



CITY OF CRYSTAL LAKE
AGENDA
CITY COUNCIL
REGULAR MEETING

City of Crystal Lake
100 West Woodstock Street, Crystal Lake, IL
City Council Chambers
August 1, 2017
7:30 p.m.

1. **Call to Order**
2. **Roll Call**
3. **Pledge of Allegiance**
4. **Proclamation-Overdose Awareness Day**
5. **Approval of Minutes – July 18, 2017 Regular City Council Meeting**
6. **Accounts Payable**
7. **Public Presentation**
The public is invited to make an issue oriented comment on any matter of public concern not otherwise on the agenda. The public comment may be no longer than 5 minutes in duration. Interrogation of the City staff, Mayor or City Council will not be allowed at this time, nor will any comment from the Council. Personal invectives against City staff or elected officials are not permitted.
8. **Mayor's Report**
9. **City Council Reports**
10. **Consent Agenda**
 - a. **St. Thomas the Apostle Church, 451 W. Terra Cotta. –Temporary Class “16” Liquor License request for a Parish Get Together to be held on September 16, 2017.**
 - b. **First Congregational Church – Special Event Approval for an Anniversary Event/Outdoor Worship Service, on Sunday, August 20, 2017, and waiver of the application fee.**
 - c. **Copley Annexation Agreement reconsideration - request to be continued to the February 6, 2018 regular City Council meeting.**
 - d. **Amendment to City Code Section 11-9, Foreign Fire Insurance Tax Board.**
 - e. **Appointment to Board of Trustees of the Police Pension Fund.**
11. **McHenry County College, 8900 US Highway 14 - Variation from Section 515-7 of the City Code requiring extension of water main improvements to a point opposite the farthest property line of their frontage.**
12. **Mac’s Convenience Stores (Circle K), 220 W. Virginia St., 280 N. Route 31, 681 W. Terra Cotta - City Code Amendment to increase the number of Class “13” Liquor Licenses from the current permitted 25 to 28 licenses.**
13. **Oak Street Plaza, 256 Oak Street – Rezoning from B-1 to B-2 General Commercial.**
14. **Crystal Lake Food Pantry, 42 East Street – Variation for two awnings.**

15. **Bohm, 528 Charlotte Ave. – County Zoning Request for proposed setback variations.**
16. **Declaring Squad #1028 as surplus and adoption of a resolution authorizing the execution of an agreement with Currie Motors for the purchase of a Police Interceptor Utility Vehicle through the Suburban Purchasing Cooperative Program.**
17. **Bid award and resolution authorizing the execution of a contract with Associated Electrical Contractors, LLC for Water Treatment Plant #3 Electrical Equipment Replacement; waiver of competitive procurement and authorizing the execution of a contract with Crawford, Murphy, and Tilly, Inc. for Construction Engineering Services for Water Treatment Plant #3 Electrical Equipment Replacement; and amending the 2017-18 City Budget to allow for addition expenditures related to the Water Treatment Plant #3 Electrical Equipment Replacement.**
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, and personnel.**
20. **Reconvene to Regular Session.**
21. **Adjourn.**

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



Agenda Item No: 10a

**City Council
Agenda Supplement**

Meeting Date: August 1, 2017

Item: Temporary Liquor License – St. Thomas the Apostle Church

Staff Recommendation: Motion to approve issuance of a Class “16” Temporary Liquor License to St. Thomas the Apostle Church

Staff Contact: Eric T. Helm, Deputy City Manager

Background:

The City has received a request from St. Thomas the Apostle Church for the issuance of a Class “16” Temporary Liquor License in order to sell beer and wine at their Parish Get Together being held at the Oak Street Church Community Center, located at 451 W. Terra Cotta Avenue, on September 16, 2017 from 6:00 p.m. to 9:00 p.m.

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

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

Votes Required to Pass:

Simple majority



Agenda Item No: 10b

**City Council
Agenda Supplement**

<u>Meeting Date:</u>	August 1, 2017
<u>Item:</u>	First Congregational Church Anniversary Event
<u>Staff Recommendation:</u>	Motion to approve First Congregational Church's application for a Special Event for an outdoor worship service on Sunday, August 20, 2017 pursuant to the recommended conditions, and waive the application fee.
<u>Staff Contact:</u>	Michelle Rentzsch, Director of Community Development

Background:

The First Congregational Church has requested to hold a worship service in McCormick Park. The City Council has recently approved similar special events at the Park.

City staff has reviewed the request and does not have any concerns, providing 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. Also provide a hold harmless agreement.
- 2) Provide a 20-foot access lane(s) for emergency vehicles to gain access to the building, Fire Department Connection, and the event site.
- 3) Fire hydrants located on or near the property of the event must remain unobstructed and "No Parking" signs posted.
- 4) Tents and canopies used for this event must comply with the applicable codes.
- 5) Generators, if used, shall be a minimum of 20 feet from any tents/canopies and protected from the public by fencing, enclosure, or other approved means.
- 6) Any barricades used to restrict traffic or pedestrians must be easily moveable or manned by event staff should an emergency occur during the event hours.
- 7) 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.

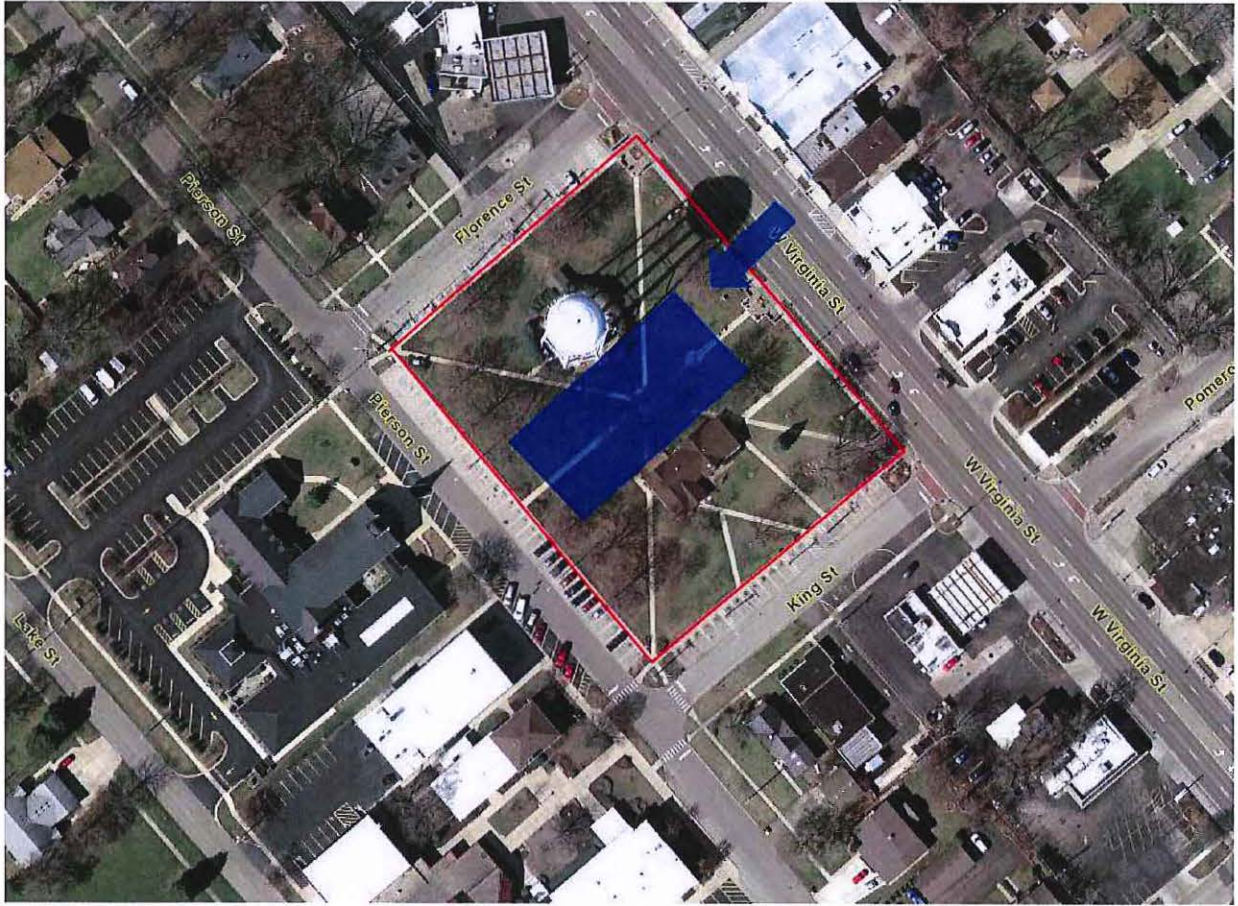
- 8) Contact the Fire Prevention Bureau at 815-356-3640 three days prior to the event to schedule a site inspection.
- 9) All debris created by the event shall be cleaned up during and after the event.
- 10) Provide male and female accessible restroom facilities.
- 11) Promotional and informational banners and signage may need a limited duration sign permit issued from the Building Division. Please contact the Building Division regarding signage to be used in conjunction with the event.
- 12) In the case of inclement weather, an alternate date can be approved by the City Manager.

The petitioner is asking for a waiver from the \$40 application fee but in all other aspects agrees to meet the recommended conditions. The special event application has been attached for City Council consideration.

Votes Required to Pass:

Simple majority vote

SE17-0046 First Congregational Church – Outdoor Worship Service





Agenda Item No: 10c

**City Council
Agenda Supplement**

Meeting Date: August 1, 2017

Item: Motion to Reconsider - Continuation

Recommendation: Motion to continue the Copley Annexation Agreement reconsideration request to the February 6, 2018 City Council meeting.

Staff Contact: Michelle Rentzsch, Community Development Director

Background:

At the September 20, 2016 regular City Council meeting, there was a motion to reconsider the Copley Annexation Agreement. That motion was tabled and continued to the October 18, 2016 regular City Council meeting and was subsequently continued to the August 1, 2017 City Council meeting.

It is requested that this item be continued to the February 6, 2018 City Council meeting to allow both parties time to review the Annexation Agreement.

Votes Required to Pass: A simple majority vote.



Agenda Item No: 10d

**City Council
Agenda Supplement**

<u>Meeting Date:</u>	August 1, 2017
<u>Item:</u>	Foreign Fire Insurance Tax Board City Code Amendment
<u>Staff Recommendation:</u>	Motion to adopt an ordinance amending City Code Section 11-9, Foreign Fire Insurance Tax Board.
<u>Staff Contact:</u>	Paul DeRaedt, Fire Rescue Chief George Koczwar, Director of Finance

Background:

In Illinois, a Foreign Fire Insurance Tax is levied on fire insurance companies that are not incorporated under the laws of the State of Illinois. These companies are required to pay a tax in an amount not to exceed two percent of the gross receipts from insurance policies affecting properties within the city limits. The City is authorized to levy the tax, which is collected by the Illinois Municipal League "in the name of and for" the City. The City is required by statute to appropriate the tax moneys "only for the maintenance, use, and benefit of the department," and the foreign fire insurance board is empowered to determine the discrete purposes for which the moneys will be expended.

The City previously enacted an ordinance, as codified in Section 11-9 of the City Code, to impose a foreign fire insurance tax at a rate of two percent (2%), to regulate the collection and management of foreign fire insurance taxes in a Foreign Fire Insurance Tax Fund, and to provide for the establishment of a Foreign Fire Insurance Board to manage such funds. The Board consists of seven trustees: the Fire Chief, who holds office by virtue of his rank, and six members, who are elected by the members of the Department.

In an effort to mitigate the tax burden on Crystal Lake businesses, and to eliminate administrative complications as a result of maintaining the Foreign Fire Insurance Tax, the attached ordinance will repeal the City's Foreign Fire Insurance Tax and establish procedures for winding down the Foreign Fire Insurance Tax Fund.

Recommendation:

It is staff's recommendation to amend City Code Section 11-9, Foreign Fire Insurance Tax Board, in order to repeal the City's Foreign Fire Insurance Tax and establish procedures for winding down the Foreign Fire Insurance Tax Fund.

Votes Required to Pass:

Simple majority

ORDINANCE NO. _____
FILE NO. _____



ORDINANCE NO. _____
FILE NO. _____

DRAFT

**AN ORDINANCE AMENDING SECTION 11-9 OF
THE CITY CODE OF THE CITY OF CRYSTAL LAKE
AND REPEALING THE FOREIGN FIRE INSURANCE TAX**

WHEREAS, pursuant to Article 11, Division 10 of the Illinois Municipal Code, 65 ILCS 5/11-10-1 et seq., the City of Crystal Lake (the “*City*”) has previously enacted an ordinance, as codified in Section 11-9 of the City Code of Crystal Lake (the “*City Code*”), to impose a foreign fire insurance tax at a rate of two percent (2%), to regulate the collection and management of foreign fire insurance taxes in a Foreign Fire Insurance Tax Fund (the “*FFI Fund*”), and to provide for the establishment of a Foreign Fire Insurance Board (the “*FFI Board*”) to manage such funds; and

WHEREAS, the Mayor and City Council hereby find that the administration of the FFI Fund has presented undue complications for the City and its Fire Department and that the FFI Tax does not serve the best interests of the City and its residents; and

WHEREAS, the Mayor and City Council have determined that it is in the best interests of the City and its residents to repeal the City’s foreign fire insurance tax and to establish procedures for winding down the FFI Fund as hereinafter set forth;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and City Council of the City of Crystal Lake, McHenry County, Illinois, as follows:

Section One: Recitals. The foregoing recitals are incorporated herein as findings of the Mayor and City Council.

Section Two: Amendment. Sections 11-9 of the City Code of the City of Crystal Lake is hereby amended, so that said Section shall hereafter be and read as follows:

Section 11-9: Foreign Fire Insurance Tax Board.

(a) Foreign Fire Insurance Tax.

1. ~~Imposition~~**Repeal** of Tax. Pursuant to ~~Section 11-10-1 of the Illinois Municipal Code, 65 ILCS 5/11-10-1,~~ the The City hereby sets the rate of the foreign fire insurance tax as 0.00% and thereby repeals the foreign fire insurance tax that has been imposed pursuant to Section 11-10-1 of the Illinois Municipal Code, 65 ILCS 5/11-10-1 imposes upon every corporation, company, and association which is not incorporated under the laws of the State of Illinois and which is engaged in effecting fire insurance within the corporate limits of the City a sum in the amount of two percent (2%) of the gross receipts received from fire insurance upon property situated within the corporate limits of the City (the "**FFI Tax**"). The setting of the FFI Tax rate to 0.00% and the repeal of the FFI Tax shall be retroactively effective as of January 1, 2014. Any FFI Tax moneys received by the City that are:

- (i) allocable to the period after February 1, 2014 and
- (ii) currently held by the City or the Board (as hereinafter defined),

shall be returned in accordance with Subsection (h) of this Section 11-9. For purposes of determining which FFI Tax moneys are allocable to the period beginning January 1, 2014, the "first-in, first-out" principle shall be employed.

2. Purpose of Tax. The Any FFI Tax is imposed by the City shall be for the exclusive purpose of providing for the maintenance, use, and benefit of the Fire Rescue Department of the City (the "**Department**"). For purposes of this Section 11-9, an expenditure of FFI Tax moneys shall be deemed to be for "the maintenance, use, and benefit of the fire department" only if used for:
 - a. The acquisition or maintenance of firefighting equipment under the control of and on the premises of the Department;
 - b. The acquisition or maintenance of training or conditioning equipment under the control of and on the premises of the Department to be used by firefighters of the Department;
 - c. The acquisition or maintenance of equipment of the fire house under the control of and on the premises of the Department for the general benefit of firefighters;

- d. The payment of training or certification fees for the Department or its sworn members (but only to the extent such training or certification is expressly authorized by the Chief of the Department);
- e. The cost for any bond required pursuant to this Section 11-9;
- f. Costs of collection by the City of FFI Taxes or any audit of the FFI Tax fund by the City; and
- g. Such other expenditures authorized by the Board (as hereinafter defined) and approved by resolution of the City Council;

(the foregoing hereinafter being referred to as an "***Authorized Expenditure***"). No Authorized Expenditure shall be for the benefit of any individual. FFI Tax moneys shall not be expended except for Authorized Expenditures approved by the Board in accordance with this Section 11-9, or as otherwise provided in Subsection 11-9(h) of the City Code.

- (b) Tax Fund. Unless otherwise expressly provided pursuant to a resolution of the City Council, a City of Crystal Lake "FFI Tax Fund" is hereby created, and all revenue received by the City and appropriated to the Board's Treasurer from the FFI Tax shall be deposited in the FFI Tax Fund and shall be held and expended in accordance with this Section 11-9, as well as the City procurement policies.
- (c) Foreign Fire Insurance Tax Board. The City of Crystal Lake Foreign Fire Insurance Tax Board (hereinafter the "***Board***") is hereby created to oversee the lawful expenditure of FFI Tax moneys.
 - 1. The Board shall consist of seven Trustees: the Chief of the Department, who shall hold office by virtue of rank, and six members, who shall be elected at large each December on even-numbered years by the members of the Department. Each Trustee shall serve a term of two years or until his or her successor is duly elected and qualified. If there is an insufficient number of candidates to fill all these positions, the Board may operate with fewer than seven members, but not to fewer than four Trustees. Any vacancy that may occur shall be filled for the balance of the unexpired term by a special election called by the remaining members of the Board.
 - 2. The members of the Board shall annually elect officers; from these officers shall be selected a Chair and a Treasurer. The Board may elect a Vice-Chair and Secretary.

3. The Trustees of the Board shall be authorized to make rules with respect to Board procedures and the management of the FFI Tax money appropriated to the Board; provided, however, that such rules shall not be inconsistent with the provisions of this Section 11-9.

4. Notwithstanding the foregoing, upon the transfer of all FFI Tax moneys in the FFI Fund pursuant to Subsection 11-9(h) and the exhaustion of any other moneys in the FFI Fund, the Board and all of its officer positions shall be respectively dissolved and vacated, and this Subsection 11-9(c) shall have no further force or effect.

(d) Procedure for use and accounting of tax fund.

1. ~~If~~ **Subject to Subsection 11-9(h), if** the FFI Tax moneys are held in the FFI Tax Fund, the City Director of Finance shall provide the Treasurer of the Board a monthly accounting of receipts and expenditures of the fund.

2. If the moneys are held in an independent account pursuant to a resolution of the City Council, the Treasurer of the Board shall provide the Board and the City's Director of Finance with a monthly account of receipts and expenditures of the fund, within 10 days after the close of the previous month.

3. By the 7th of November of each year, the Board's Trustees shall approve a preliminary listing of the planned annual expenditures of the FFI Tax moneys **available for use in the FFI Tax Fund [subject to Subsection 11-9(h) of the City Code]**~~expected to be received~~, and shall promptly forward same to the City Manager and Director of Finance. Planned annual expenditures shall be limited to Authorized Expenditures as defined in this Section 11-9.

4. The Board's Trustees, no later than the 14th of January of every year, shall adopt a budget of proposed expenditures (for the upcoming fiscal year) of the moneys expected to be received from the FFI Tax, and shall promptly forward same to the City Manager and Director of Finance. The final budget may be amended at any time by a majority of Trustees of the Board, prior to final adoption and consistent with established practice. Expenditures shall be made only for items specifically described in the final version as originally adopted or subsequently amended by the Board, and shall be limited to Authorized Expenditures as defined in this Section 11-9.

5. Any expenditure made from the FFI Tax moneys shall be made in accordance with City ordinances, rules, regulations, purchasing guidelines, and practices governing the procurement of goods and

services as amended from time to time. ~~In addition,~~ **Except as otherwise provided in Subsection 11-9(h) of the City Code, and as otherwise** consistent with the authority of the Board and the audit responsibilities of the City, expenditures of moneys from the FFI Tax Fund shall require the co-signatures of the Board's Treasurer and the City's Finance Director in accordance with the requirements of this Section 11-9.

6. The Board's Treasurer shall provide a bond to the City in an amount equal to 1.5 times the average amount of FFI Tax moneys received by the City to ensure the faithful performance by the Treasurer of duties imposed by law and the Board. The bond, the form and content of which shall be approved by the Mayor, shall be conditioned on the faithful performance by the Treasurer of his or her duties, and shall indemnify the City and the FFI Tax Fund for any loss by reason of any neglect of duty or any act of the Treasurer.
7. To the extent allowed by law, the Board's Treasurer shall be responsible for paying the service charge levied by the Illinois Municipal League for the collection of the foreign fire insurance tax from the proceeds of that tax, provided that the service charge has not already been retained by the Illinois Municipal League prior to disbursement of the tax.
8. At no time shall the actions of the Board or its officers interfere with the rights of the Chief of the Department, the composition of the Department, or the Board of Fire and Police Commissioners, or in any way impede the ordinary operation of the Department. The City retains the right to withhold approval of any proposed expenditure of FFI Tax moneys for anything other than **(i) Authorized Expenditures approved by the Board, and (ii) refund payments authorized pursuant to Subsection 11-9(h).**
9. As part of the annual municipal audit, the FFI Tax Fund (or any other account in which FFI Tax moneys are authorized to be deposited) shall be audited to verify the funds have been expended by the Board only for Authorized Expenditures approved by the Board. Unless included in the fees for the general audit of the City's finances, the cost of such audit is the responsibility of the Board payable from the FFI Tax moneys. The Board Treasurer shall cause to be completed an annual financial report of the FFI Tax fund and shall submit the same to the Board for approval. The Board Chair shall submit the financial records of the Board to the City Director of Finance for an annual audit.

- (e) **Limitation on Debt and Expenditures.** Without the express authorization of the City Council, the Board shall not be permitted (1) to incur debt or (2) to enter into any contract or agreement for maintenance of existing equipment or for new equipment in excess of the unencumbered funds currently on

deposit in, and authorized for expenditure from, the FFI Tax Fund at the time of execution of such contract or agreement.

- (f) Open Meetings Act; Procedures. All meetings of the Board shall be held in accordance with the provisions of the Illinois Open Meetings Act, as may be amended from time to time, and the Board shall annually publish its regular meeting schedule, which shall include the location and time of all regular meetings. Meetings will be scheduled per the bylaws of the Board. Special meetings may be called by the Chair or at least three members of the Board. An agenda shall be published for all meetings, and during all such meetings, the Chair shall preside, or, in the absence of the Chair, the Vice Chair or Treasurer shall preside. The Chair of the Board shall cause to be kept a complete record of the proceedings of each meeting of the Board.
- (g) Annual Report. The Board shall, on or before May 31 of each year, make and file with the City Clerk an annual report of the activities of the Board during the prior year ended April 30, including a full and detailed account of all receipts and disbursements made from the FFI Tax Fund during the City's fiscal year ended immediately prior to the filing of such report. The FFI Tax Fund and all records relating thereto shall be subject to and part of the annual audit of the City.
- (h) Refund upon Repeal. Upon the effective date of the ordinance repealing the FFI Tax, the City's Director of Finance shall (i) notify the Illinois Municipal League of such repeal, and (ii) transfer all FFI Tax moneys allocable to the period after January 1, 2014 to an escrow account (the "FFI Escrow"). At the end of the 61st month following the effective date of the ordinance repealing the FFI Tax, the Director of Finance shall deliver all amounts in the FFI Escrow to the Illinois Municipal League, unless: (i) a court of competent jurisdiction otherwise orders the City to deliver the moneys in the FFI Escrow to a person other than the Illinois Municipal League; or (ii) the City files an interpleader in litigation relating to the FFI Tax moneys in the FFI Escrow and thereupon deposits the moneys in the FFI Escrow to the Clerk of the Court. In the event that the FFI Escrow moneys are delivered to the Illinois Municipal League, such moneys shall be delivered to the Illinois Municipal League with the instructions that the moneys be refunded to the corporations, companies, and associations that, in the determination of the Illinois Municipal League, had paid such FFI Taxes.

Section Three. Effective Date. This Ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form in the manner provided by law.

AYES:

NAYS:

ABSENT:

PASSED this ____ day of _____, 20__.

APPROVED by me this ____ day of _____, 20__.

MAYOR

ATTEST:

CITY CLERK



Agenda Item No: 10e

City Council Agenda Supplement

Meeting Date: August 1, 2017

Item: Appointment to Board of Trustees of the Police Pension Fund

Staff Recommendation: Approval of Mayoral appointment of Director of Finance/Treasurer George Koczwarra to the Board of Trustees of the Police Pension Fund.

Staff Contact: Aaron Shepley, Mayor

Background:

After many years of service to the Crystal Lake Police Pension Fund Board of Trustees, Pat Philpot has requested that she not be reappointed at the expiration of her term. It is my recommendation to that Director of Finance, George Koczwarra, be appointed to the Board of Trustees of the Police Pension Fund.

The membership of the Board of Trustees of the Police Pension Fund is governed by 40 ILCS 5/3-128 which states:

A board of 5 members shall constitute a board of trustees to administer the pension fund and to designate the beneficiaries thereof. The board shall be known as the "Board of Trustees of the Police Pension Fund" of the municipality. Two members of the board shall be appointed by the mayor or president of the board of trustees of the municipality involved. The 3rd and 4th members of the board shall be elected from the active participants of the pension fund by such active participants. The 5th member shall be elected by and from the beneficiaries.

Recommendation:

Confirm the Mayoral appointment of the Director of Finance/Treasurer George Koczwarra to replace Pat Philpot on the five-member Board of Trustees of the Police Pension Fund.

Votes Required to Pass:

A simple majority vote



DRAFT

RESOLUTION NO. ____

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

Confirming Appointments to the Board of Trustees of the Police Pension Fund

WHEREAS, a vacancy has occurred on the Board of Trustees of the Police Pension Fund due to the expiration of a term; and

WHEREAS, the Board of Trustees of the Police Pension Fund consists of 5 members, 2 of who are appointed by the Mayor with the advice and consent of the Crystal Lake City Council; and

WHEREAS, the Mayor of the City of Crystal Lake, has recommended that George Koczwarra replace Pat Philpot on the five-member Board of Trustees of the Police Pension Fund.

NOW THEREFORE, by adoption of this resolution, the City Council confirms the appointment of George Koczwarra to the Board of Trustees of the Police Pension Fund appointment effective August 1, 2017.

Adopted by the City Council of the City of Crystal Lake at a regular meeting on the 1st day of August, 2017.

Aaron T. Shepley, Mayor

ATTEST:

Nick Kachiroubas, City Clerk



Agenda Item No: 11

**City Council
Agenda Supplement**

Meeting Date: August 1, 2017

Item: Request for variation from Section 515-7 of the City Code that requires extension of the City utilities to the farthest property line.

McHenry County College
8900 US Hwy 14

Recommendation: City Council's discretion:
A) Motion to adopt an ordinance approving the variation for McHenry County College located at 8900 US Hwy 14, subject to the staff condition.

B) Motion to deny the request.

Staff Contact: Michael P. Magnuson, P.E., Director of Public Works

Background: McHenry County College (MCC) currently operates a system of wells, pumps and storage tanks to meet their potable water needs. This system was installed in the 1970's and is reaching the end of its useful life. The college is desirous of connecting to the City potable water supply.

MCC is requesting a variance from the City Code to extend the watermain to a point approximately 850 feet northwest along their 3,790-foot frontage (see attached request and exhibits). The City Code requires the extension of water main to the farthest property line (full 3,790 feet).

The Public Works Department has reviewed the petitioner's request and has determined that the City has an adequate supply of potable water and can meet their water demands. The City operates an existing 16-inch water main located within the ComEd property located adjacent to the southeast corner of MCC's property (see attached exhibits). MCC will be billed for water usage in accordance with our current rate structure.

City Utility Extensions

The City Code stipulates that when the City's public sewer and water main are extended, they need to be brought to the farthest limit of the property line. The intent is to make the City's utilities available to the next property owner.

*§ 515-7. Extension of existing lines.
[Added 5-15-1956; amended 2-19-2013 by Ord. No. 6898-A]*

Hereafter, any person, firm or corporation desiring to make sewer and/or water extensions of existing City of Crystal Lake sewer and/or water lines shall carry said extensions to a point opposite the farthest property line of the person, firm or corporation making said extension. In some cases, a looping water main may be required, per the direction of the City Engineer.

If approved, the following condition is recommended:

- 1) The petitioner must dedicate a 20-foot Municipal Utility Easement across the frontage of the property to allow for a water main extension by others at a future date. The petitioner shall bear the cost of preparing and recording the plat of easement.

Votes Required to Pass: A simple majority vote.



DRAFT

The City of Crystal Lake Illinois

**AN ORDINANCE GRANTING A VARIATION FROM CITY CODE SECTION 515-7 TO
8900 US ROUTE 14**

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

SECTION I: That a variation from Section 515-7 of the City Code regarding the extension of water main across the frontage of the property be granted to 8900 US Route 14.

SECTION II: That the grant of variation be subject to the following conditions:

1. The property owner or their authorized agent dedicate a 20-foot Municipal Utility easement across the frontage of the entire property to allow for a possible water main extension by others at a future date.
2. The property owner, or their authorized agent, shall bear the cost of preparing and recording the plat of easement showing the 20-foot Municipal Utility easement.

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

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

DATED at Crystal Lake, Illinois, this 1st day of August, 2017.

CITY OF CRYSTAL LAKE, an Illinois Municipal
Corporation

BY: _____
Mayor

SEAL

ATTEST:

City Clerk

PASSED: August 1, 2017

APPROVED: August 1, 2017

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



Agenda Item No: 12

**City Council
Agenda Supplement**

Meeting Date:

August 1, 2017

Item:

City Code Amendment to Increase the Number of Class "13" Liquor Licenses – Applicant: Mac's Convenience Stores (Circle K)

Staff Recommendation:

Motion to adopt an ordinance increasing the number of Class "13" Liquor Licenses from the current permitted 25 licenses to 28 licenses.

Staff Contact:

Eric T. Helm, Deputy City Manager

Background:

The City has received a request from Mac's Convenience Stores (Circle K), that has three establishments located at 220 W. Virginia, 280 N. Route 31 and 681 W. Terra Cotta., for the Council to consider the adoption of an ordinance providing for an amendment to the liquor license restriction provisions of the City Code, increasing the number of Class "13" liquor licenses from the current 25 licenses to 28 licenses.

The City Code permits the issuance of a Class "13" liquor license that shall authorize the sale of alcoholic liquors on the premises specified in the license in packages only but not for consumption on the premises where sold between the hours of 7:00 a.m. and 1:00 a.m. Monday, Tuesday, Wednesday, Thursday, Friday and 7:00 a.m. Saturday and 2:00 a.m. Sunday and 7:00 a.m. Sunday and 2:00 a.m. Monday. A Class B type restaurant may be located on the premises.

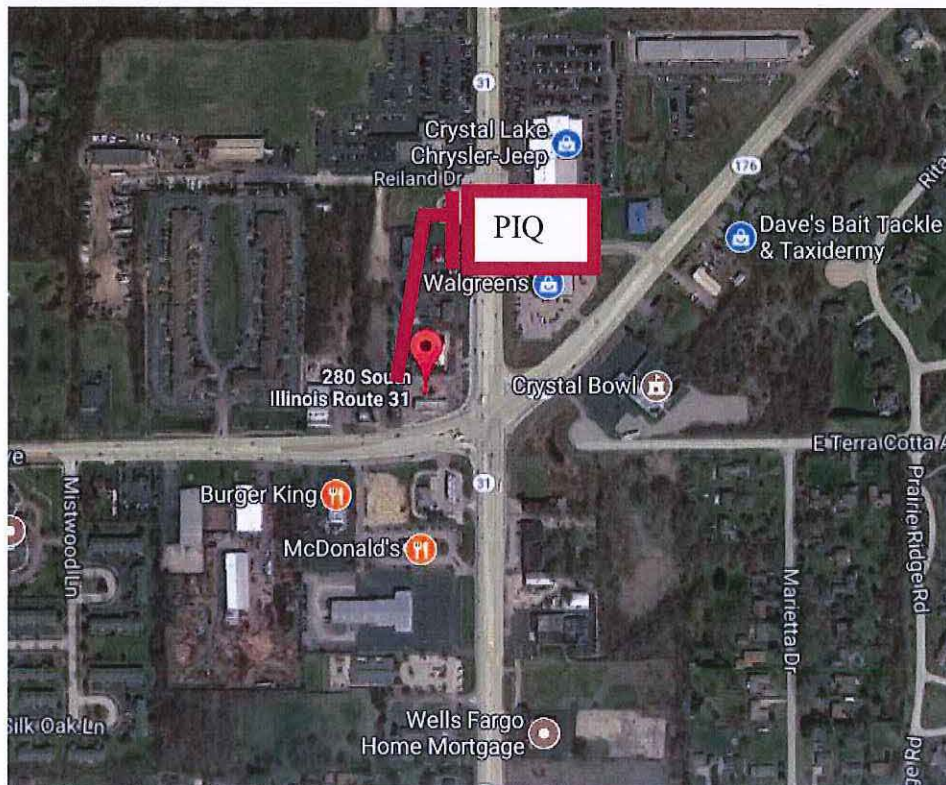
A fingerprint/background search revealed no criminal history under the applicant's names.

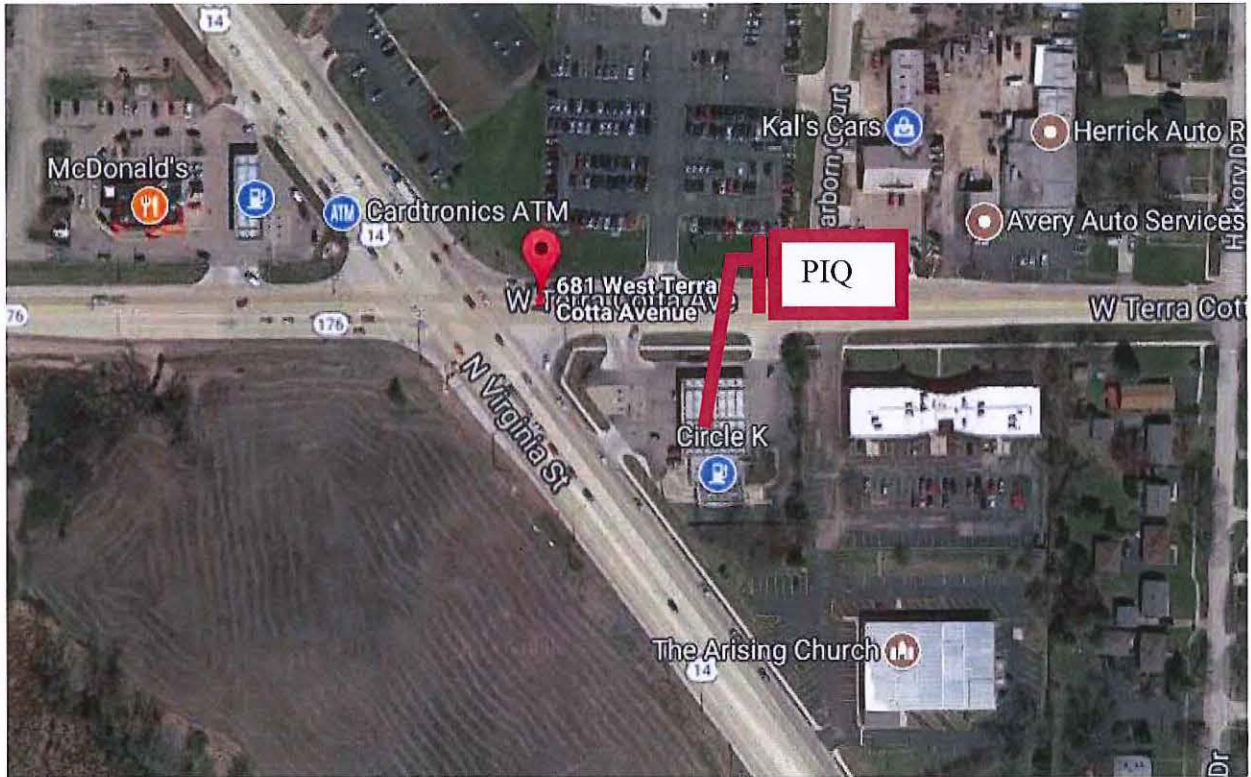
Other establishments currently holding a Class "13" liquor license include: 7-Eleven (Terra Cotta Ave.), 7-Eleven (McHenry Ave.), Bucky's Express, Casey's General Store, Convenient Food Mart, Cost Plus World Market, Crystal Lake Food & Liquor, CVS Pharmacy (Randall Road), CVS Pharmacy (Virginia Ave.), Fresh Market, Fresh Thyme Farmer's Market, Ralph's General Store, Joseph's Marketplace, LaRosita of Mesos Group, Midwest Petroleum Dev. (in the McDonald's on Rte. 14), Mobil Mart, Murphy's Oil, Oak Street Food and Liquor, Open Pantry/Shell (Rte. 14), Osco Drug, Sam's Club, Target, Walgreens (Rte. 14), Walgreens (Rte. 31), and Wal-Mart.

Votes Required to Pass:

Simple majority

Properties in Question







DRAFT

The City of Crystal Lake Illinois

**AN ORDINANCE AMENDING THE CODE
OF THE CITY OF CRYSTAL LAKE**

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 CHAPTER 329 LIQUOR LICENSES Section 329-6 Limitations on licenses shall be amended as follows:

1. Class 13 License shall be increased from 25 to 28.

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

SECTION III: That all Ordinances and parts of Ordinances in conflict herewith are hereby repealed.

DATED at Crystal Lake, Illinois, this 1st day of August, 2017.

City of Crystal Lake, an
Illinois municipal corporation

Aaron T. Shepley, Mayor

SEAL

ATTEST:

Nick Kachiroubas, City Clerk

Passed: August 1, 2017
Approved: August 1, 2017



Agenda Item No: 13

**City Council
Agenda Supplement**

Meeting Date: August 1, 2017

Item: REPORT OF THE PLANNING & ZONING COMMISSION
Oak Street Plaza

Request: Rezoning from B-1 to B-2 General Commercial

Petitioner: Judy Hansen, petitioner
256 Oak Street

PZC Recommendation: To approve the PZC recommendations and adopt an ordinance granting the rezoning to B-2 General Commercial at 256 N. Oak Street.

Staff Contact: Michelle Rentzsch, Community Development Director

Background:

- The site is zoned B-1 Neighborhood Commercial. This zoning district is used for commercial areas that provide a buffer from more intense commercial to less intense uses like office or residential. This was the zoning district assigned when the property was annexed in 1966.
- The area has changed over the years and this is now a busy signalized intersection.
- The petitioner would like the ability to attract a wider range of uses for the center and rezoning the property to B-2 would allow additional tenants.

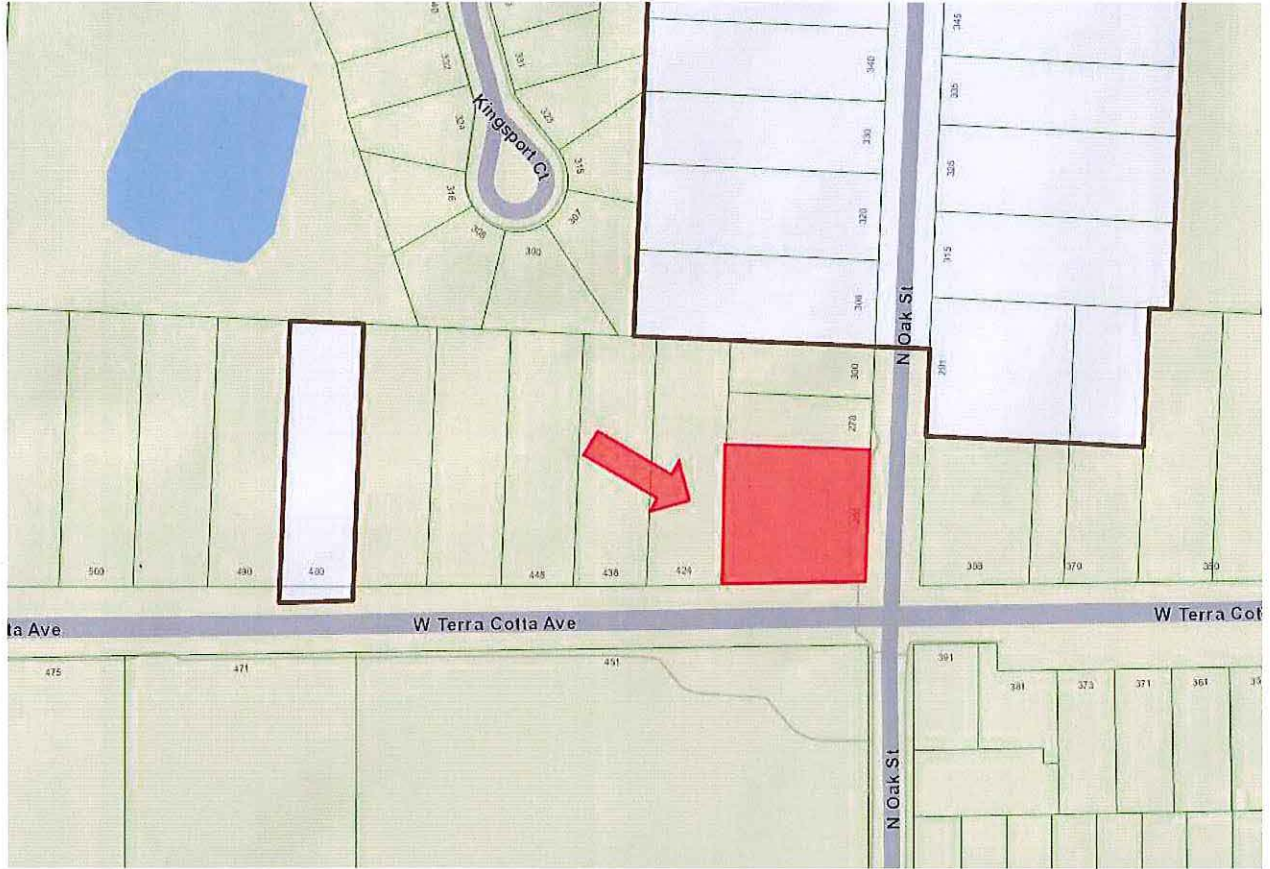
PZC Highlights:

- The PZC supported the zoning change.
- They reviewed the Findings of Fact and found that this petition meets the criteria.

The PZC recommended **approval (7-0)** of the petitioner's request.

Votes Required to Pass: A simple majority vote.

2017-21 Oak Street Plaza – 256 N Oak St – Rezone





DRAFT

The City of Crystal Lake Illinois

AN ORDINANCE GRANTING REZONING
AT 256 N OAK STREET

WHEREAS, pursuant to the terms of a Application (File #2017-21) before the Crystal Lake Planning and Zoning Commission, the Applicant has requested Rezoning from B-1 Neighborhood Commercial to B-2 General Commercial; and

WHEREAS, the Planning and Zoning Commission of the City of Crystal Lake, pursuant to notice duly published on June 27, 2017 in the Northwest Herald, held a public hearing at 7:30 p.m., on July 19, 2017 at City Hall at 100 W. Woodstock Street, Crystal Lake, Illinois to consider the proposed rezoning; and

WHEREAS, on July 19, 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 rezoning be approved, all as more specifically set forth in that certain Report of the Planning and Zoning Commission in Case #2017-21, dated as of July 20, 2017; and

WHEREAS, it is in the best interests of the CITY OF CRYSTAL LAKE that the Rezoning 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 the following described property be and same is rezoned from B-1 Neighborhood Commercial to B-2 General Commercial at the property legally described as follows:

Lot 32 in Hale's Oak Street Acres, said Subdivision being a part of the East Half of the Northwest Quarter of Section 31 and part of the West Half of the Northwest Quarter of Section 32, Township 44 North, Range 8 East of the Third Principal Meridian, according to the plat thereof recorded September 7, 1049 as Document No. 223655, in Book 10 of Plats, Page 118, in McHenry County, Illinois.

commonly known as 256 Oak Street, currently under development in Crystal Lake, McHenry County, Illinois.

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

Section III: 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 1st day of August, 2017.

City of Crystal Lake, an
Illinois municipal corporation

Aaron T. Shepley, Mayor

SEAL

ATTEST:

Nick Kachiroubas, City Clerk

Passed: August 1, 2017

Approved: August 1, 2017



Agenda Item No: 14

**City Council
Agenda Supplement**

Meeting Date: August 1, 2017

Item: REPORT OF THE PLANNING & ZONING COMMISSION
Crystal Lake Food Pantry

Request: Variation for two awnings to encroach into the front yard setback

Petitioner: Bill Eich, petitioner
42 East Street

PZC Recommendation: To approve the PZC recommendations and adopt an ordinance granting the Variation for the two awnings for the Crystal Lake Food Pantry at 42 East Street.

Staff Contact: Michelle Rentzsch, Community Development Director

Background:

- The Crystal Lake Food Pantry moved into this space in 2016.
- They have found that their customers wait outside in a line prior to opening and in bad weather they would like to provide some shelter for them.

PZC Highlights:

- The PZC was supportive of the request and thanked the petitioner for what the Food Pantry does for the community.
- They reviewed the Findings of Fact and found that this petition meets the criteria.

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

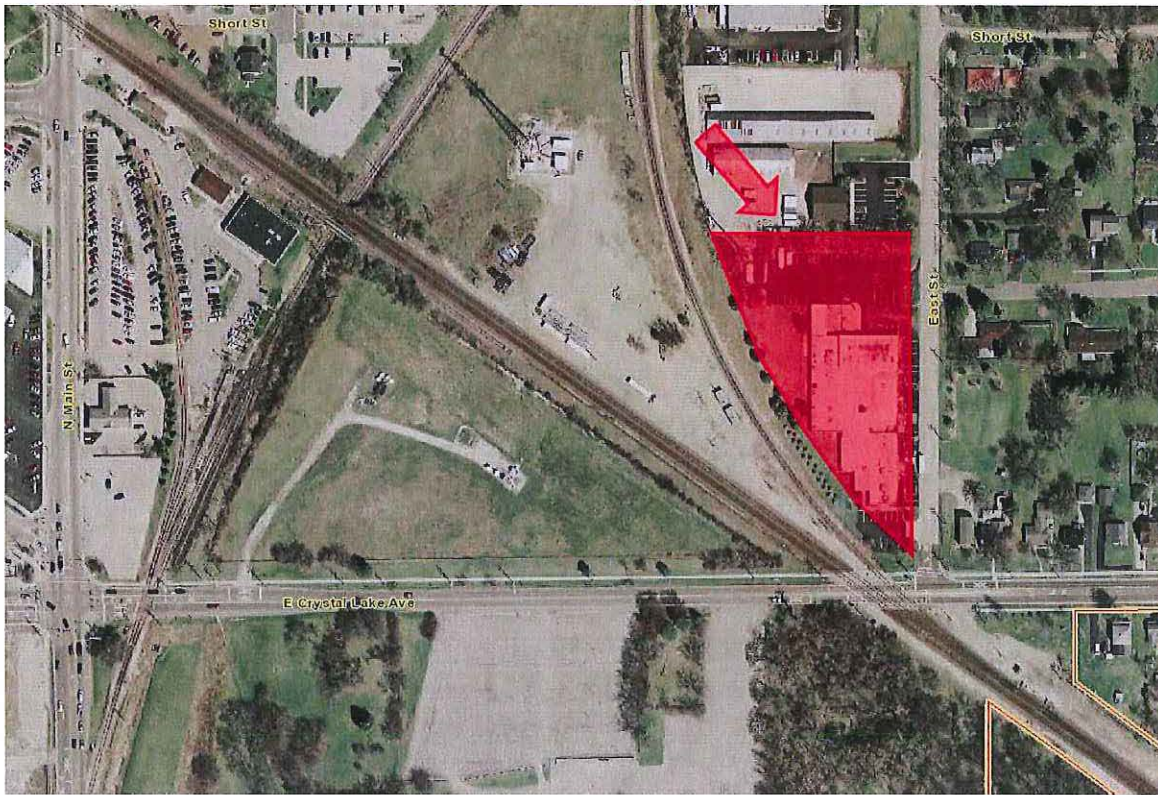
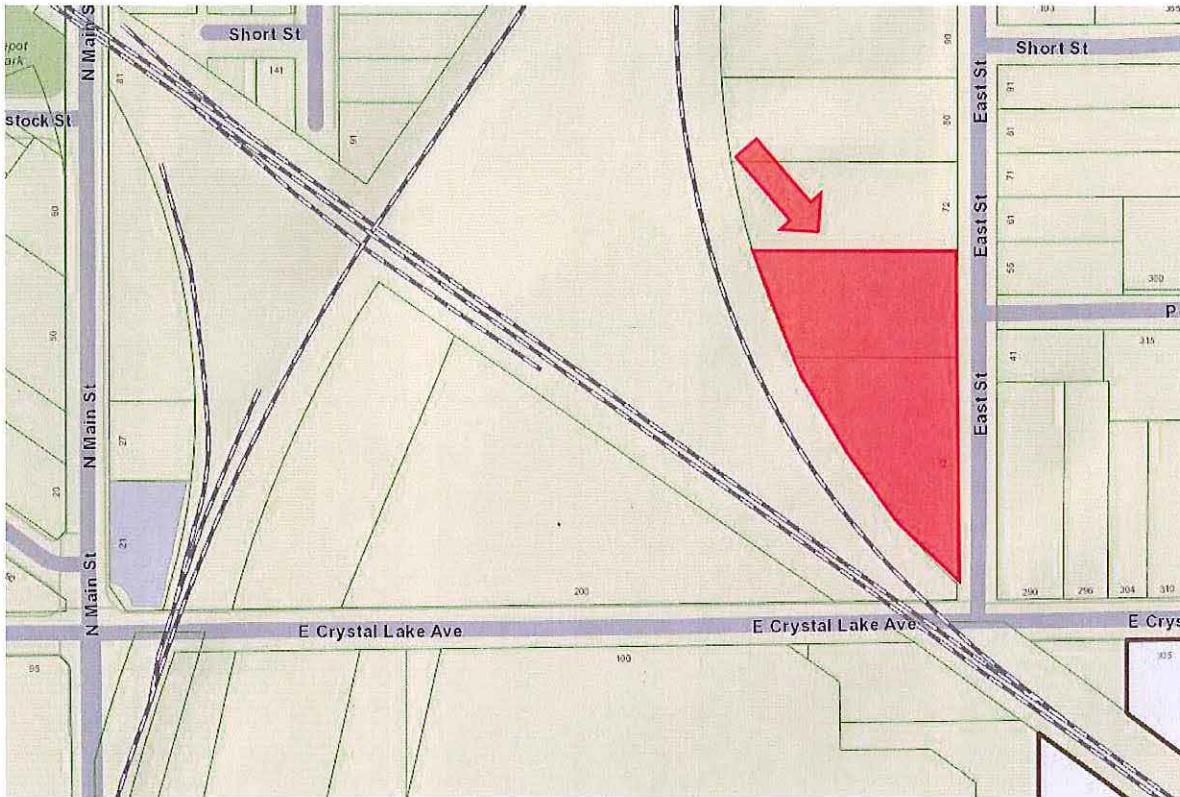
1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
 - A. Application (Food Pantry, received 03/09/17)
 - B. Awning Plans (Hunzinger Williams, undated, received 03/09/17)
 - C. Alta Survey (Vanderstappen, dated 02/15/17, received 06/16/16)

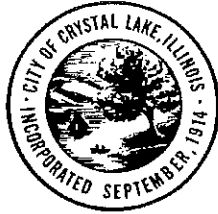
D. Site Plan (Apex, dated 06/20/16, received 03/09/17)

2. All conditions of Ordinance # 7202 are still valid.
3. The petitioner shall meet the Office sign requirements in the UDO and provide the square footage of the new signs for review with the building permit.
4. The petitioner shall address all of the review comments and requirements of the Community Development, Fire Rescue, Police, and Public Works Departments.

Votes Required to Pass: A simple majority vote.

2017-05 Crystal Lake Food Pantry – 42 East Street





DRAFT

The City of Crystal Lake Illinois

AN ORDINANCE GRANTING A VARIATION
AT 42 EAST STREET

WHEREAS, pursuant to the terms of a Petition (File #2017-05) before the Crystal Lake Planning and Zoning Commission, the Petitioner has requested the granting of a Variation from Article 3-200, front yard setback, to allow two awnings to encroach 21 feet 5 inches into the required 30-foot setback; and

WHEREAS, the Planning and Zoning Commission of the City of Crystal Lake, pursuant to notice duly published on June 28, 2017 in the Northwest Herald, held a public hearing at 7:30 p.m., on July 19, 2017 at City Hall at 100 W. Woodstock Street, Crystal Lake, Illinois to consider the proposed variation(s); and

WHEREAS, on July 19, 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 variation(s) be approved, all as more specifically set forth in that certain Report of the Planning and Zoning Commission in Case #2017-05, dated as of July 20, 2017; and

WHEREAS, it is in the best interests of the CITY OF CRYSTAL LAKE that the Variation be granted as requested in said Petition.

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 Article 3-200, front yard setback, to allow two awnings to encroach 21 feet 5 inches into the required 30-foot setback at the property commonly known as 42 East Street (14-33-356-009), City of Crystal Lake,.

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 (Food Pantry, received 03/09/17)
 - B. Awning Plans (Hunzinger Williams, undated, received 03/09/17)
 - C. Alta Survey (Vanderstappen, dated 02/15/17, received 06/16/16)
 - D. Site Plan (Apex, dated 06/25/16, received 03/09/17)
2. All conditions of Ordinance # 7202 remain valid with this variation approval.
3. The petitioner shall meet the Office sign requirements in the UDO and provide the square footage of the new signs for review with the building permit.
4. The petitioner shall address all of the review comments and requirements of the Community Development, Fire Rescue, Police, and Public Works Departments.

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 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 1st day of August, 2017.

City of Crystal Lake, an
Illinois municipal corporation

Aaron T. Shepley, Mayor

SEAL

ATTEST:

Nick Kachiroubas, City Clerk

Passed: August 1, 2017

Approved: August 1, 2017



Agenda Item No: 15

**City Council
Agenda Supplement**

Meeting Date: August 1, 2017

Item: COUNTY ZONING REQUEST

Phillip R. Bohm
528 Charlotte Avenue

Recommendation: City Council's discretion.
a) Motion to object to the proposed setback Variations, 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:

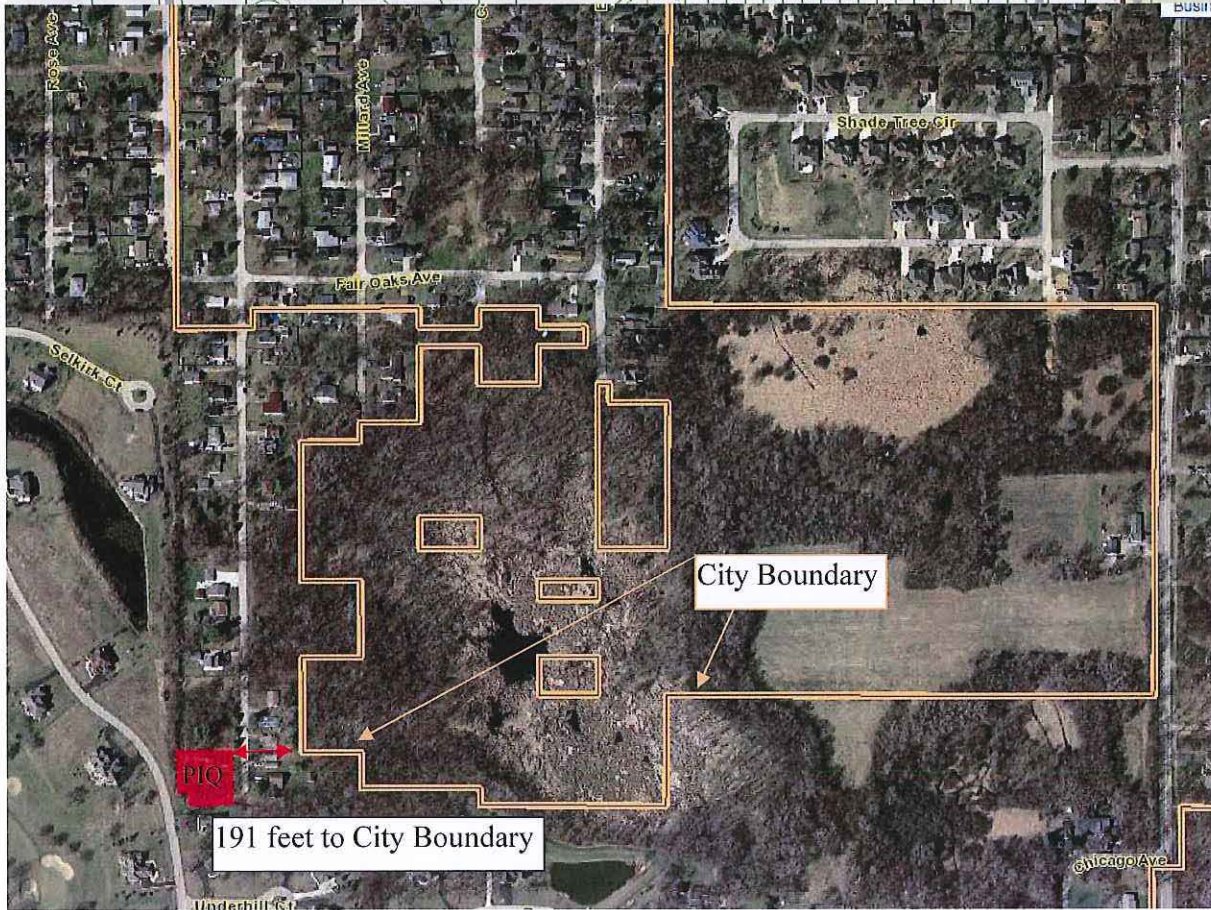
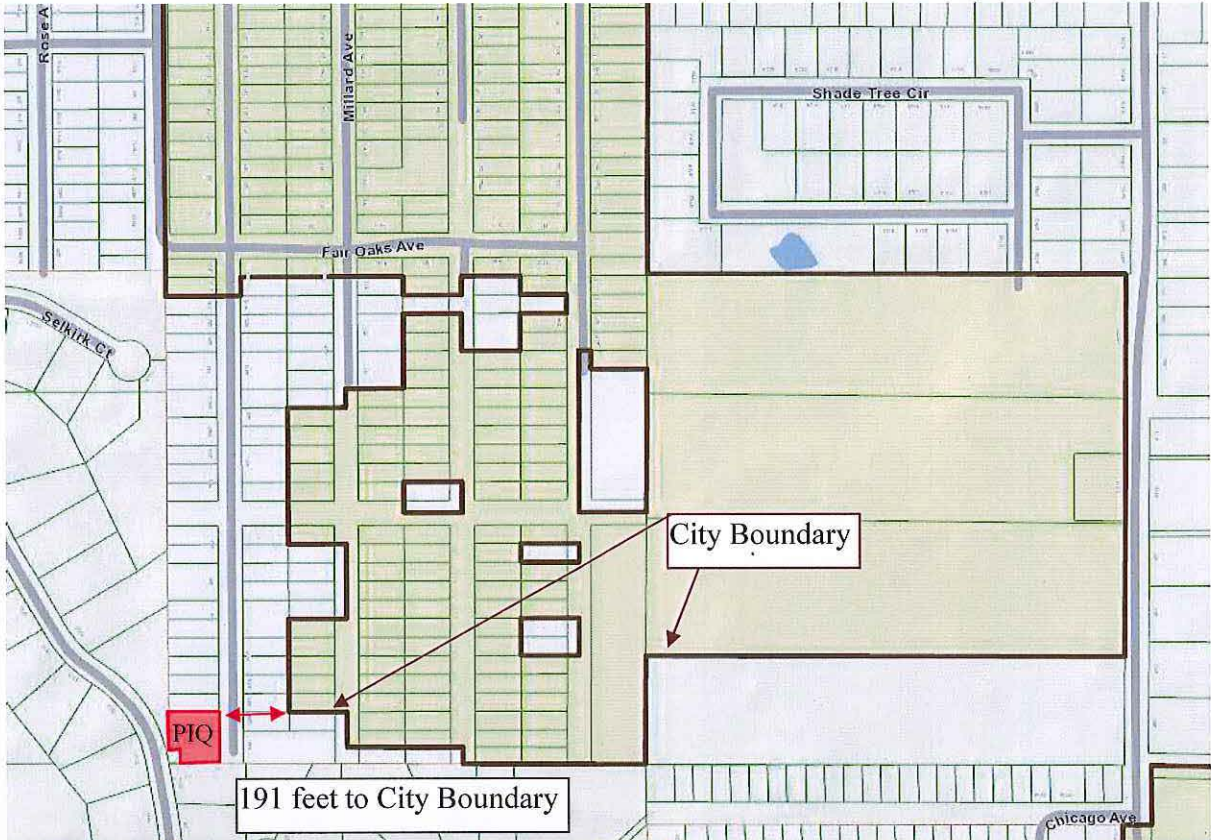
- As is customary with County Zoning requests within the City's mile and a half planning jurisdiction, the City received notice of this request.
- The property in question consists of approximately 0.41 acres and is zoned "R-1" Single Family Residential District.
- There is a single-family home on the property.
- The property is located approximately 191 feet from the current City boundaries.

Request:

- The petitioners are requesting a Variation to allow a side yard setback of 4.7 feet, a variation of 5.3 feet and a variation from the minimum separation distance between an accessory structure and principal structure to allow a 6-foot separation, a variation of 1-foot, to allow the existing detached garage to be remain.
- The variation is being requested since the detached garage was removed and reconstructed in the same location, which doesn't meet the setback requirements.
- 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.

528 Charlotte Avenue PIQ



Aerial Image of 528 Charlotte Avenue, Crystal Lake





Agenda Item No: 16

City Council Agenda Supplement

Meeting Date:

August 1, 2017

Item:

Suburban Purchasing Cooperative Program Contract #152
Vehicle Purchase- 2017 Ford Police Interceptor.

Staff Recommendation:

Motion to declare squad #1028, a 2017 Ford Police Interceptor Utility, as surplus and to adopt a resolution authorizing the City Manager to execute an agreement with Currie Motors, Frankfort, IL, for the purchase of one (1) Police Interceptor Utility vehicle through the Suburban Purchasing Cooperative Program.

Staff Contact:

James Black, Chief of Police
Michael P. Magnuson, Director of Public Works

Background:

On May 29, 2017, squad #1028, a 2017 Ford Police Interceptor Utility, was struck by a 3rd party motorist. This damage was very extensive and on July 14, 2017 was declared a total loss by Intergovernmental Risk Management Agency (IRMA). Upon receipt of the vehicle and title, IRMA will provide the City with reimbursement.

Recommendation:

It is the recommendation of the Public Works Department and the Police Department to declare squad #1028 as surplus. This unit will be turned over to IRMA and the City will receive a reimbursement payment from IRMA.

It is the recommendation to purchase one new Police Interceptor utility vehicle in the amount of \$29,481.00 from Currie Motors, Frankfort, IL, through the Suburban Purchasing Cooperative Program. As a member of the Suburban Purchasing Cooperative Program (SPC), the City is able to take advantage of the Cooperative members' leveraged contract. This program allows members to combine purchasing power, which enables significant cost reductions. All items that are bid through the Cooperative follow the same public procurement standards that the City follows during the competitive, sealed bidding process. The current low bid awarded contractor through the SPC contract is Currie Motors, Frankfort, Illinois. The current SPC contract offers a lower cost than the current State of Illinois Central Management Services (CMS) contract.

Votes Required to Pass:

Simple Majority



DRAFT

RESOLUTION

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE that squad #1028 is declared as surplus and that the City Manager is authorized to execute a Purchase Agreement between the CITY OF CRYSTAL LAKE and Currie Motors (Frankfort, IL) for the purchase of one (1) Police Interceptor Utility Vehicle in the amount submitted.

DATED this 1st day of August 2017.

CITY OF CRYSTAL LAKE, an
Illinois municipal corporation,

By: _____
MAYOR

SEAL

ATTEST

CITY CLERK

PASSED: August 1, 2017
APPROVED: August 1, 2017



Agenda Item No: 17

**City Council
Agenda Supplement**

Meeting Date:

August 1, 2017

Item:

Water Treatment Plant #3 Electrical Equipment Replacement

Staff Recommendation:

- 1) Motion to award the bid for Water Treatment Plant #3 Electrical Equipment Replacement to the lowest responsive and responsible bidder, Associated Electrical Contractors, LLC. and adopt a resolution authorizing the City Manager to execute a contract in the amount of \$141,850.00 plus a ten percent contingency; and
- 2) Waive competitive procurement and accept a proposal for the Construction Engineering Services from Crawford, Murphy, and Tilly, Inc. and execute a contract with Crawford, Murphy, and Tilly, in the amount of \$10,999.00 plus a ten percent contingency; and
- 3) Amend the 2017-2018 City Budget to allow for the additional expenditures related to the Water Treatment Plant #3 Electrical Equipment Replacement.

Staff Contact:

Michael Magnuson, Director of Public Works

Background:

The City's Water Treatment Plant 3, located behind Fire Station 3 (Virginia Rd near Pyott Rd.) experienced an electrical malfunction/significant short circuit in May that destroyed the motor control center (MCC) that provides electricity to the plant. The damaged MCC is approximately 40 years old and cannot be repaired. This plant is the location of our highest producing well and needs to be in service to meet water demands. The plant is currently operating with temporary repairs in place.

There are three MCC's at this plant. One was replaced in 2013 as part of a generator improvement project and another is 30 years old. This project will replace the damaged MCC and the 30-year old MCC to ensure all MCC's at this plant are modernized.

On July 21, 2017, the City of Crystal Lake publicly opened and read aloud the three bids received for Water Treatment Plant #3 Electrical Replacement project. The following is a breakdown of the bids:

	Associated Electrical	Newcastle Electric	Broadway Electric
Main MCC	\$ 100,867.00	\$ 110,000.00	\$ 136,500.00
Well 13 MCC	\$ 40,983.00	\$ 73,650.00	\$ 78,400.00
Total	\$ 141,850.00	\$ 183,650.00	\$ 214,900.00

The City's insurance carrier, Intergovernmental Risk Management Agency (IRMA) will be reimbursing the City for the damaged Main MCC (less the City's \$10,000 deductible). Replacement of the Well 13 MCC will be from the Water and Sewer Budget. Replacing the damaged MCC, even though it is being funded by IRMA, will require amending the Fiscal Year 2018 budget to allow for the additional expenditure.

During the design phase of this project, staff used Crawford, Murphy, and Tilly (CMT) for consultant engineering services. CMT was instrumental in fast tracking the design and meeting accelerated deadlines. Staff was very satisfied with their performance. To ensure continuity, and for quality control purposes on this project, staff requests using CMT for construction engineering and oversight. CMT's proposal for this service is \$10,999. The engineering expenditures associated with replacing the damaged MCC are eligible for IRMA reimbursement.

Recommendation:

An analysis of the Water Treatment Plant #3 Electrical Equipment Replacement submittals substantiates that the apparent low bidder for this project is Associated Electrical Contractors, LLC. Therefore, the recommendation of City staff and CMT is to award the bid to the lowest responsive and responsible bidder, Associated Electrical Contractors, LLC for Water Treatment Plant #3 Electrical Equipment Replacement in the amount bid.

Also, it is staff's recommendation to waive competitive procurement and enter into a contract with CMT for construction phase engineering to ensure the project continues with the same engineering firm used during the design phase.

Finally, it is staff's recommendation to amend the 2017-2018 City Budget to allow for the additional expenditures related to the Water Treatment Plant #3 Electrical Equipment Replacement.

Votes Required to Pass:

Two-thirds vote



DRAFT

RESOLUTION

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE that the City Manager is authorized to execute a contract between the CITY OF CRYSTAL LAKE and Associated Electrical Contractors, LLC for Water Treatment Plant #3 Electrical Equipment Replacement in the amount of \$141,850.00, with a 10% contingency; and

BE IT FURTHER RESOLVED that the City Manager is authorized to execute an agreement with Crawford, Murphy, and Tilly, Inc. for construction phase engineering in the amount of \$10,999 with a 10% contingency; and

BE IT FURTHER RESOLVED that the City of Crystal Lake 2017-2018 Annual Operating Budget is amended to allow for the additional expenditures related to the Water Treatment Plant #3 Electrical Equipment Replacement.

DATED this 1st day of August, 2017

CITY OF CRYSTAL LAKE, an
Illinois municipal corporation,

By: _____
MAYOR

SEAL

ATTEST

CITY CLERK