



**CITY OF CRYSTAL LAKE**  
**AGENDA**

**CITY COUNCIL**  
**REGULAR MEETING**

City of Crystal Lake  
100 West Woodstock Street, Crystal Lake, IL  
City Council Chambers  
October 6, 2015  
7:30 p.m.

1. **Call to Order**
2. **Roll Call**
3. **Pledge of Allegiance**
4. **Proclamation**
  - a. **Lion's Club Candy Days**
  - b. **Piano Trends Music & Band**
  - c. **First Smiles Dental**
  - d. **Thunderbird Preschool**
5. **Approval of Minutes – September 15, 2015 Regular City Council Meeting**
6. **Accounts Payable**
7. **Public Presentation**

*The public is invited to make an issue oriented comment on any matter of public concern not otherwise on the agenda. The public comment may be no longer than 5 minutes in duration. Interrogation of the city staff, Mayor or City Council will not be allowed at this time, nor will any comment from the Council. Personal invectives against city staff or elected officials are not permitted.*
8. **Mayor's Report**
9. **City Council Reports**
10. **Consent Agenda**
  - a. **Aldi- Approval of liquor license change of location.**
11. **Boy Scout Troop 151 Service Unit-Request to hold a day camp including overnight camping at Three Oaks Recreation Area on Saturday, October 24, 2015 and waiver of fees.**
12. **350 Virginia Street, Autotech-Resolution authorizing the execution of the Crystal Lake Watershed Stormwater Management Facilities Non-Residential Maintenance Plan, Grant of Easement and Funding Agreement.**
13. **Ordinance reducing the Drive Speed Limit on Pointe Drive.**

14. **Approval for the Illinois Championship Triathlon to be held on Sunday, September 18, 2016 at Three Oaks Recreation Area. Authorize the approval for an additional 3 years to be held on the third Sunday of September at Three Oaks Recreation Area. Waiver of City fees including Police, Fire Rescue and Three Oaks.**
15. **580 E. Terra Cotta Avenue, Express Employment-Special Use Permit Amendment to allow changes to an Electronic Message Center with a Variation from the approved criteria.**
16. **8917 Ackman Road (unincorporated), Wirkus/SBA Communications County Zoning Request – Objection to the proposed variation request and direct City Staff to file an objection on behalf of the City.**
17. **6251 Commercial Road, Central States Towers/Verizon-Special Use Permit for a wireless communications tower and Variation to allow the monopole tower to be setback less than 110% of the height of the tower from all property lines.**
18. **Resolution authorizing the execution of a five-year agreement with Armor Systems Corporation for Debt Collection Services.**
19. **Resolution authorizing the execution of a contract with Williams Brothers Construction, Inc., for Wastewater Plants #2 and #3 Improvements. Resolution authorizing the execution of a contract with Baxter & Woodman for Phase 3 Construction Engineering Services.**
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. **Reconvene to Regular Session.**
23. **Economic Development Committee Reappointments.**
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: 10a.**

**City Council  
Agenda Supplement**

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**Meeting Date:** October 6, 2015

**Item:** Approval of the Aldi liquor license change of location.

**Staff Recommendation:** Motion to approve a permit to change the location of the Aldi liquor license to 5831 Northwest Highway.

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

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**Background:**

Aldi, which holds a "Class 15" liquor license with the City of Crystal Lake, is currently located at 320 S. Virginia St., will be moving to a new location, 5831 Northwest Highway.

Section 329-13 of the Liquor License Provisions of the City Code states that the location of an establishment holding a liquor license may be changed only upon a permit approval of the Mayor and City Council.

**Votes Required to Pass:**

Simple majority



## Agenda Item No: 11

### City Council Agenda Supplement

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<b><u>Meeting Date:</u></b>	October 6, 2015
<b><u>Item:</u></b>	Boy Scout Request for a Special Event at the Three Oaks Recreation Area
<b><u>Council Discretion:</u></b>	Motion to approve Boy Scout Troop 151 Service Unit request to hold a day-camp including overnight camping, at Three Oaks Recreation Area on Saturday, October 24, 2015.
<b><u>Staff Contact:</u></b>	Brad Mitchell, Assistant to the City Manager

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#### **Background:**

The City has received previous requests from various Boy Scout and Girl Scout Service Units for the use of the Three Oaks Recreation Area. These requests have varied from holding day camps and overnight camping to camps lasting a full week using every feature of the Park (Swimming; Marina rentals).

This overnight camping event will only occur on the night of Saturday, October 24<sup>th</sup> in the picnic grove and Main Shelter Pavilion area. Boy Scout Troop 151 is affiliated with the Congregational Church of Algonquin, IL and is composed of boys in the 5<sup>th</sup> grade through high school. Approximately 20-30 total participants will be involved, including Scout Leaders, Scouts and adult chaperones. The ratio of campers to adult chaperones will be 5:1 for the overnight.

The Boy Scouts will possibly consider offering the following events and activities at the park:

- Fishing
- Cooking
- Hiking
- Crafts

#### **Overnight Camping**

As part of this event the Boy Scouts would like to overnight camp in the picnic grove area. Approximately 20-30 individual 'pup-tents' will be set up in the picnic grove. This is the same area that has been utilized by numerous other scout overnight camp groups. Per Chapter 238 of the City Code, overnight camping at Three Oaks Recreation Area may be allowed when approved by the Mayor and City Council.

238-1 **General Rules and Admission**

A. Three Oaks Recreation Area General Rules

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

In addition, the petitioner is requesting exclusive use of the pavilion and picnic grove during this time. The petitioner will clean up the site and dispose of the trash from the activities. Since the petitioner is requesting the overnight use of the facility, City staff recommends that a City Security staff member monitor the facility during the time when no other Three Oaks staff is present. The additional Security staff time would be 3-4 hours from approximately 2:00 a.m. to 6:00 a.m. and charges invoiced back to Boy Scout Troop 151.

Staff has reviewed the submittals, and the Petitioner has agreed to comply with all City Code regulations, Special Event requirements, and Pavilion rental requirements. During the entire event, the Boy Scouts will provide the City with an insurance certificate naming the City as additional insured and sign an indemnity/hold harmless agreement. In addition, each parent will sign a "Participant Form" on behalf of their child, which will provide the City further liability protection.

The petitioner has agreed to pay the refundable damage security deposit of \$50. The petitioner is requesting a waiver of the following fees:

Special Event Application Fee:	\$ 50.00
Pavilion Rental Fee:	<u>\$150.00</u>
Total:	\$250.00

*In the past, the City Council has waived the application and pavilion rental fee for similar Boy Scout groups from the City of Crystal Lake. Boy Scout Troop 151 is from Algonquin, IL.*

**Votes Required to Pass:**

Simple majority vote of the City Council



**Agenda Item No: 12**

**City Council  
Agenda Supplement**

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**Meeting Date:** October 6, 2015

**Item:** Crystal Lake Watershed Stormwater Management Facilities Non-Residential Maintenance Plan, Grant of Easement and Funding Agreement for Autotech (ATC Crystal Lake).

**Staff Recommendation:** Motion to adopt a Resolution authorizing the City Manager to execute a Crystal Lake Watershed Stormwater Management Facilities Non-Residential Maintenance Plan, Grant of Easement and Funding Agreement for the Autotech property at 350 Virginia Street.

**Staff Contact:** Abigail Wilgreen, City Engineer

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**Background:**

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

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

Per the requirements of the implementation plan, a “Crystal Lake Watershed Stormwater Facilities Non-Residential Maintenance Plan, Grant of Easement and Funding Agreement” (agreement) was created. This agreement is utilized as a template whenever an existing or new development is completed within the watershed. This same agreement was recently utilized for the Fair Oaks and Brilliance Honda projects.

The new Autotech building at 350 Virginia Street was substantially completed on September 25, 2015. A copy of the agreement signed by an Autotech representative is attached for reference.

**Votes Required to Pass:**  
Simple Majority



**DRAFT**

**The City of Crystal Lake Illinois**

**RESOLUTION**

**BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE** that the City Manager be authorized to execute the Crystal Lake Watershed Stormwater Management Facilities Non-Residential Maintenance Plan, Grant of Easement, and Funding Agreement with ATC Crystal Lake for the property at 350 Virginia Street.

**DATED** this 6<sup>th</sup> day of October, 2015.

CITY OF CRYSTAL LAKE, an Illinois  
Municipal Corporation

BY: \_\_\_\_\_  
MAYOR

SEAL

ATTEST:

\_\_\_\_\_  
CITY CLERK

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PASSED: October 6, 2015

APPROVED: October 6, 2015



**Agenda Item No: 13**

**City Council  
Agenda Supplement**

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<b><u>Meeting Date:</u></b>	October 6, 2015
<b><u>Item:</u></b>	Pointe Drive Speed Limit Reduction.
<b><u>Staff Recommendation:</u></b>	Motion to adopt an ordinance to lower the speed limit on Pointe Drive to 25 miles per hour.
<b><u>Staff Contact:</u></b>	Abigail Wilgreen, City Engineer

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**Background:**

Recently, a resident expressed concern that people were speeding on Pointe Drive and requested that the speed limit be lowered from 30 miles per hour (mph) to 25 mph. The default speed limit for local streets in the City is 30 mph. This concern was referred to the City's Traffic Safety Committee which includes representatives from different City departments.

As part of the committee's investigation, two rounds of speed data collection were conducted. The first round was done between June 17 and June 24, 2015. The data showed that the eighty-fifth percentile speed was between 20.4 and 22.4 mph. A second round of data collection was done between July 29 and August 5, 2015. The data showed the eighty-fifth percentile speed between 20.6 and 26.6 mph. The attached maps show the locations of the speed collection sites.

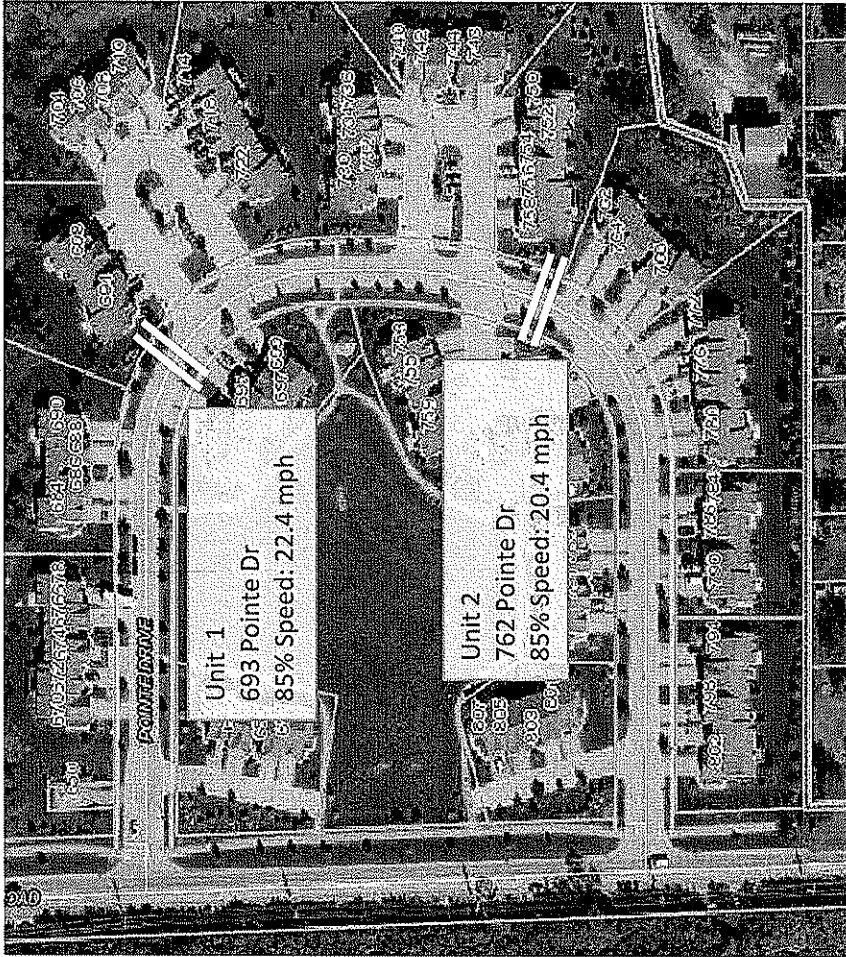
The eighty-fifth percentile speed is generally used as a good basis for setting speed limits because most drivers behave in a safe and reasonable manner. They do not drive at excessive speeds for the surrounding conditions and do not want to get into crashes. The eighty-fifth percentile speed is usually slightly slower than the upper limit of speed that includes these generally prudent drivers. Research has shown that vehicles traveling between the fiftieth and ninetieth percentile speed have the lower risk of crashing due to speed. Drivers who exceed the ninetieth percentile have a significantly higher risk of crashing. Thus, the eighty-fifth percentile speed is a reasonable basis for the speed limit. Additionally, the Illinois Compiled Statutes state that the local authority may reduce the speed limit within a residential district, but not to less than 25 mph (see 625 ILCS 5/11-604 (b) (4)).

The Traffic Safety Committee analyzed the data collected, reviewed the Illinois Compiled Statutes and based on the eighty-fifth percentile speed, a 25 mph is recommended

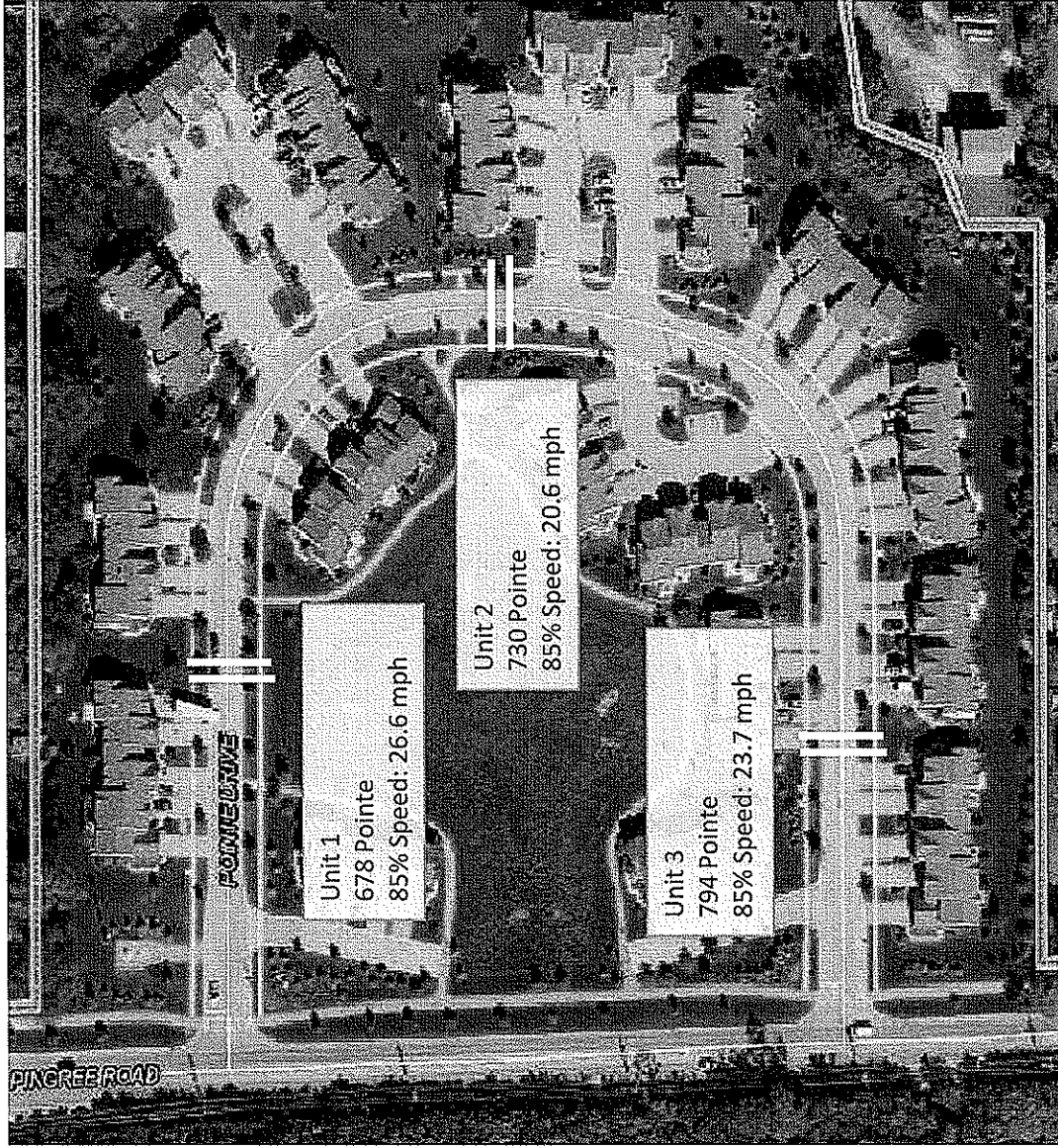


**Votes Required to Pass:**

Simple Majority of City Council Present



Data Recorder Location	Pointe Drive
Dates recorded	6-17-15 thru 6-24-15
Unit 1	A= Eastbound first
Unit 2	A= Eastbound first



Data Recorder Location	Pointe Dr.
Dates recorded	7-29-15 thru 8-5-15
Unit 1	A= Westbound first
Unit 2	A= Northbound first
Unit 3	A= Westbound first





**The City of Crystal Lake Illinois**

**DRAFT**

**AN ORDINANCE ESTABLISHING THE  
SPEED LIMIT ON POINTE DRIVE**

WHEREAS, a speeding concern on Pointe Drive was referred to the Crystal Lake Traffic Safety Committee; and

WHEREAS, the speed limit on Pointe Drive is 30 miles per hour, and

WHEREAS, the speed data was collected on Pointe Drive and reviewed by the Crystal Lake Traffic Safety Committee; and

WHEREAS, as a result of said data review, the Crystal Lake Traffic Safety Committee recommended that a reduction of the speed limit to 25 miles per hour is appropriate and in conformance with the 85<sup>th</sup> percentile of driver speed based on data collect between June 17 and June 24, 2015 and between July 29 and August 5, 2015 and the Illinois Compiled Statutes.

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

**SECTION I:** That the maximum speed limit for all vehicles traveling on Pointe Drive shall be 25 miles per hour.

**SECTION II:** That suitable signs and markers shall be erected.

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

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

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

**DATED** at Crystal Lake, Illinois, this 6<sup>th</sup> day of October, 2015.

CITY OF CRYSTAL LAKE, an Illinois Municipal Corporation

BY: \_\_\_\_\_  
MAYOR

SEAL

ATTEST:

\_\_\_\_\_  
CITY CLERK

PASSED: October 6, 2015

APPROVED: October 6, 2015

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

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**Meeting Date:**

October 6, 2015

**Item:**

Illinois Championship Triathlon at Three Oaks Recreation Area

**Council Discretion:**

1. Motion authorizing approval of the Illinois Championship Triathlon, to be held on Sunday, September 18, 2016, at Three Oaks Recreation Area, subject to the recommended conditions.
2. Motion to waive City fees including Police, Fire Rescue, Traffic Control Plan and Three Oaks fees.

**Staff Contact:**

Michelle Rentzsch, Community Development Director  
Brad Mitchell, Assistant to the City Manager

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**Background:**

3 Disciplines is requesting approval from the City to organize the **third** Illinois Championship Triathlon at Three Oaks Recreation Area on Sunday, September 18, 2016. This event has been successful for the past two years and 3 Disciplines would like to ensure that this becomes a highly marketable annual event for Crystal Lake.

For a third year in a row, 3 Disciplines is requesting a waiver of City fees, including Police, Fire Rescue, Traffic Control Plan and Three Oaks Recreation Area fees. 3 Disciplines requested a waiver of fees the first two years and City Council has not granted the waiver and the petitioner has paid the fees. The 2016 event would be held the third Sunday in September, which is preferred since use of the park would be very low at this time. There are concerns that there will be few City staff and no lifeguards available in September, and therefore; 3 Disciplines would need to provide additional volunteers and hire certified life guards. Also, there are other City events where the Police Department would need to provide officers causing their staff to be limited as well. 3 Disciplines plans to reach out to several groups including local high schools to get volunteers.

The triathlon would begin at approximately 8:00 a.m. and end at approximately 12:00 p.m. For the 2016 event, setup at the Three Oaks Recreation Area would begin on Friday, September 16<sup>th</sup>, and would take place during the entire weekend, with the event itself on Sunday. The race format would include an Olympic Triathlon and a Sprint Triathlon. The Olympic Triathlon would consist of a 1.5k swim, 26 mi bike, and 10k run. The Sprint Triathlon would consist of a

500m swim, 13 mi bike, and 5k run. The swim and run portion of the triathlon would take place at the Three Oaks Recreation Area. The bike route would send the cyclists out the Main Street access drive down Main Street to Virginia Road, back up Pingree Road across Rakow Road and then up Virginia Road and Main Street back into the Park. This route is depicted on the attached race course map.

They are also requesting a waiver of the speed limit for bicyclists. It is State law that bicyclists follow the speed limit as posted on a road. It is anticipated that bicyclists would exceed the speed limit on some roads during the race.

### **Petitioner Background:**

3 Disciplines was originally started to help raise funds for a high school cross-country and track team for new uniforms, travel, awards banquet and team dinners. As of March 2015, 3 Disciplines has produced over 550 events and timed and consulted on another 300+ events, including Regional Championships and World Junior Qualifiers. 3 Disciplines has hosted events in 16 states including running, mountain biking, road racing, triathlon, duathlon and adventure races.

This would be the third year they hold this event in Crystal Lake. The first two years they had almost 400 participants each year. They know that making this a permanent annual event will ensure that the Crystal Lake Triathlon gets into the athletes' schedules of events, which thereby increases the number of participants.

### **Three Oaks Recreation Area Impact:**

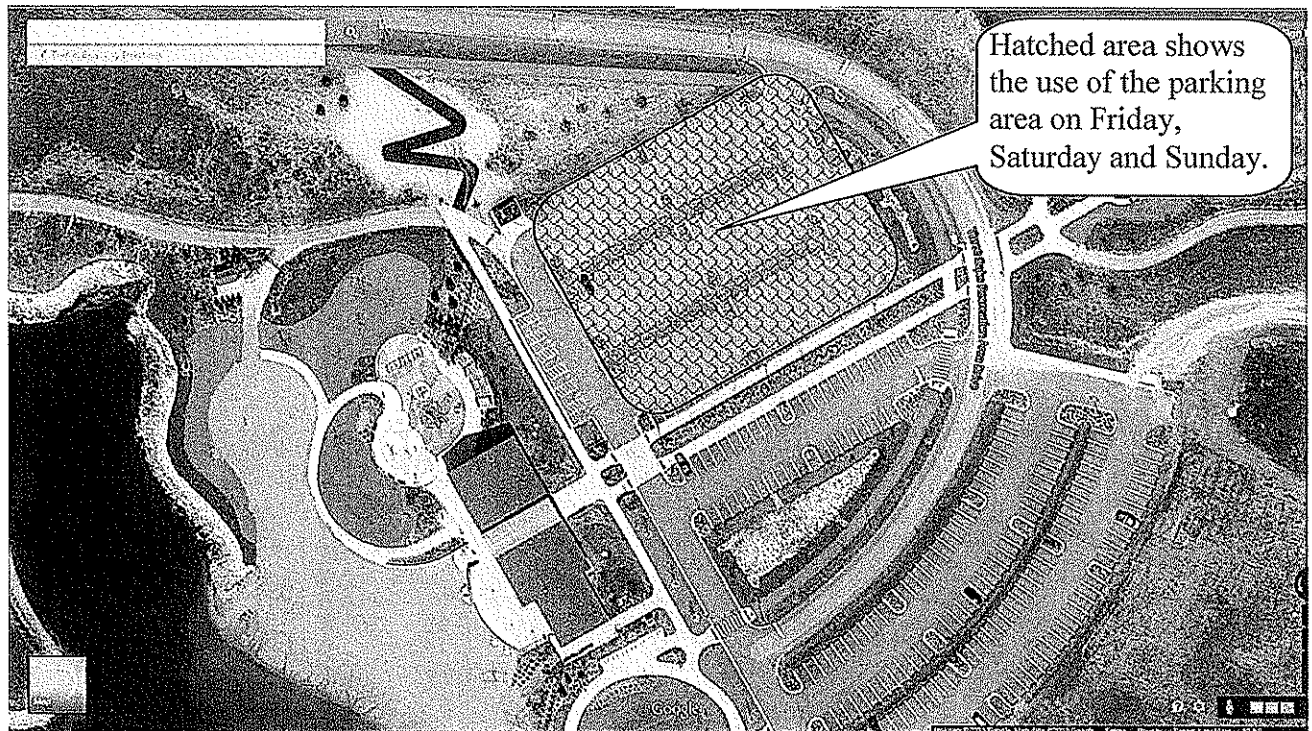
The 2015 event was held on Father's Day<sup>6</sup> and there was a significant impact to Three Oaks Recreation Area. The Three Oaks staff was responsible for much of the setup and breakdown of the equipment and also handled all of the traffic control as only 3 volunteers showed up. The cost for Three Oaks staff and lifeguards was \$955.00, which was billed to 3 Disciplines.

The 2016 event and possible subsequent events would be held in September when the beach area is closed. Very few visitors would be impacted by the 2016 event, but there is also limited staff at Three Oaks for assistance. The park would be closed during the event eliminating any vehicle participant conflicts and the need for traffic control. The City would need to coordinate with the wakeboard park operators if they plan to be open this late into the season. Outside volunteers would be needed for lifeguards and assistance with setup, breakdown, first-aid, registration, etc. Since the swim beach is closed at this time, it would be difficult for Three Oaks to provide the required number of lifeguards needed for this event. It is the responsibility of the petitioner to secure the necessary number of lifeguards needed for the event, which is between 10-12 lifeguards. Also, with attendant staff limited at this time of year, additional volunteers are needed. The petitioner shall secure the appropriate number of volunteers to effectively and safely run the event. If the petitioner cannot provide the minimum number of volunteers and lifeguards, the event will be cancelled. In addition, there are other City events at the end of September where the Police Department needs to provide officers. This would cause their staff to be limited as well.

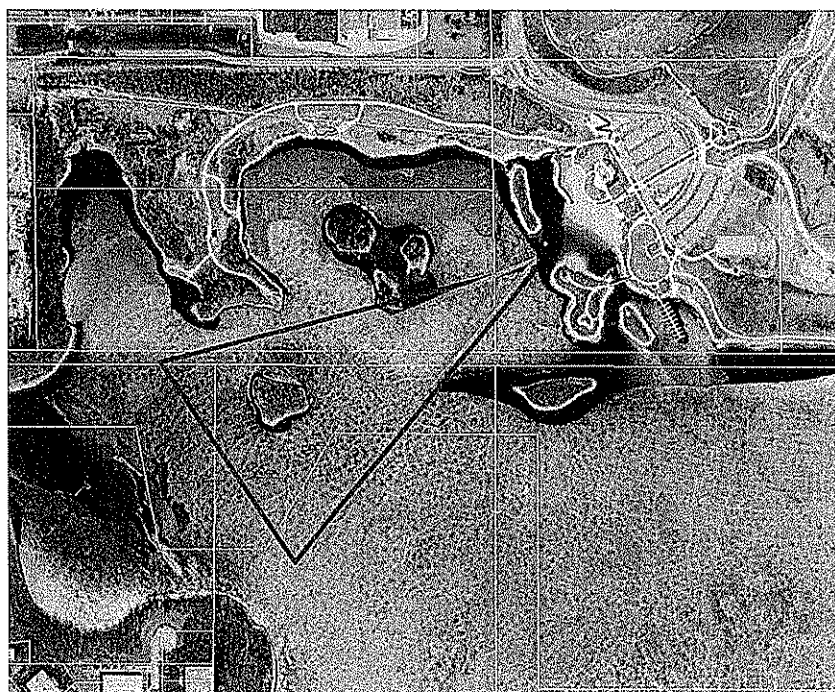
The illustration on the next page shows the area of the parking lot where setup would take place.

On Friday and Saturday before the event, there would be a slight disruption to visitors, but the main use of Three Oaks at that time would be by fisherman and generally that area of the parking lot would remain open. The beach is closed, for the season, so few guests are attending the park at that time.

On Sunday the park would be closed to visitors until the end of the event, which is approximately noon.



### Swimming Portion of the Race – Three Oaks Lake Usage



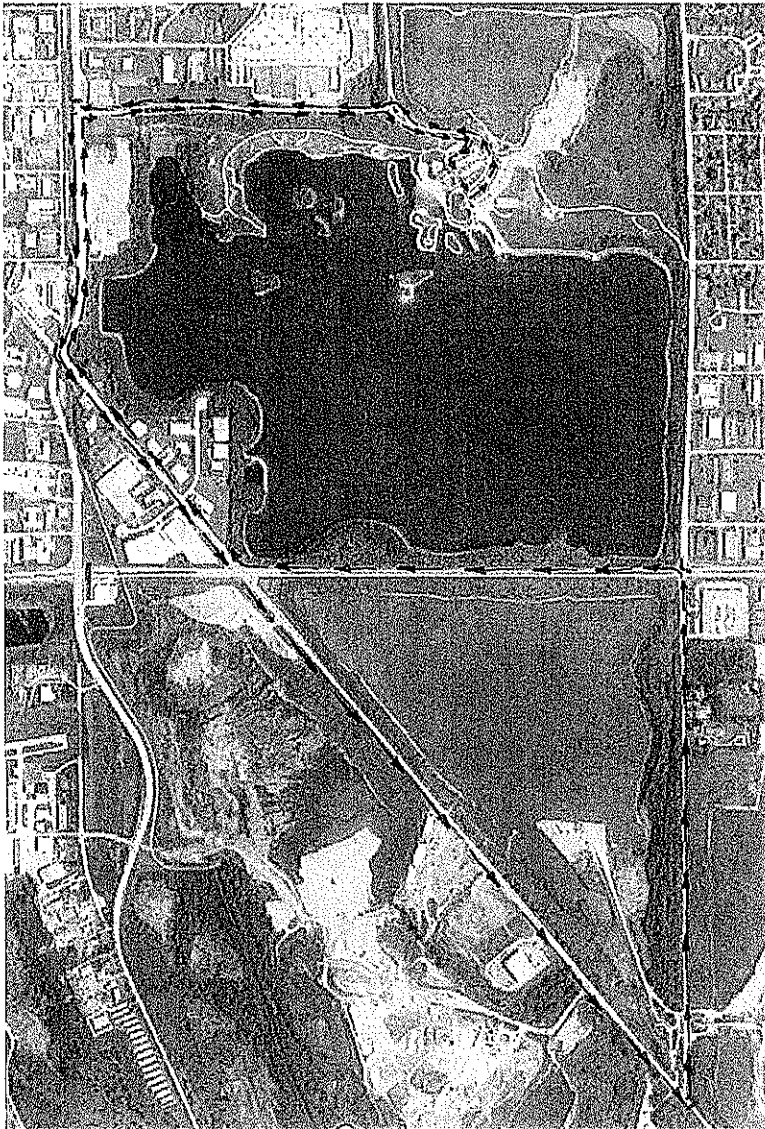
The beach and lake would be closed during the event due to the time of year. The swim portion would utilize the courses they have for the past two events. The swim portion starts at 8:00 am and would end approximately 90 minutes later with all swimmers having exited the water. The map below illustrates the estimated routes for both the longer Olympic course and the shorter Sprint course.



Also, Fire Rescue is concerned with the safety of the swimmers. It is likely that all lifeguards would need to be provided by the petitioner. For the 2015 event, one of the jet skis provided by the petitioner failed to operate which altered the approved safety plan for extracting swimmers in trouble. Also, additional staff would be needed to track the swimmers as they enter and exit the water. One volunteer was monitoring the swimmers which was not enough. The petitioner failed to comply with tracking requirements for the swimmers. It was only after the Three Oaks and Fire Rescue staff stepped in, did the accountability of the swimmers improve. The only way to overcome the last minute changes was to provide our own staff to make sure this occurs, which would be an additional cost to the petitioner. The acquisition of volunteers assigned to specific jobs is critical for any future events.

### Bicycle Portion of the Race - Traffic Control and Detour Plan

Road closures would begin approximately at 7:00 am and run through 1:00 pm. The contractor hired to setup and remove the cones, barricades, and signage, would start removing the traffic control after the last bike has set-off on their final lap. The 2015 event began at 7:00 am and the traffic control company was able to start removing the barricades and opening the roads by 10:30



am. The Sprint athletes complete approximately 13 miles on the bike and the Olympic athletes complete approximately 26 miles on the bike. The course would not be utilizing Route 14 this year as the Illinois Department of Transportation (IDOT) only allowed this route the previous two years because South Main Street was under construction.

In regards to the bike portion of the triathlon, below are City staff recommendations regarding the closure of streets/street lanes:

1. Main Street: Since the cyclists would be going both north and south on Main Street, the entire roadway would be closed. The roadway was closed for the 2015 event due to the construction and limited lane area during that time. Staff would utilize the detour plan that was created last year.

2. Virginia Road: Cyclists would use both northwest and southeast lanes requiring that this stretch of roadway between Main Street and Rakow Road be closed. The petitioner would be required to follow MCDOT's procedures for this closure.
3. Rakow Road: Between Pingree Road and Virginia Road, Rakow Road would be closed. This would allow the cyclists to both cross Rakow Road at Virginia Road and travel back across Rakow Road from Pingree Road MCDOT requires a signed detour plan and permit. MCDOT approved this closure for the 2015 event.

The Police Department has concerns when the bikes use the same roadway to double back on the same route. Both Main Street and Virginia Road would be closed allowing the cyclists to use the full roadway, minimizing these concerns.

#### Running Portion of the Race – Three Oaks Trail Usage

The race portion of the triathlon will occur on existing trails. The race course map shows the estimated running course. The running course would not conflict with the bike course.



#### **Traffic Control and Detour Plan:**

Since the race takes place on City of Crystal Lake, Village of Lake in the Hills and MCDOT roadways, this triathlon also requires the approval of the LITH Police Department and MCDOT. The petitioner is requesting that the City prepare and draft submittals on their behalf to the various entities for review. While typically the responsibility of the applicant, this request would include preparation of engineering plans for the detours routes and traffic control necessary due to the extensive road and lane closures. A consultant would be used to prepare this information and the applicant would reimburse the City for the costs for all traffic control planning. The consultant could use much of the 2015 plan to create the plan for 2016, which would include the following:

1. Prepare and draft traffic control and detour plans for submittal to MCDOT;

2. Prepare any plan revisions that are necessary and miscellaneous coordination time with LITH and MCDOT.

Staff would subsequently send out the traffic control plan to the various traffic control/barricade companies asking them to bid on the project.

**Required Costs:**

The required costs are typically paid by the petitioner. This request includes the waiver of the City's fees, which staff is estimating to be approximately \$3,415. There would be an additional cost for the traffic control plan, which is unknown at this time. The following is a break down on the fees that would be charged by the different departments:

1. It is anticipated that, at a minimum, five Police officers will be needed to assist with traffic control during the race. There would also be one supervisor at the event. The Police are estimating approximately **\$1,300** for the 2016 event. This is an estimate and actual costs from the day of the event will be sent to the petitioner.

Police Traffic Control:

- a. Main Street/Three Oaks entrance: 1 Crystal Lake Police Officer
- b. Rakow/Pingree intersection: 1 Crystal Lake police officer
- c. Rakow/Virginia intersection: 1 Crystal Lake police officer
- d. Virginia/Main: 1 Crystal Lake police officer
- e. Main/Liberty: 1 Crystal Lake police officer
- f. Gate House (internal): 1 officer likely detail supervisor

Additional officers may be required within the Three Oaks Recreation Area.

It shall be noted that the intersection of Virginia Road and Pingree Road is LITH Police jurisdiction. The petitioner would be responsible for any LITH police costs.

2. Fire Rescue would require an ambulance with two personnel to standby for the race, as well as a boat with three personnel. The Fire Rescue Department is estimating \$1,240 for their costs for the 2016 event. This is an estimate and actual costs from the day of the event will be sent to the petitioner. Below following is a breakdown of Fire Rescue Department costs:

Ambulance with two personnel:	\$124.00/hour
Optional First Aid	\$62.00/hour
Boat 399 with three personnel:	\$186.00/hour
Shift Commander	Salary
Total for 1 hour:	\$372.00
Four hour minimum:	<u>      4      </u>
<b>Minimum Total:</b>	<b>\$1,488.00</b>

The petitioner is responsible for providing general first-aid volunteers. The Fire Rescue personnel are there for emergencies. If the petitioner plans to utilize Fire Rescue personnel for general first-aid an additional paramedic is needed to be added, this is shown in the estimated costs.

3. The petitioner would be responsible for securing the traffic cones, barricades and set up with a third party vendor. The City would work with a consultant to prepare the traffic control plan and can send it to traffic control contractors for quotes so the lowest quote could be selected. The course is changing, eliminating the lane closure on Route 14. There would still be a full closure of Rakow Road, Virginia Road and Main Street this year, which requires significant off-site detour signage. The third party vendor would determine the cost, which must be paid by the petitioner.
  
4. Traffic Control Plan costs. The previous two years, the City has utilized in house staff and assistance from a consultant to prepare the traffic control plan. The petitioner is required to pay for this cost this year or any subsequent years if the bike course changes. This is estimated at a few thousand dollars.
  
5. Three Oaks Recreation Area Costs:

<i>Non-Refundable</i>	<i>Fee</i>
Application Fee	\$75
Out of City Organization	\$150
Three Oaks Service Boat Fee	\$24 ( \$12 per hour x 2 hours)
Three Oaks Overnight Security	\$96 (\$12 per hours x 8 hours)
Three Oaks General Staff Fee	\$450 (\$15 per hour x 6 staff (5 hours))
Three Oaks Lifeguard Fee	\$80 (\$10 per hour x 4 guards (2 hours))
<b>Total Non-Refundable Fee</b>	<b>\$875</b>
<i>Refundable</i>	<i>Fee</i>
Refundable Event Damage	\$1000
<b>Total Refundable Fee</b>	<b>\$1000</b>

This is an estimate and actual costs from the day of the event will be sent to the petitioner.

The petitioner is requesting that the City reduce or eliminate the fees it charges to hold the event. The City charged 3 Disciplines \$3,143.99 for the 2015 event. This included the \$262.50 that LITH Police billed to the City. The petitioner is looking for a waiver on these fees. Staff is concerned with waiving fees for a "for-profit" business.

The following table illustrates all of the estimated fees for the event:

Department	Fee	Notes
Police	\$1,300	Does not includes estimate for LITH officer
Fire	\$1,488	
Three Oaks Recreation Area	\$1,875	\$1,000 refundable deposit
Traffic Control Plan	~\$2,400	This is just an estimate
<b>TOTAL</b>	<b>\$7,063</b>	<b>Does not include Three Oaks deposit or traffic control plan costs.</b>

The petitioner plans to reach out to sponsors to help off-set their costs. The City also suggested having vendors on site similar to what took place during the Centennial Event with the vendor tents setup near the picnic pavilion. It is still unknown if the petitioner could get sponsors or any vendors for the event until they receive approval and begin their full marketing.

**Recommended Conditions:**

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

1. Three Oaks Recreation Area Conditions:
  - a. Comply with all City Code regulations, Special Event requirements, and Pavilion rental requirements, including all insurance requirements. Insurance certificates need to be provided annually.
  - b. The use of tents or canopies is subject to review by the Fire Prevention Bureau. The petitioner shall provide a detailed site plan for tents or canopies prior to the event.
  - c. Maintain access to all fire lanes and the south lake marina boat ramp. Provide a plan for all on-site signage prior to the event, which shall be reviewed by the City and approved prior to placement.
  - d. Receive approval from 3<sup>rd</sup> party property owners for off-site parking. Remote parking locations and signing plans will need to be submitted. A sign plan for the remote parking locations will be submitted to the City’s Building Division for approval. **The City must receive the written authorization by the 3<sup>rd</sup> party property owner for parking by August 18, 2016.**
  - e. The applicant shall agree that all traffic control activities shall be performed by an Illinois Department of Transportation approved contractor approved by the City Engineer, and the City shall be reimbursed for all traffic control costs and plans.
  - f. Submit for City approval, severe weather plans and an evacuation plan.
  - g. Sound system shall not disturb other users of the park.

- h. All temporary electrical items shall comply with the 2005 Electric Code and shall be subject to City inspection.
  - i. All egress gates will be unobstructed at all times.
- 2. Approval for the Three Oaks Recreation Area Triathlon is contingent upon approval from other participating jurisdictions, including the McHenry County Division of Transportation and the Village of Lake in the Hills. Provide written documentation of the other agency approvals.
- 3. City staff will have flexibility in adjusting the race course based on any concerns from City Departments.
- 4. 3 Disciplines must provide the City with a site plan for set-up at the Three Oaks Recreation Area and parking plan for the event for review by City Departments.
- 5. Work with the Police Department as to the positioning of volunteers. If no volunteers are willing and/or able to participate, the additional locations would need to be covered by officers. Volunteers must wear traffic safety vests, and have the ability to communicate via radio or cellular telephone with organizers and police in the event of an emergency. Volunteers are not to direct traffic on public roadways.
- 6. "Race In Progress" signs must be posted a minimum of one (1) day prior to the event. The changeable message signs announcing the detour shall be displayed at least one (1) week prior to the event.
- 7. Streets are not to be marked with paint or any permanent materials.
- 8. All debris created by the event shall be cleaned up during and after the event.
- 9. Petitioner must adhere to the required City insurance provisions for the use of City-owned property by providing a certificate of insurance naming the City as additional insured, and sign the required Indemnity/Hold Harmless agreement. Also, all participants should sign a waiver releasing the City from any liability related to their participation in the triathlon.
- 10. The petitioner shall also name McDOT on the insurance certificate.
- 11. Any additional permits or requests for signage shall be made through the Engineering Division.
- 12. In the case of inclement weather, an alternate date can be approved by the City Manager.
- 13. The petitioner is responsible for the required costs, which are the costs for the Police, Fire, traffic control contractor, Three Oaks Recreation Area staff and use of Three Oaks Recreation Area.
- 14.3 Disciplines must provide the proof of the required number of lifeguards, volunteers, insurance, off-site parking approval, severe weather and evacuation plan, proof of traffic control rental, MCDOT and LITH approvals, and liability waivers by August 18, 2016 or the event may be cancelled. No extensions from this date can be granted. The proof of lifeguards and volunteers must include a list of the volunteer's name, phone number and job assigned.**

The petitioner is aware of the recommended conditions and will be present at the meeting.

**Votes Required to Pass:**

Simple majority vote of the City Council



**Agenda Item No: 15**

**City Council  
Agenda Supplement**

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**Meeting Date:** October 6, 2015

**Item:** REPORT OF THE PLANNING & ZONING COMMISSION  
Express Employment EMC sign changes

**Requests:** Special Use Permit Amendment to allow changes to an Electronic Message Center (EMC) sign with a variation from the approved criteria for Express Employment.

**Petitioner:** Terri Greeno, Petitioner  
Penny Hughes, Petitioner  
580 E. Terra Cotta Avenue

**PZC Recommendation:** To approve the PZC recommendations and adopt an ordinance granting the Special Use Permit Amendment and variation for Express Employment at 580 E. Terra Cotta Avenue.

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

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**Background:**

- Existing Use: Express Employment currently occupies this entire building. They utilized the existing free-standing sign that was on the site. They received a Special Use Permit to allow the EMC portion of the sign.
- Ordinance Requirements: The UDO established language to regulate EMC signs and required that the EMC portion be located at the bottom 40% of the sign to reduce light glare and minimize visual distractions of the EMC portion on passersby.

**Key Factors:**

- Request: Special Use Permit Amendment to allow the EMC sign portion of the sign to be located in the center of the sign, rather than the bottom 40%.

**PZC Highlights:**

- The petitioner made landscape improvements to the site, including additional landscaping at the base of the sign and within the perimeter landscape area abutting Route 176. The petitioner explained that their hardship is that the snow piles and landscape materials block



the EMC portion of the sign, which is why they are requesting that it be moved up to the center of the sign.

- The PZC understood the difficulties with the visibility of the sign and felt that the petitioner met the Findings of Fact.

The PZC recommended **approval (5-0)** 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 (Greeno, received 07/31/15)
  - B. Sign Plans (Hughes Signs, received 08/10/15)
2. The conditions of Ordinance #7094 shall apply, unless modified by this request.
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.

**DRAFT**

ORDINANCE NO. \_\_\_\_\_  
FILE NO. \_\_\_\_\_

AN ORDINANCE GRANTING AN AMENDMENT  
TO THE SPECIAL USE PERMIT AND VARIATION  
AT 580 E. TERRA COTTA AVENUE

WHEREAS, pursuant to the terms of a Petition (File #2015-48) before the Crystal Lake Planning and Zoning Commission, the Petitioner has requested the issuance of an Amendment to the Special Use Permit and Variation to allow changes to an Electronic Message Center (EMC) sign with variations from the approved criteria for the property located at 580 E. Terra Cotta Avenue; and

WHEREAS, the Planning and Zoning Commission of the City of Crystal Lake, pursuant to notice duly published on August 25, 2015 in the Northwest Herald, held a public hearing at 7:30 p.m., on September 16, 2015 at City Hall at 100 W. Woodstock Street, Crystal Lake, Illinois to consider the proposed special use permit amendment and variation; and

WHEREAS, on September 16, 2015, the Planning and Zoning Commission, having fully heard and considered the testimony of all those present at the public hearing who wished to testify, made findings of fact as required by law and recommended to the Mayor and City Council of the City of Crystal Lake that the proposed special use permit amendment and variation be approved, all as more specifically set forth in that certain Report of the Planning and Zoning Commission in Case #2015-48, dated as of September 16, 2015; and

WHEREAS, it is in the best interests of the CITY OF CRYSTAL LAKE that the Amendment to the Special Use Permit and variation 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 an Amendment to the Special Use Permit be issued to allow changes to an Electronic Message Center (EMC) sign with a variation from the approved criteria for the property commonly known as 580 E. Terra Cotta Avenue (14-33-277-008), Crystal Lake, Illinois.

Section II: Said Amendment to the 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 07/31/15)
  - B. Sign Plans (Hughes Signs, received 08/10/15)
2. The conditions of Ordinance #7094 shall apply, unless modified by this request.

3. 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 all pertinent records of the City of Crystal Lake to show the issuance of a Special Use Permit Amendment and 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: 16**

**City Council  
Agenda Supplement**

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**Meeting Date:**

October 6, 2015

**Item:**

COUNTY ZONING REQUEST

Wirkus/SBA Communications County Zoning Request

8917 Ackman Road (unincorporated – between Lakewood and Lake in the Hills)

**Recommendation:**

City Council's discretion.

- a) Motion to object to the proposed variation requests, directing staff to proceed with filing an objection on behalf of the City.
- b) No action.

**Staff Contact:**

James Richter II, Planning & Economic Development Manager

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**Background:** As is customary with County Zoning requests within the City's mile and a half planning jurisdiction, the City received notice of a request from Sara Wirkus, SBA Communication, and Verizon Wireless for property at 8917 Ackman Road.

The property in question already contains a wireless tower, equipment shelter, graveled access road and fencing, on approximately .034 acres. The subject property is zoned A-1 agricultural district (County), and is surrounded by B-1 PUD Neighborhood Business (Lakewood) to the north; and A-1 (County) to the east, south, and west.

The petitioner is requesting variations to add a generator to the site, which would require a number of setback variations.

The public hearing on this matter was held on Monday, October 5, 2015, at 11:00 a.m. The City received the notice on September 18<sup>th</sup>, which was after the September 15<sup>th</sup> City Council meeting. Tonight's meeting is the first opportunity that the Council would have to address the request.

The property in question and the request does not appear to have any negative implications or impacts on Crystal Lake properties, or on our ability to provide services. Accordingly, it is recommended that the Council take no action on this request.

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





**Agenda Item No: 17**

**City Council  
Agenda Supplement**

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- Meeting Date:** October 6, 2015
- Item:** REPORT OF THE PLANNING & ZONING COMMISSION  
Central States Towers/Verizon– 6521 Commercial Road
- Requests:**
- 1) Special Use Permit for a wireless communications tower, and
  - 2) Variation from Article 2-400 to allow the monopole tower to be setback less than 110% of the height of the tower from all property lines.
- Petitioner:** Darren Snodgrass, TNG Wireless/Central States Towers, petitioner
- Staff Recommendation:**
- 1) To approve the PZC recommendations and adopt an ordinance granting a Special Use Permit and a variation at 6521 Commercial Road for Central States Towers/Verizon; or
  - 2) To refer the petition to the PZC meeting on October 7<sup>th</sup>, 2015, to review the additional information that was submitted prior to the City Council meeting.
- Staff Contact:** James Richter II, Planning and Economic Development Manager
- 

**Background:**

- Existing Use: The property is currently improved with an industrial building and is being used by Le Walt Glass.
- Background: The petitioner explored locating the wireless communication facilities on existing private towers and public utilities. According to the petitioner, there are currently no existing structures that could accommodate the communications facility within the petitioner's targeted service area.

**Key Factors:**

- Request: The petitioner is requesting a special use permit for a wireless communications tower and a zoning variation from Article 2-400 to allow the monopole tower to be setback less than 110% of the height of the tower. Based on the height of the proposed tower, the Unified Development Ordinance requires a setback of 143 feet from all property lines. The closest that the tower would be to the property lines would be approximately 58 feet.

- UDO Standard: A special use permit is required for wireless communication towers. Wireless communication facilities are required to meet a number of special use standards, including a requirement to have the tower setback a distance of 110% of the height of the tower from all property lines.
- The application from the petitioner was silent regarding the following criteria for the Special Use Permit:
  - Franchises and licenses: The operator shall provide documentation to the City to demonstrate that all franchises and licenses required by law for the construction and/or operation of a tower or antenna have been obtained. *(The petitioner submitted an affidavit after the Planning and Zoning Commission meeting stating they will have the necessary documentation)*
  - Towers shall either maintain a galvanized steel finish or, subject to any applicable standards of the FAA, be painted a neutral color (i.e., light grey) to reduce visual obtrusiveness or painted in a sky-tone above the top of surrounding trees and in an earth-tone below the treetop level. *(No documentation provided)*
  - At a tower site, the design of buildings and related structures shall, to the maximum extent practicable, use materials, colors and architectural styles, that blend into the natural setting and surrounding buildings. *(No documentation provided)*
  - Security fencing: Towers, guy anchor supports, and ground-based equipment buildings shall be enclosed by security fencing not less than eight feet in height and equipped with an appropriate anti-climbing device. *(The petitioner's plan set shows a 6-foot fence)*
  - Radiation reporting: It shall be demonstrated that the proposed tower, antenna, and supporting equipment complies with FCC nonionizing radiation requirements for individual and combined facilities. *(The petitioner submitted an affidavit after the Planning and Zoning Commission meeting stating they meet this standard)*
- The PZC was comfortable with conditionally recommending approval for the petitioner's request, requiring them to provide confirmation of meeting all of the special use permit criteria prior to obtaining a permit to construct the tower.

**PZC Highlights:**

- The PZC inquired about a "flag pole" design for the tower. Mr. Snodgrass explained that the carriers are having trouble with that design, that the equipment gets overheated within the pole and that their company prefers the monopole style, which allows co-location of at least two additional carriers.
- The PZC reinforced that the proposed landscape screening must meet the UDO requirements.
- The PZC agreed that all of the Special Use criteria should be met, even those that the petitioner did not provide confirmation of meeting as part of their application, except for the setback requirements, which the Commission recommended approval for.
- The PZC felt that the Findings of Fact had been met.

The PZC recommended **approval (5-1)** 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 (received 07/30/15)
  - B. Existing Tower Analysis (received 07/30/15)
  - C. Plan Set (received 07/30/15, dated 07/28/15)
  - D. Plat of Survey (received 07/30/15, dated 05/12/15)
2. Towers shall either maintain a galvanized steel finish or, subject to any applicable standards of the FAA, be painted a neutral color (i.e., light grey) to reduce visual obtrusiveness or painted in a sky-tone above the top of surrounding trees and in an earth-tone below the treetop level.
3. The design of buildings and related structures shall, to the maximum extent practicable, use materials, colors and architectural styles, which blend into the natural setting and surrounding buildings.
4. The operator shall provide documentation to the City to demonstrate that all franchises and licenses required by law for the construction and/or operation of a tower or antenna have been obtained.
5. No outside storage shall be allowed on any facility site.
6. Towers shall not be artificially lighted, unless required by the FAA or other applicable authority.
7. A single sign measuring no more than two square feet in size can be located on or near the tower, and shall identify the tower owner, the street address of the tower, the owner's identification code for the tower, and a twenty-four-hour emergency contact telephone number.
8. No commercial advertising shall be allowed on the tower or its related facilities.
9. The petitioner shall work with staff to enhance the landscaping buffer along the property lines.
10. The security fencing shall measure 8 feet in height.
11. The driveway leading to the new cell tower will need to be paved per City standards.
12. It shall be demonstrated that the proposed tower, antenna, and supporting equipment complies with FCC non-ionizing radiation requirements for individual and combined facilities.
13. The petitioner shall address all of the review comments and requirements of the Community Development, Public Works, Fire and Police Departments.
14. **The petitioner agrees to meet all of the Special Use Permit criteria listed in the Staff Report, with the exception of the required setback. (Added by PZC)**



**15. Any additional carriers are required to go through the Building Permit process. (Added by PZC)**

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

ORDINANCE NO. \_\_\_\_\_  
FILE NO. \_\_\_\_\_

AN ORDINANCE GRANTING A SPECIAL USE PERMIT  
AND VARIATION  
AT 6521 COMMERCIAL ROAD

**DRAFT**

WHEREAS, pursuant to the terms of a Petition (File #2015-47) before the Crystal Lake Planning and Zoning Commission, the Petitioner has requested the issuance of a Special Use Permit for a wireless communication tower and a variation from Article 2-400 to allow the monopole tower to be setback less than 110% of the height of the tower, 143 feet, from all property lines for the property located at 6521 Commercial Road; and

WHEREAS, the Planning and Zoning Commission of the City of Crystal Lake Commission of the City of Crystal Lake, pursuant to notice duly published on August 4, 2015 in the Northwest Herald, held a public hearing at 7:30 p.m.; on August 19, 2015 at City Hall at 100 W. Woodstock Street, Crystal Lake, Illinois to consider the proposed special use permit and variation; and

WHEREAS, on August 19, 2015, the Planning and Zoning Commission, having fully heard and considered the testimony of all those present at the public hearing who wished to testify, made findings of fact as required by law and recommended to the Mayor and City Council of the City of Crystal Lake that the proposed special use permit and variation be approved, all as more specifically set forth in that certain Report of the Planning and Zoning Commission in Case #2015-47, dated as of August 19, 2015; and

WHEREAS, it is in the best interests of the CITY OF CRYSTAL LAKE that the Special Use Permit and Variation 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 for a wireless communication tower and a variation from Article 2-400 to allow the monopole tower to be setback less than 110% of the height of the tower, 143 feet, from all property lines for the property commonly known as 6521 Commercial Road (19-08-276-007), Crystal Lake, Illinois.

Section II: Said Special Use and Variation are issued with the following conditions:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
  - A. Application (received 07/30/15)
  - B. Existing Tower Analysis (received 07/30/15)

- C. Plan Set (received 07/30/15, dated 07/28/15)
- D. Plat of Survey (received 07/30/15, dated 05/12/15)

2. Towers shall either maintain a galvanized steel finish or, subject to any applicable standards of the FAA, be painted a neutral color (i.e., light grey) to reduce visual obtrusiveness or painted in a sky-tone above the top of surrounding trees and in an earth-tone below the treetop level.
3. The design of buildings and related structures shall, to the maximum extent practicable, use materials, colors and architectural styles, which blend into the natural setting and surrounding buildings.
4. The operator shall provide documentation to the City to demonstrate that all franchises and licenses required by law for the construction and/or operation of a tower or antenna have been obtained.
5. No outside storage shall be allowed on any facility site.
6. Towers shall not be artificially lighted, unless required by the FAA or other applicable authority.
7. A single sign measuring no more than two square feet in size can be located on or near the tower, and shall identify the tower owner, the street address of the tower, the owner's identification code for the tower, and a twenty-four-hour emergency contact telephone number.
8. No commercial advertising shall be allowed on the tower or its related facilities.
9. The petitioner shall work with staff to enhance the landscaping buffer along the property lines.
10. The security fencing shall measure 8 feet in height.
11. The driveway leading to the new cell tower will need to be paved per City standards.
12. It shall be demonstrated that the proposed tower, antenna, and supporting equipment complies with FCC nonionizing radiation requirements for individual and combined facilities.
13. The petitioner shall address all of the review comments and requirements of the Community Development, Public Works, Fire and Police Departments.
14. The petitioner agrees to meet all of the Special Use Permit criteria listed in the Staff Report, with the exception of the required setback.
15. Any additional carriers are required to go through the Building permit process.

Section III: That the City Clerk be and is hereby directed to amend 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, approval and publication as provide 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: 18**

## **City Council Agenda Supplement**

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**Meeting Date:** October 6, 2015

**Item:** Debt Collection Services

**Staff Recommendation:** Motion to award the proposal for Debt Collection Services to the lowest responsive, responsible proposer, Armor System Corporation, and to adopt a resolution authorizing the City Manager to execute a five-year agreement with Armor Systems Corporation in accordance with the submitted proposal.

**Staff Contact:** George Koczvara, Director of Finance

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**Background:**

On July 7, 2015, the City opened proposals received for Debt Collection Services. The retained Collection Agency will perform a variety of tasks, including but not limited to collection of delinquent accounts on behalf of the City of Crystal Lake.

Debt collection is an important part of the City's revenue collection operation. The City has a 87.27% collection rate for parking tickets, a 75.01% collection rate for ambulance fees, and a 62.11% collection rate for adjudication fines. One of the ways the City ensures an effective revenue collection operation is through the use of a third-party debt collection service.

The attached spreadsheet lists the three submitted proposals for debt collection services. The following criteria were used for the ranking of the submitted proposals:

- a) Experience and reliability.
- b) Plan to implement the services outlined in the Request for Proposals document.
- c) Any exceptions taken to the Scope of Work and/or Contract.
- d) Percentages outlined on the pricing page.
- e) Municipal References.

Staff compared the proposals submitted based on the set criteria and determined that Armor System Corporation met the necessary criteria, delivered the best value for the City of Crystal Lake and is the lowest responsive and responsible proposer.

**Recommendation**

The proposals have been reviewed for completeness and accuracy in accordance with the Request for Proposal documents. Staff reviewed the proposals submitted and determined that Armor Systems Corporation has met the specifications based on price, experience and ability to serve the City's collections of delinquent accounts and financial matters. The evaluation process included the approach to collection and ability to report to credit bureaus, as well as follow-up with legal action.

**Votes Required to Pass:**

Simple Majority

Debt Collection Services RFP

Based on \$217,119 sent to collection in CY2014

30% is 80-119 days old

70% is 120 days and over

Amount pulled from collections to send to Local Debt was \$110,133.

Amnesty Program for Adjudication Fines totaling \$157,892 that is more than 120 days old.

	Armor Systems Corporation		ICS Collection Service		Glass Mountain Capital	
	Fees	Rate	Fees	Rate	Fees	Rate
Age of Account, from 80-119 days	\$ 16,284	25%	\$ 18,238	28%	\$ 13,672	20.99%
Age of Account, from 120 days & over	\$ 45,595	30%	\$ 42,555	28%	\$ 34,181	22.49%
Accounts returned at the City's request	\$ -	0%	\$ -	0%	\$ 23,128	21%
Amnesty Program (assuming a 50% response rate)	\$ 15,786	20%	\$ 22,101	28%	\$ 14,997	19%
Total Collection Fees	\$ 77,665		\$ 82,894		\$ 85,978	



**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 between Armor Systems Corporation and the City of Crystal Lake for a five-year period for Collection Agency Services.

DATED this 6<sup>th</sup> day of October, 2015

CITY OF CRYSTAL LAKE, an  
Illinois Municipal Corporation,

By: \_\_\_\_\_  
MAYOR

SEAL

ATTEST

\_\_\_\_\_  
CITY CLERK





**Agenda Item No: 19**

**City Council  
Agenda Supplement**

**Meeting Date:** October 6, 2015

**Item:** Wastewater Plants # 2 and #3 Improvements Project Award and Construction Engineering Services Contract

**Staff Recommendation:** Motion to:

- 1.) Award the bid for the Wastewater Plants #2 and #3 Improvements to the lowest responsive, responsible bidder, Williams Brothers Construction, Inc., and adopt a resolution authorizing the City Manager to execute a contract with Williams Brothers Construction, Inc., in the amount of \$13,880,000 with a 10% contingency for unforeseen expenses upon receipt of IEPA Loan offer approval.
- 2.) Authorize a contract for Phase 3 Construction Engineering Services to Baxter & Woodman, the most qualified, responsive and responsible proposer and adopt a resolution authorizing the City Manager to execute an agreement with Baxter & Woodman in the amount of \$560,752 with a 10% contingency for unforeseen expenses upon receipt of IEPA Loan offer approval.

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

On July 16, 2015, the City publicly opened and read aloud the bids received for the Wastewater Plants #2 and #3 Improvements. The following is a summary of the bids received:

<b>Company</b>	<b>Total Bid Cost</b>
√Williams Brothers Construction, Inc. Peoria, IL	\$13,880,000
Boller Construction Company Waukegan, IL	\$14,350,000
Joseph J. Henderson & Son, Inc. Gurnee, IL	\$14,394,000
Path Construction Co., Inc. Arlington Heights, IL	\$17,664,200

√ Indicates the lowest responsive and responsible bidder

The Engineer's pre-bid opinion of probable cost was \$14,130,000. The price submitted by the lowest responsible, responsive bidder was \$13,880,000 which is **\$250,000 less than the Engineer's estimate.** A Letter of Recommendation to Award the Project dated July 22, 2015 from the Engineer is attached.

## **Background:**

In 2013, in order to ensure that the City continued to provide modern, efficient, and reliable water and sewer utility service, the City Council approved contracts with consultants to provide Sewer and Water Master Plans. The purpose of these plans was to identify significant capital improvements to repair, rehabilitate and enhance the City's water and sewer system. In addition, the City approved a contract with Baxter and Woodman to evaluate the financial impacts of undertaking the proposed capital improvements, review the existing rate structure and make recommendations regarding five-year rate modifications to support capital improvements.

In 2014, the results of the Baxter and Woodman study were accepted as part of the Budget review process. The study provided for a multi-year sewer and water rate increase to continue the activities of the Public Works Department's Water, Underground, and Wastewater Divisions, while incorporating escalating costs of energy and commodities needed for the pumping and treatment of water and sewer. Funds from the proposed increase would also provide for the ability to replace aged water/sewer infrastructure in order to maintain the current service levels our residents receive.

The accepted rate structure will support not only the continued operations of the water, sewer, and wastewater services of the City, but also the infrastructure improvements necessary for maintaining the integrity of the systems. The bulk of the water, sewer and wastewater projects will be funded through the State Revolving Fund (SRF) programs, administered by the Illinois Environmental Protection Agency (IEPA).

## **State Revolving Fund (SRF) programs**

The SRF programs, administered by the IEPA, include the Water Pollution Control Loan Program (WPCLP) for wastewater projects and the Public Water Supply Loan Program (PWSLP) for drinking water projects. These two programs are annually the recipients of federal capitalization funding, which is combined with state matching funds, program repayments, and bond and interest proceeds to form a perpetual source of low interest financing for environmental infrastructure projects.

The City is still working on finalizing the necessary due diligence for the water projects but is ready to proceed with the wastewater projects for the Water Pollution Control Loan Program. The wastewater projects include the rehabilitation of two secondary clarifiers at Wastewater Treatment Plant #2, the construction of a digester, control building and centrifuge building at Wastewater Treatment Plant #2, and the reconstruction of digesters #1 and #2, blower building rehabilitation, and the rehabilitation of trickling filters #1 and #2 at Wastewater Treatment Plant #3.

In order to complete the application process, at the May 15, 2015 City Council meeting, the City Council adopted an ordinance authorizing the borrowing of funds through the Water Pollution Control Loan Program. The loan will be repaid from revenues of the water and sewer system over a twenty-year period. The loan is not a general obligation of the City. When the City Council adopted the ordinance authoring the borrowing of funds through the Water Pollution Control Loan Program, the anticipated interest rate was 2.21%. Recently, the City was notified that the interest rate has dropped. **The interest rate for IEPA loan program for the Wastewater Plants # 2 and #3 Improvements Project and Construction Engineering Services has dropped from 2.21% to 1.85% which is a savings of approximately \$540,000 over the life of the twenty-year loan.**

Following the approval of the Water Pollution Control Loan Ordinance, bids were released for the planned projects. The approval of the bids is contingent upon receiving the Water Pollution Control Loan.

## **Wastewater Plants #2 and #3 Improvements**

The Wastewater Master Plan completed in June 2013 identified a number of capacity and flow deficiencies at the City's two wastewater treatment facilities. These projects were scrutinized and ultimately prioritized based on failure/violation risk and operational improvement. The projects deemed most critical include:

- 1) WWTP#2 Solids Handling Flow & Capacity (Digester)
- 2) WWTP#3 Digester Improvements
- 3) Lift Station #12 Raw Pump Screening for WWTP#3
- 4) WWTP#2 Hydraulic Improvements

In addition, critical maintenance and rehabilitation needs had been scheduled to be performed on existing equipment. Structures at these facilities are exposed to harsh conditions as gases are released throughout the treatment process. Further, certain mechanical processes needed to be taken offline periodically for significant maintenance. Such maintenance and rehab work include:

- 5) WWTP#2 Bio-solids Building
- 6) WWTP#2 Clarifier Rehab
- 7) WWTP#2 Blower MCC Panel Replacement

The City awarded a proposal to Baxter & Woodman on August 20, 2013 in the amount of \$954,370 to provide the necessary Engineering Services to design and construct these projects. The funding for the engineering and construction of projects 3,4,5,6, and 7 was accomplished through bond proceeds. Those projects were all completed in 2013 and 2014. The remaining projects, 1 and 2, were improvements at Wastewater Plants #2 and #3 to address solids handling, digester capacity, sludge thickening, and other related piping improvements. The original estimate for these improvements was \$6,800,000 (WWTP2) + \$300,000 (WWTP3) = \$7,100,000.

City staff determined that advancing the Tier 1 and 2 Wastewater Capital Projects from the five-year capital priority plan into one IEPA loan would be the most efficient and fiscally responsible approach given the favorable financial climate and environment and necessity to complete the projects. The rate study was evaluated and it was determined that the debt service associated with this approach was feasible. The following items were classified as changes to the scope of the original agreement with Baxter and Woodman:

- 1) WWTP #2: Replace the cover on the existing digester, replace the mixing and heating system, and include safety equipment for cogeneration. Also, add in the rehabilitation of clarifiers #1 and #2 and replace the weirs and baffles in clarifiers #1 and #4.
- 2) WWTP #3: Replace the trickling filter media in both packed towers. These were originally scheduled in years 4 and 5 of the Capital Improvement Program but were advanced to take advantage of IEPA funding.
- 3) WWTP #3: Replace the four, 40-year old blowers and piping to address dated, obsolete, inefficient blowers, control, and piping and expand the blower building to be large enough.

Revised Scope Analysis:

1) WWTP #2 Design scope items	\$ 500,000
2) WWTP #2 Clarifier work and contingency	\$1,300,000
3) WWTP #3 Trickling filter media	\$3,180,000
4) WWTP #3 Digesters and blower improvements	\$1,550,000
5) WWTP #3 Contingency	\$ 950,000

The changes in scope of these projects were addressed and approved as part of the budget process. The costs associated with the changes in scope for Construction Services Engineering were submitted as part of the IEPA loan application process. However, since the original Engineering Agreement Construction Services costs were based on the original scope of the Wastewater Plants #2 and #3, the Construction Services Contract should be revised.

The proposal price submitted by Baxter & Woodman as part of the proposal awarded at the August 20, 2013 City Council meeting was a 4.04% fee of the \$7,100,000 in construction costs. Baxter and Woodman will maintain the same fee of 4.04% of the expanded scope project of \$13,880,000 (\$15,268,000 with the 10% contingency). This is a fair competitive fee for the size of the project as the industry standard is closer to 7%. Baxter & Woodman was originally selected as the most qualified proposer in conformance with the QBS process for Federal funded projects. Therefore, their selection is based on qualifications and the fee negotiated.

**Recommendation:**

Staff, along with the City's consulting engineer, Baxter & Woodman, has reviewed the bids received for completeness and accuracy in accordance with the Invitation to Bid document. It is the recommendation of staff to award the bid for Wastewater Plants #2 and #3 Improvements to Williams Brothers construction Company in the amount of \$13,880,000.00 with a 10% contingency for unforeseen expenses subject to IEPA loan approval. References for Williams Brothers Construction, Inc. have been verified.

Further, staff recommends that a contract for Construction Engineering services be approved for Baxter & Woodman in the amount of \$560,752 with a 10% contingency for unforeseen expenses subject to IEPA loan approval.

These projects were included in the FY15/16 budget and funded subject to IEPA loan approval.

**Votes Required to Pass:**

Simple majority



**DRAFT**

**RESOLUTION**

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE that the City Manager be and he is hereby authorized and directed to execute a contract with Williams Brothers Construction, Inc., in the amount of \$13,880,000 with a 10% contingency for unforeseen expenses, upon receipt of IEPA Loan offer approval, for the Wastewater Plants #2 and #3 Improvements.

DATED this 6<sup>th</sup> day of October, 2015.

CITY OF CRYSTAL LAKE, an  
Illinois municipal corporation,

By: \_\_\_\_\_  
MAYOR

SEAL  
ATTEST

\_\_\_\_\_  
CITY CLERK

PASSED: October 6, 2015  
APPROVED: October 6, 2015



**DRAFT**

**RESOLUTION**

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE that the City Manager be and he is hereby authorized and directed to execute a contract for Phase 3 Construction Engineering Services to Baxter & Woodman in the amount of \$560,752 with a 10% contingency for unforeseen expenses, upon receipt of IEPA Loan offer approval, for the Wastewater Plants #2 and #3 Improvements.

DATED this 6<sup>th</sup> day of October, 2015.

CITY OF CRYSTAL LAKE, an  
Illinois municipal corporation,

By: \_\_\_\_\_  
MAYOR

SEAL  
ATTEST

\_\_\_\_\_  
CITY CLERK

PASSED: October 6, 2015  
APPROVED: October 6, 2015