



CITY OF CRYSTAL LAKE
AGENDA
CITY COUNCIL
REGULAR MEETING

City of Crystal Lake
100 West Woodstock Street, Crystal Lake, IL
City Council Chambers
September 5, 2017
7:30 p.m.

1. **Call to Order**
2. **Roll Call**
3. **Pledge of Allegiance**
4. **Approval of Minutes – August 15, 2017 Regular City Council Meeting**
5. **Accounts Payable**
6. **Public Presentation**
The public is invited to make an issue oriented comment on any matter of public concern not otherwise on the agenda. The public comment may be no longer than 5 minutes in duration. Interrogation of the City staff, Mayor or City Council will not be allowed at this time, nor will any comment from the Council. Personal invectives against City staff or elected officials are not permitted.
7. **Mayor's Report**
8. **City Council Reports**
9. **Consent Agenda**
 - a. **Immanuel Lutheran Church – Special Event Approval for a Family Fall Fest; and a Class 16 Temporary Liquor License Request, for September 22-24, 2017, at 300 S. Pathway Court; and waiver of the application fees and Police Department chargeback fees.**
 - b. **Run and Roll Event – Special Event Approval for the Run and Roll for the Dole Duathlon, for October 1, 2017 on area roadways; closure of Country Club Road between Lake Avenue and Golf Course Road; waiver of speed limit and traffic laws for bicyclists; and waiver of special event fees and Police Department chargeback fees.**
10. **415 W. Virginia Ave., KA Sales (Exxon) - City Code Amendment to increase the number of Class "15" Liquor Licenses from the current permitted 3 to 4 licenses.**
11. **300 Millennium Drive, National Gift Card – Temporary Use Permit for a temporary parking lot.**
12. **1350 Virginia Road, Yazoo, LLC – Resolution approving the Host Agreement Amendment.**
13. **Amending Chapter 31 of the City Code (Delinquent Accounts) and adoption of an ordinance approving a debt relief program.**
14. **Transportation Plan and update of the Public Right-of-Way Accessibility Transition Plan Presentation.**

15. **Resolution designating items as surplus equipment; and authorizing the execution of an agreement with Obenauf Auction Service, Inc. for the sale of surplus vehicles.**
16. **Council Inquiries and Requests.**
17. **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.**
18. **Reconvene to Regular Session.**
19. **Library Board Appointments**
20. **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: 9a

**City Council
Agenda Supplement**

Meeting Date:

September 5, 2017

Item:

Immanuel Lutheran Church 2017 Family Fall Fest Special Event and issuance of Temporary Liquor License.

City Council Discretion:

Motion to approve issuance of the Special Event and Class 16 Temporary Liquor License for the Family Fall Fest pursuant to the recommended conditions below and waiver of the Special Event (\$50), Temporary Liquor License (\$20) and Police Department chargeback fees (~\$9,306.21).

Staff Contact:

Eric T. Helm, Deputy City Manager
Michelle Rentzsch, Director of Community Development

Background:

Immanuel Lutheran Church is currently planning the 2017 Family Fall Fest that would be held on September 22 through 24, 2017. This is the first year for this festival and would offer carnival rides, food vendors, and other fun events. The daily schedule of the event is:

- Friday, September 22: 4 to 11 p.m.; Beer area 4 to 10 p.m.
- Saturday, September 23: 9 a.m. to 11 p.m.; Beer area 1 to 10 p.m.
- Sunday, September 24: 1 to 7 p.m.; Beer area 1 to 6 p.m.

As part of the planning they have requested the approval of a major special event, as well as requesting approval for a Class "16" Temporary Liquor License.

Liquor License

As part of the approval for this event, the Lion's Club in conjunction with Immanuel Lutheran Church has requested the issuance of a Class "16" Temporary Liquor License in order to sell alcohol at the three-day festival.

Section 329-5-S 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 days, and

shall be issued only for special events sponsored by the not-for-profit corporation requesting the license.

Special Event

The application has been reviewed and the following conditions are recommended:

1. Comply with all City Code regulations pertaining to the request.
2. Comply with all of the Carnival License requirements.
3. All carnival operators must be in compliance with the Illinois Carnival and Amusement Rides Safety Act, which includes requirements for hiring of carnival workers, criminal background checks, substance abuse policy, operator training standards, and penalties for violations. Prior to the event, the carnival operator must provide the Crystal Lake Police Department with a list of all employees who will work on the premises of the public event, including their legal name, date of birth, home address, and social security number and proof that said employees have undergone the required background checks.
4. All patrons are required to wear a nontransferable, one use only, disposable wristband identifying them as patrons of the beer garden that is subject to the license.
5. Provide a list of members of the organization who will be selling beer and alcohol at the location pursuant to the license.
6. The area where alcohol is sold must be in a contained location.
7. Signage shall be provided indicating that alcoholic beverages may not be taken into or out of the beer garden location.
8. The applicant will provide a Proof of Insurance for Liquor sales.
9. Trash must be picked up on a continual basis.
10. There must be sufficient lighting around the portable toilet area.
11. Any lighting should be placed so as not to disturb the neighbors.
12. The event site is subject to a life safety inspection by the Community Development, Fire Rescue, and Police Departments prior to the start of the festival.
13. The Family Fall Fest is exempt from the City's Noise Ordinance (City Code Chapter 358).
14. The Police and Fire Rescue Departments must be included in any meetings regarding public safety issues.
15. Uniformed City of Crystal Lake Police Officers will be on the grounds during all hours of the festival operation in the following numbers:
16. Provide Police assistance, as detailed below:

<i>Date</i>	<i>Times</i>	<i>Police Department Detail</i>
Friday, September 22	4:00 PM to 7:00 PM	4 Officers, 1 supervisor
Friday, September 22	7:00 PM to 11:00 PM	6 Officers, 1 supervisor
Saturday, September 23	1:00 PM to 6:00 PM	4 Officers, 1 supervisor
Saturday, September 23	6:00 PM to 11:00 PM	6 Officers, 1 supervisor
Sunday, September 24	1:00 PM to 4:00 PM	4 Officers, 1 supervisor
Sunday, September 24	4:00 PM to 7:00 PM	4 Officers, 1 supervisor

17. The tent requirements as detailed on the Tent/Canopies Requirements hand-out must be followed. The handout has been enclosed for reference.

18. 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.
19. Provide male and female accessible restroom facilities.
20. Obtain any necessary approvals from the McHenry County Department of Health.
21. Promotional banners and signage are approved, as detailed in the application for this request.

Fee Waivers

Since this is a fundraiser for the Church, they are requesting that the Special Event application fee of \$50 and Temporary Liquor License fee (\$20) be waived. Also, the Family Fall Fest will require staffing officers and supervisors. The total man-hours would be 133 hours. The estimated cost of Police personnel for the Family Fall Fest is approximately \$9,306.21. As stated above, the applicant has requested to waive these fees. As this is the first year of the event, City Council has not previously considered this fee waiver request.

The applicant has been made aware of these recommended conditions and advised to attend the September 5, 2017 City Council meeting to answer any questions.

Votes Required to Pass:

Simple majority vote



Agenda Item No: 9b

City Council Agenda Supplement

Meeting Date:

September 5, 2017

Item:

Run and Roll for the Dole Duathlon Special Event request for closing Country Club Road between Lake Avenue and Golf Course Road and waiving of speed limit and traffic laws for the event.

City Council Discretion:

Motion to approve issuance of the Special Event for Run and Roll for the Dole and waiver of the speed limit, traffic laws, the Special Event fee (\$50), and Police Department chargeback fees (\$2,488.17), pursuant to the recommended conditions.

Staff Contact:

Michelle Rentzsch, Director of Community Development

Background: This is the eighth year for the Run and Roll for the Dole Duathlon, which benefits the Lakeside Legacy Foundation and is planned for Sunday, October 1, 2017. The race will begin at 8:00 AM and finish at approximately 10:30 AM. The race will consist of a 2-mile run, 20K (12.6 mile) bike course, and another 2-mile run. There will also be a 2-mile family fun run/walk.

The 2-mile running course will take place on Crystal Lake roads. The 20K bike ride will take place throughout the City of Crystal Lake, the Village of Lakewood, and the Village of Lake in the Hills. The City Council approved similar requests in previous years.

The organizers are requesting the following:

- The closure of Country Club Road between Lake Avenue and Golf Road for the duration of the race. This portion of Country Club Road is the beginning and end point of the race.
- Assistance from the Crystal Lake Police Department along the race course that is within the City's jurisdiction. As was approved in previous year's event, the organizer is requesting that the City of Crystal Lake provide police services at no charge for the event this year. The recommended number of Police officers and volunteers for the event is

detailed in the attached Exhibit C. Volunteers will be stationed along the race course to assist with safety and race direction only.

- A waiver of the speed limit and traffic laws for bicyclists, per State Law Chapter 625 Illinois Compiled Statutes 5/11-1514.

If the request is approved, the following conditions are recommended:

- 1) Approval for the Run and Roll for the Dole is contingent upon approval from other participating jurisdictions. The Villages of Lakewood and Lake in the Hills are responsible for coordinating public safety services within and adjacent to their corporate boundaries. The event organizers must submit to the City a letter from the Villages stating their approval for the event.
- 2) The event organizers must provide the City with a site plan for set-up at the Dole Mansion and parking plan for the event for review by City Departments.
- 3) The Police Department can designate "No Parking" zones for the event prior to the race date. The petitioner must receive approval from the Village of Lakewood for temporary no parking signs on the north half of Broadway.
- 4) The volunteers for both races must carry cellular phones or radios to contact 911 in case of an emergency. Volunteers are not to direct traffic.
- 5) The event organizers must coordinate with the Crystal Lake Police, Fire Rescue, and Public Works Departments regarding assistance during the event. Please contact the Police Department by September 8, 2017, to determine/arrange for police officers for traffic control, lead vehicle, etc.
- 6) "Race In Progress" signs must be posted a minimum of three days prior to the event.
- 7) City-owned barricades must be used to block off the street closure sections. Barricades must be placed to allow access to existing crosswalks.
- 8) The petitioner must send a notice to all affected property owners along Country Club Road.
- 9) 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.
- 10) Local traffic access to Country Club Road must be maintained throughout the event. Volunteers should be available to remove barricades to allow property owners on the roadway, if necessary.
- 11) All debris created by the event must be cleaned up during and after the event.
- 12) 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.
- 13) Participants are required to sign an Indemnity/Hold Harmless agreement to include the City.
- 14) If tents or canopies will be used, the petitioner shall contact the Fire Rescue Department (815-356-3640) for further review.
- 15) Promotional banners and signage are approved via this approval, as requested in the application.
- 16) Compliance with State Law regarding Bicycle Racing;

625 ILCS 5/11-1514 – (a) *Bicycle racing on a highway shall not be unlawful when a racing event has been approved by the State or local authorities on any highway under their respective jurisdictions. Approval of bicycle racing events shall be granted only under conditions which assure reasonable safety for all race participants, spectators and other highway users, and which prevent unreasonable interference with traffic flow which would seriously inconvenience highway users.*

(b) *By Agreement with the approving authority, participants in an approved bicycle highway racing event may be exempt from compliance with any traffic laws otherwise applicable thereto, provided that traffic control is adequate to assure the safety of all highway users.*

17) In the case of inclement weather, an alternate date can be approved by the City Manager.

Fee Waivers

Since this is a fundraiser for Lakeside Legacy, they are requesting that the Special Event application fee of \$50 and the Police Department assistance costs be waived. The cost to the City for 1 sergeant and 11 officers for a 3-hour detail would be a maximum of \$2,488.17. As stated above, the applicant has requested to waive these fees. In past City Council approvals, these fees have been waived.

The applicant has been made aware of these recommended conditions and advised to attend the September 5, 2017 City Council meeting to answer any questions.

Votes Required to Pass:

Simple majority vote



Agenda Item No: 10

**City Council
Agenda Supplement**

Meeting Date: September 5, 2017

Item: City Code Amendment to Increase the Number of Class “15” Liquor Licenses – Applicant: KA Sales (Exxon)

Staff Recommendation: Motion to adopt an ordinance increasing the number of Class “15” Liquor Licenses from the current permitted 3 licenses to 4 licenses.

Staff Contact: Eric T. Helm, Deputy City Manager

Background:

The City has received a request from KA Sales (Exxon), an establishment located at 415 W. Virginia Ave., 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 “15” liquor licenses from the current 3 licenses to 5 licenses.

The City Code permits the issuance of a Class “15” liquor license for the sale of beer and wine 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 name.

Other establishments currently holding a Class “15” liquor license include: 7-Eleven (Berkshire), Aldi and Olive Tap.

Licensed gas stations in Crystal Lake typically hold a Class 13 license, which allows for the sale of all alcoholic liquor. The petitioner only requests to sell beer and wine, so a Class 15 is appropriate. All other provisions of the Class 13 and 15, including sale hours, are identical.

Votes Required to Pass:

Simple majority

Property in Question





The City of Crystal Lake Illinois

DRAFT

**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 15 License shall be increased from 3 to 4.

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 5th day of September, 2017.

City of Crystal Lake, an
Illinois municipal corporation

Aaron T. Shepley, Mayor

SEAL

ATTEST:

Nick Kachiroubas, City Clerk

Passed: September 5, 2017
Approved: September 5, 2017



Agenda Item No: 11

**City Council
Agenda Supplement**

-
- Meeting Date:** September 5, 2017
- Item:** 300 Millennium Drive – National Gift Card Temporary Use Permit request for a temporary parking lot.
- Recommendation:** Motion to approve the Temporary Use Permit for National Gift Card for a temporary parking lot, pursuant to the recommendations listed below.
- Staff Contact:** Michelle Rentzsch, Director of Community Development

Background: A Temporary Use Permit has been requested to allow parking of vehicles for National Gift Card employees on an existing crushed asphalt parking lot for the term of three years.

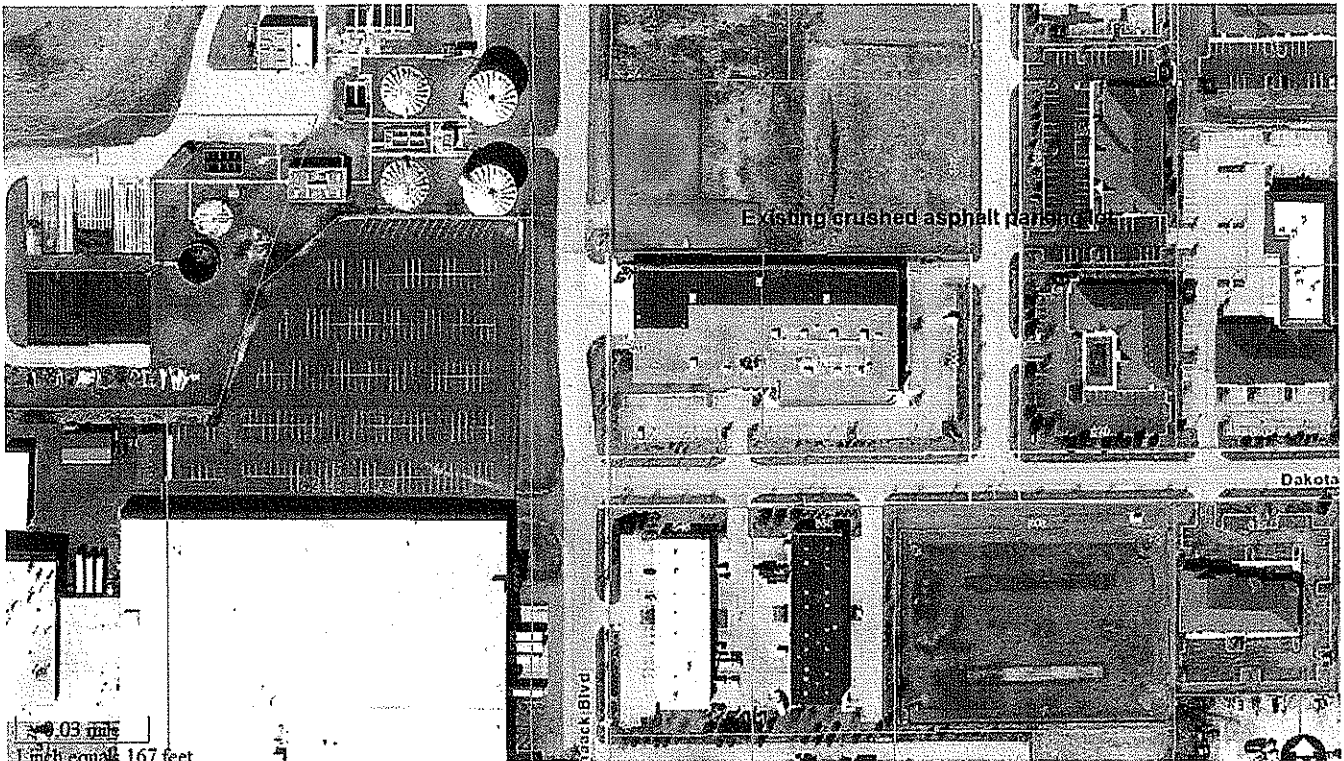
National Gift Card leases the building located at 300 Millennium Drive. National Gift Card has recently outgrown the current facility and is building an addition to accommodate their growth. There is an existing crushed asphalt parking lot on the property north of 300 Millennium Drive that was previously used by Knaack and Millennium Electronics. The building owner is requesting permission to allow National Gift Card employees to park on the temporary surface during the construction of the building addition. The first phase of the expansion is planned to occur in 2017 and the second phase to occur within three to five years. Once the two phases are complete, the building would be double in size and a permanent parking lot, similar to the existing parking lot at 300 Millennium Drive, would be completed.

If the request is approved, the following conditions are recommended:

1. The Temporary Use Permit is valid for three years and may be extended administratively on a yearly basis until the permanent parking lot is completed or until 2022, whichever occurs first.
2. The crushed asphalt parking lot can be used by National Gift Card employees only.
3. The crushed asphalt parking lot must be maintained in good condition.
4. The adjacent roadway, Knaack Boulevard, must be kept clear of gravel/crushed asphalt.

The applicant has been made aware of these recommended conditions and advised to attend the September 5th City Council meeting to answer any questions.

Votes Required to Pass: A simple majority vote.



1:167000
1 inch equals 167 feet

Map created on August 15, 2017.
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Agenda Item No: 12

**City Council
Agenda Supplement**

Meeting Date:

September 5, 2017

Item:

Yazoo Host Community Agreement Amendment for the previously approved C & D facility at 1350 Virginia Road.

Staff Recommendation:

Council Discretion:

1. Motion to adopt a resolution approving the Host Agreement Amendment with Yazoo, LLC and authorizing the City Manager to execute the Amended Host Agreement.
2. No action.

Staff Contact:

Michelle Rentzsch, Director of Community Development

Background:

On November 15, 2011, the City Council approved the zoning request for a construction and demolition debris (C&D) facility, located immediately north of Waste Management's transfer station. In addition, a Host Agreement with Yazoo LLC was concurrently approved for the proposed waste processing facility. The proposed facility would process general construction and demolition debris for recycling as well as landscape waste with a host fee of \$0.75 per ton on recyclable material.

Since the original 2011 host agreement was executed, Yazoo has not made progress towards construction of the C&D facility. Yazoo approached the City requesting a modification on the host agreement due to the shifting environment of waste hauling. Part of this shift included competition from other recycling facilities that were not subject to host fees. As was the case with the original approvals, this proposed host agreement amendment is not required to be heard through the siting hearing process.

The request is to shift the host fee of \$0.75/ton from recyclable material to residual, or non-recyclable, material. Residuals is the leftover solid waste from recyclables; it is a byproduct of recycling. Yazoo states that this change would make the economics of this facility work, and they would proceed with constructing and opening the C&D facility.

Economic Analysis

Yazoo has communicated to the City that the host community fee, as outlined in the agreement, makes building and operating the facility unfeasible. A survey of area recycling facilities shows that there's some fluctuation in the market but the majority of C & D recycling facilities do not have a host agreement.

In discussions with representatives with Yazoo, City staff determined that the recycling facility would process less residual material than recyclable material, which means that there would be less revenue generated through the host fee. However, staff research found there were other waste transfer stations that did not have any host fees on recyclable materials. This seems to substantiate Yazoo's claims that the environment was not favorable for opening and operating the transfer facility. The proposed host fee amendment would generate some revenue for the City versus the facility not being constructed and no host fee being realized.

Legal Analysis

The City consulted with special environmental counsel from Swanson, Martin and Bell regarding the proposed changes. The special counsel recommended that in exchange for accepting the change in host fee, Yazoo provide additional insurance against environmental contamination. The site is formerly a landfill, and there is a small risk of contamination spreading to surrounding areas. Additionally, there is a small risk of materials processed on-site causing contamination as well. With this additional insurance, the City will not be liable for any contamination from the site. Yazoo has agreed to provide the additional environmental insurance.

The City's current host agreement with Waste Management was reviewed in relation to this request, and there are no conflicts or impacts to the host fees realized from the Waste Management host agreement with this proposed change.

The proposed host agreement amendment has been reviewed by special counsel and is an acceptable format.

Votes Required to Pass:

Simple majority of City Council present.



The City of Crystal Lake Illinois

DRAFT

RESOLUTION

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE that the City Manager be authorized to execute the Host Community Agreement Amendment with Yazoo LLC.

DATED this 5th day of September, 2017.

CITY OF CRYSTAL LAKE, an Illinois Municipal Corporation

BY: _____
Mayor

SEAL

ATTEST:

City Clerk

PASSED: September 5, 2017

APPROVED: September 5, 2017



Agenda Item No: 13

**City Council
Agenda Supplement**

<u>Meeting Date:</u>	September 5, 2017
<u>Item:</u>	Debt Relief Program and Delinquent Accounts City Code Amendment
<u>Staff Recommendation:</u>	<ol style="list-style-type: none">1. Motion to adopt an ordinance amending City Code Chapter 31 – Delinquent Accounts.2. Motion to adopt an ordinance approving a debt relief program.
<u>Staff Contact:</u>	George Koczvara, Director of Finance

As a result of the normal course of business, the City collects fees, fines and various charges for services. Some individuals become delinquent on these payments which require collection efforts. The attached ordinances would:

1. Amend existing Chapter 31 of the City Code to enhance the City's past due collection process by authorizing the Finance Director to develop and implement policies and procedures relating to the collection of debt.
2. Allow for a one-time debt relief program which would be offered from October 2, 2017 through December 15, 2017. Outstanding debt owed to the City, that is 90 days or greater past due, will be eligible for a 50% reduction of the total amount owed.

The attached ordinance is in compliance with the Government Finance Officers Association of the United States and Canada (GFOA) Best Practices Guidance for Revenue Control. The GFOA Revenue Control Best Practices Policy (attached), which was adapted in October 2012, recommends governments establish a revenue control and management policy and review it on an annual basis. The policy should be customized for the size and resources of the government.

The GFOA Revenue Control Best Practices Policy includes recommendations for Accounts Receivable Management including debt collection and uncollectable debts.

Debt Collection Procedures Manual

The GFOA Revenue Control Best Practices Policy recommends that, after reviewing available collection options, governments should establish procedures that maximize collections. Collection agencies that are familiar with federal, state, and local notice requirements and regulations should be considered when their use proves cost-effective.

In accordance with the GFOA Revenue Control Best Practices Policy, the attached Debt Collection Procedures Manual has been prepared which establishes a common set of guidelines for the most cost effective and efficient method to collect outstanding debt owed to the City. The City benefits through improved revenue flow, more accurate cash forecasting, improved cash management, and greater budgetary control. These guidelines are primarily focused on managing revenue streams from the following sources:

Debt Categories

Type	Billed by	Maintained 0-90 days	Maintained 90+ days	LDRP ¹ Eligible	Lien Eligible
Parking Tickets (Police Dept.)	Duncan Solutions	Duncan Solutions	Duncan Solutions	Yes	No
Ambulance Fees (Fire/Rescue Dept.)	Andres Medical Billing	Andres Medical Billing	Armor Systems	No	No
Fire Recovery Fees (Fire/Rescue Dept.)	Fire Recovery USA	Fire Recovery USA	Armor Systems	Yes	No
Adjudication Fines (All Departments)	Finance Department	Dacra	Armor Systems	Yes	Building Violations
Water and Sewer User Fees (Finance Dept.)	Finance Department	Springbrook	Armor Systems	Yes	Yes
Weed Mowing (Building Division)	Finance Department	Springbrook	Armor Systems	Yes	Yes
Fire Alarm Billing (Fire Rescue Dept.)	Finance Department	Springbrook	Armor Systems	Yes	Yes

*Any accounts sent to Armor Systems are first sent a final letter from the City which includes an added collections fee. All accounts sent to Armor Systems are also tracked in Simplicity.

¹. Local Debt Recovery Program (LDRP) - In April 2012, the City Council approved an Intergovernmental Agreement between the City of Crystal Lake and the Illinois Office of the Comptroller which allows the City to participate in the Comptroller's Offset System. Pursuant to this system, the City certifies to the Comptroller's office that a debt is owed from a particular individual or company. In the event that the State owed money to that same person or entity, the amount of the debt owed to the City will be offset from the payment due from the State and would then be paid to the City.

Any of the above items not collected within 90 days are forwarded to one of the City's contracted collection agencies.

In following the proposed procedures, the City shall pursue the following specific goals:

- Optimize the City's revenue and collection process.
- Provide for consistent and equal treatment of debtors.
- Establish a sound customer management system which aims to create a positive and reciprocal relationship between persons liable for payment and the City.
- Utilize innovative, cost effective and efficient methods to collect as much debt in the shortest time possible.
- Enhance departmental accounts receivable systems to provide adequate aging and tracking information.
- Recognize that policies and procedures may differ within departments due to administrative and/or municipal rules that govern their specific revenue stream.
- Ensure that the debts owed to the City are not over-stated in the books of the City.

The attached Ordinance authorizes the Finance Director to adopt policies and procedures relating to the collection of debt, such as the attached Debt Collection Procedures Manual, as well as specifying procedures for uncollectable debt.

Uncollectible Debt

The GFOA Revenue Control Best Practices Policy also includes recommendations for uncollectable debts. Below is the excerpt from the GFOA Policy:

Bad Debts - An allowance for doubtful accounts and a write-off policy should be established. Bad debt expense should be estimated based upon a documented method of calculation. An allowance for doubtful accounts should be recorded. Write-offs should be performed periodically to ensure that accounts receivable and allowance balances are not overstated. Efforts should be made to pursue the timely collection of delinquent accounts.

The attached City Debt Collection Manual describes the policies for the potential write-off of uncollectible debt in accordance with the GFOA policy. The City recognizes that not all customers will pay the outstanding balance owed on their account. In certain cases, amounts which are due any department of the City may remain unpaid for long time periods. The uncollectible accounts balance will be determined by a review of all accounts receivable outstanding that are both over \$25 and at least 90 days old. The following procedures will be followed with respect to sending delinquent accounts to collections:

- If amount due is less than \$25 and payment has not been remitted within a 90-day period, the account will be closed and written off.
- If amount due is greater than \$25 and payment has not been remitted; the account will be turned over to the collection agency after 90 days.
 - The account will remain an open receivable for 90 days from the original due date of the final bill.
 - After 90 days from the original due date of the final bill, it will be cleared from the accounts receivable ledger in the following manner:
 - Debit to Accounts Receivable – Collections/Liens
 - Credit to Accounts Receivable

Any account that is written off greater than \$25 will remain in the account history for possible collection at a later date. Should an account be collected after the 90 day period, the previous entry would be reversed and the payment would be applied to the customer's account.

As outstanding balances age, the probability of collection diminishes. In addition to authorizing the Finance Director to establish policies and procedures for the collection of debt, the attached ordinance also provides for the modification of debt, if the Finance Director has determined that there is no cost effective means of collecting the debt. Balances may be canceled, written-off, or otherwise modified as follows:

- A. Amounts due the City which are no greater than \$1,000 may, after reasonable efforts for the collection or settlement thereof have been exhausted, be authorized by the Finance Director to be canceled, written-off or modified based on written procedures developed by the Finance Director and approved by the City Manager.
- B. Amounts due the City which are in excess or \$1,000 but which are no greater than \$5,000 may, after reasonable efforts for the collection or settlement thereof have been exhausted, be authorized by the City Manager or designee to be canceled, written-off or modified in part upon recommendation of the Finance Director.
- C. Amounts due the City in excess of \$5,000 which are due any department of the City, including its public utilities, from any individual or corporate debtor thereto under provisions of leases, contracts, other instruments or agreements, or under provisions of rate or other ordinance or resolutions, or which are due and legally enforceable from any person, corporation or insurance company as a result of damages to City property, may not be canceled, written-off, or otherwise modified without the authorization of the City Council upon recommendation of the City Manager.

Debt Relief Program:

In addition to the implementation of the policies set forth in the proposed Debt Collection Procedures Manual, staff also recommends adoption of the attached ordinance which authorizes the enactment of a one-time debt relief program to be offered from October 2, 2017 through December 15, 2017. Outstanding debt owed to the City in the Debt Categories, listed above, that are 90 days or greater past due, will be eligible for a 50% reduction of the total amount owed. The City will work with the various contracted collection agencies to send letters informing of the debt relief program as well as the collections.

Recommendation

It is staff's recommendation to:

1. Amend existing Chapter 31 of the City Code to enhance the City's past due collection process by authorizing the Finance Director to develop and implement policies and procedures relating to the collection of debt.
2. Allow for a one-time debt relief program which would be offered from October 2, 2017 through December 15, 2017. Outstanding debt owed to the City, that is 90 days or greater past due, will be eligible for a 50% reduction of the total amount owed.

The City's auditor, Seldon Fox, and Attorney Pardys have reviewed the attached.

Votes Required to Pass: Simple majority



DRAFT

AN ORDINANCE AUTHORIZING AND ENACTING THE IMPLEMENTATION OF A DEBT RELIEF PROGRAM

WHEREAS, as a result of the normal course of business, the City collects fees and various charges under the following categories: 1) Parking Tickets; 2) Ambulance Fees; 3) Fire Recovery Fees; 4) Adjudication Fines; 5) Water and Sewer User Fees; 6) Weed Mowing; 7) Fire Alarm Billing (hereinafter collectively referred to as the “Debt Categories”); and

WHEREAS, some individuals become delinquent on amounts due under these Debt Categories, resulting in further collection efforts by the City; and

WHEREAS, a high amount of delinquent accounts that are sent to collections are uncollectible, but may be collectible with an appropriate incentive; and

WHEREAS, the City Council has adopted enhanced measures in an effort to assist the collection of outstanding debt; and

WHEREAS, in an effort to provide those with outstanding debt owed to the City of Crystal Lake an opportunity to satisfy those fees and charges under the Debt Categories prior to the new measures taking effect, the City Council has approved a debt relief program.

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

Section I: The foregoing recitals are repeated and incorporated as though fully set forth herein.

Section II: There is hereby enacted for the City of Crystal Lake a debt relief program which will be in effect for the period of October 2, 2017 through December 15, 2017. All outstanding debt within the Debt Categories that is 90 days or greater past due, is eligible for a 50% reduction of the total amount owed.

SECTION III: That a campaign shall be developed and implemented to adequately inform the public of the debt relief program.

SECTION IV: That the City Manager is hereby authorized and directed to promulgate rules and regulations not inconsistent with the provisions hereof to effectuate the debt relief program.

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

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

DATED at Crystal Lake, Illinois, this 5th day of September, 2017.

APPROVED:

Aaron T. Shepley, Mayor

ATTEST:

Nick Kachiroubas, City Clerk

PASSED: September 5, 2017

APPROVED: September 5, 2017

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



DRAFT

ORDINANCE AMENDING THE CODE OF THE CITY OF CRYSTAL LAKE, ILLINOIS

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

SECTION I: That Chapter 31, Delinquent Accounts, shall be replaced in its entirety with the following:

§ 31-1. Establishment of Procedures

The Finance Director shall establish and maintain policies and procedures relating to the collection of debt.

§ 31-1. Collection Fees

Consistent with the provisions of 65 Illinois Compiled Statutes 5/1-2-1, the City may retain collection agencies and collection attorneys to collect unpaid debts and financial defaults. Any and all fees incurred by the City, including all fees, charges and administrative costs incurred by the City in the collection of the unpaid debt and financial defaults, shall be added to the amounts subject to collection.

§ 31-2. Use of Collection Agencies.

The Finance Director shall establish policies and procedures governing the assignment of other referral of delinquent accounts or debt to a collection agency that has entered into a contract with the City for that purpose.

§ 31-3. Write-off, Cancellation, and Modification of Amounts of \$5,000 or Less – Administrative Approval.

In certain cases, amounts which are due any department of the City, including it public utilities, from any individual or corporate debtor thereto under provisions of leases, contracts, other instruments or agreements, or under provisions of rate or other ordinance or resolutions, or which are due and legally enforceable from any person, corporation or insurance company as a result of damages to City property may remain unpaid for long time periods. After the Finance Director has determined that there is no cost effective means of collecting the debt, the debt may be canceled, written-off, or otherwise modified as follows:

- A. Amounts due the City which are no greater than \$1,000 may, after reasonable efforts for the collection or settlement thereof have been exhausted, be authorized by the Finance Director

to be canceled, written-off or modified based on written procedures developed by the Finance Director and approved by the City Manager.

- B. Amounts due the City which are in excess or \$1,000 but which are no greater than \$5,000 may, after reasonable efforts for the collection or settlement thereof have been exhausted, be authorized by the City Manager or designee to be canceled, written-off or modified in part upon recommendation of the Finance Director.
- C. Amounts due the City in excess of \$5,000 which are due any department of the City, including its public utilities, from any individual or corporate debtor thereto under provisions of leases, contracts, other instruments or agreements, or under provisions of rate or other ordinance or resolutions, or which are due and legally enforceable from any person, corporation or insurance company as a result of damages to City property, may not be canceled, written-off, or otherwise modified without the authorization of the City Council upon recommendation of the City Manager.

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 5th day of September, 2017.

APPROVED:

Aaron T. Shepley, Mayor

ATTEST:

Nick Kachiroubas, City Clerk

PASSED: September 5, 2017

APPROVED: September 5, 2017

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



Agenda Item No: 14

**City Council
Agenda Supplement**

<u>Meeting Date:</u>	September 5, 2017
<u>Item:</u>	Transportation Plan and update of the Public Right-of-Way Accessibility Transition Plan Presentation
<u>Staff Recommendation:</u>	Information Only
<u>Staff Contact:</u>	Elizabeth Maxwell, Senior Planner Abigail Wilgreen, City Engineer

Purpose

The presentation will provide an overview for the City Council regarding the draft Transportation Plan and the draft update of the Public Right-of-Way Accessibility Transition Plan.

Transportation Plan Background

The City applied for and received technical assistance from Chicago Metropolitan Agency for Planning (CMAP) to prepare a transportation plan. Staff has been working with CMAP to draft the plan, which if adopted, would become part of the Comprehensive Land Use Plan.

Members of the public were selected to participate as part of the steering committee. In addition, public participation consisted of a public open house, key person interviews, an online survey and a visioning workshop. This allowed staff and CMAP to gather as much feedback from the residents and other interested groups as possible. The summary of the public engagement is attached.

Transportation Plan Highlights

The plan recounts the existing conditions throughout the City and identifies possible improvements for pedestrian, bicycle and vehicle users. These identified projects are items currently in the City's 5-year Capital Improvement Plan (CIP) or can be items added into future CIPs. The plan then illustrates best practices and future education opportunities.

Nothing identified in this plan is mandatory and adoption of this plan would not have an impact on the City's budget.

Transportation Plan Next Steps

The City is hosting an Open House to present the current draft of the plan to the public. Any comments received will be incorporated into the final draft, which we hope to present to the Planning and Zoning Commission and City Council in October and November, respectively.

Public Right-of-Way Accessibility Transition Plan Background

The City's Public Right-of-Way Accessibility Transition Plan (Transition Plan) has been updated to provide a more comprehensive evaluation of the City's existing infrastructure. The Transition Plan is required per federal legislation known as the American with Disabilities Act (ADA). Local public agencies (LPA) with more than 50 full or part-time employees are required to perform self-evaluations of their current facilities relative to the accessibility requirements of the ADA and then establish a plan to correct any deficiencies.

The updated draft Transition Plan (attached) provides a method for the City to schedule and implement ADA required improvements to existing sidewalks and pathways, and incorporates the following elements:

- Designates officials responsible for implementation;
- Provides public notice and opportunity for public participation;
- Develops a grievance procedure;
- Adopts design standards and guidelines;
- Prepares a self-evaluation;
- Schedules and budgets for improvements to achieve compliance; and
- Monitors progress.

The City makes every effort to improve the accessibility of pedestrian facilities in the public right-of-way through its annual resurfacing program and annual capital improvement projects. This updated and more comprehensive Transition Plan will be updated on an annual basis by the end of each calendar year.

A copy of the draft Transition Plan will be available for public review and comment at the September 18, 2017 public meeting. The draft Transition Plan will also be available for review on the City's website until October 20.



Agenda Item No: 15

**City Council
Agenda Supplement**

Meeting Date: September 5, 2017

Item: Designation and Auction Sale of Surplus Vehicles

Staff Recommendation: Motion to adopt a resolution to designate the items identified in Exhibit "A" as surplus equipment, and authorize the City Manager to execute agreements with Obenauf Auction Service, Inc. for the sale of surplus vehicles.

Staff Contact: Michael Magnuson, Director of Public Works

Background:

The Public Works Department coordinates the selling of surplus City equipment. A list of equipment proposed as surplus, to be sold through a public online bidding process, is attached as Exhibit "A". Exhibit "A" identifies a list of two surplus vehicles, which have been compiled by the Public Works and Police Departments. The following is a condition assessment of these vehicles:

- The 2005 Ford Taurus has rust on the underneath, which affects brake lines, transmission cooler lines and floor pans. It also experienced collision damage on the driver's side from a 3rd party hit and run accident that occurred this summer. The vehicle is no longer needed within the fleet and would have a repair cost that exceeds its current market value should the bodywork and rusted lines be repaired.
- The 2013 Ford Explorer is a retired police interceptor. This unit has 96,000 miles and an additional 10,000 hours of idle time. It was previously replaced with a new unit due to high maintenance costs.

The designation of equipment as surplus and subsequent auction sales of vehicles and equipment provides the following benefits to the City:

- 1) Designating equipment as surplus allows the City the ability to make space available currently occupied by the non-utilized equipment.

- 2) Partnerships with auction firms minimizes the costs and time required to sell the equipment through a bidding process. These costs include advertising, publishing legal notification, and staff time required to show the vehicles and equipment. The associated cost to the City by utilizing Obenauf Auction Service, Inc. is a 3% commission for all items sold, while other brokerage firm commissions vary.
- 3) Participation in auction sales provides an additional avenue for the sale of the surplus equipment and vehicles to increase the likelihood that the City will maximize its return on the sale of the items.

Recommendation:

It is the recommendation of staff to designate the items in Exhibit "A" as surplus and authorize the City Manager to execute an agreement Obenauf Auction Service, Inc. for the sale of the surplus items. Most vehicles and equipment will be sold through a public online bidding process administered by Obenauf with a 3% sales commission for all items sold and other brokerage firms for specialty items.

Votes Required to Pass:

Simple majority



RESOLUTION

DRAFT

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF
CRYSTAL LAKE THAT

1. The items identified on Exhibit "A" be and are hereby designated as surplus; and
2. The City Manager is hereby authorized and directed to execute an agreement with Obenauf Auction Services, Inc. for auction services pertaining to items listed on "Exhibit A" for a 3% sales commission.

DATED this 5th day of September, 2017.

CITY OF CRYSTAL LAKE, an
Illinois municipal corporation,

By: _____
MAYOR

SEAL
ATTEST

CITY CLERK

PASSED: September 5, 2017
APPROVED: September 5, 2017