-10:00 p.m. Monday through Saturday and 11:00 a.m. and 8:00 p.m. on Sunday | -Issued to businesses that specializes primarily in hair and makeup styling service.<br>-Consumption shall be discontinued within 30 minutes after the sales of the beverages.<br>-Limited to 2 glasses per salon service or a total of four glasses.<br>-Salon staff must be BASSETT retail trained. |
| **Lincolnshire** | Class O | In accordance to their code but not to take place outside of normal business hours. | -Issued to a salon/day spa.<br>-Only sold during the period of time that a customer receives salon services.<br>-No more than three beverages.<br>No external notices or signs. |
| **Elgin** | Class X | 5:00 p.m. to 10:00 p.m. Monday through Friday. 9:00 a.m. to 5:00 p.m. Saturday and Sunday. | -Full service salon, for services such as hair styling, facials, skin treatments, makeup, manicure, pedicure and massage services.<br>-Limited to wine, champagne, and martinis.<br>-Alcohol cannot be displayed and not visible from the exterior.<br>-No signage advertising. |
| **Naperville** | Does not allow. | n/a | n/a |
| **Woodstock** | Does not allow. | n/a | n/a |
| **Cary** | Does not allow. | n/a | n/a |

**Agenda Item No: 12**

# City Council
# Agenda Supplement

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**Meeting Date:** July 21, 2015

**Item:** Creation of a Liquor License for a movie theater

**Staff Recommendation:** Discussion Only

**Staff Contact:** Eric T. Helm, Deputy City Manager

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## Background:

The City has received a request from Regal Cinemas, a movie theater which is located at 5000 Northwest Highway, for the Council to consider the adoption of an ordinance providing for amendments to the liquor license restriction provisions of the city Code, creating a new Class "29" liquor license classification.

Regal Cinemas would like to serve alcoholic liquor from their concession stand incidental to the purchase of a movie ticket. The City does not currently have a liquor license that would allow a movie theater to sell alcoholic beverages at their establishment. The new Class "29" liquor license classification would authorize the retail sale of alcoholic liquor for consumption, incidental to the purchase of a movie ticket, Monday through Thursday from 11:00 a.m. until 1:00 a.m. and Friday through Sunday from 11:00 a.m. until 2:00 a.m.

The proposed Class "29" liquor classification would have several special provisions:

- Alcohol will be sold and served from the lobby concession stand.
- Alcohol may be consumed in the auditorium but not delivered or served there.
- Alcoholic beverages must be served in a cup of a different size and color than non-alcoholic beverages.
- Only one drink may be served to a patron per trip to the bar, and no more than two beverages in any one given day.
- Sales may only be made to patrons who purchased a movie ticket and who wear a tamper-resistant wristband.

Summarized below are communities that allow movie theaters to have liquor licenses:

| City | Code | Hours | Special Provisions |
|---|---|---|---|
| **Crystal Lake (proposed)** | Class 29 | 11:00 a.m. to 1:00 a.m. Monday through Thursday, 11:00 a.m. – 2:00 a.m. Friday through Sunday. | -Purchases only made at concession stand.<br>-No service of drinks in the auditorium.<br>-Special cups must be used.<br>-Wristbands must be worn by patrons.<br>-Two drink minimum. |
| **South Barrington** | Class A-Restaurant classification. | During normal business hours. | None |
| **Lake in the Hills** | Class A-Restaurant classification. | No sales between 2:00 a.m. and 10:00 a.m. Monday through Friday, 2:00 a.m. and 10:00 a.m. Saturday, and 2:00 a.m. and 12:00 p.m. Sunday. | None |
| **Lincolnshire** | Class P | When the theater is open and showing movies. | -Beer and wine only.<br>-Service is limited to a designated lobby bar.<br>-Patrons must purchase a movie ticket and wear a wristband.<br>-No service of drinks in the auditorium.<br>-Special cups must be used.<br>-Three drink minimum. |
| **Naperville** | Class A-Restaurant | During the hours that a full service meal is provided. | None |

The applicant does not currently hold a liquor license with the City of Crystal Lake. The issuance of the license will be contingent on the applicant passing a fingerprint/criminal background search by the Illinois State Police and FBI and submitting all required documents.

**Agenda Item No: 13**

# City Council
# Agenda Supplement

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**Meeting Date:** July 21, 2015

**Item:** Crossing Guard Services

**Staff Recommendation:** Motion to award the proposal for Crossing Guard Services and optional crowd & traffic control services to the lowest responsive, responsible proposer, Andy Frain Services, Inc. and to adopt a resolution authorizing the City Manager to execute a five-year agreement with Andy Frain Services, Inc. in the submitted proposal amount.

**Staff Contact:** James Black, Chief of Police

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**Background:**
At the October 21, 2014 City Council meeting, the City Council approved a crossing guard agreement between the City and School District 47. Prior to this agreement, the Crossing Guard Program operated through an informal arrangement. School District 47 participates in the City's Crossing Guard Program by paying for approximately half of the costs associated with the program.

The agreement also includes provisions for the contracting-out of the crossing guard program. In collaboration with School District 47 officials, the City issued a Request for Proposals for crossing guard services. Below are the results of the proposals received on July 7, 2015.

| Company | Annual Crossing Guard Cost based on 176 School Days | Crowd & Traffic Control |
|---|---|---|
| √ Andy Frain Services, Inc. Aurora, IL | $90,255 | $15.98/hour – 4 hour minimum<br>$23.00/hour (holiday) – 4 hour minimum |
| All City Management Services Santa Fe Springs, CA | $98,864 | $24.00/hour – 2 hour minimum |

√ Indicates the lowest responsive and responsible bidder.

Benefits of Outsourcing

a. Staffing – The company hired to manage the crossing guard program will be responsible for all personnel related matters associated with the program including supervision, hiring, background checks, firing, and training. The City's current crossing guards would be afforded a first opportunity to apply. The new company will be responsible for ensuring appropriate coverage of all crossing locations. No longer would Police Department personnel handle the training of new crossing guards nor would they need to provide backup by staffing crossings if a crossing guard is absent. The cost for using existing Police personnel is much more than is paid to crossing guards in addition to removing them from their normal duties. The new company will be responsible for all background checks. The process that Andy Frain follows includes a Livescan Illinois and Federal fingerprint check, checks of watch lists including sex offender list, and murder and violent crimes against children list. Finally, they also conduct a social security e-verify to ensure employment eligibility.
b. Liability – The company hired would be required to maintain adequate insurance including liability insurance and workers compensation. This would reduce the City's risk exposure.
c. Cost – The cost of outsourcing this service is similar to the City's current costs; however, as indicated above, the City's risk exposure is significantly reduced. Also, existing Police resources can be better re-deployed for other essential services.
d. Additional Traffic Control Options – Often, companies that supply crossing guard services are also able to provide additional traffic control services. For certain special events, it may be more cost effective to utilize the services of such a company instead of utilizing existing personnel that often are brought in on overtime to cover the special event.

**Recommendation:**

City staff, along with representatives from School District 47, have reviewed all proposals received for completeness and accuracy in accordance with the request for proposals document. It is staff's recommendation to award the proposal for crossing guard services and optional crowd & traffic control services to the lowest responsive, responsible proposer, Andy Frain Services, Inc., and to adopt a resolution authorizing the City Manager to execute an agreement with Andy Frain Services, Inc. in the submitted proposal amount. Staff has checked references submitted by Andy Frain Services, Inc. and they have come back positive. This service will be implemented for the upcoming school year.

**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 five-year agreement with Andy Frain Services, Inc., for and optional crowd & traffic control services in the submitted proposal amount.

DATED this 21st day of July, 2015.

CITY OF CRYSTAL LAKE, an
Illinois municipal corporation,

By:_____
MAYOR

SEAL
ATTEST

_____
CITY CLERK

PASSED: July 21, 2015
APPROVED: July 21, 2015

**Agenda Item No: 14**

# City Council
# Agenda Supplement

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**Meeting Date:** July 21st, 2015

**Item:** Police Directed Towing Services

**Staff Recommendation:** Motion to award contracts for police directed towing services to the lowest responsive, responsible bidders: Anchor Towing, Inc.; Herrick Auto Rebuilders, Inc.; Ormsby Motors, Inc.; and Whitey's Towing, Inc., and adopt a resolution authorizing the City Manager to execute two-year agreements for police directed towing services with Anchor Towing, Inc.; Herrick Auto Rebuilders, Inc.; Ormsby Motors, Inc.; and Whitey's Towing Inc. in the bid amount.

**Staff Contact:** Derek Hyrkas, Deputy Chief of Police

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**Background:**

In 2013, the City initiated a competitive bidding process for Police Directed Towing Services, following an amendment to City Code 476 allowing for such a process. Four responsive and responsible bidders were awarded the bid and were contracted to perform police directed towing services for two years. The contracts with the four towing agencies are set to expire on July 31st, 2015. The City reinitiated the bidding process and on May 7th, 2015, a set of bidding documents, including comprehensive specifications and a model towing services contract developed by staff, was issued to potential bidders.

On Friday, May 22nd, 2015, the City publicly opened and read aloud the four bids received for police directed towing services. The four bidders were Anchor Towing, Inc., Herrick Auto Rebuilders, Inc., Ormsby Motors, Inc., and Whitey's Towing, Inc. These are the very same towing agencies currently under contract with the City for towing services.

The bid process resulted in the four bidders submitting different rates for different services, as described below. Staff thus decided that the most equitable method for evaluating the bids was to determine the lowest bid for each service and to award contracts to all of the four bidders that would be agreeable to providing each service at the lower bid amount. Staff identified the lowest

bids and then met with each bidder to review the results and discuss any issues discovered during the bid process.
The following chart sets out the key bid result details:

| Service | Anchor | Whitey's | Herrick's | Ormsby's | 2015 Low Bid |
|---|---|---|---|---|---|
| TOW FEE <12,000 lbs- Business Hours | $150.00 | $150.00 | $150.00 | $150.00 | $150.00 |
| Tow Fee <12,000 lbs- After Hours | $150.00 | $175.00 | $150.00 | $160.00 | $150.00 |
| TOW FEE-DISABLED <12,000lbs- Business Hours | $90.00 | $90.00 | $90.00 | $75.00 | $75.00 |
| TOW FEE-DISABLED <12,000 lbs- After Hours | $90.00 | $100.00 | $90.00 | $90.00 | $90.00 |
| TOW FEE 12,001 lbs-26,000 lbs (crash, arrest, other)- Business Hours | $200.00 | $200.00 | $200.00 | $180.00 | $180.00 |
| TOW Fee 12,001 lbs- 26,000lbs- (crash, arrest, other)- After Hours | $200.00 | $225.00 | $200.00 | $200.00 | $200.00 |
| TOW FEE 12,000 lbs-26,000 lbs (flat rate)- Business Hours | $175.00 | $175.00 | $170.00 | $150.00 | $150.00 |
| TOW FEE 12,000 lbs-26,000 lbs (flat rate)- After Hours | $175.00 | $200.00 | $170.00 | $170.00 | $170.00 |
| OUT OF TOWN MILEAGE CHARGE | $3.50 | $4.00 | $3.50 | $3.50 | $3.50 |
| SERVICE CALL FEE (no tow)- Business Hours | $90.00 | $75.00 | $75.00 | $55.00 | $55.00 |
| SERVICE CALL FEE (no tow)- After Hours | $90.00 | $85.00 | $75.00 | $75.00 | $75.00 |
| RECOVERY FEE <26,000 lbs- Business Hours | $200.00 | $175.00 | $160.00 | $125.00 | $125.00 |
| RECOVERY FEE <26,000 lbs- After Hours | $200.00 | $200.00 | $160.00 | $160.00 | $160.00 |
| RECOVERY FEE (HEAVY DUTY REQUIRED-SHALL NOT EXCEED)- Business Hours | $350.00 | $350.00 | $350.00 | $350.00 | $350.00 |
| RECOVERY FEE (HEAVY DUTY REQUIRED-SHALL NOT EXCEED)- After Hours | $350.00 | $350.00 | $350.00 | $350.00 | $350.00 |
| RECOVERY FEE-Additional charges | $80.00 | $80.00 | $80.00 | $80.00 | $80.00 |
| RECOVERY FEE-Special handling | $95.00 | $100.00 | $95.00 | $95.00 | $95.00 |
| **MISC RATES** | | | | | |
| Debris clean up | $45.00 | $40.00 | $40.00 | $40.00 | $40.00 |
| Police vehicles | $55.00 | $50.00 | $45.00 | $45.00 | $45.00 |
| Standby time per hour | $60.00 | $60.00 | $60.00 | $60.00 | $60.00 |
| Standby Outside City limits per hour | $60.00 | $60.00 | $60.00 | $60.00 | $60.00 |
| Outside mileage rates per mile | $3.50 | $3.50 | $3.50 | $4.00 | $3.50 |
| Oil clean up | $15.00 | $20.00 | $15.00 | $15.00 | $15.00 |
| **STORAGE CHARGES <12,000 lbs** | | | | | |
| Outside storage | $45.00 | $50.00 | $45.00 | $45.00 | $45.00 |
| Inside storage | $50.00 | $60.00 | $55.00 | $55.00 | $55.00 |
| **STORAGE CHARGES >12,001 lbs** | | | | | |
| Outside storage | $65.00 | $60.00 | $60.00 | $60.00 | $60.00 |
| Inside storage | $75.00 | $75.00 | $70.00 | $70.00 | $70.00 |

The pricing for the majority of specific towing services will remain at the 2013 level. The rates for five (5) specific towing services have decreased when compared to 2013. Lastly, no increase in any specific tow service resulted from the bid process.

The City's towing regulations and the bid specifications allow the selection of up to four tow companies for police directed towing services. The four bidders have agreed to provide each service at the lowest bid for that service. Further, each towing company has met the City's ordinance requirements. All four towing companies have previously performed work for the City.

Legal staff has reviewed the towing agreement.

**Recommendation:**

The City Manager's Office and the Police Department have reviewed all bids received for completeness and accuracy in accordance with bid requirements. Staff thus recommends that all four bidders be awarded a contract for police directed towing services.

**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 towing services contracts between the City of Crystal Lake and Anchor Towing, Inc.; Herrick Auto Rebuilders, Inc.; Ormsby Motors, Inc.; and Whitey's Towing, Inc. for Police Department directed towing, for two years beginning on August 1st, 2015.

DATED this 21st day of July, 2015.

CITY OF CRYSTAL LAKE, an Illinois Municipal Corporation

BY: _____
Aaron T. Shepley, Mayor

SEAL

ATTEST:

_____
Nick Kachiroubas, City Clerk

PASSED:
APPROVED:

**Agenda Item No: 15**

# City Council
# Agenda Supplement

**Meeting Date:** July 21, 2015

**Item:** Liquid Aluminum Sulfate (ALUM) Purchase

**Staff Recommendation:** Motion to award the bid for the purchase of Liquid Aluminum Sulfate to the lowest responsive, responsible bidder, Univar USA, and adopt a resolution authorizing the City Manager to execute a three-year purchase agreement with Univar USA for Liquid Aluminum Sulfate (ALUM) for the base year, second and third year options in the amounts bid.

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

**Background:**
On June 29, 2015, the City of Crystal Lake publicly opened and read aloud the bids received for the purchase of Liquid Aluminum Sulfate (ALUM) for the Public Works Department. The following is a breakdown of the bids received:

| Company | 2016 | 2017 | 2018 |
|---|---|---|---|
| √ Univar USA Inc.<br>8201 S. 212th St.<br>Kent WA, 98032 | $350.00 per dry ton | $350.00 per dry ton | $350.00 per dry ton |
| USALCO Michigan Plt<br>1120 Middle River Rd.<br>Baltimore, MD 21220 | $423.34 per dry ton | $423.34 per dry ton | $429.19 per dry ton |
| Thatcher Company of Montana<br>3200 Raser Dr.<br>Missoula , MT 59808 | $459.99 per dry ton | Based on documented supplier increases or decreases. | Based on documented supplier increases or decreases. |
| Chemtrade Chemicals<br>90 East Halsey Rd.<br>Parsippany, NJ 07454 | $515.00 per dry ton | No Bid | No Bid |
| Kemira Water Solutions<br>3761 Canal St.<br>East Chicago, IN 46312 | No Bid | No Bid | No Bid |

√ Indicates recommended lowest responsible, responsive bidder.

Liquid Aluminum Sulfate (ALUM) is used at the City's two wastewater treatment plants for phosphorous and barium removal as required by each facility's' National Pollution Discharge Elimination System (NPDES) permit. During the past year, WWTP#2 and WWTP#3 have combined to use approximately 480 dry tons of ALUM. The City's current contract is with USALCO Michigan Plant, LLC for $467.04.00 per dry ton.

Fiscal Year 2015/2016 budget funds were approved for this purchase.

**Recommendation:**

The Public Works Department has reviewed all bids received for completeness and accuracy in accordance with the invitation to bid document. The Wastewater Treatment Division has reviewed Univar USA Inc.'s references which were found to be acceptable for products and service. It is the recommendation of staff to award a three-year contract for the provision of ALUM to the lowest responsible, responsive bidder, Univar USA Inc., in the submitted bid amounts.

**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 award a three year contract for the purchase of liquid aluminum sulfate to the lowest responsive, responsible bidder, Univar USA Inc., in the amounts bid.

DATED this 21st day of July, 2015.

CITY OF CRYSTAL LAKE, an
Illinois municipal corporation,

By:_____
MAYOR

SEAL

ATTEST

_____
CITY CLERK

PASSED: July 21, 2015

APPROVED: July 21, 2015

**Agenda Item No: 16**

# City Council
# Agenda Supplement

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**Meeting Date:** July 21, 2015

**Item:** Cast Iron Trench Drain, Catch Basin and Grate Bid Award

**Staff Recommendation:** 1) Reject all bids from the previous bid opening for Trench Drain, Grates & Catch Basins; and

2) Award the bid for the trench drain, grate & catch basin installation to the lowest responsible and responsive bidder, Bergquist and Zimmerman Construction, Inc., and adopt a resolution authorizing the City Manager to execute a service contract with Bergquist and Zimmerman Construction, Inc. in the submitted bid amount, allowing for a 10 percent contingency.

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

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**Background:**

Bid specifications for the 2015 Public Works Cast Iron Trench Drain, Catch Basin and Grate Project were posted online and sent to eighteen contractors. On June 25, 2015, the City of Crystal Lake publicly opened and read aloud the two bids received.

The following is a breakdown of the bids received:

| Company | Total bid price |
|---|---|
| ✓Bergquist and Zimmerman Construction, Inc.<br>Crystal Lake, IL | $54,675.00 |
| Copenhaver Construction, Inc<br>Gilberts, IL | $67,000.00 |

✓ *Indicates lowest responsive and responsible bidder*

This project is needed after the Public Works Streets Division's garage trench drain collapsed. The northern isle has approximately 150 linear feet of trench drain trough with three catch basins. The contractor will furnish materials and labor to remove the existing fiberglass trench drains and three catch basins and replace with new cast iron drains, cast iron grates, and cast iron catch basins dimensionally equivalent to the existing setup. Additionally, the contractor will pour and finish concrete around new drain troughs and catch basins. This project will be completed during the fall of 2015.

On June 9, 2015, the City opened bids for the Public Works Trench Drain Catch Basin Grate Replacement. The original invitation to bid included two isles for replacement and the following results were over the approved budget:

| Company | Total bid price |
|---|---|
| ATP Enterprise Group, Inc.<br>Northfield, IL | $89,000 |
| Copenhaver Construction, Inc<br>Gilberts, IL | $107,100 |

As a result, this project was re-bid with only one isle requested for replacement. The other isle's replacement will be bid next fiscal year.

**Recommendation:**

The Public Works Department has reviewed all bids received for completeness and accuracy in accordance with the invitation to bid document. It is therefore the recommendation of City staff to award the bid to the lowest responsive and responsible bidder, Bergquist and Zimmerman Construction, Inc. for the services of installing new cast iron trench drain, catch basins and grates in the bid amount of $54,675.00.

There are sufficient funds for this project in the FY 2015/2016 Budget.

**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 execute Purchase Agreement between the CITY OF CRYSTAL LAKE and Bergquist and Zimmerman Construction, Inc. for the purchase and installation of Cast Iron Trench Drains, Catch Basins and Grates in the submitted bid amounts, allowing for a 10 percent contingency.

DATED this 21st day of July, 2015

CITY OF CRYSTAL LAKE, an
Illinois municipal corporation,

By:_____
MAYOR

SEAL

ATTEST

_____
CITY CLERK

PASSED: July 21, 2015
APPROVED: July 21, 2015

**Agenda Item No: 17**

# City Council
# Agenda Supplement

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**Meeting Date:** July 21, 2015

**Item:** Suburban Purchasing Cooperative Contracts #121, and #122 for 2016 Ford Police Interceptors and Contract #129 for a Ford Escape.

**Staff Recommendation:** Motion to adopt a resolution authorizing the City Manager to execute an agreement with Currie Motors, in Frankfort, Illinois, for the purchase of five (5) Police Interceptor Utility/Sedan Vehicles and one (1) Ford Escape in the amount of $157,236.00 through the Suburban Purchasing Cooperative, contracts.

**Staff Contact:** James Black, Chief of Police
Victor Ramirez, Director of Public Works

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## Background:

The Administration and Police Departments requested approval for fleet vehicle replacement as part of the Fiscal Year 2015/2016 Budget. The Police Department's request included one new Interceptor Utility vehicle which will replace one sedan and four new Interceptor Sedans which will replace four sedans. The Administration Department will purchase one new Ford Escape which will replace one sedan.

The vehicles are being replaced as part of the City's fleet replacement program. The replacement standards of the program are based on industry guidelines and years of experience in operating and maintaining vehicles and equipment. The goal is to analyze the costs associated with a vehicle and identifying the point when, on average, a vehicle is reasonably depreciated but not yet incurring significant maintenance costs. By replacing vehicles at this point, the City can avoid escalating maintenance costs and optimize vehicle resale value. The three criteria that we considered when establishing the vehicle replacement schedule were: vehicle mileage, age and use.

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 Cooperative follow the same public procurement standards that the City follows during the competitive, sealed bidding process.

**Recommendation:**

It is the recommendation of City staff to purchase five Police Interceptor Utility/Sedan vehicles and one Ford Escape in the amount of $157,236.00 from Currie Motors, in Frankfort, IL, through the Suburban Purchasing Cooperative Purchasing Program. Funds have been budgeted for this purchase.

**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 execute a Purchase Agreement between the CITY OF CRYSTAL LAKE and Currie Motors (Frankfort, IL) for the purchase of five (5) Police Interceptor Utility/Sedan Vehicles and one (1) Ford Escape in the amount of $157,236.00. The funds to purchase these vehicles will be from the Fiscal Year 2015/2016 Budget.

DATED this 21st day of July, 2015.

CITY OF CRYSTAL LAKE, an
Illinois municipal corporation,

By:_____
MAYOR

SEAL

ATTEST

_____
CITY CLERK

PASSED: July 21, 2015
APPROVED: July 21, 2015

**Agenda Item No: 18**

# City Council
# Agenda Supplement

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**Meeting Date:** July 21, 2015

**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 were 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. 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 more than one Million Gallons per Day (MGD) and less than five MGD receiving an annual fee of $15,000.00. This would be the fee for WWTP #3 since the DAF is 1.7 MGD. Facilities with a DAF greater than five MGD and less than ten 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 10, 2015. 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 by August 10, 2015.

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 years. 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, 2013 and 2014. A copy of the letter to be submitted with the 2015 payment is attached, in addition to the invoices for the current year.

The City has been assessed a total of $583,500 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.

**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 21st day of July, 2015.

CITY OF CRYSTAL LAKE, an
Illinois Municipal Corporation,

By:_____
MAYOR

SEAL

ATTEST

_____
CITY CLERK

PASSED: _____

APPROVED: _____