

CITY OF CRYSTAL LAKE
AGENDA
CITY COUNCIL
REGULAR MEETING

City of Crystal Lake
100 West Woodstock Street, Crystal Lake, IL
City Council Chambers
September 20, 2016
7:30 p.m.

1. Call to Order
2. Roll Call
3. Pledge of Allegiance
4. Proclamation – Constitution Week
5. Approval of Minutes
 - a) September 6, 2016 Regular City Council Meeting
 - b) March 22, 2016 Budget Workshop 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
11.
 - a) Suran, 350 W. Terra Cotta Avenue-Motion to refer the petitioner's request to the September 21, 2016 Planning and Zoning Commission meeting for zoning consideration and to the October 4, 2016 City Council meeting for the annexation public hearing.
 - b) Barrington Trust 114690, 4419 Route 14 - Continuation to the October 4, 2016 regular City Council meeting for the Annexation Public Hearings.
 - c) Chicago Title Land Trusts 1004004149 & 1004004152 & Reinhardt/Kirk Annexation Public Hearings - Continuation to the October 4, 2016 regular City Council meeting for the Annexation Public Hearings.
12. Central, Prairie Ridge and South High Schools – Homecoming Parade Special Event Approvals.
13. Moe B. Dicks, 1050 North Shore Drive – Revised Video Game Machine Layout.
14. Goal Line Sports Bar and Grill, Inc., 85 Brink Street - City Code Amendment to increase the number of Class “28” Liquor Licenses from the current permitted 6 to 7 licenses and to increase the number of Video Gaming Licenses from the current permitted 6 to 7 licenses.
15. Christian Fellowship Church, 3419 Walkup Road - County Zoning Request for a Conditional Use Permit for a place of worship.
16. Fairfield Inn Hotel, 900 Cog Circle – Final PUD Extension for one year.

17. **Space Management, 6905 Cog Circle - Annexation Public Hearing and approval of an Annexation Agreement, Adoption of the Annexation Ordinance, Rezoning to M-L Manufacturing Limited Planned Unit Development District upon Annexation, Special Use Permits for outdoor storage of materials, equipment and vehicles, two wireless communication towers, and mini warehouse self storage, and variations for impervious surface coverage and variations for fencing.**
18. **Resolution authorizing an Intergovernmental Agreement between the Civic Center Authority and the City of Crystal Lake.**
19. **Proposal award and execution of an agreement with Automatic Systems, Inc. for Programmable Logic Controller & Allen-Bradley Intrinsicly Safe Barrier Installations for the Lift Stations Project.**
20. **Reject all bids and waive the bidding procedures and execute a service contract with Chicagoland Paving for the Roadway Patching Program.**
21. **Council Inquiries and Requests.**
22. **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.**
23. **Reconvene to Regular Session.**
24. **Historic Preservation Commission Appointment.**
25. **Economic Development Committee Reappointments.**
26. **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: 11a

**City Council
Agenda Supplement**

Meeting Date: September 20, 2016

Item: Kamil Suran, petitioner - Annexation Referral
350 W. Terra Cotta Ave

Recommendation: Motion to refer the petitioner's request to the September 21, 2016, Planning & Zoning Commission meeting for zoning consideration and to the October 4, 2016, City Council meeting for the annexation public hearing.

Staff Contact: Michelle Rentzsch, Community Development Director

Background: The petitioner is requesting annexation of three parcels that total approximately 4.9 acres, located on Terra Cotta Avenue, east of Oak Street. The property is improved with a vacant manufacturing building and open land. The petitioner would occupy the property, after purchase and annexation, with his countertop fabrication business.

The petitioner respectfully requests that this matter be referred to the September 21, 2016, Planning & Zoning Commission meeting for zoning consideration and the October 4, 2016, City Council meeting for the annexation public hearing.

Votes Required to Pass: A simple majority vote.

Suran – 350 W. Terra Cotta Ave PIQ





Agenda Item No: 11b

**City Council
Agenda Supplement**

- Meeting Date:** September 20, 2016
- Item:** Barrington Harris Bank Trust 114690 Property (4419 Route 14)
Annexation Public Hearing Continuation
- Recommendation:** Motion to continue the Barrington Harris Bank Trust 114690
Property (4419 Route 14) Annexation request to the October 4, 2016
City Council meeting for the Annexation Public Hearing.
- Staff Contact:** Michelle Rentzsch, Community Development Director
-

Background:

Harris Bank Trust #114690 (D'Andrea Banquets) is a 2.254-acre parcel located at 4419 Route 14 and is improved with D'Andrea Banquets and part of its associated parking area. In earlier letters requesting annexation, the response has been that there was no interest in annexation. Prior to the August 16, 2016 City Council meeting, the property owner contacted the City to learn about voluntary annexation. City staff met with the property owners on-site and provided them the draft annexation petition and annexation agreement. One of the property owners was leaving the country for vacation and was not returning until September 15th, too late to review the documents for the September 20th City Council meeting; therefore, he requested that we continue the annexation of the property to the October 4th City Council meeting to give him adequate time to review documents and respond to the City.

The property owners respectfully requests that this matter be continued to the October 4, 2016, City Council meeting for the Annexation Public Hearing.

Votes Required to Pass: A simple majority vote.



Agenda Item No: 11c

**City Council
Agenda Supplement**

Meeting Date: September 20, 2016

Item: Chicago Title Land Trusts 1004004149 & 1004004152 (Whiskey Business and Shopping Center) and Reinhardt/Kirk Annexation Public Hearing Continuation

Recommendation: Motion to continue the 1) Chicago Title Land Trusts 1004004149 & 1004004152 and 2) Reinhardt/Kirk request to the October 4, 2016 City Council meeting for the Annexation Public Hearings.

Staff Contact: Michelle Rentsch, Community Development Director

Background:

Chicago Title Land Trusts- The petitioner is requesting the annexation of three parcels that total approximately 3.04 acres, located at 4616 Route 176, 4709 Route 176 and lot 13 on Reiland Drive. The parcels are improved with Whiskey Business, a commercial retail shopping center, auto repair business and outdoor storage.

Reinhardt/Kirk- The property is contiguous with the above property and consists of one parcel that totals approximately 0.28 acres, located at 851 Reiland Drive. The property would be involuntarily annexed after the annexation of the Chicago Title Land Trusts.

City staff respectfully requests that this matter be continued to the October 4, 2016, City Council meeting for the Annexation Public Hearing in order to continue to work with the petitioner on the annexation agreement.

Votes Required to Pass: A simple majority vote.



Agenda Item No: 12

**City Council
Agenda Supplement**

<u>Meeting Date:</u>	September 20, 2016
<u>Item:</u>	Central, Prairie Ridge and South High Schools Homecoming Parade Special Event Approvals
<u>Recommendation:</u>	Motion approving the Central, Prairie Ridge and South High Schools Homecoming Parade Special Event subject to the recommended staff conditions, and to waive the chargeback costs for the Police Officer details.
<u>Staff Contact:</u>	Michelle Rentzsch, Community Development Director

Background:

Representatives from the community's three high schools are requesting to hold their respective annual homecoming parades. The request is to close the streets that will be used for the parade routes and to waive the chargeback costs for Police officer assistance during these events, as detailed below for each high school.

Central High School on Friday, September 23 from 4:00 pm to 5:00 pm (please reference parade route map):

- Walkup Avenue between Franklin Avenue and Grant Street
- Grant Street between Crystal Lake Avenue and Woodstock Street
- Williams Street between Woodstock Street and Esther Street
- Esther Street between Williams Street and Walkup Avenue

In past years, the event organizers have not paid for the Police Officers assisting with the parade. The cost to the City for 8 officers for a 1-hour detail would be approximately \$445 (The actual costs are determined by the number and level of rank of officers deployed).

Prairie Ridge High School on Friday, September 30 from 4:00 pm to 5:00 pm (please reference parade route map):

- Dvorak Drive between the High School Entrance and Walkup Road
- Walkup Road between Dvorak Drive and Shenandoah Court
- Shenandoah Court between Walkup Road and Shenandoah Drive
- Shenandoah Drive between Walkup Road and Buckhorn Drive

- Buckhorn Drive from Shenandoah Drive to Pleasant Hill Road
- Pleasant Hill Road from Buckhorn to the northern Prairie Ridge High School entrance.

*None of these streets are under the City's jurisdiction.

In past years, the event organizers have not paid for the Police Officers assisting with the parade. The cost to the City for 5 officers for a 1-hour detail would be approximately \$220 (The actual costs are determined by the number and level of rank of officers deployed).

South High School on Friday, September 23 from 3:30 pm to 4:30 pm (please reference parade route map):

- Willow Tree Drive between the entrance to Woodscreek Park and Golf Course Road
- Golf Course Road between Willow Tree Drive and Concord Drive
- Concord Drive between Golf Course Road and the back entrance to Crystal Lake South High School.

In past years, the event organizers have not paid for the Police Officers assisting with the parade. The cost to the City for 10 officers for a 1-hour detail would be approximately \$575 (The actual costs are determined by the number and level of rank of officers deployed).

Under the new special events ordinance, the City Council reviews all special events that either request the closure of a City street or if the event requests Crystal Lake Police assistance. These are the customary routes that the Homecoming Parades have used for many years. There have been no reported complaints in the past about the parades using these routes.

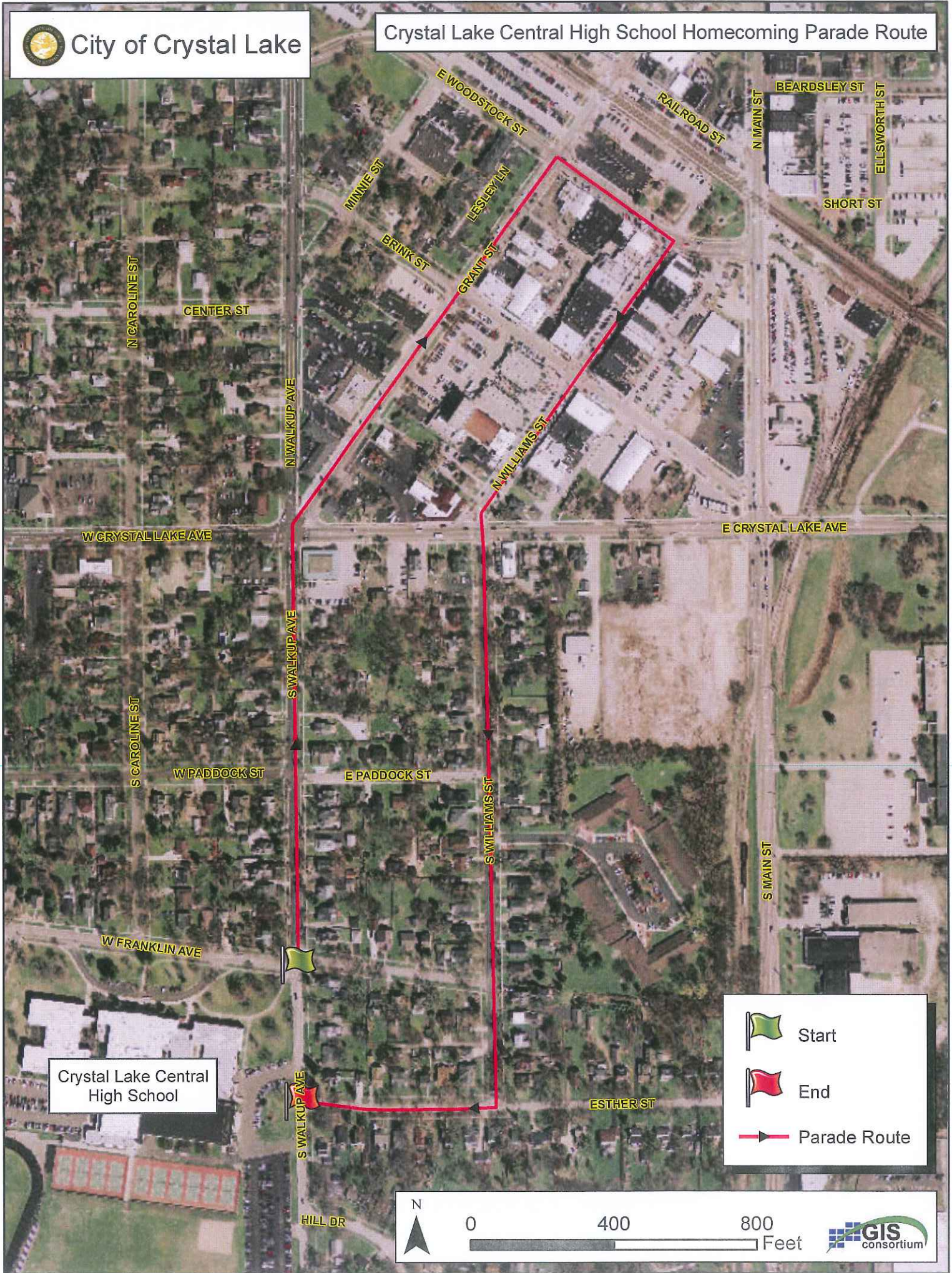
City staff has reviewed the petitioners' requests and has no concerns regarding the parades, provided the following conditions are met:

- 1) 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.
- 2) All debris created by the event shall be cleaned up during and after the event.
- 3) Emergency vehicle access must be maintained throughout the event. Items should not be placed on the roadway to prohibit access, and volunteers should be available to remove barricades to allow emergency vehicles on the roadway if necessary.
- 4) In the case of inclement weather, an alternate date can be approved by the City Manager.

The applicants have been made aware of these recommended conditions and advised to attend the September 20, 2016 City Council meeting to answer any questions.

Votes Required to Pass:

Simple majority vote of the City Council




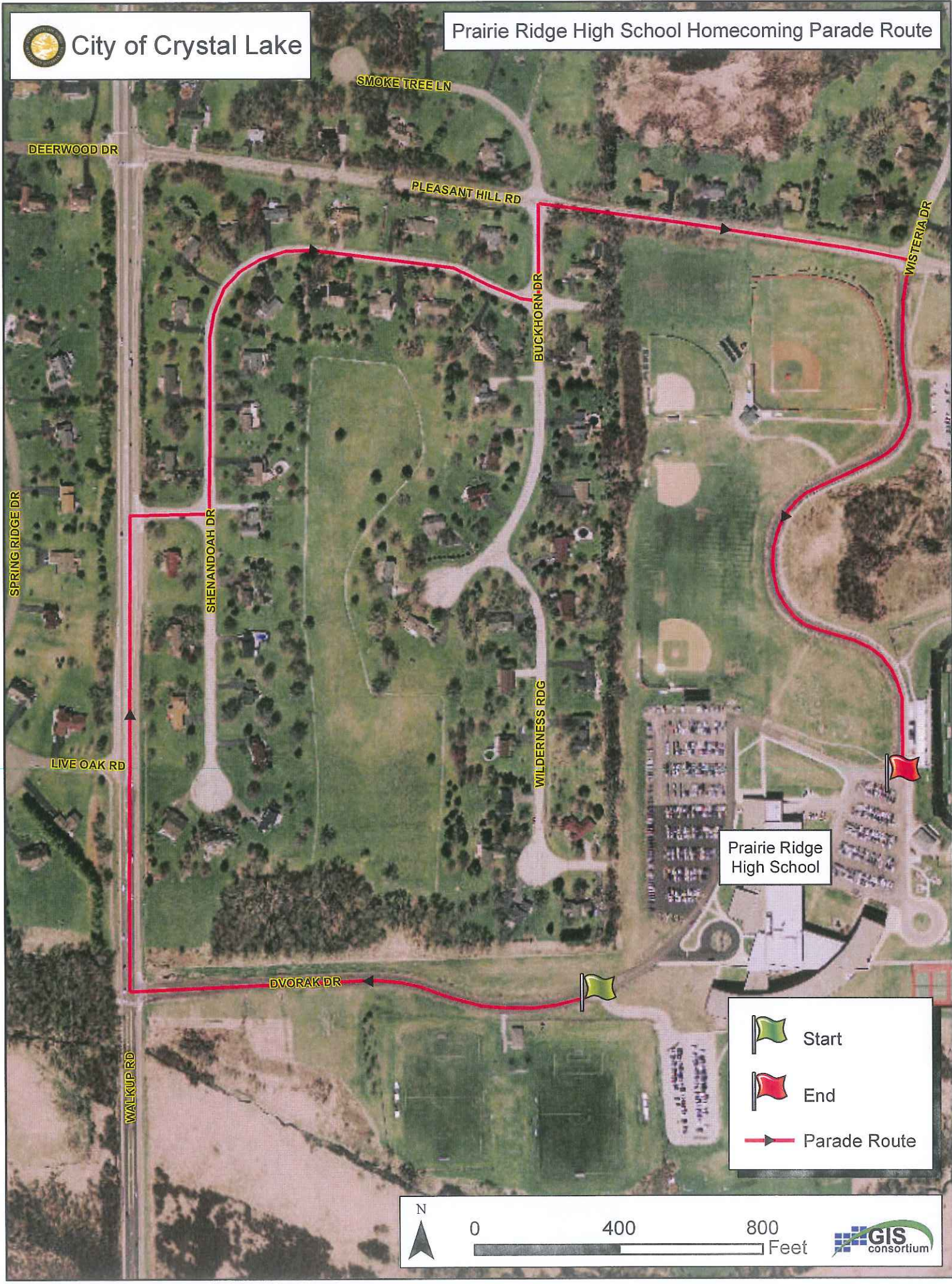
Crystal Lake Central High School

-  Start
-  End
-  Parade Route

N

0 400 800 Feet



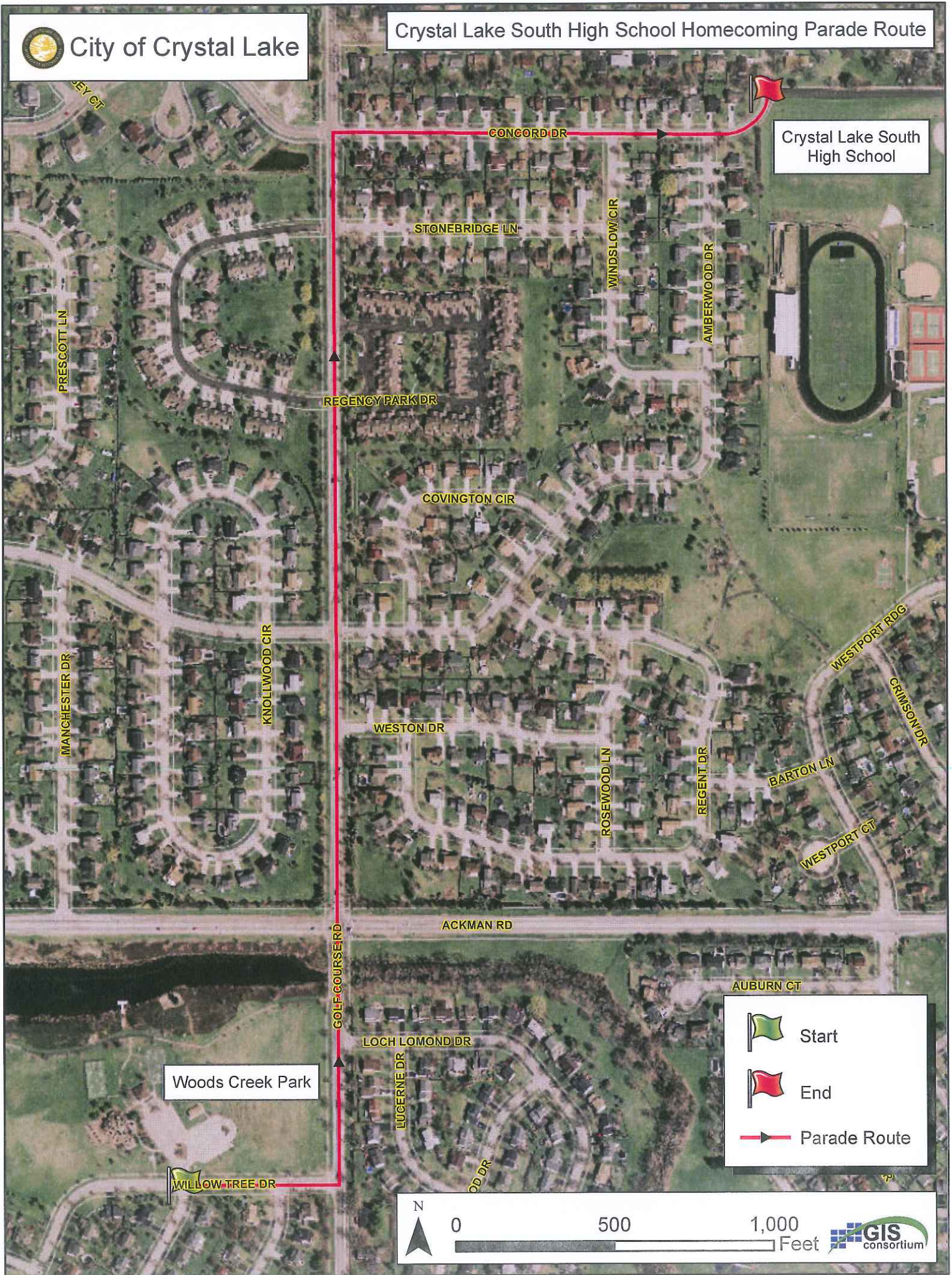


Prairie Ridge High School

-  Start
-  End
-  Parade Route




N

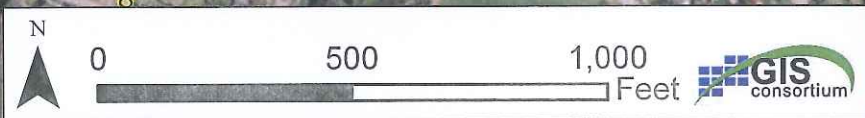
0 400 800 Feet



Crystal Lake South High School

Woods Creek Park

-  Start
-  End
-  Parade Route





Agenda Item No: 13

**City Council
Agenda Supplement**

Meeting Date: September 20, 2016

Item: Moe B. Dicks, 1050 North Shore Drive – Revised Video Game Machine Layout

Staff Recommendation: City Council Discretion:

Motion to amend the previous recommendation regarding the issuance of a Video Gaming License to Moe B. Dicks, by replacing the recommended condition that the petitioner be required to provide an acceptable barrier, with the recommendation that such license be issued by the City Manager subject to the condition that no person under the age of 21 be permitted to enter the licensed premises

Staff Contact: Eric T. Helm, Deputy City Manager

Background:

At the August 16, 2016 City Council meeting, the City Council created a Class 28 Supplemental Liquor License and a Video Game License based on the application submitted by the owner of Moe B. Dicks. At the City Council meeting, the petitioner stated that those under 21 do, on occasion, visit the establishment. Since the establishment allowed patrons under the age of 21 to enter, the issuance of the license was “subject to the petitioner working with City staff regarding installation of an acceptable barrier” (see attached minutes from August 16, 2016).

Since the August 16th City Council meeting, the petitioner met with City staff to identify options for an acceptable barrier. Several options were discussed, including an option to place the machines in the rear “pool room”. The option of the pool room was dismissed by the owner due to the remoteness of the room and the inability to monitor the machines for security purposes. During the discussions, the petitioner mentioned that she would agree to restrict admittance into the bar to those over 21 years of age. Per State statues and the City Code, if a facility restricts those under 21 from entering it does not need to create a “separation” or “segregation” around the machines.

Since the petitioner will be limiting access to bar, she is asking for approval of the terminal placement in the main bar area, without a wall barrier.

If the City Council chooses to allow the petitioner to install the gaming machines without the construction of a barrier wall, the Video Gaming license would be subject to the condition that no person under the age of 21 be permitted to enter the licensed premises. The petitioner would still be required to screen the view of the machines from the exterior of the building.

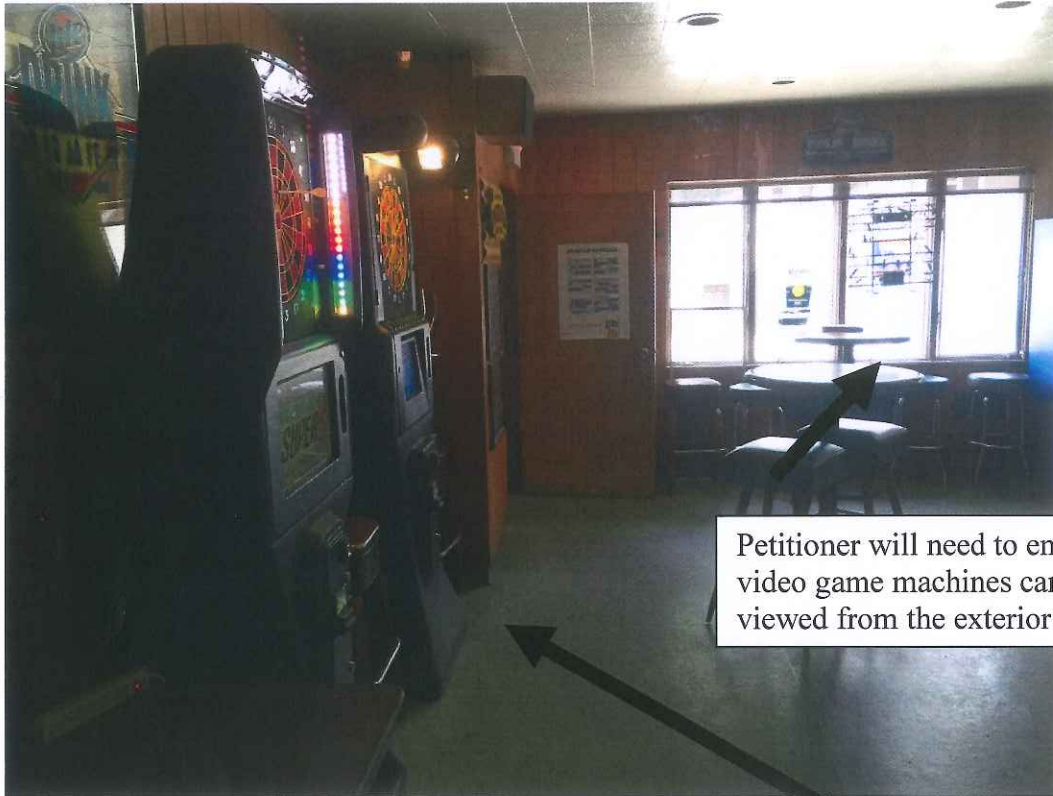
Location Screening and Supervision Requirement

The location and placement of the video gaming terminals is governed by State administrative code and the City code. The City code was drafted to provide the City Council and City Manager’s office discretion on where the machines are located.

The screening and segregation requirements are specifically required in those facilities that allow minors under 21 to enter.

State Administrative Code Title 11 / Section 1800.810	City Code Section 268-3 (K)
<p>All video gaming terminals must be located in an area restricted to persons over 21 years of age. <i>For all licensed video gaming locations that restrict admittance to patrons 21 years of age or older, a separate restricted area is not required.</i> Any licensed video gaming location that allows minors to enter where video gaming terminals are located shall separate any video gaming terminals from the area accessible by minors. <i>In those licensed video gaming locations where separation from minors under 21 is required, a physical barrier to the gaming area is required, which may consist of a short partition, gate or rope or other means of separation.</i> No barrier shall visually obscure the entrance to the gaming area from an employee of the licensed video gaming location who is over the age of 21.</p>	<p>Video gaming terminals shall be placed in an area restricted to individuals age 21 or over. If individuals under the age of 21 are allowed in any portion of the licensed establishment, the video gaming terminals <i>shall be located in a segregated area which shall not be accessible to persons under the age of 21.</i> If an establishment's layout does not reasonably allow for a completely segregated area, the video gaming terminals shall be located in an area determined by the City Manager or his/her designee as being the most segregated area of the establishment....The area constructed for video gaming shall be constructed in such a manner so that video gaming terminals may not be visible from the exterior of the building in which they are located.</p>

Proposed Location of Video Game Machines



Petitioner will need to ensure that video game machines cannot be viewed from the exterior windows.



Proposed location of video gaming machines.

Front Entrance



Agenda Item No: 14

City Council Agenda Supplement

Meeting Date: September 20, 2016

Item: City Code Amendment to Increase the Number of Class “28” Liquor Licenses and to Increase the Number of Video Gaming Licenses - Applicant: Goal Line Sports Bar and Grill, Inc., 85 Brink Street

Staff Recommendation:

1. Motion to adopt an ordinance increasing the number of Class “28” Liquor Licenses from the current permitted, 6 licenses to 7 licenses.
2. Motion to adopt an ordinance increasing the number of Video Gaming License from the current permitted, 6 licenses to 7 licenses.

Staff Contact: Eric T. Helm, Deputy City Manager

Background:

At the April 5, 2016 City Council meeting, the City Council amended Chapters 268, 329 and 248 of the City Code to allow video gaming. Per the City Code, when an applicant desires to offer video gaming at its establishment, it must receive both a supplemental liquor license and a video gaming license. The City Council evaluates whether the number of supplemental liquor licenses should be increased. Following this consideration, the Mayor grants the supplemental liquor license. Similarly, the City Council also evaluates whether the number of video gaming licenses should be increased. Following this consideration, the City Manager grants the actual video gaming license.

The City has received a request from the Goal Line Sports Bar and Grill for the issuance of a Class “28” Supplemental Liquor License and a Video Gaming License. The petitioner is requesting the supplemental Class “28” license in order to operate video game machines in their establishment. Section 329-5-AB of the City Code permits the issuance of a Class “28” liquor license, which authorizes the retail sale of alcoholic liquors, for consumption on the premises, at a bar or restaurant, as defined by § [268-3](#) of this Code, to an applicant which possesses a valid video gaming location license issued by the Illinois Gaming Board and which also holds, for a period of not less than one year, a current and valid liquor license to sell alcoholic liquor at such bar or restaurant.

Application Review

City staff has reviewed the application from the Goal Line Sports Bar and Grill and compared it to the City Code requirements. City staff has reviewed the application for completeness and determined that it meets all of the necessary conditions. The below table depicts the applicant's compliance with the City Code requirements:

<u>Requirement</u>	<u>City Code Section</u>	<u>Compliance Status</u>
The establishment is an eligible bar or restaurant.	268-3 Definitions	Yes. Restaurant/Bar
The establishment has held a liquor license for at least 12 months.	268-3 Definitions	Yes. The establishment has held a Class "8" Liquor License since 2015.
Applicant submitted necessary documents, including site plan.	268-3 (C)	Yes.
Applicant has a State Video Gaming License.	268-3 (C)	Yes.
Applicant will be using a licensed video game terminal operator.	268-3 (C)	Yes. Accel Entertainment
The establishment is outside of the 100 foot radius of any church or school in the vicinity.	State of Illinois Requirement	Yes.
*Location screening and supervision	268-3 (K)	Yes, but City Council has discretion on location.
Signage	268-3 (N)	Yes. The terminals will not be visible from the street. There is no advertising of the availability of video gaming.
Applicant will be using an approved video surveillance system.	268-3 (O)	Yes. The terminal operator will provide video surveillance specifications upon approval of the Video Gaming license.
Video Gaming is incidental to establishment's business.	268-3 (P)	Yes.

*Location Screening and Supervision Requirement

The location and placement of the video gaming terminals is governed by State administrative code and the City code. The City code was drafted to provide the City Council and City Manager's office discretion on where the machines are located.

State Administrative Code Title 11 / Section 1800.810	City Code Section 268-3 (K)
All video gaming terminals must be located in an area restricted to persons over 21 years of age. For all licensed video gaming locations that restrict admittance to patrons 21 years of age or older, a separate restricted area is not required. Any licensed video gaming location that allows minors to enter where video gaming terminals are located shall separate any video gaming terminals from the area accessible by minors. <i>In those licensed video gaming locations where separation from minors under 21 is required, a physical barrier to the gaming area is required, which may consist of a short partition, gate or rope or other means of separation.</i> No barrier shall visually obscure the entrance to the gaming area from an employee of the licensed video gaming location who is over the age of 21.	Video gaming terminals shall be placed in an area restricted to individuals age 21 or over. If individuals under the age of 21 are allowed in any portion of the licensed establishment, the video gaming terminals <i>shall be located in a segregated area which shall not be accessible to persons under the age of 21.</i> If an establishment's layout does not reasonably allow for a completely segregated area, the video gaming terminals shall be located in an area determined by the City Manager or his/her designee as being the most segregated area of the establishment....The area constructed for video gaming shall be constructed in such a manner so that video gaming terminals may not be visible from the exterior of the building in which they are located.

Site Plan Review

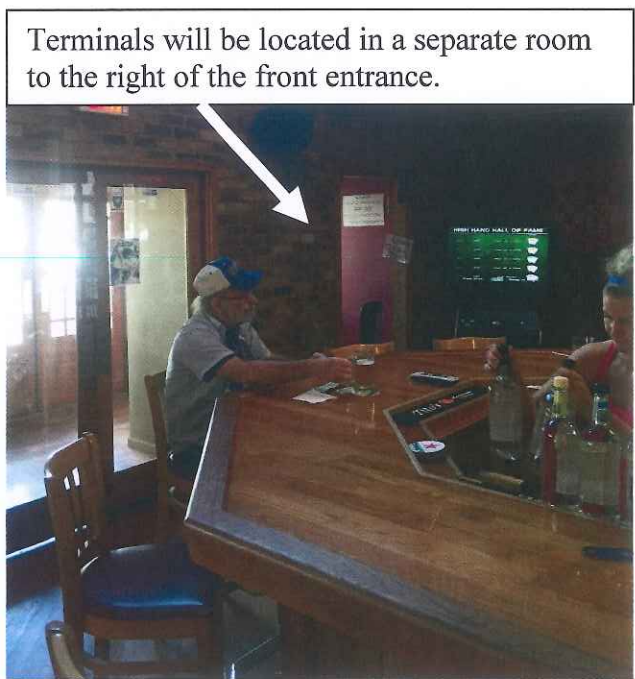
The petitioner's site plan is included in this application. The petitioner proposes to place the video gaming terminals in a separate room to the right of the doorway. The windows in the room will be obscured so that the gaming machines are not visible from the exterior of the room. The below table summarizes the screening and terminal placement requirement for those establishments that have previously been approved by the City Council.

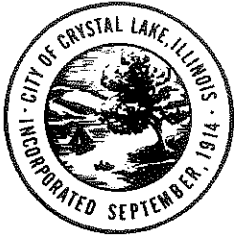
<u>Establishment</u>	<u>Screening/Segregation Requirement</u>	<u>Those under 21 allowed to enter</u>
The Cottage 6 E. Crystal Lake Avenue	Separate Section of the Restaurant / Solid Screening Wall	Yes
Fire Bar and Grill 435 Angela Lane	Separate Room / Screening Wall 4' screening wall, with 2 ½' slotted screen	Yes
Crystal Lake Rib House 540 E. Terra Cotta Ave.	Separate Room	Yes
Moe B. Dicks 1050 North Shore Drive	<i>Pending</i>	No
Labemi's 109 N. Main St.	6' 6" Solid Screening Wall	Yes
Wings Etc., 5899 Northwest Hwy, Unit G	6' 6" Solid Screening Wall	Yes

Votes Required to Pass:

Simple majority

Proposed Location:





Agenda Item No: 15

**City Council
Agenda Supplement**

Meeting Date: September 20, 2016

Item: COUNTY ZONING REQUEST

Kent Atkinson (Senior Pastor)
3419 Walkup Road

Recommendation: City Council's discretion.
a) Motion to object to the proposed Conditional Use Permit, directing staff to proceed with an objection at the County Zoning Board of Appeals meeting.
b) No action

Staff Contact: Michelle Rentzsch, Community Development Director

Background:

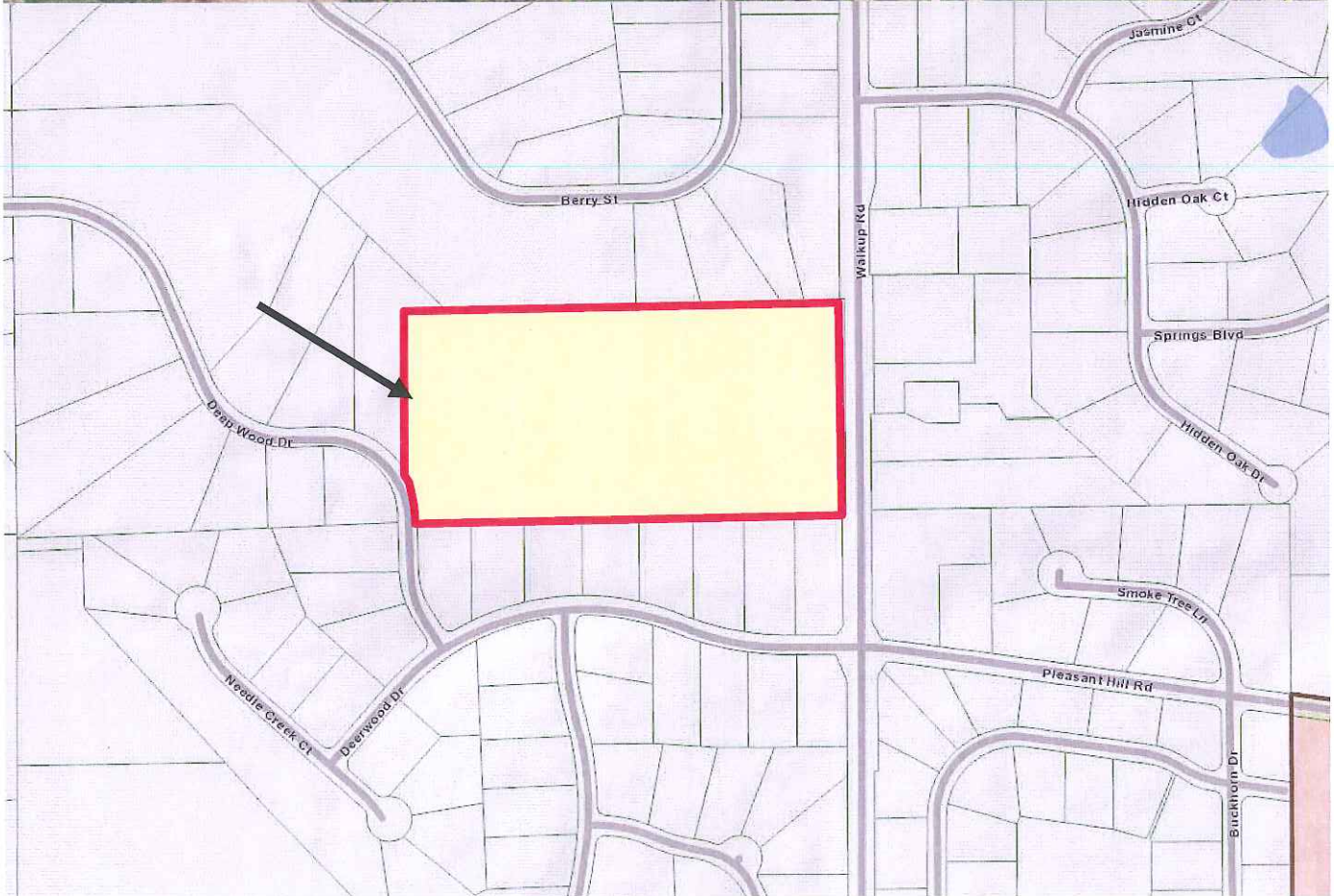
- As is customary with County Zoning requests within the City's mile and a half planning jurisdiction, the City received notice of this request.
- The property in question consists of approximately 20.7 acres and is zoned "E-1C" Estate District with a Conditional Use. The property is located at the intersection of Deerwood Drive and Walkup Road at 3419 Walkup Road.

Request:

- The Christian Fellowship Church is requesting to renew their Conditional Use Permit for a place of worship.
- The property is not within the Crystal Lake Watershed and staff has no concerns with this request.

Votes Required to Pass: A simple majority vote.

Christian Fellowship Church – 3419 Walkup PIQ





Agenda Item No: 16

**City Council
Agenda Supplement**

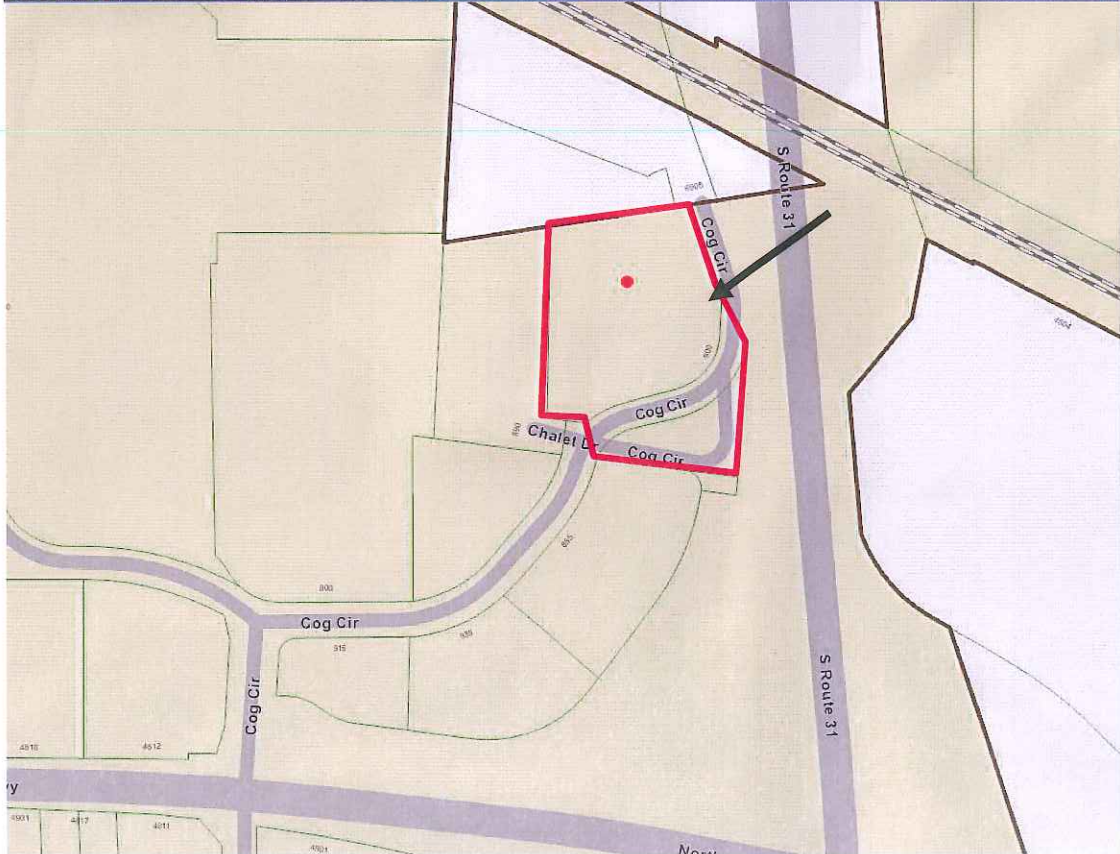
<u>Meeting Date:</u>	September 20, 2016
<u>Item:</u>	Final PUD extension request for the Fairfield Inn at 900 Cog Circle
<u>Recommendation:</u>	Motion to adopt an ordinance approving a 1-year extension to the Final PUD approval for the Fairfield Inn Hotel at 900 Cog Circle
<u>Staff Contact:</u>	Michelle Rentzsch, Community Development Director

Background: The Final Planned Unit Development for the Fairfield Inn at 900 Cog Circle (developed by Badger Midwest Holdings) was approved by the City Council on October 4, 2005 (Ord. 5997). Subsequent to the Final PUD approval, the City began working with the new owners of the project, John Golitz and his partner, Tripani Construction, to pursue permits for the project. As the economy stalled, so did the project.

Home State Bank currently owns the property and as the economy continues to recover, the City continues to promote this as a shovel-ready site. Article 9-200 E of the UDO states that the City Council can approve three one-year extensions to a Final PUD approval, if a petitioner fails to commence construction within two years of the date of approval. The last Final PUD approval for the hotel was on September 2, 2008, which expired on September 2, 2010. The owner has requested several extensions over the years and the City granted a three-year extension to all projects in 2011. The owner is now requesting another one-year extension to September 2, 2017.

Votes Required to Pass: A simple majority vote.

Fairfield Inn – 900 Cog Circle PIQ





Agenda Item No: 17

**City Council
Agenda Supplement**

Meeting Date: September 20, 2016

ANNEXATION PUBLIC HEARING

Item: Space Management Annexation

Requests:

- 1) Rezoning upon annexation to M-L PUD Manufacturing Limited Planned Unit Development,
- 2) Special Use Permit for mini warehouse self storage,
- 3) Special Use Permit for two wireless communication towers,
- 4) Special Use Permit for outdoor storage of materials, equipment and vehicles,
- 5) Variation from the Article 3-200 M-L zoning district bulk standards for the maximum impervious surface coverage to allow 95%, and
- 6) Variation from Article 4-700 to allow an 8-foot tall chain link fence with a barbwire crown.

Petitioner: Pat Dunn, Dale Dunn, Paul Stany and Selma Stany
6905 Cog Circle

Recommendation: Motion to:

- 1) Adopt an ordinance authorizing execution of the annexation agreement.
- 2) Adopt the annexation ordinance and approve the Planning and Zoning Commission recommendations and adopt an ordinance for rezoning upon annexation to the M-L PUD Manufacturing-Limited Planned Unit Development District; granting special use permits for mini warehouse self storage, two wireless communication towers, and outdoor storage of materials, equipment and vehicles; and granting variations to allow the maximum impervious surface coverage to be 95%, and an 8-foot tall chain link fence with a barbwire crown for the property located at 6905 Cog Circle.

Staff Contact: Michelle Rentzsch, Community Development Director

Background:

Existing Use: The property is currently occupied by multiple tenants and mini warehousing. The tenants include offices with storage, warehousing distribution heating and cooling, a surveying company, a minor auto repair business and an artist studio.

History: This property is a county island, surrounded by the City. City staff contacted the property owner and encouraged them to file an application for annexation.

Key Factors:

- The petitioner is requesting to zone the property to M-L PUD – Manufacturing-Limited Planned Unit Development District, a variation from the maximum impervious surface coverage of 65% to allow 95%, a variation to allow the existing 8-foot chain link fence with a barbwire crown to remain, and special use permits to allow the existing mini warehouse self storage, two wireless communication towers and outdoor storage of materials, equipment and vehicles to remain.
- **Freestanding sign:** There is an existing 14-foot freestanding pole sign that is visible from Route 31. It has been the City’s standard to accept freestanding pole signs on properties that are annexing as legal non-conforming structures.
- **Billboard:** After signing the petition to annex, the petitioner renegotiated the billboard lease for another 20-year term beyond the current lease termination date. The lease termination date is now June 30, 2046 for the billboard on the subject property (30 years). The annexation agreement contains language that would require covenants and restrictions be recorded on the land and the billboard would be removed after the expiration of the lease in 2046.
- **Attached to this Supplement is a summary overview of all billboards in the Crystal Lake area and their status for removal.**

PZC Highlights:

- The petitioner stated that they are concerned with the request for the freestanding sign to be deemed legal non-conforming and that the billboard would be required to be removed at the termination of the lease.
- The PZC felt that the property had a hardship for the existing freestanding sign as the property is not visible from Cog Circle until you reach the subject property. The PZC recommended a sign variation for the freestanding business sign.
- The majority of the PZC felt that the billboard lease extended so far in the future that they weren’t sure if it should be required to be removed. One PZC member felt the billboard should be removed at the end of the lease since it may negatively impact future development of the area.
- The PZC stated the Findings of Fact have been met.

The Planning and Zoning Commission recommended **approval (7-0)** of the petitioner's request and **recommended a variation from Article 4-1000 to allow the existing 14-foot freestanding sign to remain** with the following conditions of approval:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
 - A. Petition to Annex (Dunn and Stany, received 07/13/16)
2. The outdoor storage should only be on an approved surface, the parking of vehicles on the grass is prohibited.
3. The petitioner shall comply with the requirements of the Community Development Department.

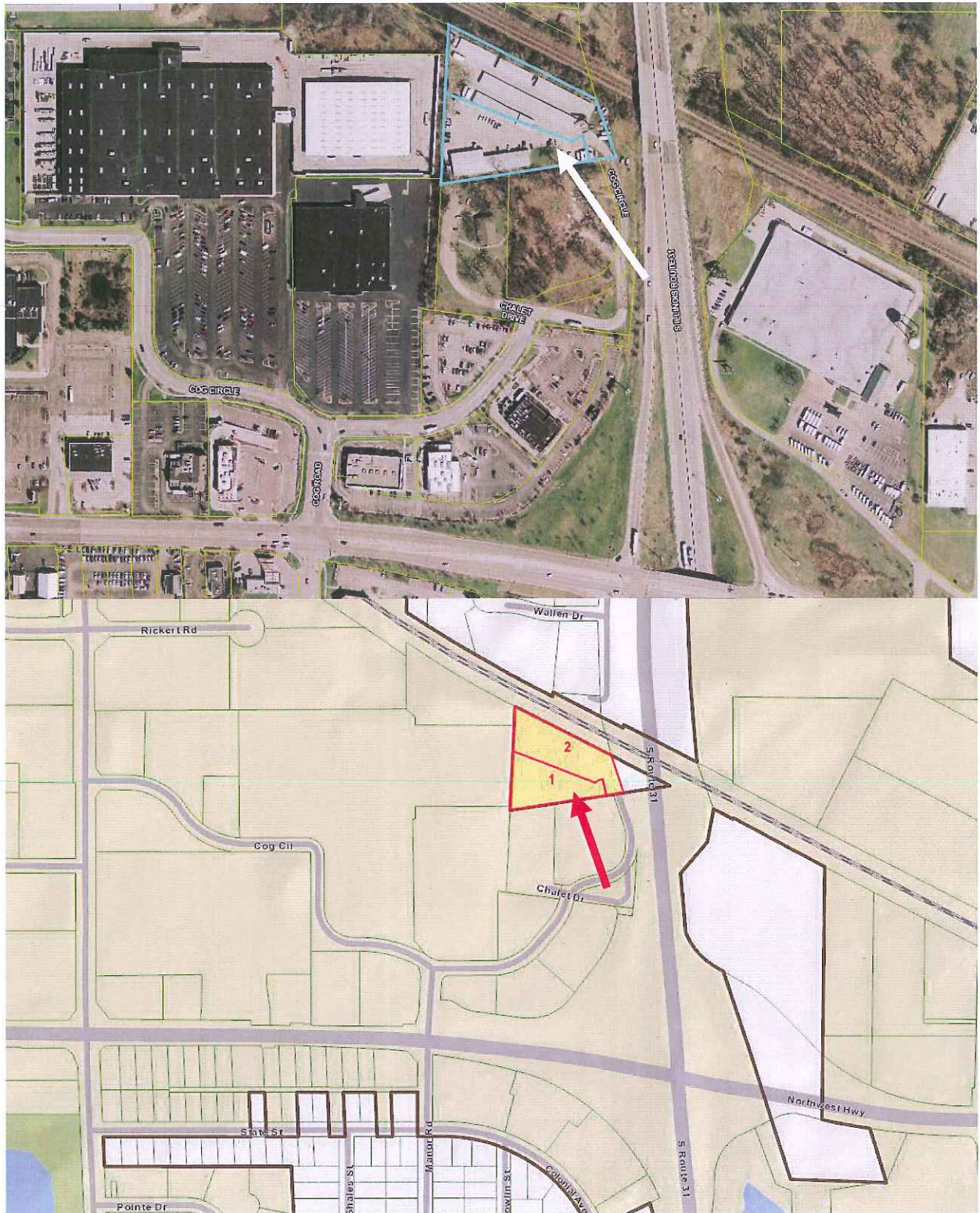
The draft annexation agreement is attached. The petitioner requests that the existing conditions be accepted for the term of the agreement which is proposed to be a 20-year term. This document has been reviewed by an attorney and staff and is an acceptable format.

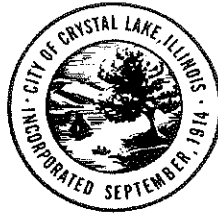
City Council Decision Points:

- 1) Freestanding Pole Sign - The petitioner would like a sign variation for the 14-foot freestanding pole sign versus accepting the sign as non-conforming via the annexation agreement. Granting a variation would be contrary to what the Council has done in similar situations with other large signs that do not meet the UDO standards. This would also restrict future City Councils from ever being able to have this sign meet the City's code.
- 2) Billboard – The petitioner would also like to keep their billboard in perpetuity. After signing the annexation petition, the petitioner renegotiated their billboard lease agreement for another 20 years so the total term on the billboard lease is 30 years. The attached annexation agreement has language that requires the removal of the billboard after the lease expires, which is consistent with all the other pocketed annexation agreements that have been approved before the last City Council meeting.

Votes Required to Pass: A super majority vote (5 votes) is required to approve the annexation agreement.

Space Management – 6905 Cog Circle PIQ





DRAFT

The City of Crystal Lake Illinois

**AN ORDINANCE AUTHORIZING THE EXECUTION
OF AN ANNEXATION AGREEMENT**

WHEREAS, Home Sate Bank Trust as Trustee of Trust Number 8027 (hereinafter, “the Owner”) is the record title owner of a certain tract of land located in Algonquin Township in unincorporated McHenry County, Illinois, and legally described in Exhibit A attached hereto and by this reference incorporated herein and made a part hereof (the “Subject Property”); and

WHEREAS, there are no electors residing on the subject property; and

WHEREAS, the Subject Property consists of approximately 2.85 acres and is depicted on the plat of annexation attached as Exhibit B attached hereto (the “Plat of Annexation”); and

WHEREAS, the Subject Property is contiguous to the corporate limits of the City and is not within the corporate limits of any municipality; and

WHEREAS, the Owner desires and proposes to have the Subject Property annexed to the City of Crystal Lake pursuant to and in accordance with the provisions of Section 7-1-8 of the Illinois Municipal Code (the “Annexation”); and

WHEREAS, prior to approval of the Annexation, the City and the Owner desire to establish by agreement terms for the Annexation of the Subject Property; and

WHEREAS, pursuant to the provisions of Section 11-15.1-1 *et seq.* of the Illinois Municipal Code, a proposed annexation agreement, in substance and form substantially the same as the agreement attached hereto as Exhibit C, was submitted to the Corporate Authorities of the City of Crystal Lake and, pursuant to notice published in the Northwest Herald on September 5, 2016, as provided by statute, a public hearing was held thereon by the Corporate Authorities commencing on September 20, 2016.

WHEREAS, the Mayor and City Council of the City of Crystal Lake have found and determined that it is in the best interests of the City that an annexation agreement with the Owner be approved and the execution and attestation of such agreement be authorized;

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

SECTION I: The foregoing recitals are incorporated as though fully set forth herein.

SECTION II: That the Mayor be and he is hereby authorized and directed to execute, and the City Clerk is directed to attest, the Annexation Agreement, a copy of which is attached hereto and made a part hereof as Exhibit C.

SECTION III: That this Ordinance shall be in full force and effect from and after its passage, approval and publication as provide by law.

AYES:

NAYS:

ABSENT:

PASSED this 20th day of September, 2016.

APPROVED by me this 20th day of September, 2016.

City of Crystal Lake, an
Illinois municipal corporation

Aaron T. Shepley, Mayor

SEAL

ATTEST:

Nick Kachiroubas, City Clerk

Passed: September 20, 2016

Approved: September 20, 2016

EXHIBIT A
LEGAL DESCRIPTION OF SUBJECT PROPERTY

Lots 4 and 5 of C.O.G. Subdivision, being a Subdivision of part of the Southwest Quarter of Section 3, Township 43 North, Range 8 East of the Third Principal Meridian, according to the Plat thereof recorded December 23, 1977 as document no. 718831, in McHenry County, Illinois. Also, being that part of Cog Circle as vacated per document no. 2002R0087620 lying adjacent to Lots 4 & 5 of C.O.G. Subdivision, all being part of the Southwest Quarter of Section 3, Township 43 North, Range 8 East of the Third Principal Meridian, in McHenry County, Illinois.

Also, that part of the Southwest Quarter of Section 3, Township 43 North, Range 8 East of the Third Principal Meridian lying Easterly of Lot 5 of C.O.G. Subdivision, according to the Plat recorded December 23, 1977 as document no. 718831, described as follows: Commencing at the Northeast corner of said Lot 5 of C.O.G. Subdivision, thence Southeasterly along the South Right-of-Way line of the Chicago & Northwestern Railway 264.3 feet more or less to a point on the South Right-of-Way line of the Chicago & Northwestern Railway that is the intersection of the extension of the Southerly lot line of Lot 4 of C.O.G. Subdivision and the South Right-of-Way line of the Chicago & Northwestern Railway, thence Southwest along said extension of the Southerly lot line of Lot 4 of C.O.G. Subdivision to a point that is the intersection of the Westerly Right-of-Way line of State Route 31 and the Southeast corner of vacated Cog Circle as vacated per document no. 2002R0087620, thence Northwest along the East lot line of Lot 5 of C.O.G. Subdivision to the point of beginning, in McHenry County, Illinois. (For the purposes of annexing to the far side of the right-of-way.)

Commonly known as 6905 COG Circle, Crystal Lake, Illinois 60014 (PINs 19-03-378-008 & 19-03-378-009)

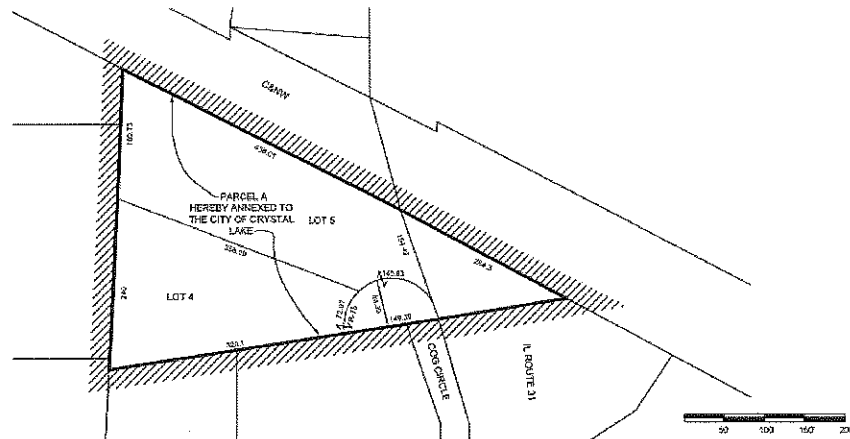
EXHIBIT B PLAT OF ANNEXATION

PLAT OF ANNEXATION

PARCEL A: LOTS 4 AND 5 OF C.O.G. SUBDIVISION BEING A SUBDIVISION OF PART OF THE SOUTHWEST QUARTER OF SECTION 3, TOWNSHIP 43 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED DECEMBER 23, 1977 AS DOCUMENT NO. 718831, IN MCHEENRY COUNTY, ILLINOIS, ALSO, BEING THAT PART OF COG CIRCLE AS VACATED PER DOCUMENT NO. 2002P0057920 LYING ADJACENT TO LOTS 4 & 5 OF C.O.G. SUBDIVISION, ALL BEING PART OF THE SOUTHWEST QUARTER OF SECTION 3, TOWNSHIP 43 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN MCHEENRY COUNTY, ILLINOIS.

ALSO, THAT PART OF THE SOUTHWEST QUARTER OF SECTION 3, TOWNSHIP 43 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN LYING EASTERLY OF LOT 5 OF C.O.G. SUBDIVISION, ACCORDING TO THE PLAT RECORDED DECEMBER 23, 1977 AS DOCUMENT NO. 718831, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF SAID LOT 5 OF C.O.G. SUBDIVISION, THENCE SOUTHEASTERLY ALONG THE SOUTH RIGHT-OF-WAY LINE OF THE CHICAGO & NORTHWESTERN RAILWAY 284.3 FEET MORE OR LESS TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF THE CHICAGO & NORTHWESTERN RAILWAY THAT IS THE INTERSECTION OF THE EXTENSION OF THE SOUTHERLY LOT LINE OF LOT 4 OF C.O.G. SUBDIVISION AND THE SOUTH RIGHT-OF-WAY LINE OF THE CHICAGO & NORTHWESTERN RAILWAY, THENCE SOUTHWEST ALONG SAID EXTENSION OF THE SOUTHERLY LOT LINE OF LOT 4 OF C.O.G. SUBDIVISION TO A POINT THAT IS THE INTERSECTION OF THE WESTERLY RIGHT-OF-WAY LINE OF STATE ROUTE 11 AND THE SOUTHEAST CORNER OF VACATED COG CIRCLE AS VACATED PER DOCUMENT NO. 2002P0057920, THENCE NORTHWEST ALONG THE EAST LOT LINE OF LOT 5 OF C.O.G. SUBDIVISION TO THE POINT OF BEGINNING, IN MCHEENRY COUNTY, ILLINOIS. (FOR THE PURPOSES OF ANNEXING TO THE FAR SIDE OF THE RIGHT-OF-WAY.)

PROPERTY INDEX NUMBER(S) (PIN) : 19-03-378-008, 19-03-378-009 COMMONLY KNOWN AS 6905 COG CIRCLE



APPROVED

 ARLENE LYNN WILGREEN
 10/20/16
 STATE OF ILLINOIS

LEGEND
 HO PAVY LINE
 HO PAVY SOLO LINE
 HO PAVY LINE
 HO PAVY LINE
 HO PAVY LINE
 HO PAVY LINE
 HO PAVY LINE

PREPARED BY:
 City of Crystal Lake
 Community Development
 100 West Watermark St
 Crystal Lake, Illinois 60014

DRAWN BY: BO
CHECKED BY: KC
COMPLETION DATE: 5/22/18

City of
Crystal Lake

 SHEET 1 OF 1

EXHIBIT C
ANNEXATION AGREEMENT

Ord. No.

File No.



DRAFT

The City of Crystal Lake Illinois

**AN ORDINANCE ANNEXING CERTAIN TERRITORY TO
THE CITY OF CRYSTAL LAKE, McHENRY COUNTY, ILLINOIS**

WHEREAS, a written Petition, signed by the legal owners of all land within the territory hereinafter described, has been filed with the City Clerk of the City of Crystal Lake, McHenry County, Illinois, requesting that said territory be annexed to the City of Crystal Lake; and

WHEREAS, the said territory is not within the corporate limits of any municipality but is contiguous to the City of Crystal Lake; and

WHEREAS, said territory is not part of any public library district; and

WHEREAS, legal notices regarding the intention of the City to annex said territory have been sent to all public bodies required to receive such notice by State statute; and

WHEREAS, all Petitions, documents and other necessary legal requirements are in full compliance with the requirements of the Statutes of the State of Illinois, specifically 65 ILCS 5/7-1-8; and

WHEREAS, annexation of the territory by the City is also authorized under, and is in compliance with the requirements of, Section 7-1-10 of the Illinois Municipal Code, 65ILCS 5/7-1-10; and

WHEREAS, it is in the best interests of the City of Crystal Lake that said territory be annexed thereto.

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

SECTION I: The foregoing recitals are hereby incorporated into and made a part of this Ordinance as if fully set forth.

SECTION II: That the territory legally described in Exhibit "A" attached hereto and made a part hereof, be and the same is hereby annexed to the City of Crystal Lake, McHenry County, Illinois.

SECTION III: That the City Clerk of the City of Crystal Lake is hereby directed to record in the Office of the Recorder of Deeds of McHenry County, Illinois, being the County in which the aforesaid annexed territory is situated, a certified copy of this Ordinance together with an accurate map of the territory hereby annexed, said map being attached hereto and made a part hereof and labeled Exhibit "B". Additionally, the City Clerk is authorized and directed to cause a certified copy of this Ordinance, together with an accurate map to be filed in the Office of the County Clerk of McHenry County, Illinois.

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

AYES:

NAYS:

ABSENT:

PASSED this 20th day of September, 2016.

APPROVED by me this 20th day of September, 2016.

City of Crystal Lake, an
Illinois municipal corporation

Aaron T. Shepley, Mayor

SEAL

ATTEST:

Nick Kachiroubas, City Clerk

Passed: September 20, 2016
Approved: September 20, 2016

CERTIFICATION

I, NICK KACHIROUBAS, do hereby certify that I am the duly elected, authorized and acting City Clerk of the City of Crystal Lake, County of McHenry, and State of Illinois, and that as such City Clerk I am the keeper of the records and minutes of the proceedings of the Mayor and Councilmembers to the said City.

I do hereby certify that the following "AN ORDINANCE ANNEXING CERTAIN TERRITORY TO THE CITY OF CRYSTAL LAKE, McHENRY COUNTY, ILLINOIS" is a true and correct copy of Ordinance Number _____ duly passed and approved at a regular meeting of said Mayor and Council; held on the _____ day of _____ 20 __, at which time ___ councilmembers were present and ___ councilmembers were absent.

Motion was made by Councilmember _____ and seconded by Councilmember _____ that the following Ordinance be passed and approved. Upon roll-call vote, ___ councilmembers voted AYE and _____ councilmembers voted NAY; whereupon said Ordinance was declared duly passed and was thereupon approved by the Mayor.

CITY CLERK

(SEAL)

Return to:
City of Crystal Lake
100 W. Woodstock Street
Crystal Lake, IL 60014

EXHIBIT A

Lots 4 and 5 of C.O.G. Subdivision, being a Subdivision of part of the Southwest Quarter of Section 3, Township 43 North, Range 8 East of the Third Principal Meridian, according to the Plat thereof recorded December 23, 1977 as document no. 718831, in McHenry County, Illinois. Also, being that part of Cog Circle as vacated per document no. 2002R0087620 lying adjacent to Lots 4 & 5 of C.O.G. Subdivision, all being part of the Southwest Quarter of Section 3, Township 43 North, Range 8 East of the Third Principal Meridian, in McHenry County, Illinois.

Also, that part of the Southwest Quarter of Section 3, Township 43 North, Range 8 East of the Third Principal Meridian lying Easterly of Lot 5 of C.O.G. Subdivision, according to the Plat recorded December 23, 1977 as document no. 718831, described as follows: Commencing at the Northeast corner of said Lot 5 of C.O.G. Subdivision, thence Southeasterly along the South Right-of-Way line of the Chicago & Northwestern Railway 264.3 feet more or less to a point on the South Right-of-Way line of the Chicago & Northwestern Railway that is the intersection of the extension of the Southerly lot line of Lot 4 of C.O.G. Subdivision and the South Right-of-Way line of the Chicago & Northwestern Railway, thence Southwest along said extension of the Southerly lot line of Lot 4 of C.O.G. Subdivision to a point that is the intersection of the Westerly Right-of-Way line of State Route 31 and the Southeast corner of vacated Cog Circle as vacated per document no. 2002R0087620, thence Northwest along the East lot line of Lot 5 of C.O.G. Subdivision to the point of beginning, in McHenry County, Illinois. (For the purposes of annexing to the far side of the right-of-way.)

Commonly known as 6905 COG Circle, Crystal Lake, Illinois 60014 (PINs 19-03-378-008 & 19-03-378-009)

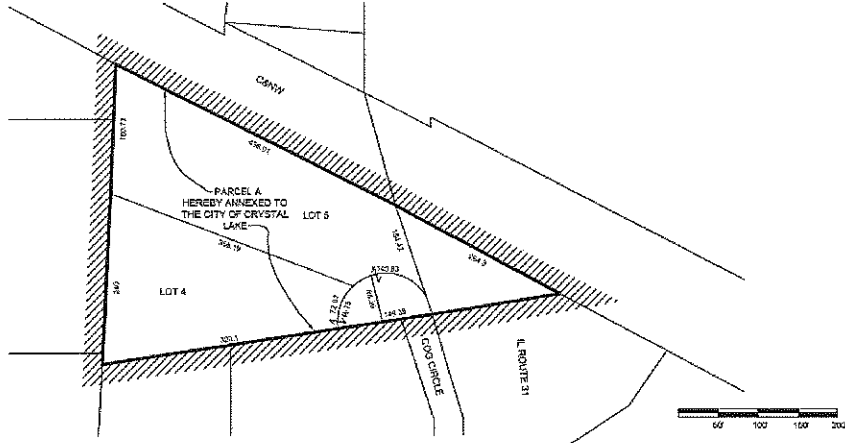
EXHIBIT B


PLAT OF ANNEXATION

PARCEL A, LOTS 4 AND 5 OF C.O.G. SUBDIVISION, BEING A SUBDIVISION OF PART OF THE SOUTHWEST QUARTER OF SECTION 3, TOWNSHIP 43 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED DECEMBER 23, 1977 AS DOCUMENT NO. 718831, IN MCHEMERY COUNTY, ILLINOIS. ALSO, BEING THAT PART OF COG CIRCLE AS VACATED PER DOCUMENT NO. 2002R0087623 LYING ADJACENT TO LOTS 4 & 5 OF C.O.G. SUBDIVISION, ALL BEING PART OF THE SOUTHWEST QUARTER OF SECTION 3, TOWNSHIP 43 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN MCHEMERY COUNTY, ILLINOIS.

ALSO, THAT PART OF THE SOUTHWEST QUARTER OF SECTION 3, TOWNSHIP 43 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN LYING EASTERLY OF LOT 5 OF C.O.G. SUBDIVISION, ACCORDING TO THE PLAT RECORDED DECEMBER 23, 1977 AS DOCUMENT NO. 718831, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF SAID LOT 5 OF C.O.G. SUBDIVISION, THENCE SOUTHEASTERLY ALONG THE SOUTH RIGHT-OF-WAY LINE OF THE CHICAGO & NORTHWESTERN RAILWAY 254.3 FEET MORE OR LESS TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF THE CHICAGO & NORTHWESTERN RAILWAY THAT IS THE INTERSECTION OF THE EXTENSION OF THE SOUTHERLY LOT LINE OF LOT 4 OF C.O.G. SUBDIVISION AND THE SOUTH RIGHT-OF-WAY LINE OF THE CHICAGO & NORTHWESTERN RAILWAY, THENCE SOUTHWEST ALONG SAID EXTENSION OF THE SOUTHERLY LOT LINE OF LOT 4 OF C.O.G. SUBDIVISION TO A POINT THAT IS THE INTERSECTION OF THE WESTERLY RIGHT-OF-WAY LINE OF STATE ROUTE 31 AND THE SOUTHEAST CORNER OF VACATED COG CIRCLE AS VACATED PER DOCUMENT NO. 2002R0087623, THENCE NORTHEAST ALONG THE EAST LOT LINE OF LOT 5 OF C.O.G. SUBDIVISION TO THE POINT OF BEGINNING, IN MCHEMERY COUNTY, ILLINOIS. (FOR THE PURPOSES OF ANNEXING TO THE FAR SIDE OF THE RIGHT-OF-WAY.)

PROPERTY INDEX NUMBER(S) (PIN) : 19-03-378-008, 19-03-378-029 COMMONLY KNOWN AS 8205 COG CIRCLE



APPROVED

 DATED
 9/14/16

LEGEND	
	RIGHT-OF-WAY LINE (PROPERTY ACROSS STREET)
	PARCEL LINE (OWNER LINE)
	LAND WITH PART OF CHICAGO, MILWAUKEE & NORTHWESTERN RAILROAD COMPANY'S TRACKS

PREPARED BY: City of Crystal Lake Community Development 100 West Watercock St. Crystal Lake, Illinois 60014	
DESIGNED BY:	DD
CHECKED BY:	KC
COMPLETION DATE:	8/22/16

City of
Crystal Lake
CITY OF ILLINOIS



SHEET 1 OF 1



DRAFT

The City of Crystal Lake Illinois

AN ORDINANCE ZONING CERTAIN PROPERTY
“M-L PUD” MANUFACTURING LIMITED PLANNED UNIT
DEVELOPMENT DISTRICT AND
GRANTING SPECIAL USE PERMITS AND VARIATIONS

WHEREAS, _____ (hereinafter, the “Owner”) is the owner of property legally described in Exhibit A, attached hereto (hereinafter, the “Subject Property”); and

WHEREAS, pursuant to an application filed by the Owner, the Planning and Zoning Commission of the City of Crystal Lake, pursuant to notice duly published on August 23, 2016 in the Northwest Herald, held a public hearing at 7:30 p.m., on September 7, 2016 at City Hall at 100 W. Woodstock Street, Crystal Lake, Illinois to consider the proposed zoning of the Subject Property to “M-L PUD” Manufacturing Limited Planned Unit Development District and granting of Special Use Permits for: A. mini warehouse self storage; B. two wireless communication towers; C. outdoor storage of materials, equipment and vehicles; and Variations from: A. Article 3-200 M-L zoning district bulk standards for the maximum impervious surface coverage to allow 95%; B. Article 4-700 to allow an 8-foot tall chain link fence with a barbwire crown; and

WHEREAS, on September 7, 2016, 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 zoning of the Property be changed to “M-L PUD” Manufacturing-Limited Planned Unit Development and Special Use Permits for: A. mini warehouse self storage; B. two wireless communication towers; C. outdoor storage of materials, equipment and vehicles; and Variations from: A. Article 3-200 M-L zoning district bulk standards for the maximum impervious surface coverage to allow 95%; B. Article 4-700 to allow an 8-foot tall chain link fence with a barbwire crown all as more specifically set forth in that certain Report of the Planning and Zoning Commission in Case #2012-75, dated as of September 8, 2016; and

WHEREAS, the City Council of the City of Crystal Lake, pursuant to notice duly published on September 5, 2016 in the Northwest Herald, held a public hearing at 7:30 p.m., on September 20, 2016 at City Hall at 100 W. Woodstock Street, Crystal Lake, Illinois to consider the proposed annexation of the subject property; and

WHEREAS, said territory is the subject of a certain Annexation Agreement; and

WHEREAS, said territory has been duly annexed by ordinance to the City of Crystal Lake; and

WHEREAS, it is in the best interests of the City of Crystal Lake that Special Use Permits for: A. mini warehouse self storage; B. two wireless communication towers; C. outdoor storage of materials, equipment and vehicles; and Variations from: A. Article 3-200 M-L zoning district bulk standards for the maximum impervious surface coverage to allow 95%; B. Article 4-700 to allow an 8-foot tall chain link fence with a barbwire crown; and

WHEREAS, by the terms of said Annexation Agreement, said territory is to be zoned “M-L PUD” Manufacturing Limited Planned Unit Development zoning; and

WHEREAS, it is in the best interests of the City of Crystal Lake that the property legally described herein below be classified and zoned as indicated.

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

SECTION I: Recitals: The foregoing recitals are hereby incorporated by reference as though fully set forth herein.

SECTION II: That the Subject Property is hereby zoned and classified “M-L PUD” Manufacturing Limited Planned Unit Development district.

SECTION III: That Special Use Permits and Variations are hereby granted for the Subject Property for outdoor storage of material and equipment subject to the following conditions:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
 - A. Petition to Annex (Dunn and Stany, received 07/13/16)
2. The outdoor storage should only be on an approved surface, the parking of vehicles on the grass is prohibited.
3. The petitioner shall comply with the requirements of the Community Development Department.

SECTION IV: That the City Clerk 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 Special Use Permits, Variations and zoning classification of the above-described property in accordance with the provisions of this Ordinance, as provided by law.

SECTION V: That this Ordinance shall be in full force and effect from and after its passage, approval and publication as provide by law.

AYES:

NAYS:

ABSENT:

PASSED this 20th day of September, 2016.

APPROVED by me this 20th day of September, 2016.

City of Crystal Lake, an
Illinois municipal corporation

Aaron T. Shepley, Mayor

SEAL

ATTEST:

Nick Kachiroubas, City Clerk

Passed: September 20, 2016

Approved: September 20, 2016

EXHIBIT A

Lots 4 and 5 of C.O.G. Subdivision, being a Subdivision of part of the Southwest Quarter of Section 3, Township 43 North, Range 8 East of the Third Principal Meridian, according to the Plat thereof recorded December 23, 1977 as document no. 718831, in McHenry County, Illinois. Also, being that part of Cog Circle as vacated per document no. 2002R0087620 lying adjacent to Lots 4 & 5 of C.O.G. Subdivision, all being part of the Southwest Quarter of Section 3, Township 43 North, Range 8 East of the Third Principal Meridian, in McHenry County, Illinois.

Also, that part of the Southwest Quarter of Section 3, Township 43 North, Range 8 East of the Third Principal Meridian lying Easterly of Lot 5 of C.O.G. Subdivision, according to the Plat recorded December 23, 1977 as document no. 718831, described as follows: Commencing at the Northeast corner of said Lot 5 of C.O.G. Subdivision, thence Southeasterly along the South Right-of-Way line of the Chicago & Northwestern Railway 264.3 feet more or less to a point on the South Right-of-Way line of the Chicago & Northwestern Railway that is the intersection of the extension of the Southerly lot line of Lot 4 of C.O.G. Subdivision and the South Right-of-Way line of the Chicago & Northwestern Railway, thence Southwest along said extension of the Southerly lot line of Lot 4 of C.O.G. Subdivision to a point that is the intersection of the Westerly Right-of-Way line of State Route 31 and the Southeast corner of vacated Cog Circle as vacated per document no. 2002R0087620, thence Northwest along the East lot line of Lot 5 of C.O.G. Subdivision to the point of beginning, in McHenry County, Illinois. (For the purposes of annexing to the far side of the right-of-way.)

Commonly known as 6905 COG Circle, Crystal Lake, Illinois 60014 (PINs 19-03-378-008 & 19-03-378-009)



Agenda Item No: 18

**City Council
Agenda Supplement**

Meeting Date: September 20, 2016

Item: Civic Center Authority Board Intergovernmental Agreement

Recommendation: Motion to adopt a resolution authorizing an Intergovernmental Agreement between the Crystal Lake Civic Center Authority and the City of Crystal Lake.

Contact: Aaron T. Shepley, Mayor

Background:

The Crystal Lake Civic Center Authority Board is authorized by law to enhance the ability of residents to avail themselves of civic and cultural centers situated within Crystal Lake.

The Crystal Lake Civic Center Authority was created by Public Act 90-328 which became effective January 1, 1998. The Board of the Civic Center Authority consists of 9 members appointed by the Mayor with the advice and consent of the Crystal Lake City Council. The Crystal Lake Civic Center Authority is beneficiary of Home State Bank Trust No. 4498 which includes:

26 N. Williams St.
41 Grant St.

The building at 26 N. Williams Street was purchased by the Civic Center Authority using proceeds from the estate of Lucille Raue, longtime City resident. The Lucille Raue Estate also provided approximately \$4 million toward the renovation of the building at 26 N. Williams Street. Previously the building at 26 N. Williams Street was known as the El Tovar Theatre. The first performance held at the Raue Center was in September 2001.

The Raue Center, incorporated on April 7, 1997, is a not-for-profit performing arts center located at 26 N. Williams Street, Crystal Lake, IL. The building at 26 N. Williams Street is leased from the Crystal Lake Civic Center Authority under a 99-year lease which was signed on January 28, 1998. The City does not have direct representation on the Raue Center Board. Instead, over the course of the years, the City has provided grant funding to the Raue Center.

Civic Center Authority Board Reconstituted:

The Board of the Civic Center Authority consists of 9 members and at the June 21, 2016 City Council meeting, the City Council voted to appoint nine new members. The first meeting of the reconstituted Crystal Lake Civic Center Authority Board was held on Tuesday, August 2, 2016 at 5:30 p.m. The meetings are held in City Hall at 100 W. Woodstock Street and are generally held the first Tuesday of each month, if needed, at 5:30 p.m.

Currently, the primary responsibility of the Crystal Lake Civic Center Authority Board is to serve as landlord to the properties comprising the Raue Center. Other responsibilities are detailed in Article 70 of 70 ILCS 200 of the Illinois Compiled Statutes.

Intergovernmental Agreement

The Crystal Lake Civic Center Authority is a political subdivision, body politic, and municipal corporation created by the Crystal Lake City Center Law of 1997, 70 ILCS 200/70-1 et seq. (the "Act"). 70 ILCS 200/70-10. The purpose of the Authority is to promote, operate, and maintain theatrical, sports, and cultural activities, expositions, exhibits, and conventions within Crystal Lake and to construct, equip, and maintain buildings for such purposes. 70 ILCS 200/2-15. The Authority can acquire property by purchase, gift, lease, condemnation, or otherwise for its purposes. 70 ILCS 200/2-20, 2-25. The Authority's property is exempt from state and local taxation. 70 ILCS 200/2-150.

The Crystal Lake Civic Center Authority is separate from the City of Crystal Lake, but shares a goal of promoting Crystal Lake. The Civic Center Authority does require administrative and legal assistance in administering its function. Since the Civic Center Authority has no taxing authority, the Intergovernmental Agreement addresses the ability of the City to provide administrative and legal assistance. Additionally, if the Civic Center Authority does pursue revenue bonds on behalf of the Raue Center, any administrative and legal costs will be reimbursed from the proceeds of the bonds.

Votes Required to Pass:

Simple Majority



DRAFT

RESOLUTION #2016-R-___

CITY OF CRYSTAL LAKE

**RESOLUTION AUTHORIZING AN INTERGOVERNMENTAL AGREEMENT
BETWEEN THE CITY OF CRYSTAL LAKE AND THE CRYSTAL LAKE CIVIC
CENTER AUTHORITY**

BE IT RESOLVED by the City Council of the City of Crystal Lake, McHenry County,
Illinois:

Section 1: Authorization. The City Council of the City of Crystal Lake hereby approves the "Intergovernmental Agreement" between the City of Crystal Lake and the Crystal Lake Civic Center Authority in the form attached hereto as Exhibit A. The City Council further authorizes and directs the Mayor and City Clerk to execute and attest the Intergovernmental Agreement and all documentation relating thereto on behalf of the City of Crystal Lake.

Section 2: Effective Date: This Resolution shall take effect and be in full force and effect immediately on and after its passage and approval.

Adopted by the City Council of the City of Crystal Lake at a regular meeting on the 20th day of September, 2016.

Aaron T. Shepley, Mayor

ATTEST:

Nick Kachiroubas, City Clerk



Agenda Item No: 19

**City Council
Agenda Supplement**

Meeting Date: September 20, 2016

Item: Programmable Logic Controller & Allen-Bradley Intrinsicly Safe Barrier Installations for the Lift Stations Project

Staff Recommendation: Motion to award the proposal for professional services for the Programmable Logic Controller & Allen-Bradley Intrinsicly Safe Barrier Installations for the Lift Stations Project to the most responsible and responsive proposer, Automatic Systems, Inc. and adopt a resolution authorizing the City Manager to execute an agreement with Automatic Systems, Inc. in the amount of \$32,959.00, allowing for a 10 percent contingency.

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

Background:

The Public Works Department sought proposals for the following two projects: purchase and installation of two programmable logic controllers (PLCs) at two sanitary lifts (Lift Stations #21 and #25) and the purchase and installation of nine Allen-Bradley Intrinsicly Safe Barriers. There was also an option for another lift station (#10) to purchase and install a PLC.

PLCs are very important pieces of equipment utilized at our lift stations. For example, PLCs allow staff to monitor the condition of lift stations remotely, receive alarms regarding the condition of a lift station, and also track power usage. Therefore, PLCs enable staff to respond more quickly during emergency situations. Safe Barriers are required by code and are needed to protect staff from electrical currents that could be present while working in a wet well.

Proposals with base scope services and options for these projects were provided as follows

Vendor	Automatic Systems, Inc.	Baxter & Woodman CSI	Starnet Tech
Lift Station #21 PLC Install	\$13,317	\$17,500	\$21,600
Lift Station #25 PLC Install	\$13,317	\$17,500	\$21,600
Safe Barriers	\$6,075	\$7,920	\$7,560
Pre Construction Meeting	\$250	\$500	\$1,125
Base Total	\$32,959	\$43,420	\$51,885
Optional Lift Station #10 PLC Install	\$12,227	\$17,500	\$21,600
Base + Optional Total	\$45,186	\$60,920	\$73,485

Due to this project's budget, the Department does not recommend including the optional lift station. Staff will consider adding this project during the upcoming budget process. As a result, without the optional item, Automatic Systems total project cost is \$32,959.00, which is within budget.

Consultant Selection Process

The Public Works Department followed the City's Purchasing Policy to secure a qualified vendor to address this project. The City received proposals from three firms in response to the request.

Public Works Department staff reviewed the proposals and ranked the firms based on their qualifications. The qualifications criteria that were considered during the review were:

1. Proposal completeness
2. Firm's reputation and integrity
3. General experience and history of performance on similar projects
4. Current or past projects related to the scope of services
5. Understanding of the project
6. Adherence to the Project Scoping Summary
7. Experience of personnel
8. Interview
9. Cost

Discussion:

The Public Works Department identified Automatic Systems, Inc. as being the most responsive and responsible proposer for reasons including:

- proposal adequately addressed the aspects of this project;
- proposal identified past projects of a similar scope to the Crystal Lake project;
- proposal provided the City with a feasible schedule; and
- the firm is currently handling projects for the City with favorable results.

Recommendation:

Based upon a qualifications review to the RFP requirements and associated costs, staff's recommendation is to select Automatic Systems Inc. for the Programmable Logic Controller & Allen-Bradley Intrinsically Safe Barrier Installations for the Lift Stations Project.

Funds have been budgeted for these projects.

Votes Required to Pass:

Simple majority



Agenda Item No: 20

**City Council
Agenda Supplement**

Meeting Date: September 20, 2016

Item: Roadway Patching Program

Staff Recommendation:

- 1) Reject all bids from the previous bid opening for the Roadway Patching Program; and
- 2) Waive bidding procedures and accept a proposal for the Roadway Patching Program from Chicagoland Paving and execute a service contract with Chicagoland Paving in the amount of \$52,187.

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

Background:

The Public Works Department sought vendors to perform asphalt patchwork for approximately 2,051 square yards across the City. Bid specifications for the 2016 Roadway Patching Program were posted online and sent to potential vendors. On August 9, 2016, the City of Crystal Lake publicly opened and read aloud the seven bids received.

The following is a breakdown of the bids:

Company	Total bid price
Schroeder Asphalt	\$75,887.00
Chicagoland Paving	\$84,911.40
Lorig Construction Company	\$98,448.00
Arrow Road Construction Company	\$121,009.00
Curran Construction	\$131,264.00

J.A. Johnson Paving Co.	\$142,954.70
Maneval Construction	\$266,630.00

The bids received were significantly more than the approved budget for this program. As a result, staff researched other options. One option is utilizing the Illinois Municipal Partnering Initiative (MPI). This purchasing program includes suburban public works agencies. Previous projects that MPI sought bids included: concrete, crack-sealing, hydrant painting, and water meter testing. Currently, asphalt work is one of MPI's joint projects that was awarded to Chicagoland Paving. Area communities that are participating in this project include Cary, Fox River Grove and Huntley. Since the pricing through MPI was much lower than our initial City bid results, staff contacted Chicagoland Paving requesting inclusion within the MPI joint purchasing bid.

Chicagoland agreed to complete the patching at the MPI contract rate but stated there would be a \$10,000 mobilization fee included, which precludes the City from entering this contract. However, as the following illustrates, even with this fee, this option provides the City with the best monetary value:

Company	Total Price*
Chicagoland Paving	\$52,187.00
Schroeder Asphalt	\$68,339.00

*Patching locations were reduced to meet our budgeted amount for this project; both prices reflect this reduction

Due to this price difference, and our inability to join the MPI Patching Program contract because of the additional mobilization fee, a waiver of competitive bidding requirements is needed from the City Council before entering into an agreement with Chicagoland Paving. After reviewing the City's Purchasing Policy guidelines regarding waiving competitive bidding requirements, it is in the City's best interest to pursue this option.

This has been reviewed by the City's special counsel.

Recommendation:

In the best interest of the City, staff recommends rejecting previous bids for the Public Works Patching Program, waiving competitive bidding requirements for this Program, and awarding this project to Chicagoland Paving in the amount of \$52,187.00.

There are sufficient funds for this project in the FY 2016/2017 Budget.

Votes Required to Pass:

Two-thirds vote



Agenda Item No: 24

**City Council
Agenda Supplement**

Meeting Date: September 20, 2016

Item: Historic Preservation Commission Appointment

Mayor's Recommendation: Motion to appoint a member to the Historic Preservation Commission.

Contact: Aaron T. Shepley, Mayor

Background:

At the September 1, 2016 Historic Preservation Meeting, members voted to recommend Mr. Hamilton Hale to fill a vacancy on the Commission. Mr. Hale would be appointed to a three year term that would expire on June 30, 2019. Mr. Hale's credentials are included with this supplement.

Historic Preservation Commission appointments and reappointments are nominated and confirmed by the Mayor and City Council.

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

Votes Required to Pass: Simple majority



The City of Crystal Lake Illinois

DRAFT

**RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF CRYSTAL LAKE, ILLINOIS**

confirming an appointment to the Historic Preservation Commission

WHEREAS, the Historic Preservation Commission consists of 9 members nominated and confirmed by the Mayor and the Crystal Lake City Council; and

WHEREAS, the Mayor and City Council of the City of Crystal Lake, has recommended the following individual for appointment:

Historic Preservation Commission

<u>Name</u>	<u>Term Expires</u>
Hamilton Hale	June 30, 2019

NOW, THEREFORE, by the adoption of this resolution, the City Council confirms said appointment as listed.

DATED this 20th day of September, 2016.

CITY OF CRYSTAL LAKE, an
Illinois municipal corporation,

Aaron T. Shepley, Mayor

SEAL

ATTEST

Nick Kachiroubas, City Clerk

Passed: September 20, 2016
Approved: September 20, 2016



Agenda Item No: 25

**City Council
Agenda Supplement**

Meeting Date: September 20, 2016

Item: Economic Development Committee Reappointments

Mayor's Recommendation: Motion to reappoint members to the Economic Development Committee.

Contact: Aaron T. Shepley, Mayor

Background:

The membership terms of Jeffrey DeHaan and Keith Saidler will expire on September 30th. Mr. DeHaan and Mr. Saidler are interested in reappointment to a 3-year term on the Committee.

Appointments to the Economic Development Committee are nominated and confirmed by the Mayor and City Council.

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

Votes Required to Pass: Simple majority



The City of Crystal Lake Illinois

**RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF CRYSTAL LAKE, ILLINOIS**

confirming reappointments to the Economic Development Committee

WHEREAS, the Economic Development Committee consists of 9 members nominated and confirmed by the Mayor the Crystal Lake City Council; and

WHEREAS, the Mayor and City Council of the City of Crystal Lake, has recommended the following individual for re-appointment:

Economic Development Committee

Name

Jeffrey DeHaan
Keith Saidler

Term Expires

September 30, 2019
September 30, 2019

DRAFT

NOW, THEREFORE, by the adoption of this resolution, the City Council confirms the said reappointments as listed.

DATED this 20th day of September, 2016.

CITY OF CRYSTAL LAKE, an
Illinois municipal corporation,

Aaron T. Shepley, Mayor

SEAL

ATTEST

Nick Kachiroubas, City Clerk

Passed: September 20, 2016
Approved: September 20, 2016