



**CITY OF CRYSTAL LAKE**  
**AGENDA**  
**CITY COUNCIL**  
**REGULAR MEETING**

City of Crystal Lake  
100 West Woodstock Street, Crystal Lake, IL  
City Council Chambers  
January 17, 2017  
7:30 p.m.

1. **Call to Order**
2. **Roll Call**
3. **Pledge of Allegiance**
4. **Recognition of Prairie Ridge High School Football State Champions by Mayor Aaron T. Shepley.**
5. **Reception**
6. **Approval of Minutes – January 3, 2017 Regular City Council Meeting**
7. **Accounts Payable**
8. **Mayor's Report**
9. **City Council Reports**
10. **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.*
11. **Consent Agenda**
  - a.) **Crystal Lake South Booster Club – Temporary Class “16” Liquor License request for a Trivia Game Night Fundraiser held on February 25, 2017 at St. Elizabeth Ann Seton Catholic Church Parish Hall, 1023 McHenry Avenue.**
  - b.) **Chicago Title Land Trusts 1004004149 & 1004004152 & Reinhardt/Kirk Annexation Public Hearings - Continuation to the February 21, 2017 regular City Council meeting for the Annexation Public Hearings.**
12. **Crystal Lake Park District – Temporary Class “16” Liquor License request for an Inaugural Ice Games event held on January 28, 2017 with an alternate date of February 11, 2017 at Main Beach, 300 Lake Shore Drive.**
13. **Hellyer, 247 McHenry Ave. – Front yard setback variation for a covered porch.**
14. **Central Park Drive Parking Restrictions – Making it unlawful to stop, stand or park on Central Park Drive between the current east end of Central Park Drive and a point 575 feet west of the east end of Central Park Drive.**
15. **8733 Ridgefield Road – County Zoning Request, Zoning Reclassification.**
16. **Amendment to the Store Lease Agreement with the Crystal Lake Chamber of Commerce.**

17. **Resolution waiving the formal bidding requirements for electricity purchase, authorizing participation in the Northern Illinois Municipal Electric Collaborative and authorizing a one, two or three year contract with the lowest responsive and responsible electricity provider.**
18. **Council Inquiries and Requests.**
19. **Adjourn to Executive Session for the purpose of discussing matters of pending and probable litigation, the sale, purchase or lease of real property, collective bargaining, personnel and Executive Session Minutes.**
20. **Reconvene to Regular Session.**
21. **Approval of Executive Session Minutes that includes the dates of February 2, 2016, March 1, 2016, May 3, 2016, May 17, 2016, June 7, 2016, October 4, 2016, December 6, 2016, December 20, 2016 and January 3, 2017.**
22. **Consideration of motion to destroy verbatim records.**
23. **Consideration of action following semi-annual review of executive session minutes.**
24. **Historic Preservation Committee Appointment.**
25. **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**

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**Meeting Date:** January 17, 2017

**Item:** Class 16 Temporary Liquor License Request –  
Crystal Lake South Booster Club

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

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

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**Background:**

The City has received a request from the Crystal Lake South Booster Club for the issuance of a Class “16” Temporary Liquor Licenses in order to sell beer and wine at their Trivia Game Night, on February 25, 2017 from 6:30 p.m. to 10:30 p.m. at the St. Elizabeth Ann Seton Catholic Church Parish Hall at 1023 McHenry Avenue.

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

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

**Votes Required to Pass:**

Simple majority



Agenda Item No: 11b

**City Council  
Agenda Supplement**

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**Meeting Date:** January 17, 2017

**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 requests to the February 21, 2017 City Council meeting for the Annexation Public Hearings.

**Staff Contact:** Michelle Rentzsch, Community Development Director

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**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 the Whiskey Business and Reinhardt/Kirk petitions be continued to the February 21, 2017, City Council meeting for the Annexation Public Hearing in order to continue to work with the petitioner on the annexation agreement for the Chicago Title Land Trusts.

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



**Agenda Item No: 12**

**City Council  
Agenda Supplement**

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**Meeting Date:**

January 17, 2017

**Item:**

Class 16 Temporary Liquor License Request –  
Crystal Lake Park District

**Staff Recommendation:**

Motion to approve issuance of a Class “16” Temporary  
Liquor License to the Crystal Lake Park District

**Staff Contact:**

Eric T. Helm, Deputy City Manager

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**Background:**

The City has received a request from the Crystal Lake Park District for the issuance of a Class “16” Temporary Liquor License in order to sell beer at their Inaugural Ice Games event, on January 28, 2017 from 8:30 a.m. to 4:30 p.m. with an alternate date of February 11, 2017 at Main Beach located at 300 Lake Shore Drive.

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

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

**Votes Required to Pass:**

Simple majority



**Agenda Item No: 13**

**City Council  
Agenda Supplement**

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<b><u>Meeting Date:</u></b>	January 17, 2017
<b><u>Item:</u></b>	247 McHenry Ave
<b><u>Request:</u></b>	Simplified Residential Variation from the 30-foot front yard setback to allow for a covered front porch with a setback of 21 feet, a variation of 9 feet from Article 3-200(A)(4).
<b><u>Petitioner:</u></b>	Chris Hellyer, petitioner
<b><u>PZC Recommendation:</u></b>	To approve the PZC recommendation and adopt an ordinance granting a Simplified Residential Variation to allow a 21-foot front yard setback at 247 McHenry Avenue.
<b><u>Staff Contact:</u></b>	Michelle Rentzsch, Community Development Director

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**Background:**

- Existing Use: The property is currently improved with a single-family dwelling.
- A covered front porch is considered part of the principal structure and must meet principal structure setback requirements according to the Unified Development Ordinance.
- The existing principal structure has a setback of 27 feet. The addition of the covered front porch would increase the non-conformity by six feet.

**PZC Highlights:**

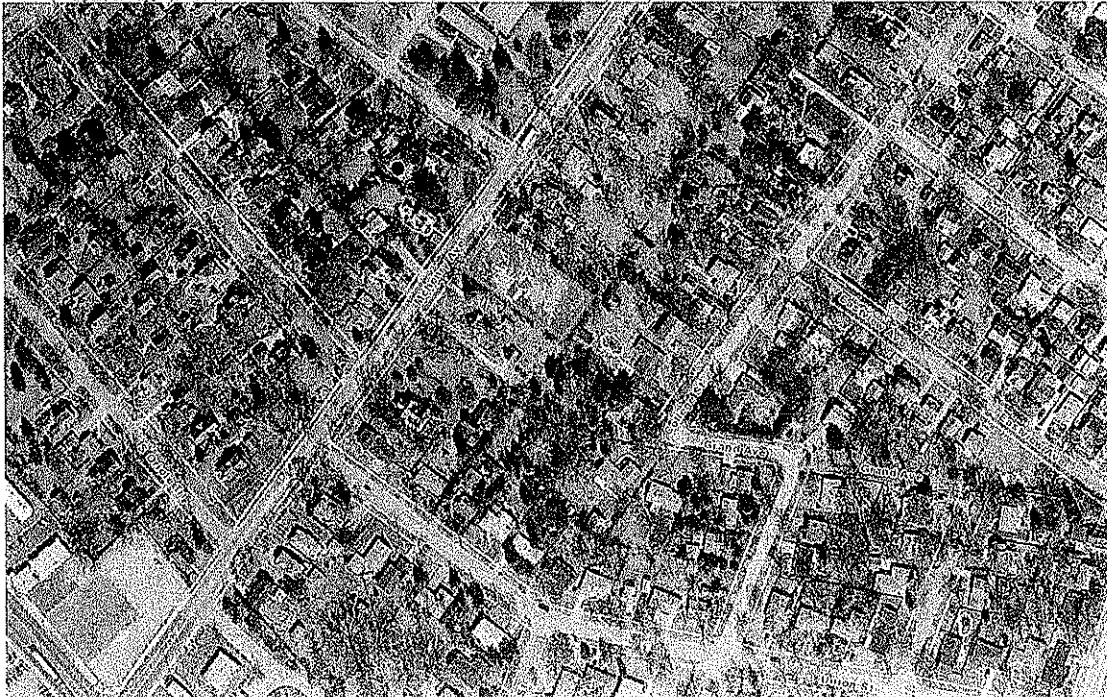
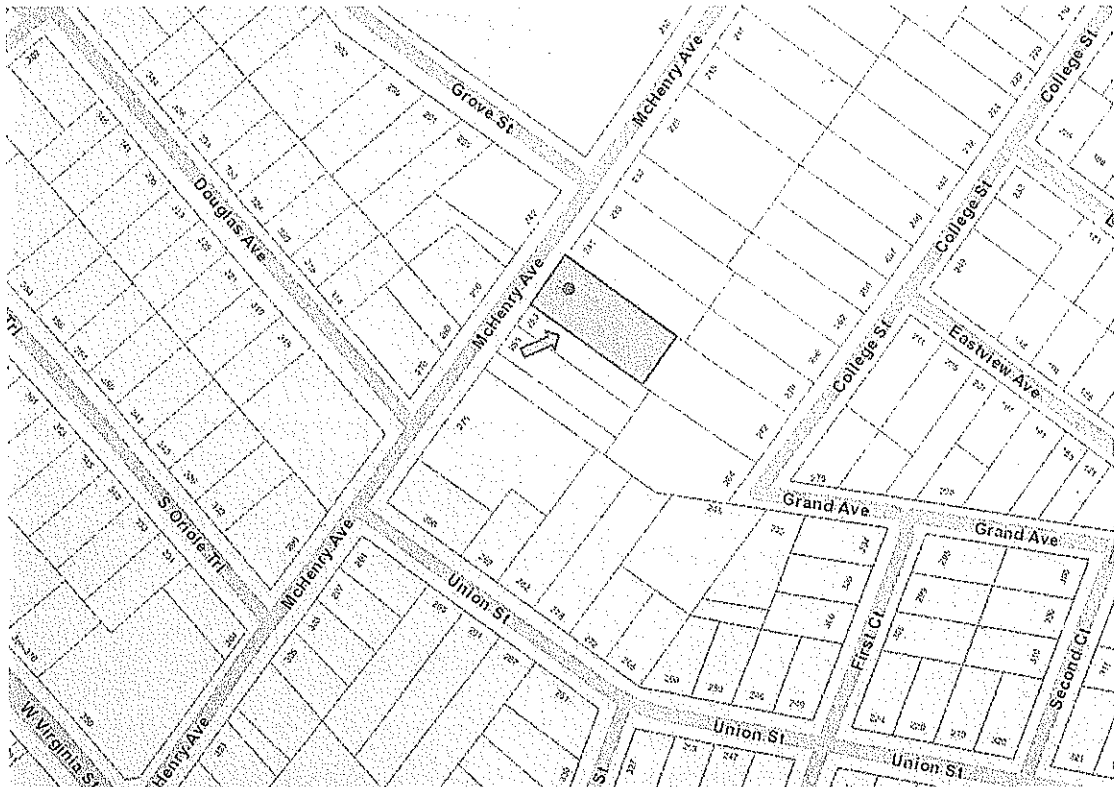
- A neighbor spoke during public comment and questioned what kind of work was being done to the house. The petitioner explained that they are rehabbing the home themselves and are currently excavating the basement; once that project is finished they will begin work on the front porch.
- The PZC stated that the widening of McHenry Avenue reduced the front yard setback.
- The PZC felt that the Findings of Fact had been met.

The PZC recommended **approval (6-0)** 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 (Hellyer, dated 10/13/16, received 10/14/16)
  - B. Survey (Exacta, dated 10/28/13, received 10/14/16)
  - C. Plan (Hellyer, received 05/15/2015)
2. The petitioner must address all of the review comments of the Community Development Department and requirements of the City's Code.

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

2016-48 Hellyer – 247 McHenry Ave.







DRAFT

The City of Crystal Lake Illinois

AN ORDINANCE GRANTING A VARIATION  
AT 247 McHENRY AVENUE

WHEREAS, pursuant to the terms of the Application (File #2016-48) before the Crystal Lake Planning and Zoning Commission, the Applicant has requested the granting of a Simplified Residential Variation from the 30-foot front yard setback to allow for a covered front porch with a setback of 21 feet, a variation of 9 feet from Article 3-200(A)(4); and

WHEREAS, the Planning and Zoning Commission of the City of Crystal Lake, pursuant to notice duly published on December 18, 2016 in the Northwest Herald, held a public hearing at 7:30 p.m., on January 4, 2017 at City Hall at 100 W. Woodstock Street, Crystal Lake, Illinois to consider the proposed Simplified Residential Variation; and

WHEREAS, on January 4, 2017, 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 Simplified Residential Variation be approved, all as more specifically set forth in that certain Report of the Planning and Zoning Commission in Case #2016-48, dated as of January 5, 2017; and

WHEREAS, it is in the best interests of the City of Crystal Lake that the Variation be granted as requested in said Application.

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

SECTION I: That a Variation be granted from the Crystal Lake Unified Development Ordinance from the 30-foot front yard setback to allow for a covered front porch with a setback of 21 feet, a variation of 9 feet from Article 3-200(A)(4) at the property at 247 McHenry Avenue (19-05-177-015), Crystal Lake, Illinois.

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

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
  - A. Application (Hellyer, dated 10/13/16, received 10/14/16)
  - B. Survey (Exacta, dated 10/28/13, received 10/14/16)
  - C. Plan (Hellyer, received 05/15/2015)
  
2. The petitioner must address all of the review comments of the Community Development Department and requirements of the City's Code.

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 granting of a Simplified Residential Variation in accordance with the provisions of this Ordinance, as provided by law.

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

DATED at Crystal Lake, Illinois, this 17th day of January, 2017.

City of Crystal Lake, an  
Illinois municipal corporation

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Aaron T. Shepley, Mayor

SEAL

ATTEST:

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Nick Kachiroubas, City Clerk

Passed: January 17, 2017  
Approved: January 17, 2017



Agenda Item No: 14

**City Council  
Agenda Supplement**

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**Meeting Date:**

January 17, 2017

**Item:**

Central Park Drive Parking Restriction

**Staff Recommendation:**

Motion to adopt an ordinance making it unlawful to stop, stand, or park any vehicle on Central Park Drive between the current east end of Central Park Drive and a point 575 feet west of the east end of Central Park Drive.

**Staff Contact:**

Abigail Wilgreen, City Engineer

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**Background:**

For several years, the Traffic Safety Committee has observed semitrailer trucks parking at the end of Central Park Drive, particularly on weekends. This creates a problem for snow removal during the winter months. This past fall, the farmer of the field behind the Super Wal-Mart also contacted the City, and he stated that the parked semis make it difficult for him to access the field with his farming equipment.

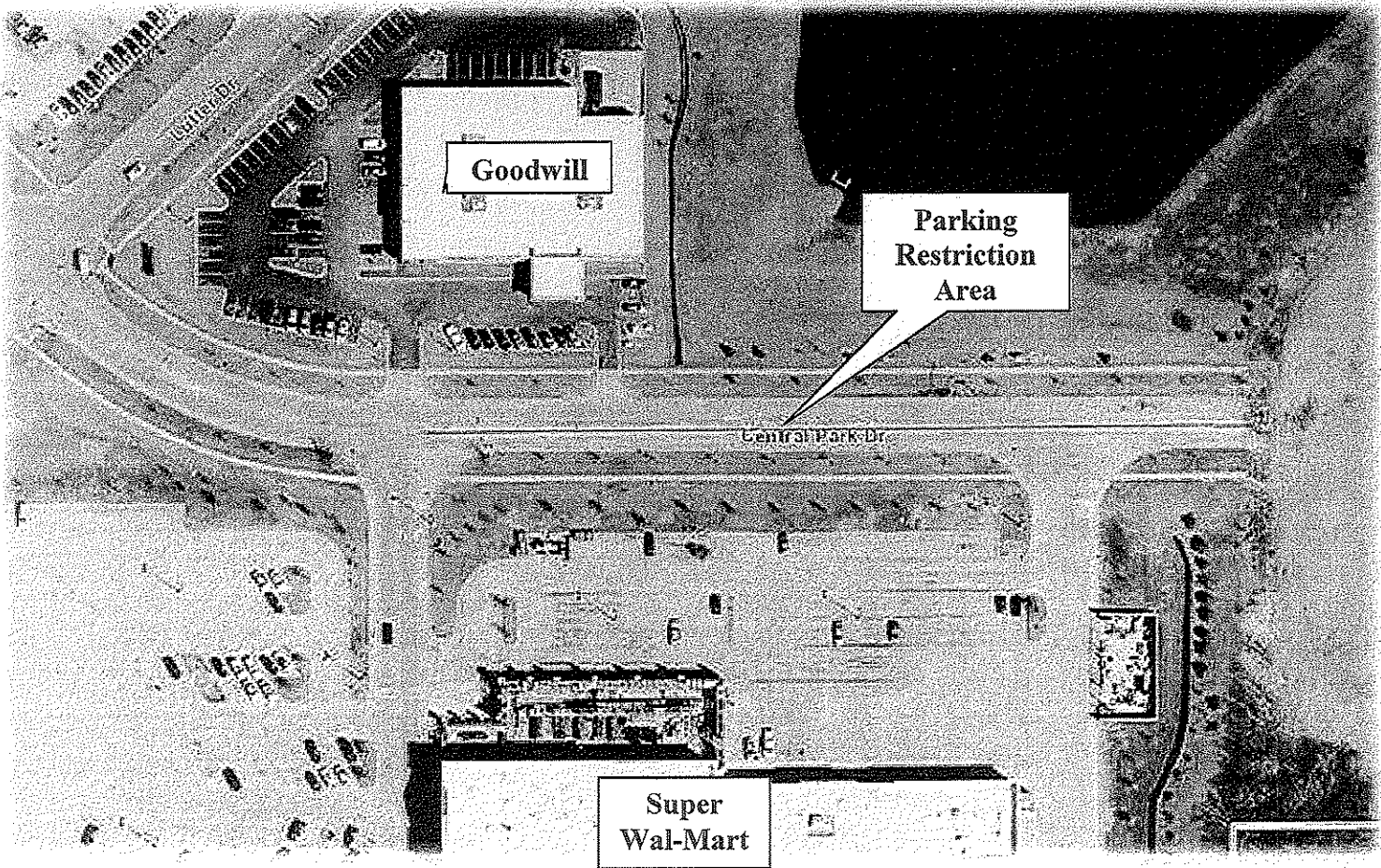
The Traffic Safety Committee contacted the manager of the Super Wal-Mart, and the manager said the trucks were not part of the store's operations. The Committee believes that independent truck owner/operators are parking their trucks at this location.

The Committee has reviewed this issue and recommends prohibiting parking on the east end of Central Park Drive, starting at the western driveway of the Goodwill Store and running east to the end of the street. The attached exhibit shows the limits of the proposed parking restriction.

**Votes Required to Pass:**

Simple majority

Proposed Location of  
Central Park Drive Parking Restriction





DRAFT

The City of Crystal Lake Illinois

AN ORDINANCE PROHIBITING PARKING ON A  
PORTION OF CENTRAL PARK DRIVE

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

SECTION I: That it shall be unlawful to stop, stand, or park any vehicle on Central Park Drive between the east end of Central Park Drive and a point 575 feet west of the east end of Central Park Drive.

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

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 17<sup>th</sup> day of January, 2017.

CITY OF CRYSTAL LAKE, an Illinois Municipal  
Corporation

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

SEAL

ATTEST:

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

PASSED: January 17, 2017

APPROVED: January 17, 2017

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



**Agenda Item No: 15**

**City Council  
Agenda Supplement**

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**Meeting Date:** January 17, 2017

**Item:** COUNTY ZONING REQUEST

Lillian M. Powers Family Limited Partnership & CTLTC  
Trust 8002351915  
8733 Ridgefield Road

**Recommendation:** City Council's discretion.  
a) Motion to object to the proposed Zoning  
Reclassification, 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

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**Background:**

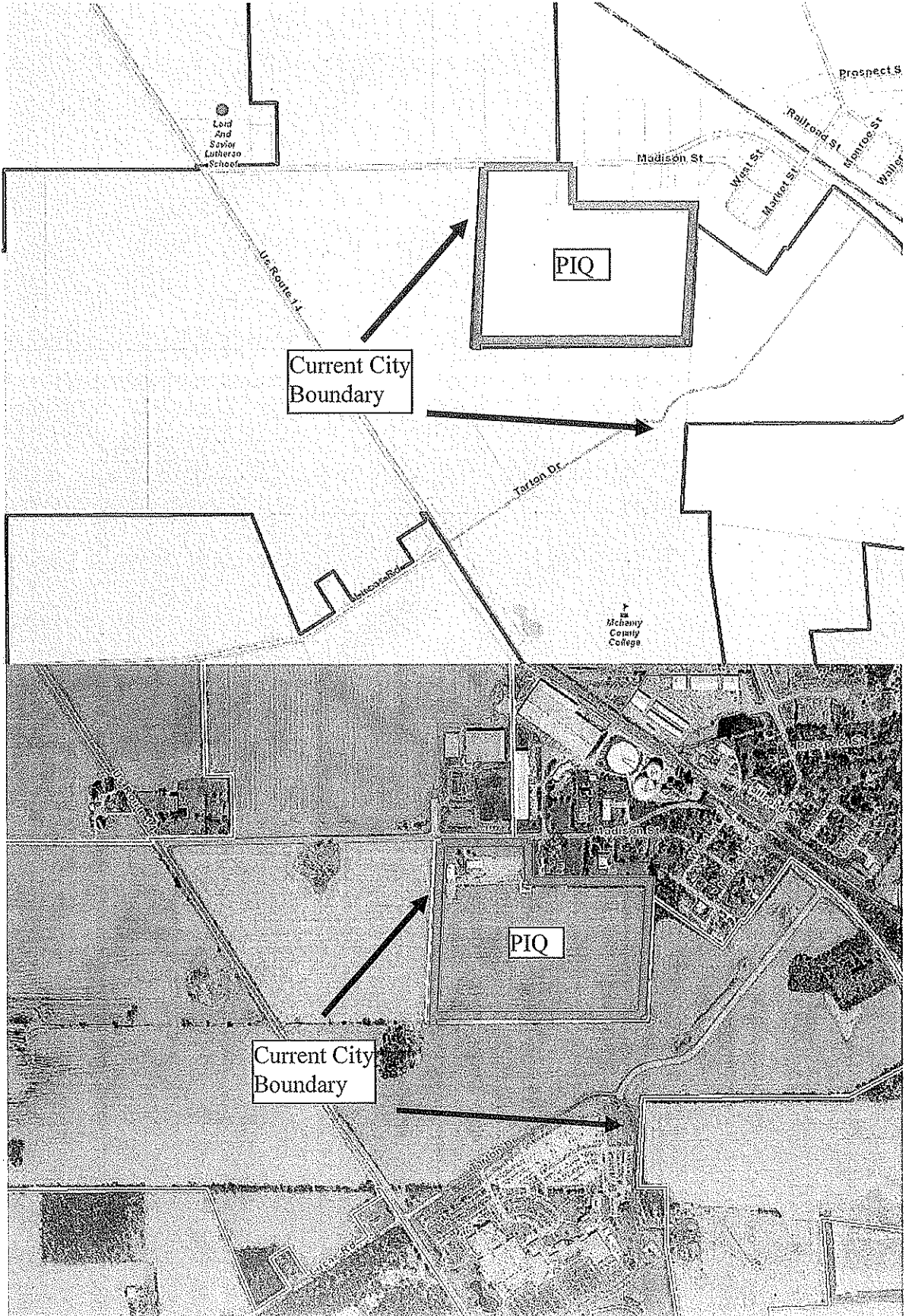
- As is customary with County Zoning requests within the City's mile and a half planning jurisdiction, the City received notice of this request.
- The subject property consists of approximately 5.63 acres and is zoned "A-1" Agriculture District with a Variation.
- The Care of Trees business occupies the property; there are currently two buildings and outside storage. The property also has a cell tower located on the property.
- The property is located across from the McHenry Athletic Complex (formerly known as Regional Sports Center) and is contiguous to the current City boundaries.

**Request:**

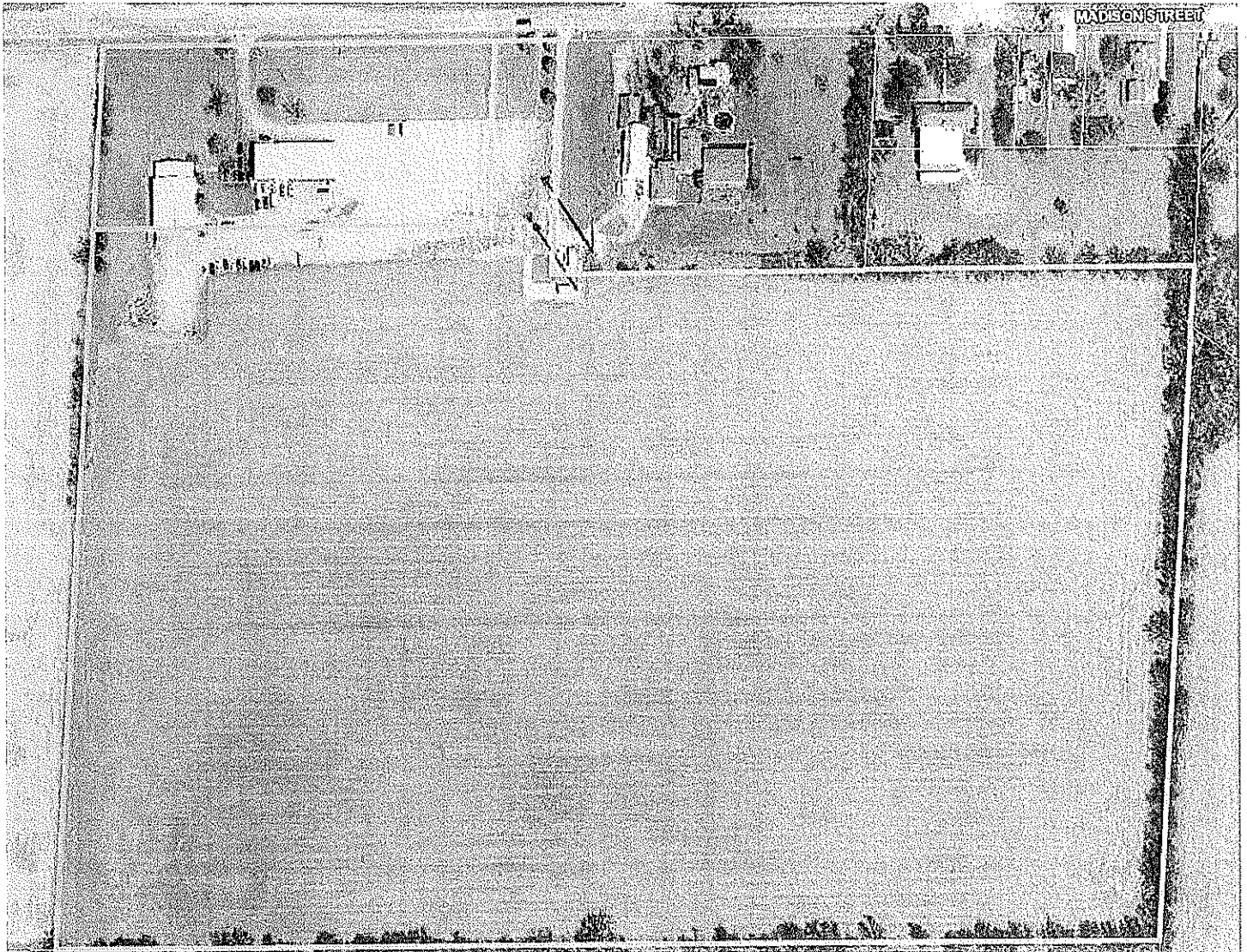
- The petitioners are requesting a zoning reclassification from "A-1" Agriculture District to "B-3" General Business District to allow the existing use to remain.
- The property is within the Crystal Lake Watershed and staff has no concerns with this request.

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

8733 Ridgfield Road PIQ









**Agenda Item No: 16**

**City Council  
Agenda Supplement**

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**Meeting Date:** January 17, 2017

**Item:** Amendment to the Store Lease Agreement with the Crystal Lake Chamber of Commerce

**Staff Recommendation:** Motion to adopt a resolution authorizing the City Manager to execute an amendment to the Store Lease agreement with the Crystal Lake Chamber of Commerce

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

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**Background:**

On January 1, 2007, the City entered into a store lease agreement with the Crystal Lake Chamber of Commerce for the use of 427 Virginia Street, which includes an office building. The Chamber of Commerce has requested a change to the lease agreement's insurance language. Since the Chamber is not the owner of the building, it has requested that the lease section requiring the Chamber to purchase general property insurance be removed.

The City reviewed this request with its insurance provider, the Intergovernmental Risk Management Agency (IRMA), and IRMA recommended the modified insurance language depicted in the attached store lease agreement amendment. The proposed amendment would remove section 28 (h) and add a new section 29. The new insurance language requires that the Chamber provide liability insurance, and first party personal property coverage, and coverage for leasehold improvements. The Chamber has reviewed this language and is agreeable to the changes.

**Votes Required to Pass:**

A simple majority



DRAFT

**RESOLUTION**

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE that the City Manager be and he is hereby authorized and directed to execute an agreement amendment to Store Lease agreement between the City of Crystal Lake and the Crystal Lake Chamber of Commerce.

DATED this 17<sup>th</sup> day of January, 2017.

CITY OF CRYSTAL LAKE, an  
Illinois municipal corporation,

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

SEAL

ATTEST

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

PASSED:  
APPROVED:



**Agenda Item No: 17**

**City Council  
Agenda Supplement**

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**Meeting Date:**

January 17, 2017

**Item:**

Alternate Retail Electrical Supplier

**Staff Recommendation:**

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

**Staff Contact:**

Eric T. Helm, Deputy City Manager

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**Background:**

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

**Northern Illinois Municipal Electric Collaborative (NIMEC)**

In 2007, the City joined NIMEC, which is a municipal Collaborative that pools the energy needs of members in order to secure more competitive pricing than can be provided individually to a single municipality, based on higher volumes. The Collaborative is made up of 150 members, most of which are municipalities. The amount of aggregated energy purchases of the Collaborative is \$15 - \$20 million.

The following communities have participated in this specific bid for electricity in the past:

Alsip-Merrionette Park Public Library	Homewood Flossmoor Park Dst.	Village of Grayslake
Bartlett Park District	Indian Prairie Public Lib Dst	Village of Gurnee
Bartlett Public Library District	Indian Trails Public Library	Village of Hanover Park
Bensenville Park District	LaGrange Park Public Library District	Village of Hazel Crest
Bourbonnais Library	Lake County Public Water Dist	Village of Hinsdale
Brookfield N. Riverside Water Com.	Lake in the Hills Sanitary District	Village of Homewood
City of Amboy	Lake Villa District Library	Village of Island Lake
City of Belvidere	Lincolnwood Library	Village of Itasca
City of Braidwood	Lisle Woodridge Fire Dist.	Village of La Grange
City of Countryside	Lockport Park District	Village of Lake Villa
City of Crest Hill	Manhattan Publ Libr.	Village of Lake Zurich
City of Crystal Lake	McHenry Public Library	Village of Libertyville
City of Darien	Mokena Community Park District	Village of Lindenhurst
City of Dixon	Mundelein Park District	Village of Lombard
City of Earlville	North Riverside Library	Village of Manhattan
City of Harvard	Northern Moraine WW District	Village of Minooka
City of Highland Park	Northlake Public Library District	Village of Mokena
City of Kankakee	Park Ridge Park District	Village of Montgomery
City of Lockport	Plano Library	Village of Mundelein
City of Marengo	Reach Across ILL Libr Sys(RAILS)	Village of New Lenox
City of Mendota	Roselle Library	Village of Norridge
City of Minonk	Sugar Grove Library Dist.	Village of North Aurora
City of Morris	Tinley Park Park District	Village of Olympia Fields
City of North Chicago	Village of Barrington	Village of Orland Park
City of Northlake	Village of Beecher	Village of Oswego
City of Palos Heights	Village of Carol Stream	Village of Park Forest
City of Park Ridge	Village of Carpentersville	Village of Peotone
City of Pontiac	Village of Cary	Village of River grove
City of Sycamore	Village of Channahon	Village of Shorewood
City of Warrenville	Village of Coal City	Village of South Elgin
City of West Chicago.	Village of Crete	Village of South Holland
City of Wheaton	Village of Deerfield	Village of Sugar Grove
City of Wilmington	Village of Dwight	Village of Tinley Park
City of Wood Dale	Village of Elburn	Village of Villa Park
City of Yorkville	Village of Elk Grove	Village of Wauconda
Coal City Public Library District	Village of Flossmoor	Village of West Dundee
Countryside Fire	Village of Fox River Grove	Village of Wheeling
Darien Park District	Village Of Franklin Park	Village of Wilmette
Dundee Twp Park District	Village of Gardner	Village of Worth
Eisenhower Library	Village of Gilberts	Warrenville Public Library
Ela Area Library	Village of Glencoe	Wood Dale Library
Fountaindale Public Library District	Village of Glendale Heights	Wood Dale Park District
Frankfort Public Library District	Village of Glenview	Woodridge Park District
Glenside Public Library District	Village of Glenwood Illinois	Yorkville Bristol San Dist.

Since 2007, the City has utilized NIMEC to receive electrical supply pricing for City facilities and has experienced energy cost savings. Recently, in 2015, the City entered into a two year agreement with Dynegy Incorporated for electrical supply. This agreement expires in May 2017. Following the expiration of this contract, the City could revert to ComEd's supplier for electrical supply. However, ComEd's supplier only offers a floating market rate, which changes every hour. Therefore, the rate of this hourly market rate is impossible to estimate, as it is dependent upon future market conditions, as well as the specific times the accounts consume the power. The only source of fixed electrical rates in Illinois are from third party, non-ComEd, suppliers.

### **NIMEC Bidding Process**

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

Additionally, NIMEC charges no fee to the City to manage the bid. NIMEC operates as a broker, and therefore the suppliers pay NIMEC. Their fee of \$0.001/kWh is included in our pricing. This is the lowest fee NIMEC charges any of its members. The value of NIMEC's ability to negotiate lower rates with the collective volume offsets most, if not all, of this fee.

Sometime between February 1<sup>st</sup> and March 31<sup>st</sup> of this year, depending on the state of the energy market pricing, NIMEC will conduct bidding for electrical supply for its members' non-franchise government owned facilities. Following receipt of the bids, NIMEC will recommend whether the City should accept these prices or revert to the ComEd supplier's floating rate.

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

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

### **Recommendation**

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

### **Votes Required to Pass:**

Super majority.



DRAFT

## RESOLUTION

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

WHEREAS, the Mayor and City Council find as follows:

- A. On January 2, 2007 the State of Illinois implemented a plan to deregulate Commonwealth Edison;
- B. Under the aforementioned deregulation plan, Commonwealth Edison no longer generates electricity for its customers, but will continue to provide electric power through its distribution system;
- C. As a result of this deregulation, electricity will be purchased based on market price and Exelon, the parent company of Commonwealth Edison, is no longer the sole supplier of electricity in Northern Illinois, resulting in new electricity suppliers being able to compete against Exelon, and competitive market forces dictating the price of electricity;
- D. Municipalities across the State are entering the market to purchase electric power in order to mitigate some of the economic impact of rising rates, which, on a practical basis, can only be done using a third party who will serve as a broker for the municipalities and has the knowledge and experience to seek bids from the various electricity providers;
- E. The City of Crystal Lake has selected the Northern Illinois Municipal Electric Collaborative (NIMEC) to serve as the City's broker relative to the acquisition of electrical energy due to NIMEC's municipal experience and the fact that NIMEC is a municipal Collaborative which will be pooling the energy needs of members of the Collaborative in order to secure more competitive pricing based on higher volumes than can be provided individually to a single municipality;
- F. The amount of compensation that NIMEC receives, if the City chooses the NIMEC electricity supplier, is being built into the prices bid by the electricity supplier and equaling 1% of the cost per kilowatt hour (as would be the case with any broker), so there will be no direct payments made to NIMEC by the City;

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

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

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

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

DATED this 17th day of January, 2017

CITY OF CRYSTAL LAKE, an  
Illinois municipal corporation,

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

SEAL

ATTEST

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

PASSED:  
APPROVED: