



CITY OF CRYSTAL LAKE

AGENDA

CITY COUNCIL

SPECIAL MEETING

City of Crystal Lake

100 West Woodstock Street, Crystal Lake, IL

City Council Chambers

December 11, 2017

7:30 p.m.

1. **Call to Order**
2. **Roll Call**
3. **Pledge of Allegiance**
4. **Approval of Minutes – December 5, 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. **McHenry County College, 8900 Route 14 – Request for the issuance of fourteen Class “19” Temporary Liquor Licenses for 2018 Tartan Bistro student restaurant service and a Multi-Chamber mixer event.**
 - b. **Confirming a Harassment Prevention Policy for the City of Crystal Lake per Public Act 100-0554.**
10. **5846 Northwest Highway, Steinhafel’s – Resolution authorizing the execution of an incentive agreement.**
11. **1470 Briarwood Circle – Planned Unit Development Amendment to allow changes to the approved elevations.**
12. **400 Pingree Road, Culver’s – Final Plat of Subdivision for two lots, deferral to bury existing overhead utility lines, and variation from article 4-400 to locate a landscaping island every 10 spaces.**
13. **Resolution authorizing the execution of a lease agreement between the City of Crystal Lake and Chicago SMSA Limited Partnership, DBA Verizon Wireless, for the McCormick Park Water Tower.**
14. **7115 Virginia Rd., Suite 111, Astro Spa Massage – Special Use Permit for a massage establishment.**
15. **Intergovernmental Agreement for Public Dial-A-Ride Transit Service (MCRide) in 2018.**
16. **Woodlore Estates Conceptual Review for a new Residential Subdivision-Discussion Only.**
17. **UDO Text Amendment for various provisions of the Unified Development Ordinance.**
18. **Amending Chapter 102, Article I, Procurement and establishing Chapter 118, Signing Authority; Resolution authorizing the execution of agreements to participate in cooperative purchasing with McHenry County Shared Services, Municipal Partnering Initiative, the Interlocal Purchasing System, National Purchasing Partners, Purchasing Cooperative of America, 1Government Procurement Alliance, and National Purchasing Cooperative as well as the authorization to execute various purchasing contacts through the approved purchasing cooperatives.**

19. **Resolution authorizing the execution of an intergovernmental agreement with Metra for the Pingree Station Building Facility Assessment; and authorizing the execution of an agreement with HR Green to perform the station facility assessment.**
20. **Amending Chapter 241-47, pertaining to the fees at Three Oaks Recreation Area; Chapter 383-10A, defining the North Lake Pavilion and Lake House patio; Chapter 384-4, Hours of Operation to establish Swimming Area closing.**
21. **Consideration of Cancelling the December 19, 2017 and January 2, 2018 Regular City Council Meeting.**
22. **Council Inquiries and Requests.**
23. **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.**
24. **Reconvene to Regular Session.**
25. **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: December 11, 2017

Item: Class 19 Temporary Liquor Licenses Request –
McHenry County College-2018 Restaurant Service

Staff Recommendation: Motion to approve issuance of fourteen (14) Class 19 Temporary Liquor Licenses to McHenry County College for 2018 Restaurant Service at *Tartan Bistro* and a Multi-Chamber mixer event.

Staff Contact: Eric Helm, Deputy City Manager

Background:

The City has received a request from McHenry County College for the issuance of Temporary Liquor Licenses for the College's 2018 student restaurant service and a Multi-Chamber mixer event. McHenry County College is requesting fourteen (14) Class 19 Temporary Liquor Licenses for a student run restaurant called *Tartan Bistro*. The restaurant is part of the culinary program at McHenry County College, 8900 U.S. Highway 14. The College is also asking for a license to be used at their multi-chamber mixer on September 18, 2018 for the service of alcohol from 5:00-7:00 p.m.

The restaurant would like to serve alcohol during its 2018 student restaurant season, from 6:00 p.m. - 7:30 p.m., on the following dates:

Wednesday, February 7, 2018	Thursday, March 22, 2018
Thursday, February 8, 2018	Wednesday, April 4, 2018
Wednesday, February 14, 2018	Thursday, April 5, 2018
Thursday, February 15, 2018	Wednesday, April 11, 2018
Wednesday, February 21, 2018	Thursday, April 12, 2018
Thursday, February 22, 2018	Wednesday, April 18, 2018
Wednesday, February 28, 2018	Thursday, April 19, 2018
Thursday, March 1, 2018	Wednesday, April 25, 2018
Wednesday, March 7, 2018	Thursday, April 26, 2018
Thursday, March 8, 2018	Wednesday, May 2, 2018
Wednesday, March 14, 2018	Thursday, May 3, 2018
Thursday, March 15, 2018	Wednesday, May 9, 2018
Wednesday, March 21, 2018	

Section 329-5-S of the City Code permits the issuance of a Class "19" Temporary Liquor License for the retail sale of beer, wine and alcoholic liquor drinks 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.

McHenry County College has submitted the required application forms, certificates of insurance and fees for the fourteen (14) Class 19 Temporary Liquor Licenses.

Votes Required to Pass:

Simple majority



Agenda Item No: 9b

City Council Agenda Supplement

Meeting Date: December 11, 2017

Item: Ordinance confirming a Harassment Prevention Policy for the City of Crystal Lake per P.A. 100-0554

Staff Recommendation: Motion to adopt an Ordinance confirming the City of Crystal Lake's Harassment Prevention Policy

Staff Contact: Julie Meyer, Director of Human Resources

Background:

The City of Crystal Lake has had a Harassment Prevention Administrative Directive in place for many years. Per the recently enacted Public Act 100-0554, each governmental unit shall adopt an ordinance or resolution establishing a policy to prohibit sexual harassment by January 15, 2018. Attached is an ordinance that confirms a Harassment Prevention Policy for the City of Crystal Lake that has been in place for many years.

Also attached is a strikethrough/underline version of the Harassment Prevention Administrative Directive that reflects the necessary revisions along with a copy of Public Act 100-0554, highlighting Sec. 70.5 with the affected change in requirements.

Votes Required to Pass: Simple majority

An Ordinance Confirming a Harassment Prevention Policy for the City of Crystal Lake

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

SECTION I: WHEREAS, the Illinois General Assembly has recently enacted Public Act 100-0554, an Act concerning government, which became effective immediately, dated November 16, 2017; and

SECTION II: WHEREAS, pursuant to the Act, each governmental unit shall adopt an ordinance or resolution establishing a policy to prohibit sexual harassment;

SECTION III: NOW, THEREFORE, be it resolved that the corporate authorities of the City of Crystal Lake adopt the attached updated Harassment Prevention Administrative Directive as required by P.A. 100-0554.

Section IV. This Ordinance shall be in full force and effect upon its passage, approval and publication in pamphlet form (which publication is hereby authorized) as provided by law.

APPROVED:

Mayor Aaron T. Shepley

(SEAL)

ATTEST: _____
City Clerk Nick Kachiroubas

Passed: _____

Approved: _____

Published: _____



Agenda Item No: 10

**City Council
Agenda Supplement**

<u>Meeting Date:</u>	December 11, 2017
<u>Item:</u>	Steinhafel's Incentive Agreement.
<u>Recommendation:</u>	Motion to approve a resolution authorizing the Mayor to sign the Steinhafel's incentive agreement for 5846 Northwest Highway.
<u>Staff Contact:</u>	Gary J. Mayerhofer, City Manager Michelle Rentzsch, Director of Community Development Heather Maieritsch, Economic Development Manager

Background: Steinhafel's will occupy the former Kmart space, located at 5846 Northwest Highway. The Kmart space has been vacant for three years, as retailers looking for a ~100,000 square-foot footprint are rare in today's retail market. Steinhafel's and the shopping center owner, Inland Retail Corp. (IRC), plan to make substantial improvements to this tired space: removing asbestos tiles from the entire floor area; replacing the HVAC system; demolishing the obsolete mezzanine area; rebuilding the rear loading dock; refreshing the front façade with additional windows to let in natural light, new awnings and lighting elements; and substantial interior finish work to elevate the aesthetics and comfort of the space to create an exceptional customer experience.

Since their opening in 1934, Steinhafel's Furniture has been providing quality home furnishings, mattresses, and home décor accommodating a wide variety of tastes and budgets. They are a mid-priced chain serving Wisconsin and northern Illinois with 17 Steinhafel's stores. They operate eight stores in the Milwaukee area; four in the Madison area; two in the Kenosha area; one in Appleton and Janesville; and one in Vernon Hills, Illinois.

The typical store size is 80,000 square feet and the average stock turns 7.2 times a year. The stores carry a wide range of well-known furniture brands including in-store La-Z-Boy galleries. Last year they expanded their distribution center in Waukesha by 104,000 square feet to accommodate expansion and increased demand.

Quick Facts about Steinhafel's

- A Third-Generation, Family-Owned Business, Operated since 1934
- Wisconsin's #1 Furniture Retailer
- Over 700 Employees
- 17 locations including 1 in Illinois

In keeping with the City's Enhanced Sales Tax Incentive Program (ESTIP), an incentive agreement is proposed that would aid in ensuring this redevelopment takes place. The purpose of the City's Enhanced Sales Tax Incentive Program is to:

- Encourage the recruitment, retention, establishment and/or substantial expansion of sales tax generating businesses within the City, thereby stimulating the economy within the City;
- Provide employment for residents of the City and others, further expanding the goods and services available for purchase and consumption by businesses and residents of the City;
- Further increase the sales taxes collected by the City, which increased sales tax collections will enable the City to provide expanded and improved municipal services to and for the benefit of the residents of the City;
- Encourage the construction of public improvements by private owners without debt obligations being incurred by the City; and
- Allow applicants an opportunity to improve properties that generate sales activities, which improvements make those properties more competitive in the marketplace and further provide to applicants additional contingent sources of revenues for upgrading said properties.

Steinhafel's and IRC would be completing comprehensive renovations to the property which include the complete demolition of the mezzanine area, removal of the interior asbestos floor tiling and its safe removal, reconstruction of the store's loading dock area to create two new recessed dock wells and dock equipment to accommodate modern-day loading operations, and removal and replacement of the store's 1960s HVAC system. The existing storefront would be refreshed with new windows cut-in to introduce more natural light into the store's interior. New awnings, exterior lighting and building landscaping would be provided to rebrand the façade and create an upscale and updated exterior finish for this storefront. The multi-million dollar improvements would be completed by fall of 2018.

The proposed sales tax agreement would provide the following stipulations:

- ✓ The new Steinhafel's Furniture Superstore would be refurbished and rebuilt, meeting all the City's codes and ordinances, as approved by the City.
- ✓ After its completion, the City would share 40% of the 1% State sales tax revenue from this property with Steinhafel's. The refund is based on the amount of sales tax that is generated by this retailer.
- ✓ The refund schedule would continue for ten years or up to \$600,000 dollars have been rebated, whichever occurs first.
- ✓ It is estimated that this store will have \$15 million in annual revenues.
- ✓ Over ten years, the City potentially would receive \$2 million dollars in all sales taxes and Steinhafel's would receive \$600,000.

The proposed agreement has been reviewed by legal counsel and is in an acceptable format for presentation to the City Council.

Votes Required to Pass: A simple majority vote.



DRAFT

The City of Crystal Lake Illinois

RESOLUTION

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE that the Mayor be authorized to execute the Economic Incentive Agreement for the property at 5846 Northwest Highway.

DATED this 11th day of December, 2017.

CITY OF CRYSTAL LAKE, an Illinois
Municipal Corporation

BY: _____
MAYOR

SEAL

ATTEST:

CITY CLERK

PASSED: December 11, 2017

APPROVED: December 11, 2017



Agenda Item No: 11

**City Council
Agenda Supplement**

Meeting Date: December 11, 2017

Item: REPORT OF THE PLANNING & ZONING COMMISSION
Briarwood Circle PUD Amendment – 1470 Briarwood Circle

Request: A PUD Amendment to allow changes to the approved elevations.

Petitioner: Mike Ledvora, Landstar Construction, petitioner

PZC Recommendation: To approve the PZC recommendation and adopt an ordinance granting the Planned Unit Development Amendment to allow changes to the approved elevations at 1470 Briarwood Circle.

Staff Contact: Michelle Rentzsch, Community Development Director

Background:

- Existing Use: Briarwood Circle is a multi-building apartment complex.
- Previous Approvals: In 1981, the Final Planned Unit Development for Briarwood Circle was approved. Included in the approval were architectural elevations that illustrated vertical board and batten wood siding.
- Proposed Changes:
 - The existing red brick will remain.
 - The façade renovation includes replacing the plywood siding with vinyl siding.
 - The siding style will be horizontal siding.
 - The color will change from shades of brown to slate with clay colored trim.

PZC Highlights:

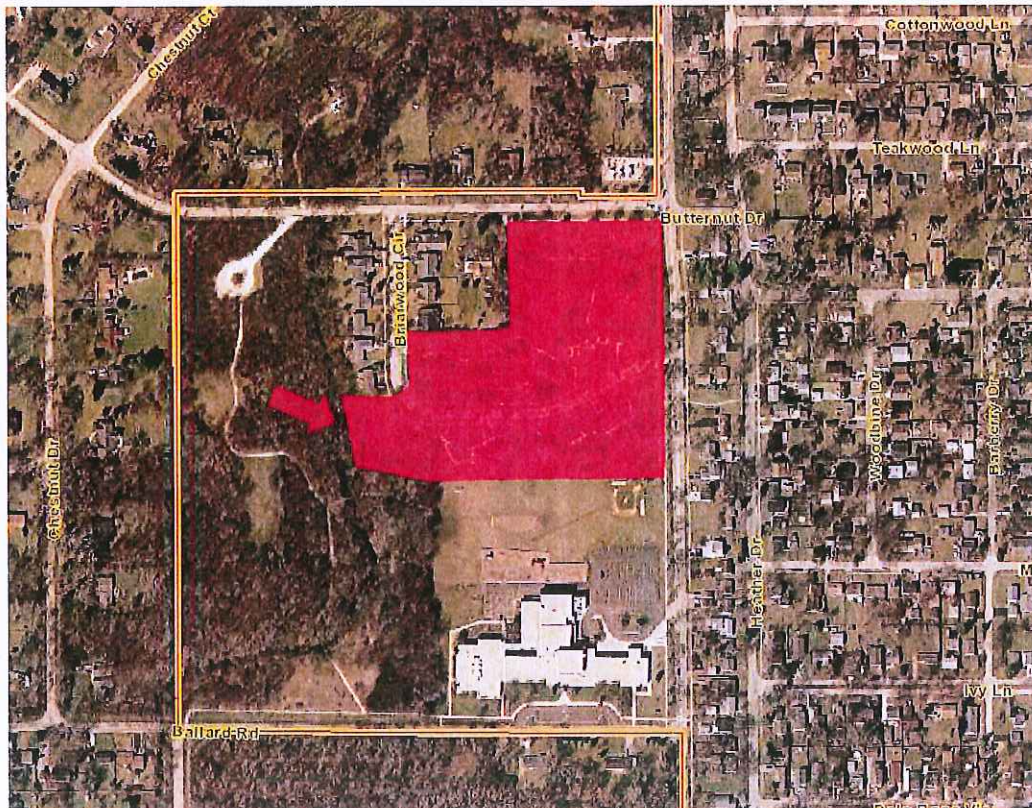
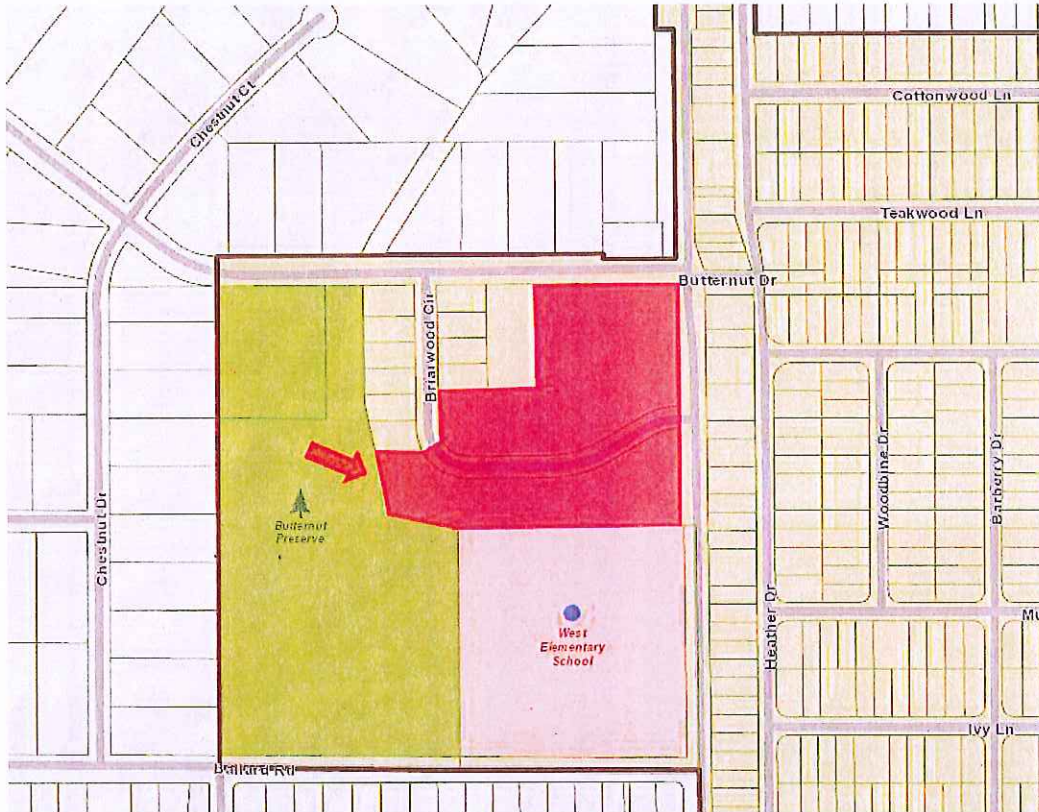
- The PZC stated that the slate color siding that was presented at the meeting would complement the existing brick and would enhance the property overall.
- The PZC felt that the Findings of Fact had been met.

The PZC recommended **approval (5-0)** of the petitioner's request with the following conditions:

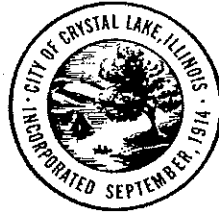
1. Approved plans, to reflect staff and advisory board comments, as approved by the City Council:
 - A. Application (Landstar Construction, dated 11/15/17, received 11/15/17)
 - B. Elevations (received 11/14/17)
2. Elevations:
 - A. Add band boards along the side and rear elevations between the first and second stories to break up the mass of the horizontal siding.
 - B. Window trim, band boards and corner trim boards should be a color that accents and complements the siding color.
3. Future changes to the architectural elevations can be administratively approved if the UDO design criteria are met.
4. The petitioner shall comply with all of the requirements of the Community Development Department.

Votes Required to Pass: A simple majority vote.

2017-45 MERIDIAN GROUP – 1470 BRIARWOOD – PUD AMENDMENT



Ord. No.
File No.



DRAFT

The City of Crystal Lake Illinois

**AN ORDINANCE GRANTING AN AMENDMENT
TO THE FINAL PLANNED UNIT DEVELOPMENT FOR BRIARWOOD CIRCLE**

WHEREAS, pursuant to the terms of the Petition (File #2017-45) before the Crystal Lake Planning and Zoning Commission, the Petitioner has requested an Amendment to the Final Planned Unit Development to allow changes to the approved elevations; and

WHEREAS, the Planning and Zoning Commission of the City of Crystal Lake, pursuant to notice duly published on November 21, 2017 in the Northwest Herald, held a public hearing at 7:30 p.m., on December 6, 2017 at City Hall at 100 W. Woodstock Street, Crystal Lake, Illinois to consider the proposed Amendment to the Final Planned Unit Development; and

WHEREAS, on December 6, 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 Amendment to the Final Planned Unit Development be approved, all as more specifically set forth in that certain Report of the Planning and Zoning Commission in Case #2017-45, dated as of December 7, 2017; and

WHEREAS, it is in the best interests of the City of Crystal Lake that the Amendment to the Final Planned Unit Development 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 Final PUD Amendment be granted to allow changes to the approved elevations for the property located at 1470 Briarwood Circle (18-02-226-025), Crystal Lake, Illinois.

SECTION II: That the Final PUD Amendment be granted with the following conditions:

1. Approved plans, to reflect staff and advisory board comments, as approved by the City Council:
 - A. Application (Landstar Construction, dated 11/15/17, received 11/15/17)

B. Elevations (received 11/14/17)

2. Elevations:
 - A. Add band boards along the side and rear elevations between the first and second stories to break up the mass of the horizontal siding.
 - B. Window trim, band boards and corner trim boards should be a color that accents and complements the siding color.
3. Future changes to the architectural elevations can be administratively approved if the UDO design criteria are met.
4. The petitioner shall comply with all of the requirements of the Community Development Department.

SECTION III: That the City Clerk be and is hereby directed to amend all pertinent records of the City of Crystal Lake to show the issuance of a Planned Unit Development Amendment 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 11th day of December, 2017.

City of Crystal Lake, an
Illinois municipal corporation

Aaron T. Shepley, Mayor

SEAL

ATTEST:

Nick Kachiroubas, City Clerk

Passed: December 11, 2017

Approved: December 11, 2017



Agenda Item No: 12

**City Council
Agenda Supplement**

Meeting Date: December 11, 2017

Item: REPORT OF THE PLANNING & ZONING COMMISSION

Culvers

Requests:

1. Final Plat of Subdivision for two lots.
2. Deferral to bury existing overhead utility lines until an area wide program is established.
3. Variation from Article 4-400 from the requirement to locate a landscape island every 10 spaces.

Petitioner: Chris McGuire, petitioner
400 Pingree Road

PZC Recommendation: To approve the PZC recommendations and adopt an ordinance granting the Final Plat of Subdivision with a deferral and a variation for a Culvers restaurant at 400 Pingree Road.

Staff Contact: Michelle Rentzsch, Community Development Director

Background:

- The site was part of the Recspec subdivision, which created three lots; Lot 1 for Country Inn & Suites, Lot 2 for an office building, and Lot 3 this vacant lot, which includes the detention basin.
- The Recspec plat had a restriction on direct access to Pingree Road, as the plat was approved before Pingree Road was reconstructed. The reconstruction removed the 6-foot hill which eliminates the prior concern about direct access.
- This resubdivision would remove the restriction for access directly to Pingree Road, it would also split the detention basin as a separate lot.
- The maintenance of this basin is to be worked out and agreed upon by all the property owners that drain into the basin per the existing Covenants, Conditions & Restrictions.
- Culvers will construct a new restaurant. A limited service restaurant is a Permitted Use and the drive-through is a Limited Use, which can be approved by staff provided they meet all the criteria, which they do.

- The new restaurant meets the Design Standards and all of the UDO requirements with the exception of a variation from all of the required landscape islands. There are two areas in the parking lot that would require islands located in the middle of the rows.

PZC Highlights:

- The PZC members liked the new design of the building including the exterior elevations and floorplan layout.
- The members were in favor of an electronic message center sign. An EMC is not part of this request and needs to come back as a separate request for approval.
- The PZC members discussed the roofline strip lighting. Although the blue or white lighting does help make the building more visible, per the UDO it is considered signage and the City has consistently not allowed this strip lighting for other businesses in the City.
- The PZC reviewed the Findings of Fact and found that the petition meets the criteria.

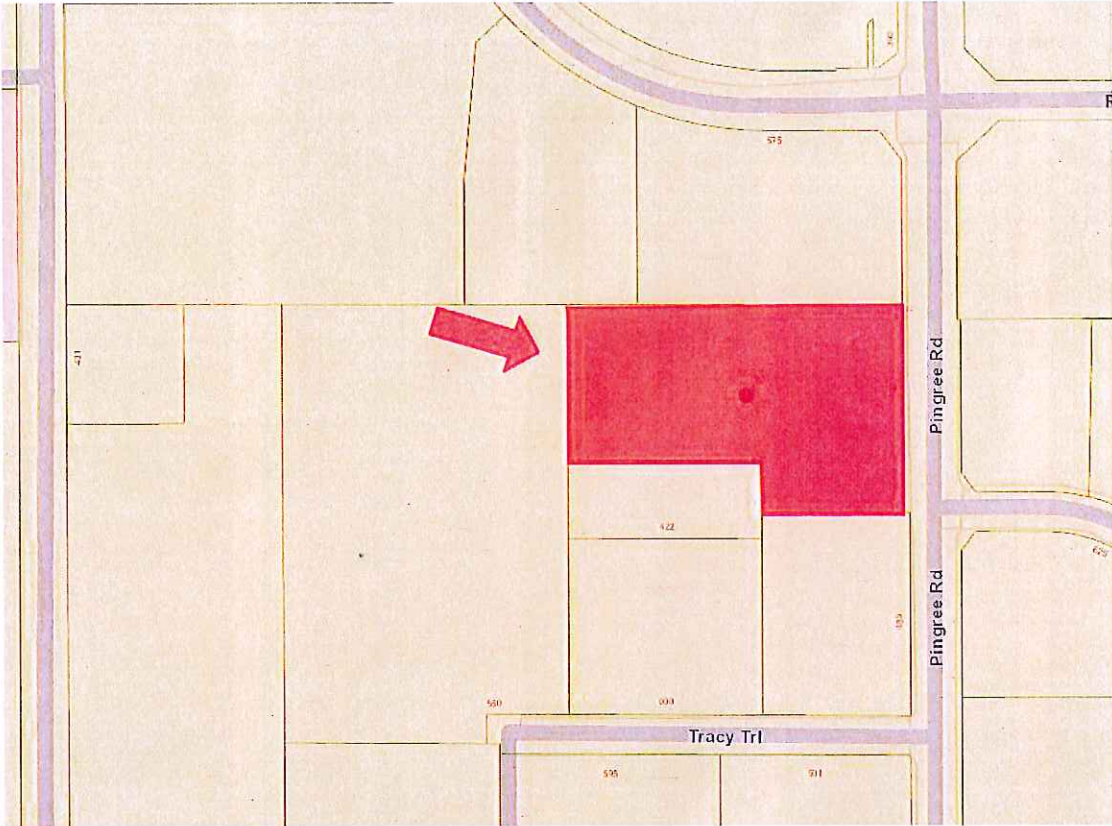
The PZC recommended **approval (5-0)** of the petitioner's request with the following conditions:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
 - A. Application (DM Crystal Lake, received 11/01/17)
 - B. Final Plat of Subdivision (HR Green, dated 11/01/17, received 11/01/17)
 - C. Landscape Plan (Gary Weber, dated 10/11/17, received 11/01/17)
 - D. Elevations (Ollmann Ernest Martin, dated 10/27/17, received 11/01/17)
 - E. Floor Plan (Ollmann Ernest Martin, dated 10/27/17, received 11/01/17)
 - F. Engineering Plans (CAGE, dated 11/01/17, received 11/01/17)
 - G. Sign Package (Springfield Sign, dated 10/27/17, received 11/01/17)
2. Elevations:
 - A. Lighting used for outlining windows, doors, rooflines or buildings is not permitted, eliminate the Cove Lighting from the plan.
 - B. ~~The building is permitted 150 square feet of signage and additional square footage for the striped awnings.~~ **(Deleted by PZC)**
3. Final Plat of Subdivision.
 - A. The final plat cannot be signed until the agreement for maintenance of the detention area has been established and agreed to by all affected parties. Covenants for the perpetual detention basin must be reviewed and approved by staff.
 - B. Petitioner agrees not to object to an SSA to establish an area wide program to bury overhead utility lines.
4. Signage.
 - A. The free-standing sign shall contain text only, no images of products and shall be manual changeable copy.

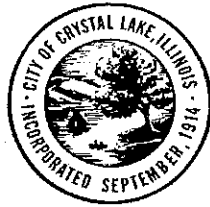
5. The petitioner shall address all of the review comments and requirements of the Fire Rescue, Police, Public Works, and Community Development Departments.
6. **The petitioner has agreed to a solid blue awning with downlighting.** (Added by PZC)

Votes Required to Pass: A simple majority vote.

2017-42 Culver's – 400 Pingree Rd – Preliminary/Final Plat of Subdivision, Special Use Permit



Ord. No.
File No.



DRAFT

The City of Crystal Lake Illinois

**AN ORDINANCE GRANTING A FINAL PLAT OF SUBDIVISION AND VARIATIONS
AT 400 PINGREE ROAD**

WHEREAS, pursuant to the terms of a Petition (File #2017-42) before the Crystal Lake Planning and Zoning Commission, the Petitioner has requested the issuance of a Final Plat of Subdivision for two lots; Deferral to bury existing overhead utility lines until an area wide program is established; and Variations from: A. Article 4-400 from the requirement to locate a landscape island every 10 spaces; and B. Article 4-1000 to exceed 150 square feet of building signage allowing for striped awnings for the property located at 400 Pingree Road; and

WHEREAS, the Planning and Zoning Commission of the City of Crystal Lake, pursuant to notice duly published on November 21, 2017 in the Northwest Herald, held a public hearing at 7:30 p.m., on December 6, 2017 at City Hall at 100 W. Woodstock Street, Crystal Lake, Illinois to consider the proposed Final Plat of Subdivision and Variations; and

WHEREAS, on December 6, 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 Special Use Permit be approved, all as more specifically set forth in that certain Report of the Planning and Zoning Commission in Case #2017-42, dated as of December 7, 2017; and

WHEREAS, it is in the best interests of the CITY OF CRYSTAL LAKE that the Final Plat of Subdivision and Variations be issued 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 Final Plat of Subdivision for two lots; Deferral to bury existing overhead utility lines until an area wide program is established; and a variation from: A. Article 4-400 from the requirement to locate a landscape island every 10 spaces for the property commonly known as 400 Pingree Road (19-04-476-017), Crystal Lake, Illinois.

Section II: Said Final Plat of Subdivision and Variation are issued with the following conditions:

Ord. No.

File No.

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
 - A. Application (DM Crystal Lake, received 11/01/17)
 - B. Final Plat of Subdivision (HR Green, dated 11/01/17, received 11/01/17)
 - C. Landscape Plan (Gary Weber, dated 10/11/17, received 11/01/17)
 - D. Elevations (Ollmann Ernest Martin, dated 10/27/17, received 11/01/17)
 - E. Floor Plan (Ollmann Ernest Martin, dated 10/27/17, received 11/01/17)
 - F. Engineering Plans (CAGE, dated 11/01/17, received 11/01/17)
 - G. Sign Package (Springfield Sign, dated 10/27/17, received 11/01/17)
2. Elevations:
 - A. Lighting used for outlining windows, doors, rooflines or buildings is not permitted, eliminate the Cove Lighting from the plan.
3. Final Plat of Subdivision.
 - a. The final plat cannot be signed until the agreement for maintenance of the detention area has been established and agreed to by all affected parties. Covenants for the perpetual detention basin must be reviewed and approved by staff.
 - b. Petitioner agrees not to object to an SSA to establish an area wide program to bury overhead utility lines.
4. Signage.
 - a. The free-standing sign shall contain text only, no images of products and shall be manual changeable copy.
5. The petitioner shall address all of the review comments and requirements of the Fire Rescue, Police, Public Works, and Community Development Departments.
6. The petitioner has agreed to a solid blue awnings with downlighting.

Section III: 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 issuance of a Final Plat of Subdivision, deferral and a variation in accordance with the provisions of this Ordinance, as provided by law.

Ord. No.
File No.

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 11th day of December, 2017.

City of Crystal Lake, an
Illinois municipal corporation

Aaron T. Shepley, Mayor

SEAL

ATTEST:

Nick Kachiroubas, City Clerk

Passed: December 11, 2017
Approved: December 11, 2017



Agenda Item No: 13

**City Council
Agenda Supplement**

Meeting Date:

December 11, 2017

Item:

Verizon Wireless Lease Agreement

Recommendation:

Motion to adopt a resolution authorizing the City Manager to execute a lease agreement between the City of Crystal Lake and Chicago SMSA Limited Partnership, d/b/a Verizon Wireless for the McCormick Park Water Tower.

Staff Contact:

George J. Koczwar, Director of Finance

Background:

At the January 18, 2000 City Council meeting, the Council executed the first lease agreement with a cellular telephone provider for use of a City elevated water storage tank. Since that time, the Council has approved seven additional lease agreements. These approvals followed earlier Council direction that the location of cellular antennas would be preferred on public property instead of erecting new poles.

For this fiscal year, the eight total lease agreements, including the Verizon Agreement, if approved, will generate approximately \$386,502 in revenue for the City. Since the facilities are located on the City's elevated water storage tanks, there was no need for the petitioners to secure a Special Use Permit, as they would have if they were going to construct their own towers.

The attached lease agreement is virtually identical to the eight lease agreements that have previously been approved by the City Council. Staff developed the original lease agreements from boilerplate language, which has been used by many communities in the Chicago metropolitan area for uses similar to those proposed.

The proposed lease with Verizon Wireless would provide for an initial annual lease payment of \$35,825.00 with a 5% inflation escalator each year throughout the duration of the lease. The lease is for an initial five (5) year term, with the option of additional three (3), five (5) year terms. In addition, Verizon has agreed to a one-time site maintenance fee in the amount of \$10,000.

If approved, this lease agreement would be the third antenna installation for the McCormick Park Water Tower. Verizon would utilize the Nextel structure that was abandoned when Nextel

ceased as a wireless telephone provider. The provider is required to repair any damage to the tank structure, or surrounding area that may result from the installation or operation of their antennas on City property. The agreement includes a requirement that Verizon Wireless pay for a City determined consulting engineer who will review the engineering and structural plans and inspect the equipment installation. The lease also provides that the antennas must be removed, at the provider's expense, should the City need them to be removed for tank maintenance or painting.

It is staff's recommendation to execute the lease agreement between the City of Crystal Lake and Verizon Wireless for the McCormick Park water tower.

Votes Required to Pass:

Simple majority



DRAFT

RESOLUTION

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE that the City Manager be and he is hereby authorized and directed to execute the Ground Lease Agreement and other required documents between the City of Crystal Lake and Chicago SMSA Limited Partnership, d/b/a Verizon Wireless for the McCormick Park Water Tower.

DATED this 11th day of December, 2017

CITY OF CRYSTAL LAKE, an
Illinois municipal corporation,

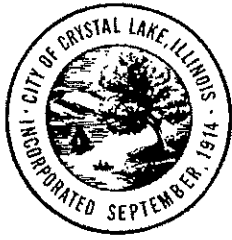
By: _____
MAYOR

SEAL

ATTEST

CITY CLERK

PASSED: December 11, 2017
APPROVED: December 11, 2017



Agenda Item No: 14

**City Council
Agenda Supplement**

<u>Meeting Date:</u>	December 11, 2017
<u>Item:</u>	REPORT OF THE PLANNING & ZONING COMMISSION Astro Spa Massage – 7115 Virginia Rd, Suite 111
<u>Request:</u>	Special Use Permit for a massage establishment.
<u>Petitioner:</u>	Velina Lazarova, petitioner
<u>PZC Recommendation:</u>	To approve the PZC recommendation and adopt an ordinance granting the Special Use Permit for a massage establishment at 7115 Virginia Road, Suite 111.
<u>Staff Contact:</u>	Michelle Rentzsch, Community Development Director

Background:

- Existing Use: The subject property is an office park. The unit has been vacant.
- UDO Standard: Special use permits are required for select land uses that have the potential to impact the surrounding area and development of the City. Massage establishments are required to obtain a special use permit and adhere to specific criteria relating to hours of operation, coverage of windows, etc.
- Request: The petitioner is requesting a special use permit for a massage establishment.

PZC Highlights:

- The PZC thanked the petitioner for providing background information relating to her work experience in other Crystal Lake salons.
- The PZC felt that the Findings of Fact had been met.

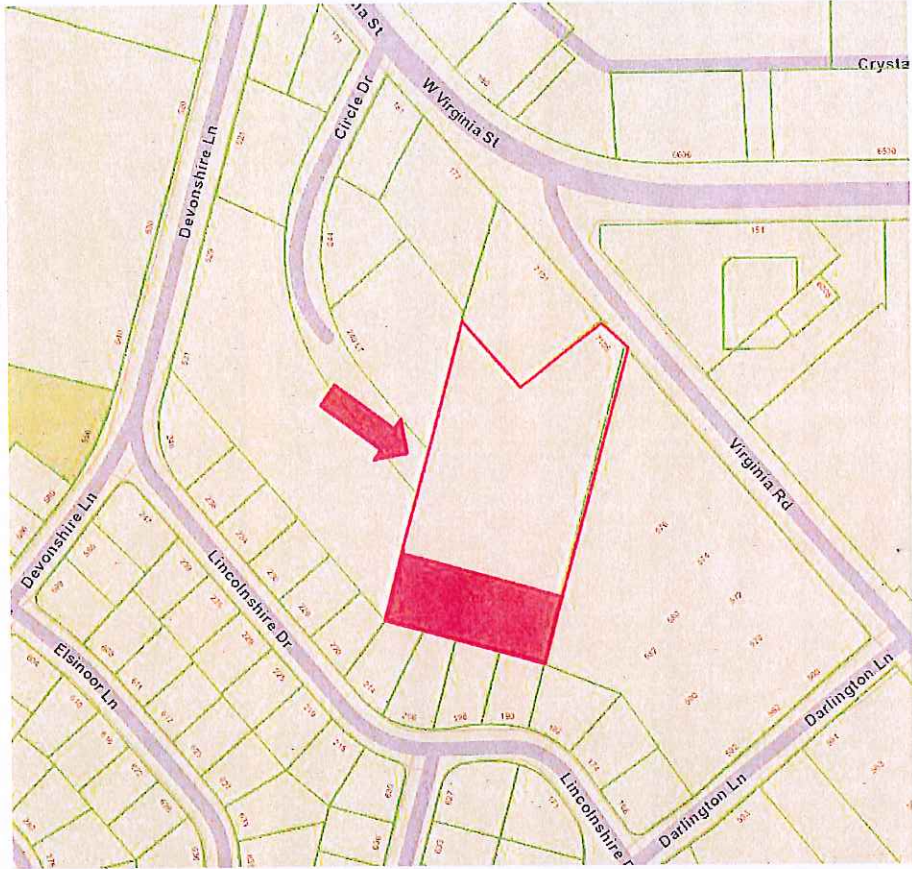
The PZC recommended **approval (5-0)** of the petitioner's request with the following conditions:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
 - A. Application (Lazarova, dated 11/01/17, received 11/02/17)
 - B. Floor Plan (Lazarova, received 11/02/17)
 - C. Massage License (Lazarova, received 11/02/17)

2. Business records, including the names of clients and the services provided, must be readily available to inspect without prior notice.
3. All massage establishments subject to this section are declared to be public places, and shall not, during business hours, have the doors to the exits and entrances of such establishment locked or obstructed in any way so as to prevent free ingress and egress of persons; provided, however, that such doors may be closed.
4. Persons under 18 years of age are not permitted in a massage establishment, unless accompanied by his/her parent or legal guardian.
5. At least 75% of the window area of the massage establishment shall be visible, installed with clear, nonreflective windows. Blocking of windows with drapes, blinds or shelving is prohibited.
6. No residential use is permitted within the massage establishment at any time.
7. Alcohol is not permitted to be served in a massage establishment at any time.
8. The applicant consents to unannounced inspections by the City, its agents or employees for the purpose of determining of the provisions of this section are met.
9. If the City passes an ordinance requiring a business license for massage establishments, the petitioner must comply with the business license requirements.
10. Upon the petitioner's sale, transfer or relocation of this massage establishment, this special use will be considered null and void.
11. The petitioner shall address all of the review comments and requirements of the Community Development, Fire Rescue and Police Departments.

Votes Required to Pass: A simple majority vote.

2017-43 Lazarova – 7115 Virginia Rd Suite 101 – Special Use Permit





DRAFT

The City of Crystal Lake Illinois

**AN ORDINANCE GRANTING A SPECIAL USE PERMIT
AT 7115 VIRGINIA ROAD SUITE 111**

WHEREAS, pursuant to the terms of a Petition (File #2017-43) before the Crystal Lake Planning and Zoning Commission, the Petitioner has requested the issuance of a Special Use Permit to allow a massage establishment for the property located at 7115 Virginia Road Suite 111; and

WHEREAS, the Planning and Zoning Commission of the City of Crystal Lake, pursuant to notice duly published on November 20, 2017 in the Northwest Herald, held a public hearing at 7:30 p.m., on December 6, 2017 at City Hall at 100 W. Woodstock Street, Crystal Lake, Illinois to consider the proposed Special Use Permit; and

WHEREAS, on December 6, 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 Special Use Permit be approved, all as more specifically set forth in that certain Report of the Planning and Zoning Commission in Case #2017-43, dated as of December 7, 2017; and

WHEREAS, it is in the best interests of the CITY OF CRYSTAL LAKE that the Special Use Permit be issued 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 Special Use Permit be issued to allow a massage establishment for the property commonly known as 7115 Virginia Road Suite 111 (19-08-130-029), Crystal Lake, Illinois.

Section II: Said Special Use is issued with the following conditions:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
 - A. Application (Lazarova, dated 11/01/17, received 11/02/17)
 - B. Floor Plan (Lazarova, received 11/02/17)

Ord. No.

File No.

C. Massage License (Lazarova, received 11/02/17)

1. Business records, including the names of clients and the services provided, must be readily available to inspect without prior notice.
2. All massage establishments subject to this section are declared to be public places, and shall not, during business hours, have the doors to the exits and entrances of such establishment locked or obstructed in any way so as to prevent free ingress and egress of persons; provided, however, that such doors may be closed.
3. Persons under 18 years of age are not permitted in a massage establishment, unless accompanied by his/her parent or legal guardian.
4. At least 75% of the window area of the massage establishment shall be visible, installed with clear, nonreflective windows. Blocking of windows with drapes, blinds or shelving is prohibited.
5. No residential use is permitted within the massage establishment at any time.
6. Alcohol is not permitted to be served in a massage establishment at any time.
7. The applicant consents to unannounced inspections by the City, its agents or employees for the purpose of determining of the provisions of this section are met.
8. If the City passes an ordinance requiring a business license for massage establishments, the petitioner must comply with the business license requirements.
9. Upon the petitioner's sale, transfer or relocation of this massage establishment, this special use will be considered null and void.
10. The petitioner shall address all of the review comments and requirements of the Community Development, Fire Rescue and Police Departments.

Section III: 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 issuance of a Special Use Permit in accordance with the provisions of this Ordinance, as provided by law.

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

Ord. No.
File No.

DATED at Crystal Lake, Illinois, this 11th day of December, 2017.

City of Crystal Lake, an
Illinois municipal corporation

Aaron T. Shepley, Mayor

SEAL

ATTEST:

Nick Kachiroubas, City Clerk

Passed: December 11, 2017
Approved: December 11, 2017



Agenda Item No: 15

**City Council
Agenda Supplement**

Meeting Date: December 11, 2017

Item: An Intergovernmental Agreement for Public Dial-A-Ride Transit Service (MCRide) in 2018.

Staff Recommendation: Motion to adopt a Resolution authorizing the City Manager to execute an intergovernmental agreement for general public dial-a-ride transit service in 2018.

Staff Contact: Melanie Nebel, Assistant to the City Manager

Background:

At the November 15, 2011 City Council meeting, the City Council initially approved an Intergovernmental Agreement (IGA) between the County and the City of Crystal Lake, the City of McHenry, and the City of Woodstock to combine local dial-a-ride programs into one contracted service called MCRide with Pace Suburban Bus. The MCRide program started on February 1, 2012. The combined local dial-a-ride services provide greater consistency between service fares and hours, improves service performance monitoring and enables direct accounting for federal grant funding. A condition of the IGA requires that partner agencies renew the IGA annually.

The attached IGA will provide annual dial-a-ride transit services in 2018. As part of the 2018 agreement, the contribution structure formula will change from previous years (2012-2017).

The proposed agreement utilizes a sliding scale. The sliding scale for township local contribution is based on population and the local contribution for municipalities is based on population and community need. The municipal formula is a slightly modified version of the Chicago Metropolitan Agency for Planning (CMAP) municipal need rating system, factoring in median income, tax base per capita, total tax base and population. Populations used are taken from the 2010 Census.

Scott Henning, McHenry County Division of Transportation Principal Transportation Planner, will be at the meeting to answer questions regarding the MCRide program and new contribution structure.

The City of Crystal Lake's annual contribution will increase from \$53,363 to \$57,040 (\$1.31 per capita to \$1.40) an increase of 6.9 percent. Crystal Lake, Grafton Township and Nunda Township are the three partners that will receive an increase due to the new formula. Despite the increase, the City's contributions for this service is substantially less than when the City contracted directly with Pace. In 2011, the City contributed \$137,229 toward this service.

2018 Estimated Costs

Under the proposed agreement, municipalities will pay a fixed amount per capita based on a slightly modified version of the Chicago Metropolitan Agency for Planning (CMAP) municipal need rating system, factoring in median income, tax base per capita, total tax base and population (2010 Census).

Since establishing the MCRide program, and due in large part to the awarded federal funding being used towards the MCRide program, the City's contribution for dial-a-ride services has been substantially reduced. Under the 2018 IGA, the City will pay \$4,753 a month, which is \$57,040 annually. The City's 2017 monthly payment was \$4,447 (\$53,363 annually). The Partner Agencies will be invoiced no more frequently than monthly.

McHenry County was awarded federal Section 5310 funding awarded from the Regional Transportation Authority to fund the MCRide program. The funding will continue to cover 50% of the operating costs associated with all identified trips provided to riders with a disability (about 35% of all riders). The County will pay the monthly Pace invoices, and each municipality will be invoiced an annual amount of up to \$1.40 per capita by the County.

In total, the coordinated MCRide effort has 20 funding sources. Rider fares pay for just under 10% of the program costs. Pace Suburban Bus covers approximately 47% of the total costs of the service (See Table 1). Federal grants reduced local contribution by \$335,000 in 2016 and is expected to reduce the local contribution amount by \$350,000 in 2017. The County's final share of MCRide costs was approximately \$250,000 in 2016, and is expected to be \$220,000 in 2017.

Table 1: MCRide Funding Sources and Share of Costs

	2018	2017 Estimate	Percentage	2016	Percentage
Passenger Fares	TBD	\$170,000	9.4%	\$151,000	8.6%
Pace Bus	TBD	\$840,000	46.6%	\$801,000	45.4%
McHenry County	TBD	\$220,000	12.2%	\$250,000	14.2%
Crystal Lake	\$57,040	\$53,363	3.0%	\$53,363	3.0%
McHenry	\$32,390	\$35,353	2.0%	\$35,353	2.0%
Woodstock	\$29,149	\$32,443	1.8%	\$32,443	1.8%
Harvard	\$9,447	\$12,373	0.7%	\$12,373	0.7%
Marengo	\$7,648	\$10,017	0.6%	\$10,017	0.8%
Huntley	\$29,149	\$31,815	1.8%	\$31,815	1.8%
Johnsburg	\$7,604	\$8,300	0.5%	\$8,300	0.5%
Ringwood	\$1,003	\$1,095	0.1%	\$1,095	0.1%
Richmond	\$1,874	NA	NA	NA	NA
Lakewood	N/A	\$0	0.0%	\$4,991	0.3%
Door Township	\$4,800	\$6,000	0.3%	\$6,000	0.3%
Greenwood Township	\$4,800	\$6,000	0.3%	\$6,000	0.3%
Nunda Township	\$7,200	\$6,000	0.3%	\$6,000	0.3%
Grafton Township	\$7,200	\$6,000	0.3%	\$6,000	0.3%
Marengo Township	\$2,400	\$6,000	0.3%	\$6,000	0.3%
Riley Township	\$2,400	\$6,000	0.3%	\$6,000	0.3%
McHenry Township	\$7,200	NA	NA	NA	NA
Richmond Township	\$2,400	NA	NA	NA	NA
Federal Grant	TBD	\$350,000	19.4%	\$335,000	19.0%
Total Funding	TBD	\$1,800,759	100%	\$1,763,000	100%

Crystal Lake Ridership Data

Since March 2015, the County receives on a monthly basis, a report from Pace for all trips taken on the MCRide program. Using that data, the County has compiled ridership data by geographic area by looking at only the origins of the trips (using GPS coordinates) and assigning them to a municipality or township. For example, if someone takes a trip from a residence in Crystal Lake

to a store in Crystal Lake and then returns back home, two trips are assigned to “Crystal Lake”. If someone travels from Lakewood to Crystal Lake and back home, one trip is given to Lakewood and one trip is assigned to Crystal Lake. Using this method, below is ridership data from January 2017 through October 2017. During this time period, the total trips in which the origin of the trip was in the City of Crystal Lake was approximately 25% of the total MCRide ridership. The average monthly amount of trip origins in the City of Crystal Lake was 2,377 per month, or 28,528 annually. The total 2017 costs for the Crystal Lake is \$53,363, therefore, the estimated average cost to the City per trip would be \$1.87.

Month	Trips Origins in the City of Crystal Lake	Total MCRide Ridership	% Origins in Crystal Lake
Jan -17	2333	8629	27%
Feb -17	2340	8282	28%
Mar-17	2462	9505	26%
Apr-17	2164	8084	27%
May-17	2197	8773	25%
Jun-17	2085	8778	25%
Jul-17	1899	7879	24%
Aug-17	2111	9026	23%
Sep-17	2082	8724	24%
Oct-17	2202	9202	24%

MCRide Service Information

By entering into this IGA, all parties agree to continue the MCRide program, which provides service standardization, related to fare structure, service hours, and trip reservation policies. It should be noted that the MCRide program for Crystal Lake riders includes all general public, seniors, and individuals with disabilities. The Townships that participate in the program, including Grafton and Nunda, which cover portions of Crystal Lake, only provide services to seniors and individuals with disabilities, not the general public. If the City were not to participate in the MCRide program, Crystal Lake riders would not have access to other areas of the County that participate in this program, and service in Grafton and Nunda Townships would be limited to only seniors and individuals with disabilities within the boundaries of the Township. Under this scenario, Crystal Lake residents in Algonquin Township would not have service and those eligible residents that get service from Grafton and Nunda Townships would not have service to areas of Crystal Lake that are within Algonquin Township boundaries.

The following is service information regarding the MCRide program:

Fare Structure

Under the 2018 IGA, there is no change to the fare structure adopted last year.

The base fare for the general public is \$2.50 for the first five miles, and the base fare is \$1.25 for the first five miles for seniors and disabled persons.

In comparison to other neighboring County programs, such as Northwest Demonstration Service in Lake County and Ride in Kane, fares for services through MCRide are extremely low.

Fare Type	Current Base Fare up to 5 miles plus 25 cents for each additional mile. Through December 31, 2017	Base Fare up to 5 miles plus 25 cents for each additional mile. Starting January 1, 2018
General Public	\$2.50	\$2.50
Senior	\$1.25	\$1.25
Person with a Disability	\$1.25	\$1.25

Standard Senior Definition

Persons 60 years and older will be considered seniors to be consistent with the federal Older Americans Act Title III regulations.

Service Hours

There is no change to service hours. Service hours will be the same for all partner agencies.

	Monday-Friday Start	Monday-Friday End	Saturday Start	Saturday End
Service Hours	6:00 a.m.	7:00 p.m.	9:00 a.m.	5:00 p.m.
Reservation Hours	5:30 a.m.	6:00 p.m.	8:30 a.m.	4:00 p.m.

Trip Reservation

General Public Riders: no more than 24 hours before the requested trip, and no less than 2 hours before the requested trip.

Seniors and Individuals with Disabilities: no more than 7 days in advance of the requested trip, and no less than 2 hours before the requested trip.

It should be noted, that as part of the IGA, partner agencies agree to monitor service cost effectiveness and make additional changes to service hours, fares, and trip reservation policies only after all Partner Agencies have affirmed changes in writing and the public has been provided a minimum 4 weeks notice of these changes.

Also, if the City were to decide to no longer participate in the MCRide program, the City would need to work directly with Pace for provide dial-a-ride services.

The IGA was approved by the McHenry County Board on December 7, 2017, and is currently being approved by other partner agencies. There will be no service disruption to the MCRide program during the IGA renewal process by all partners.

Votes Required to Pass:

Simple majority vote of the City Council.



DRAFT

RESOLUTION

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE, of McHenry County, Illinois, that the City Manager be and he is hereby authorized and directed to execute an intergovernmental agreement between the County of McHenry, the City of Crystal Lake, the City of Harvard, the City of Marengo, the City of McHenry, the City of Woodstock, the Village of Huntley, the Village of Johnsburg, the Village of Richmond, the Village of Ringwood and Chemung Township, Dorr Township, Grafton Township, Greenwood Township, Marengo Township, McHenry Township, Nunda Township, Richmond Township, and Riley Township for general public dial-a-ride transit service in 2018.

DATED this 11th day of December, 2017.

CITY OF CRYSTAL LAKE, an
Illinois municipal corporation,

By: _____
MAYOR

SEAL

ATTEST

CITY CLERK

PASSED: December 11, 2017

APPROVED: December 11, 2017



Agenda Item No: 16

**City Council
Agenda Supplement**

<u>Meeting Date:</u>	December 11, 2017
<u>Item:</u>	Woodlore Estates Conceptual Review for a new residential subdivision
<u>Recommendation:</u>	For Discussion Only
<u>Staff Contact:</u>	Michelle Rentzsch, Community Development Director

Background

- Ryland Homes and Standard Pacific Homes merged in 2015 to create CalAtlantic Homes. CalAtlantic is one of the largest home builders in the United States.
- The site is located on the east side of Route 31 between River Birch Boulevard and Brighton Lane.
- The property, formerly known as Preston Pines, is approved for 275 single-family homes and 184 townhomes. The Final Plat approval vests the rights for building permits for the existing lot layout and architecture approved during the 2006/2007 approvals.
- CalAtlantic is proposing a revised site plan, an independent living senior housing type, and new elevations to better accommodate the existing site conditions and bring new housing choices to Crystal Lake.

Conceptual Plan Highlights

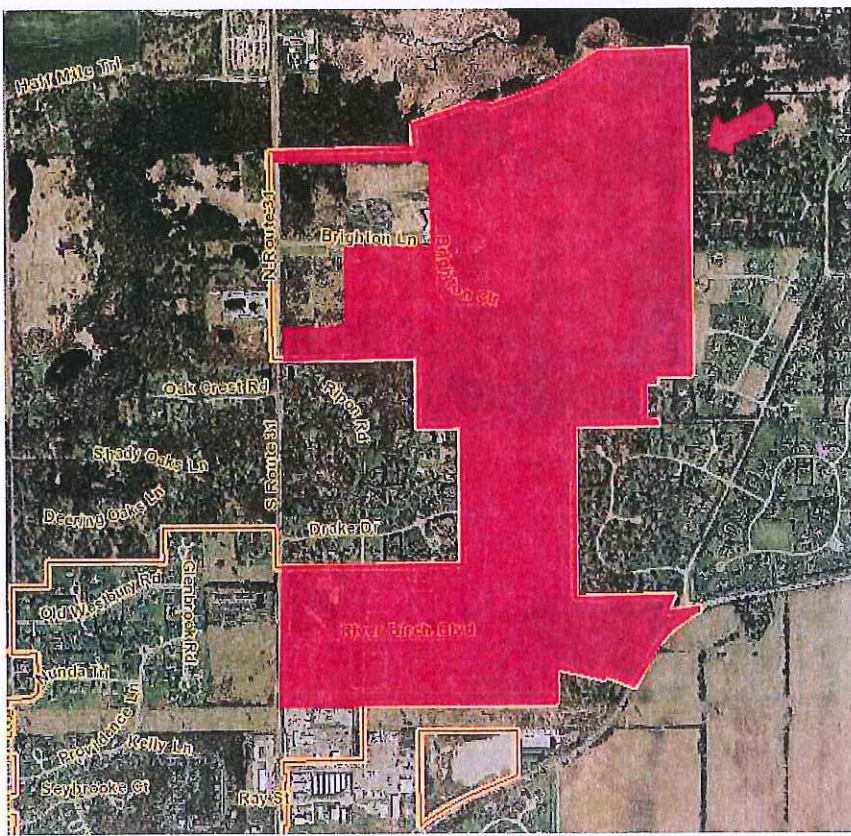
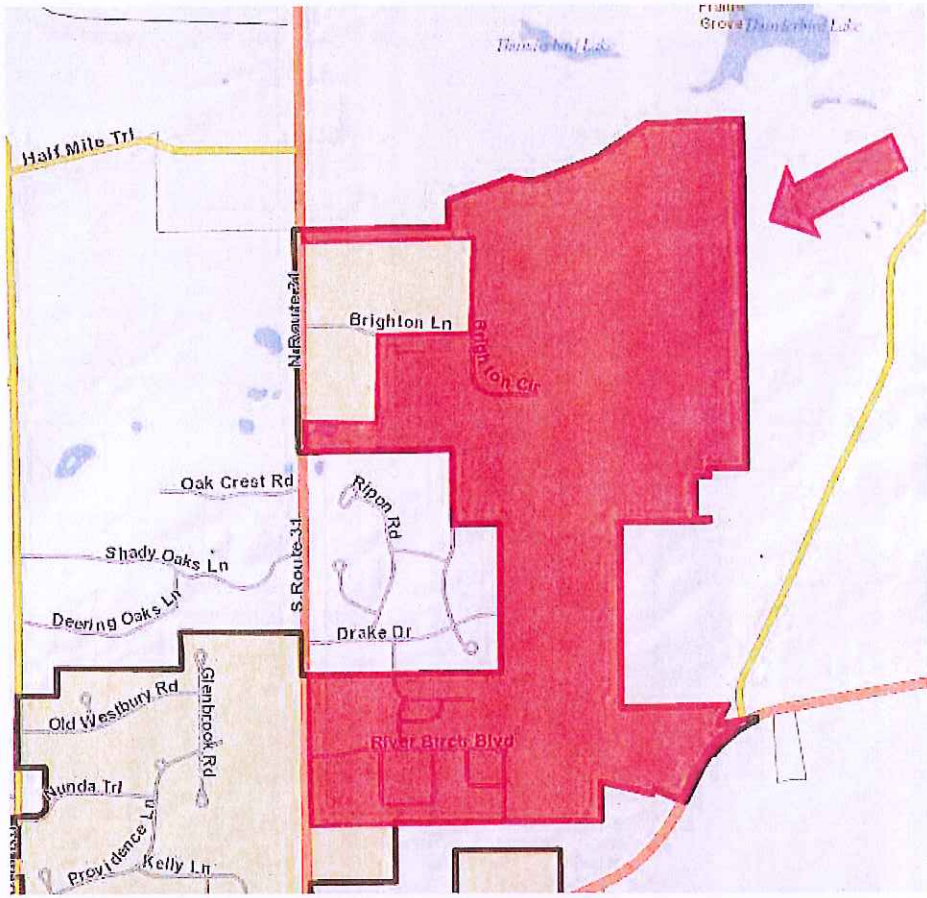
- The proposed plan illustrates 317 single family homes, 68 townhomes, and 104 active adult senior housing units.
- Site Plan:
 - Landscape buffers surround the subdivision and are located throughout the interior of the subdivision.
 - Existing wetlands and high quality trees would be preserved.
 - The active adult single-family homes would be age restricted and the exterior of the homes and lots would be maintained by a homeowner's association.

- Architecture:
 - Townhomes – the models are rear-loading with covered front porches, gable roofs, accented with brick and wide 5” window trim.
 - Active adult single-family ranch homes – all models include brick, decorative gable vents, shutters or wide 5” window trim, a variety of siding styles and roof lines.
 - Single-family homes – new home plans were created for this development, models are to include a variety of siding styles, stone or brick, shutters or 5” window trim, band boarding, windows on all elevations, decorative pilasters on the front porches and decorative front doors.

PZC Discussion

- The PZC liked the new site plan with the added green spaces and appreciated the addition of active adult ranch homes.
- The PZC requested that the active adult ranch home models be enhanced architecturally so there would be more variation amongst the units.
- The new green spaces allows for an opportunity to create a sense of place for the subdivision. The PZC requested that the petitioner work with staff to add walking paths or points of interest throughout the site.
- One side-loading garage home plan with five models was included for the single-family area. The PZC requested more side-loading garage home plans or a requirement that a minimum number of the single-family lots have the side-loading models.

2017-01 Woodlore Estates (formerly Preston Pines)





Agenda Item No: 17

City Council Agenda Supplement

- Meeting Date:** December 11, 2017
- Item:** UDO Text Amendment for various provisions of the Unified Development Ordinance
- PZC Recommendation:** Motion to approve the Planning and Zoning Commission recommendations and to adopt an ordinance amending Chapter 650 of the Code of Ordinances of the City of Crystal Lake for the changes to the UDO.
- Staff Contact:** Michelle Rentzsch, Community Development Director
-

Background:

- When the City Council adopted the Unified Development Ordinance (UDO) in 2009, it was intended to be a dynamic document that would be updated periodically.
- The proposed text amendments would address issues observed by staff, based on their day-to-day application of the UDO, and would simplify the requirements and procedures for businesses and residents.

Request:

The amendments to the UDO are attached to this report and are in Articles 1, 2, 3, 4, 7, 9, and 10. The changes are as follows:

Article 1

- Re-establishing the R-O Residential Office zoning district. The previous zoning ordinance had an R-O district which permitted both residential and home office type uses. The district was along Walkup Avenue south of Woodstock Street. Re-establishing this zoning district and allowing it along Walkup, some other locations near Downtown and near the Virginia Street Corridor, would help to provide the ultimate in flexibility for these properties, helping to preserve the original historical homes while allowing the limited mix of uses.
- Amending the B-4 zoning district to be more of a Mixed-Use zoning district.

Article 2

- Allow an EMC sign as a Special Use in the Estate zoning district provided the use meets the criteria. This would allow a Special Event Center, as defined in Article 10, to have an EMC sign if they are in the Estate zoning district. This change would allow for Beyond Stables commercial riding arena to request a Special Use Permit for an EMC sign.
- Create a list of uses under the R-O zoning district.
- Define and allow for Small Cell Wireless Facilities and Stealth Design Wireless Communication Antennas. Possible legislation is being considered that would require cities to allow small wireless facilities in certain zoning districts.
- Clarification of standards for massage requiring them to apply for a business license.
- Clarification of standards for Internet Auto Sales requiring the point of sale be listed as the City.

Article 3

- Amending all references to Corner Side Yard to Yard Abutting a Street.
- Establishment of R-O zoning district standards.

Article 4

- Added Virginia Street Corridor to properties that can reduce parking based on on-street parking.
- Revised the landscape requirements. The content is the same, but it is reorganized to be more understandable and concise.
- Adding text to allow a 4-foot high fence 5 feet from the property line in yards abutting a street. Recently several variations have been granted to allow fences in the side yards abutting streets. Applicants have requested the variations because of kids and dogs. Staff hopes the proposed change will help eliminate fence variations requests.
- Clarification of materials for fencing.
- Creating a standard for existing dwellings for infill development of accessory structures that they need to match the style and appearance of the principal structure. This provision already exists for new construction.
- Adding a requirement under utilities for the requirement to install overhead sewer systems. This will help prevent flooding backflow of sewage.

Article 7

- Amending a reference to corner side yard to yard abutting a street.

Article 9

- Replacement of language that was inadvertently deleted that requires the introductory hearing for a preliminary planned unit development.

Article 10

- The addition and clarification of numerous definitions.

PZC Highlights:

- The Planning and Zoning Commission (PZC) discussed the proposed new texts and had no changes.
- Following discussion, the PZC recommended **approval (5-0)** of the proposed changes as presented.

Votes Required to Pass:

A simple majority vote.



DRAFT

The City of Crystal Lake Illinois

**AN ORDINANCE AMENDING
CHAPTER 650: UNIFIED DEVELOPMENT ORDINANCE OF THE
CODE OF ORDINANCES 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 Section 650-1-300A be amended to read as follows:

A. Base districts. The City is hereby divided into 15 base zoning districts, as indicated below, necessary to achieve compatibility of uses and character within each district, consistent with the spirit and intent of the City's Comprehensive Plan.

E	Estate
RE	Residential Estate
R-1	Single-Family
R-2	Single-Family
R-3A	Two-Family
R-3B	Multifamily
R-O	Residential Office
O	Office
B-1	Neighborhood Commercial
B-2	General Commercial
B-4	Mixed-Use Business
M-L	Manufacturing Limited
M	Manufacturing
W	Watershed
F	Farming

SECTION II: That the following be inserted as Section 650-1-700D and subsequent sections be renumbered in sequential order:

D. Residential Office District.

1. General: The purpose of this district is to establish a shared residential and office area without creating unduly heavy vehicle traffic or noxious uses while continuing to

promote stability of residential development and strengthen the economic base of the City. Contemplated areas for this zoning district are the City's Downtown District and areas surrounding the Virginia Street Corridor.

2. Character: The district is characterized by single-family residential structures with interior and exterior conversions for a business use.
3. Uses: This district is intended for a single-family use with full-time residential inhabitants with a first floor office use, which could include real estate, mortgage lender, lawyer, medical office, or other office use.

SECTION III: That Section 650-1-700H: Downtown Business (B-4) District be amended to read as follows:

H. Mixed Use Business District.

1. General: The purpose of this district is to establish an area of controlled land use practices for commercial centers that promote a unique setting with links to amenities and transportation, which include a mix of commercial uses and high-density residential uses. Contemplated areas for this district include the City's Downtown District and other areas that meet the City's land use policies and goals.
2. Character: The district is characterized by a town-center feel with a variety of uses including hotels and convention centers, recreation and entertainment uses, transportation stops, high-density residential, and commercial and service uses.
3. Uses: This district is intended for mixed-use areas. A live/work environment that supports retail, service, restaurant, office and residential uses. The projects can be vertically or horizontally integrated as a mixed use building. Also, sites can contain multiple stand-alone buildings, which provide for the integration of these uses.

SECTION IV: That Table 650-2-300: Permitted Uses Table be amended to read as follows:

	F	E	RE	R-1	R-2	R-3A	R-3B	R-O	O	B-1	B-2	B-4	M-L	M	W	Use Criteria	Naics
RESIDENTIAL																	
Single-Family detached dwelling	P	P	P	P	P	P	P	P				S			L	2-400 C-1	
Two-Family dwelling						P	P	P								2-400 C-1	
Home Occupations	L	L	L	L	L	L	L	L				L			L	2-400 C-3	
Home Kitchen and Cottage Food Operation	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	2-400 C-68	
Nursing Care Facilities	S	S	S	S	S	S	S	S	S							2-400 C-5	623110
Continuing Care Retirement Community	S	S	S	S	S	S	S	S	S							2-400 C-5	623311
Family Care	L	L	L	L	L	L	L	L	L							2-400 C-6	
COMMERCIAL																	
Internet Auto Sales									L	L	L	L	L	L	L	2-400 C-70	
Barber Shops								P	P	P	P	P					812111
Beauty Salon								P	P	P	P	P					812112
Diet and Weight Reducing Centers								P	P	P	P	P					812191
Massage (Therapeutic) Establishments								S	S	S	S	S				2-3400-65	
Tailor and Dressmaking Shop								P		P	P	P					
Photography Studio, Portrait								P	P	P	P	P					541921
Electronic Message Center (as accessory use)	S									L						2-400C-61	
Ball rooms, Dance, Banquet Halls										P	P	P				2-400C-25	
Batting Cages										L	L	L				2-400C-26	
Ice/roller skating rink										L	L	L	L	L	L	2-400C-26	
Large-Scale Entertainment Venue										S	S	S	S			2-400C-30	
Mini Golf										L	L	L	L	L	L	2-400C-26	
Squash/Tennis, etc	S	S								L	L	L	L	L	L	2-400C-32	

SECTION V: That the following be inserted as Section 650-2-400C.61.a.(vii) and that subsequent sections be renumbered in sequential order:

(viii) EMC signs located within the Estate district are limited to Special Event Centers as defined in Article 10-200.

SECTION VI: That the following be interested as Section 650-2-400C.65.j and that subsequent sections be renumbered in sequential order:

- j. Prior to applying for a Special Use Permit, owner shall complete required Massage license application. The license shall be reviewed and approved prior to moving forward with the special use application.

SECTION VII: That Section 650-2-400C.70 be created and read as follows:

70. Internet Auto Sales. All Internet Auto Sales must comply with the following standards:

- a. The city of Crystal Lake shall be designated as the point of sale for sales tax purposes.
- b. No outdoor display or storage shall be permitted.

SECTION VIII: That 650-2-400C.71 be created and read as follows:

71. Stealth Designed Wireless Communication Antennas. All stealth designed wireless communication antennas must comply with the following standards:

- a. Purpose and intent: The purpose of this section is to establish general standards for the siting of stealth designed wireless communication antennas. The intent is to:
 - (i) Encourage users of antennas to configure them in a way that minimizes the adverse visual impact of the antennas through careful design, siting, landscape screening, and innovative camouflaging techniques.
 - (ii) Enhance the ability of the providers of telecommunications services to provide such services to the community quickly, effectively, and efficiently.
 - (iii) Avoid potential visual affects to adjacent properties through engineering and careful siting of antenna structures.
- b. Applicability.
 - (i) Unless specified elsewhere in this Ordinance, all stealth wireless communication antennas in the City shall be subject to these standards.
 - (ii) Stealth wireless communication antennas shall comply with the standards in this section as accessory uses.
- c. Exemptions: The following shall be exempt from the standards of this section (but shall be required to comply with other relevant standards in this Ordinance):
 - (i) A tower used by a public agency exclusively for police, fire, medical emergency services, E911 or other public emergency communications.
 - (ii) Receive-only "dish" antennas with a diameter of 39 inches or less located in a residential district and 80 inches or less located in nonresidential districts, subject to the accessory use standards in this Ordinance.
 - (iii) Antennas legally operated by FCC-licensed amateur radio operators.

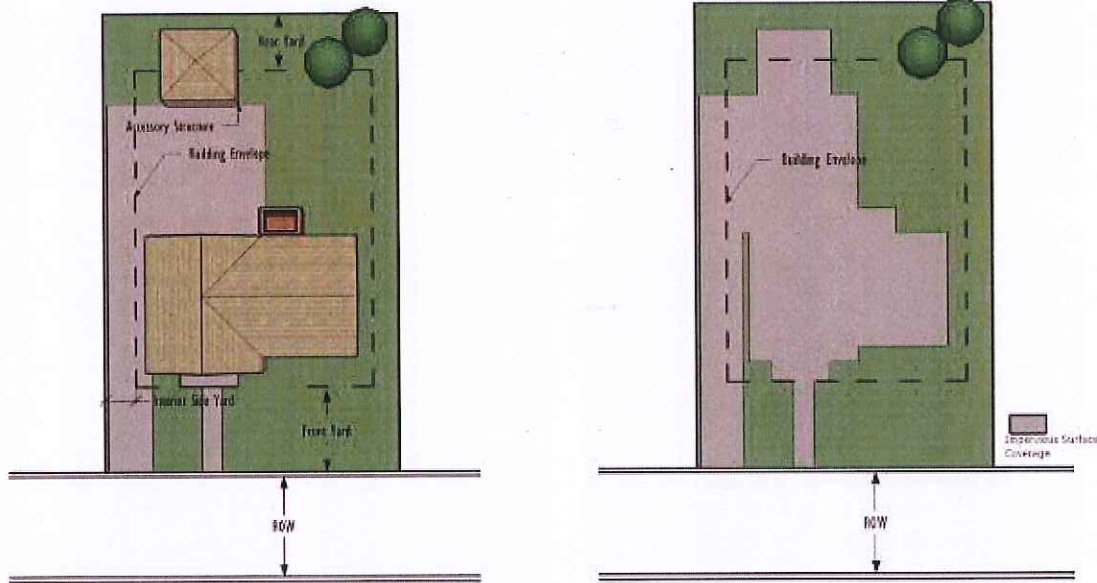
d. Standards for stealth designed wireless communication antennas: Stealth designed wireless communication antennas, an accessory use, shall comply with the following standards:

- (i) Wireless telecommunications antennas must be enclosed, camouflaged, screened, obscured or otherwise not readily apparent to a casual observer.
- (ii) Antennas must be located on or in structures already permitted within the zoning district for which it is located, such as steeples, water towers, crosses, streetlights, monuments and parapet walls. The antennas must be designed to blend in to the structure.
- (iii) The antennas must not increase the height of the structure to which it is mounted.

SECTION IX: That each instance of the term “corner side setback” be replaced with the term “yard abutting a street setback” in Section 650-3-200.

SECTION X: That Section 650-3-200A.7 be created and read as follows:

7. Residential Office (R-O) District.



Minimum Lot Area: 7,800 square feet	Side Setback for Detached Accessory Structure: 5 feet
Minimum Lot Width: 60 feet	Rear Setback for Detached Accessory Structure: 5 feet
Minimum Front Setback: 30 feet	Maximum Building Coverage: 40%
Minimum Interior Side Setback: 7 feet	Maximum Impervious Surface Coverage: 60%
Combined Interior Side Setback: 18 feet	Maximum Floor Area Ratio: 1.0
Minimum Rear Setback: 20 feet	Maximum Height, Principal Structure: 28 feet and 2 stories
Minimum Yard Abutting a Street Setback: 20 feet	Maximum Height, Accessory Structure: 15 feet and 1 story
Yard Abutting Residential Districts: 0 feet	Maximum Net Density (DU/Acre): 6

Additional Development Standards that may apply:

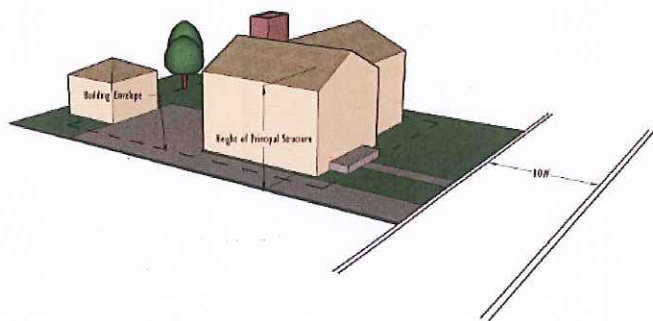
Accessory Structures: Section 4-600	Land Uses: Article 2
Clear Sight Triangle: Section 4-100	Outdoor Storage: Article 2
Design Standards: Section 4-900	Parking: Section 4-200
Exterior Lighting: Section 4-800	Setbacks: Article 3
Fences: Section 4-700	Signs: Section 4-1000
Home Occupation: Article 2	Temporary Uses: Article 2
Landscaping: Section 4-400	RV Parking: Section 4-200
Tree Preservation: Section 4-300	Height: Article 10 (Definitions)

SECTION XI: That the text in in the table of 650-3-200B.4 be amended to read as follows:

4. Mixed-Use Business (B-4) District.

Minimum Lot Area: 5,000 square feet	Side Setback for Detached Accessory Structure: 0 feet
Minimum Lot Width: 50 feet	Rear Setback for Detached Accessory Structure: 20 feet
Minimum Front Setback: 0 feet	Maximum Building Coverage: 70%
Minimum Interior Side Setback: 0 feet	Maximum Impervious Surface Coverage: 95%
Minimum Rear Setback: 10 feet	Maximum Floor Area Ratio: 1.5
Minimum Yard Abutting a Street Setback: 0 feet	Maximum Height, Principal Structure: 36 feet and 3 stories
Yard Abutting Residential Districts: 10 feet	Maximum Height, Accessory Structure: 25 feet and 2 stories

Additional Development Standards that may apply:



Accessory Structures: Section 4-600	Land Uses: Article 2
Clear Sight Triangle: Section 4-100	Outdoor Storage: Article 2
Design Standards: Section 4-900	Overlay Districts: Section 3-400
Exterior Lighting: Section 4-800	Parking: Section 4-200
Fences: Section 4-700	Setbacks: Article 3
Height: Article 10 (Definitions)	Signs: Section 4-1000
Increased Setbacks: Section 3-300	Temporary Uses: Article 2
Landscaping: Section 4-400	Tree Preservation: Section 4-300

SECTION XII: That Section 650-3-300C.2.b be amended to read as follows:

- b. Commercial building awnings and canopies, not to exceed three feet or as regulated by Section 4-1000, Signs, with the more restrictive regulation having effect.

SECTION XIII: That Section 650-4-200B.5 be amended to read as follows:

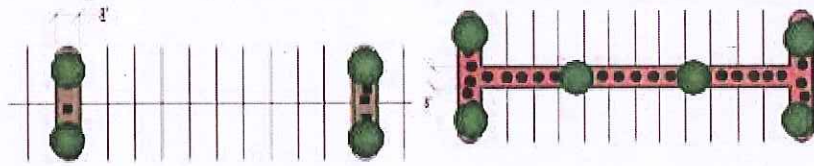
5. Parking in the Downtown District and Virginia Street Corridor. Special conditions exist in the Downtown District and Virginia Street Corridor of the City, due to the availability of on-street parking spaces and public off-street parking lots. These public facilities contribute to a reduced need for off-street parking spaces. Therefore, buildings, structures and all uses located in the these districts are allowed a reduction in the required number of parking spaces to provide 70% of the required number of spaces for a similar new building or use. When unusual circumstances exist and meeting these provisions would constitute a hardship or make the redevelopment of properties in these districts economically impractical, the City will receive a cash contribution in lieu of on-site parking facilities. Value per parking space for this contribution will be calculated taking into consideration comparable land value, the cost of design, engineering, construction, lighting and landscaping. Funds received by the City in lieu of on-site parking facilities will be utilized to provide additional downtown parking facilities.

SECTION XIV: That the following be interested as Section 650-4-400E.1.a.(v) and subsequent sections be renumbered in sequential order:

- (v) All landscape areas shall include living materials around the trees and shrubs including grasses, flowers and ground cover plants. No more than 10% of a landscape area can include non-living materials such as mulch or stone.

SECTION XV: That Section 650-4-400F.1 be amended to read as follows:

1. Parking lots between 10 spaces and no more than 200 spaces require:
 - a. Interior landscape
 - (i) (1) 8-foot x 19-foot landscape island, as measured between back of curbs, containing 1 canopy or ornamental tree and 5 shrubs, every 10 parking spaces and at the ends of every parking row, or
 - (ii) A 5-foot wide continuous center landscape island, as measured between back of curbs, containing 1 canopy, ornamental or evergreen tree and 10 shrubs every 40 lineal feet and 8-foot x 19-foot landscape islands, as measured between back of curbs, containing 1 canopy or ornamental tree and 5 shrubs, at the ends of every parking row.
 - (iii) Parallel parking spaces require an 8-foot x 8-foot landscape island, as measured between back of curbs, containing 1 canopy or ornamental tree and 5 shrubs, every 4 spaces and at the ends of every parking row.



- b. Perimeter landscape for parking lots abutting rights-of-way
 - (i) Continuous visual screen 15 feet in width using both deciduous and evergreen species planted in undulating beds forming an interesting pattern requiring 1 canopy, ornamental or evergreen tree and 10 shrubs, with shrubs planted at various heights averaging 3 feet in height, along every 40 lineal feet.
 - (ii) For properties Downtown or in the Virginia Street Corridor a continuous visual screen averaging 10 feet in width, measured in 10-foot intervals with the minimum width being no less than 5 feet using both deciduous and evergreen species planted in undulating beds forming an interesting pattern requiring 1 canopy, ornamental or evergreen tree and 10 shrubs, with shrubs planted at various heights, averaging 3 feet in height, along every 40 lineal feet.
 - (iii) In both cases landscape strip is to be exclusive of sidewalks, public or municipal easements and not impact required sight lines.
- c. Perimeter landscape for parking lots not abutting rights-of-way
 - (i) Continuous visual screen 8 feet in width using both deciduous and evergreen species planted in undulating beds forming an interesting pattern requiring 1 canopy, ornamental or evergreen tree and 5 shrubs, with shrubs planted at various heights, averaging 3 feet in height, along every 40 lineal feet.
 - (ii) For properties Downtown or in the Virginia Street Corridor a continuous visual screen 5 feet in width, measured in 10-foot intervals with the minimum width being no less than 5 feet using both deciduous and evergreen species planted in undulating beds forming an interesting pattern requiring 1 canopy, ornamental or evergreen tree and 5 shrubs, with shrubs planted at various heights, averaging 3 feet in height, along every 40 lineal feet.
 - (iii) Parking lots adjacent to residentially zoned properties shall provide a 6-foot solid screen either through berm, fence or evergreen plantings.

SECTION XVI: That Section 650-4-400F.2 be amended to read as follows:

- 2. Parking lots over 200 spaces require:
 - a. Interior landscape
 - (i) An 8-foot wide continuous center landscape island, as measured between back of curbs, between every 4 parking rows, containing 4 canopy, ornamental or evergreen trees and 20 shrubs every 40 lineal feet and 8-

foot x 19-foot landscape islands, as measured between back of curbs, containing 1 canopy or ornamental tree and 5 shrubs, at the ends of every parking row, or

- (ii) 660 square-foot islands, containing 6 canopy, ornamental or evergreen trees and 30 shrubs, every increment of 40 parking spaces and at the ends of every parking row.
- b. Perimeter landscape for parking lots abutting rights-of-way
 - (i) Continuous visual screen 15 feet in width using both deciduous and evergreen species planted in undulating beds forming an interesting pattern requiring 1 canopy, ornamental or evergreen tree and 10 shrubs, with shrubs planted at various heights, averaging 3 feet in height, along every 40 lineal feet.
 - (ii) For every additional setback of 5 feet beyond the initial 20 feet required for the parking lot, an additional 2.5 feet of landscape width is required.
 - (iii) The landscape strip is to be exclusive of sidewalks, public or municipal easements and not impact required sight lines.
 - c. Perimeter landscape for parking lots not abutting rights-of-way
 - (i) Continuous visual screen 8 feet in width using both deciduous and evergreen species planted in undulating beds forming an interesting pattern requiring 1 canopy, ornamental or evergreen tree and 5 shrubs, with shrubs planted at various heights, averaging 3 feet in height, along every 40 lineal feet.
 - (ii) Parking lots adjacent to residentially zoned properties shall provide a 6-foot solid screen either through berm, fence or evergreen plantings.

SECTION XVII: That Section 650-4-400F.4 be amended to read as follows:

- 4. Foundation landscaping
 - a. 5-foot wide landscape area around all perimeters of buildings containing both deciduous and evergreen species of tree and shrubs providing an interesting visual pattern around the building.
 - b. Exceptions for 90 degree sidewalk connections to doors, drive-through lanes directly adjacent to the building, and single family and duplex buildings.
 - c. Properties in the Downtown and Virginia Street Corridor require special review on their ability to meet the requirement. Every effort should be made to meet the requirement while allowing for flexibility in areas with unique setbacks.

SECTION XVIII: That Section 650-4-600B.7 be amended to read as follows:

- 7. Are not located within five feet of a principal structure, with the exception of flat work.

SECTION XIX: That Section 650-4-600E.1 be amended to read as follows:

1. Front yard and yard abutting a street: Accessory structures are not permitted within the front yard and yard abutting a street setback, with the following exceptions:

SECTION XX: That Section 650-4-600E.1.a be amended to read as follows:

- a. For all residential uses: Signs (in compliance with Section 4-1000, Signs); fences, walls, hedges (in compliance with Section 4-700, Fences, Walls and Screening); mailboxes, flagpoles, play equipment permanently affixed to the wall of the principal structure; free-standing basketball hoops on poles, flatwork, and off-street parking areas for multi-family developments.

SECTION XXI: That Section 650-4-600F.7 be created and read as follows:

7. Accessory structures over 120 square feet shall utilize exterior siding materials of wood, cement board, vinyl siding, or other similar material and complement the residential character of the area.

SECTION XXII: That the following be inserted as Section 650-4-700B.3.b and subsequent sections be renumbered in sequential order:

- b. Fences, walls or screening in any yard abutting a street shall not exceed four feet in height, provided it is setback a minimum of five feet from the property line and meet the clear view provisions listed in Section 4-700B-4 below. This does not apply to properties that front on Crystal Lake.

SECTION XXIII: That Section 650-4-700B.3.f be added and read as follows:

- f. The height limitations shall apply to the fence, walls or screening and any other appurtenances attached to it. Height shall be measured vertically from grade to highest most point of the fence panel and shall be determined on the property in which it is installed. Posts used specifically for supporting a fence may exceed the applicable height limit by a maximum of eight inches, only if for ornamental treatment. To accommodate potential drainage conflicts and fluctuations in grade, the Building Commissioner may allow portions of a fence to exceed the applicable height limit by a maximum of six inches.

SECTION XXIV: That Section 650-4-700F.5 be added and read as follows:

5. Fence Materials:

- a. Permitted fences. Fences shall only be constructed of the following materials:
 - (i) Wood or simulated wood;
 - (ii) Wrought iron or simulated wrought-iron;
 - (iii) Decorative brick or stone;
 - (iv) Masonry or stucco wall;
 - (v) PVC; or
 - (vi) Chainlink.






The Zoning Administrator may approve additional fence materials that are constructed with durable material in addition to the materials listed above.

- b. *Prohibited fences.* The following fences are prohibited:
- (i) Chicken wire, barbed wire, welded mesh wire and electrically charged wire fences, except as permitted per 4-700B 2,
 - (ii) Snow fences, except for exclusive control of snow between November 1 and March 31 and as authorized by the Building Commissioner for special events or construction sites.
 - (iii) Fences made of solid plywood, scrap lumber, temporary fencing and similar noncustomary materials.
 - (iv) Fences on any portion of any public right-of-way, except fences erected by a governmental entity.

SECTION XXV: That Section 650-4-900C.2.c.(ii).III be created and read as follows:

(III) Detached garages shall be of the same style, appearance and building material of the dwelling.

SECTION XXVI: That table 4-1000D-1 be amended to read as follows:

TABLE 4-1000D-1 Single-Family Residential Signs					
Sign Type	Quantity	Size (sq. ft.)	Height (Feet)	Notes	
Flag	2	20	25		
Freestanding	1*	3	6	Home occupation, contractor, non-commercial content, etc	
Limited Duration	2	6	3	Subject to § <u>274-6</u> of the City Code	
Temporary	N/A	6	6	[Amended by Ord. No. 6543]	
Wall	1*	1	N/A	Must not extend above the roofline.	

*Requires Permit

SECTION XXVII: That Section 650-4-1100A.1.a.(iii) be amended to read as follows:

(iii) Overhead building sanitary sewer services are required for all new residential construction.

SECTION XXVIII: That Section 650-7-200B.1.a.(iv) be amended to read as follows:

(iv) Yard abutting a street setback: The yard abutting a street setback shall not be less than 1) 70% of the required yard abutting street as listed in Article 3 of this Ordinance; or 2) Where the established dwellings on the same side of a block, or measuring a total distance of 400 feet from the lot in question, whichever is less, have an average setback that is 10 feet greater or less than the required setback, the setback for the lot in question shall be the average of the established dwellings. (Requirement also applies to yard abutting street.)

SECTION XXIX: That the following be inserted as Section 650-9-200E.5 and subsequent sections be renumbered in sequential order:

5. Introductory Planned Unit Development. Prior to the public hearing, the petition for a planned unit development shall be presented to the Planning and Zoning Commission. This meeting should be used to give an overview of the petition to familiarize the Planning and Zoning Commission members with the petition prior to the public hearing.

SECTION XXX: That the following be inserted as Section 650-9-200F.5 and subsequent sections be renumbered in sequential order:

5. Introductory Planned Unit Development. Prior to the public hearing, the petition for a planned unit development shall be presented to the Planning and Zoning Commission. This meeting should be used to give an overview of the petition to familiarize the Planning and Zoning Commission members with the petition prior to the public hearing.

SECTION XXXI: That the following definitions be deleted from Section 10-200:

- Corner Side Lot Line
- Corner Side Setback
- Electronic Display Sign

SECTION XXXII: That the following definitions be inserted into Section 10-200A in alphabetical order:

FLATWORK – Any installed improvement, such as, concrete, asphalt, pavers, decking, or similar, which is considered an accessory structure that does not exceed 12 inches above the natural pre-disturbed grade of the area.

SECTION XXXIII: That the following definitions be inserted into Section 10-200B in alphabetical order:

YARD ABUTTING A STREET – The yard abutting a street lot line is that boundary of a lot which is abutting public right-of-way that is not considered the front lot line.

YARD ABUTTING A STREET SETBACK – Yard abutting a street setback is the minimum distance, measured at right angles, from the yard abutting a street lot line to a line determined by the zoning district standard for the purposes of establishing a building envelope.

YARD ABUTTING A STREET YARD – The open space extending along the side lot line that abuts a street, between the front setback and rear lot line. For lakefront lots, the yard abutting a street is the yard along a public right-of-way, or where no public right-of-way exists, along a private right-of-way, easement or access way.

SECTION XXXIV: That the following definitions in Section 10-200B be revised to read as follows:

FRONT LOT LINE – The narrowest boundary of a lot which is along a public right-of-way, or where no public right-of-way exists, along a private right-of-way, easement or access way. Where a lot contains an easement for street purposes across the front of a lot, the edge of the easement shall be considered the front lot line.

FRONT SETBACK – A distance, measured at right angles, from the front lot line to a line determined by the zoning district standard for the purposes of establishing a building envelope.

FRONT YARD – The open space extending across the full width of the zoning lot, between the front line of the lot and the nearest setback line.

INTERIOR SIDE SETBACK – The minimum distance required between a line determined by the zoning district standard for the purposes of establishing a building envelope and the interior side lot line.

REAR YARD – The open space extending across the full width of the zoning lot, between the rear line or lines of the lot and setback line.

SECTION XXXV: That the following definitions be inserted into Section 10-200E in alphabetical order:

RESTAURANT – An establishment where food items are prepared from scratch or assembled from raw or cooked product to be presented for consumption on site.

SMALL WIRELESS FACILITY - A wireless facility that meets both of the following qualifications: (i) each antenna is located inside an enclosure of no more than 6 cubic feet in volume or, in the case of an antenna that has exposed elements, the antenna and all of its exposed elements could fit within an imaginary enclosure of no more than 6 cubic feet; and (ii) all other wireless equipment attached directly to a utility pole associated with the facility is cumulatively no more than 25 cubic feet in volume. The following types of associated ancillary equipment are not included in the calculation of equipment volume: electric meter, concealment elements,

telecommunications demarcation box, ground-based enclosures, grounding equipment, power transfer switch, cut-off switch, and vertical cable runs for the connection of power and other services.

STEALTH WIRELESS – A wireless facility designed to minimize the visual impact of antennas through design, siting, landscape screening and innovative camouflage techniques, which is mounted on an existing building or existing facility such as utility pole, tornado siren, or antenna provided the height of the existing building or facility. Wireless Communication Towers and Small Wireless Facilities are not included in this definition.

WIRELESS COMMUNICATION TOWER - A tower which houses the electronic communications equipment along with an antenna to support cellular communication in a network. A wireless communication tower is an elevated structure with the antenna, transmitters and receivers located at the top.

SPECIAL EVENT CENTER – Any building or site that has as its principal purpose the operation of a facility for participatory or spectator sports or athletic activities, including but not limited to baseball stadiums, sports complexes and commercial stables.

SECTION XXXVI: That the following definitions in Section 10-200E be revised to read as follows:

CONTINUING CARE RETIREMENT COMMUNITY – Comprises establishments primarily engaged in providing a range of residential and personal care services with or without on-site nursing facilities for (1) the elderly and other persons who are unable to fully care for themselves and/or (2) the elderly and other persons who do not desire to live independently. Individuals live in a variety of residential settings with meals, housekeeping, social, leisure, and other services available to assist residents in daily living. Assisted-living facilities with on-site nursing care facilities are included in this industry.

INTERNET AUTO SALES – An automobile dealer which conducts business over the internet and does not have an outdoor display area. A vehicle dealer is any person engaged in the business of selling or dealing in, on consignment or otherwise, five or more vehicles during the year, or who acts as an intermediary, agent or broker for any licensed dealer or vehicle purchaser, or who represents or advertises that he/she is engaged in or intends to engage in such a business.

SECTION XXXVI: That the following definition in Section 10-200F be revised to read as follows:

ELECTRONIC MESSAGE CENTER SIGN — A sign with a fixed or changing message composed of a series of lights that may be changed through electronic means. Signs with alphabetic or numeric informational content can be changed or altered on a fixed display screen composed of electrically illuminated segments.

SECTION XXXVII: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION XXXVIII: 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 11th day of December, 2017.

CITY OF CRYSTAL LAKE, an Illinois Municipal Corporation

BY: _____
AARON T. SHEPLEY, MAYOR

SEAL

ATTEST:

CITY CLERK

PASSED: December, 11, 2017

APPROVED: December 11, 2017

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



Agenda Item No: 18

City Council Agenda Supplement

Meeting Date:

December 11, 2017

Item:

City Code amending Chapter 102, Article I, Procurement and establishing Chapter 118, Signing Authority, Authorizing Participation in Additional Purchasing Cooperatives, and Authorizing Various Purchasing Contracts through Purchasing Cooperatives.

Staff Recommendation:

Motion to:

1. Adopt an ordinance amending Chapter 102, Article I, Procurement and establishing Chapter 118, Signing Authority, and
2. Adopt a resolution authorizing the City Manager to execute Agreements to participate in cooperative purchasing with McHenry County Shared Services, Municipal Partnering Initiative, the Interlocal Purchasing System, National Purchasing Partners, Purchasing Cooperative of America, 1Government Procurement Alliance, and National Purchasing Cooperative as well as authorize execution of various purchasing contracts through the approved purchasing cooperatives.

Staff Contact:

George J. Koczwarra, Director of Finance

City Code Amendment:

Recently, the Illinois General Assembly amended Section 8-9-1 of the Illinois Municipal Code, increasing the threshold for competitively bidding public projects. Previously, this section required municipalities to competitively bid any public work or public improvement if the expense will exceed \$20,000. P.A. 100-0338 amended this section and increased the minimum amount for which competitive bidding is required to \$25,000. The attached ordinance incorporates the revised threshold requirement in the City's Procurement Code. Consistent with the waiver provisions of Section 8-9-1, the proposed ordinance also allows for the City Council to approve contracts without advertising for bid upon a two-thirds vote of the members of the City Council.

In addition, the attached ordinance includes a new City Code section related to signing authority. Various sections of the City Code allow for the delegation of document signing authority. The proposed new Signing Authority Chapter of the City Code will consolidate the longstanding principles, traditions and practices related to signing authority that have guided the City in the past. The new Signing Authority Chapter also incorporates the new purchasing threshold as well as signing authority for pass-through contracts.

The current purchasing ordinance does not differentiate between contracts paid for with general or enterprise funds and those contracts that are “pass-through” contracts. A pass-through contract is one that is administered by the City, but is solely paid for by a third-party. Examples of pass-through contracts might include a contract with ComEd for the installation of street lights in a new area of the City. In this type of situation, all fees are paid for by the developer or property owner. In these cases, it is important for the City to be the contracting agency, but the full cost is paid for by the project proponent.

Cooperative Purchasing:

Previously, the City Council adopted resolutions authorizing the City Manager to execute several cooperative purchasing agreements. The primary role of public procurement is to obtain quality goods and services to support effective and efficient government while ensuring the prudent use of public funds. Effective public procurement adds value to government purchasing by:

- Providing efficient delivery of products and services;
- Obtaining best value through competition;
- Offering fair and equitable competitive contracting opportunities for suppliers; and
- Maintaining public confidence through ethical and transparent procurement practices.

Cooperative contracts are increasingly popular at the federal, state, and local levels. Cooperative purchasing is popular because it can save significant time and money in contract production as well as lower contract prices through the power of aggregation.

In simple terms, cooperative purchasing involves sharing procurement contracts between governments. The Government Contract Reference Book defines cooperative purchasing as two or more governments purchasing under the same contract. The ABA Model Procurement Code for State and Local Governments definition is more expansive: “Cooperative Purchasing means procurement conducted by, or on behalf of, one or more Public Procurement Units, as defined in this Code.” Under this definition, one could construe state central procurement programs, many of which date back nearly 100 years, as the first form of cooperative purchasing.

In addition to the common concept of two or more governments sharing procurement contracts, cooperative purchasing may also include shared procurement programs and resources, including advice and assistance. The Illinois Intergovernmental Cooperation Act authorizes cooperative purchasing in Illinois (5 ILCS 220).

Previously, the City Council authorized the following cooperative agreements:

- [Cooperative Purchasing through the U.S. Government’s General Services Administration](#)
- [National Joint Powers Alliance](#)

- [HGACBuy](#)
- [U.S. Communities Government Purchasing Alliance](#)
- [National Intergovernmental Purchasing Alliance](#)
- [NASPO ValuePoint Cooperative Purchasing Organization \(NASPO ValuePoint\)](#)
- [The Cooperative Purchasing Network](#)
- [National Cooperative Purchasing Alliance](#)
- [The State of Illinois Joint Purchasing Program](#)
- [Northwest Municipal Conference Suburban Purchasing Cooperative](#)
- [The Midwestern Higher Education Compact \(MHEC\)](#)

In order to expand the ability to save time and money, City staff is recommending participation in the following additional governmental purchasing cooperatives:

- McHenry County Shared Services (MCSS) – The McHenry County Council of Governments, in a partnership with McHenry County, has been awarded a Local Technical Assistance (LTA) grant through the Chicago Metropolitan Agency for Planning for shared serves. The goal of the grant will be to inventory and expand on shared services in McHenry County.
- [Municipal Partnering Initiative \(MPI\)](#) - MPI is a joint purchasing initiative, mainly among communities in Lake County and northern Cook County.
- [The Interlocal Purchasing System \(TIPS\)](#) – TIPS is a national purchasing cooperative that offers access to competitively procured purchasing contracts to its membership. TIPS is managed by the Region 8 Education Service Center located in Pittsburg, Texas.
- [National Purchasing Partners \(NPPGov\)](#) - NPPGov is a national cooperative procurement organization based in Seattle, WA offering publicly solicited contracts to government entities nationwide.
- [Purchasing Cooperative of America \(PCA\)](#) – PCA is a national purchasing cooperative that offers access to competitively procured purchasing contracts to its membership. TIPS is managed by the Region 3 Education Service Center located in Texas.
- [1Government Procurement Alliance \(1GPA\)](#) - 1GPA is a national non-profit governmental purchasing cooperative, based in Phoenix, AZ, which allows public entities to take advantage of existing contracts to purchase the goods and services they need from local and national vendors.
- [National Purchasing Cooperative, d/b/a National BuyBoard \(BuyBoard\)](#) – The BuyBoard National Purchasing Cooperative is a cooperative formed between the National School Boards Association (NSBA) and several state school boards associations to streamline the buying process for schools, municipalities, and other public entities.

Additionally, in order to take advantage of the cost and time savings associated with the aggregation power of various existing cooperative purchasing contracts, City staff is recommending that the City enter into contracts for the following approved purchasing cooperatives contracts:

Northwest Municipal Conference Suburban Purchasing Cooperative

- Janitorial Supplies Contract – Laport, Inc.
- Office Supplies Contract – Warehouse Direct
- Vehicle Auto Truck Parts Contract – NAPA (Genuine Parts Company)

The State of Illinois Joint Purchasing Program

- Laboratory Supplies, Chemicals and Samples – Fischer Scientific Company, LLC
- Facility, Maintenance, Repair and Operations – Grainger Industrial Supply
- Copy Paper – Midland Paper Company
- Interior/Exterior Coatings - Sherwin Williams
- Traffic Marking Paint – Ennis Paint, Inc.
- Personal Protection and Safety Items – Occupational Training & Supply
- Fluorescent Light Bulb Recycling Services - Fluorecycle, Inc.
- Police Supplies – Ray O’Herron Company, Inc.
- Reflective Sheeting/Materials – 3M Company
- Steel Sign Posts – MD Solutions
- Wireless/Cellular Services and Equipment – Verizon Wireless
- Fleet Fuel Card Services – Wex Bank

U.S. Communities Government Purchasing Alliance

- Maintenance, Repair, and Operation Products - Home Depot
- Facility Maintenance Products and Property Improvement Services – HD Supply Facilities Maintenance Ltd.
- Online Marketplace – Amazon Business
- Multi-function Devices and Services - Ricoh Americas Corporation

National Joint Powers Alliance

- Job Order Contracting, Building & Infrastructure Repairs, Roofing, Alterations, Mitigation & Restoration Services – Gordian
- HVAC, Cooling and Heating systems, Energy Management and Control Services and Solutions - Johnson Controls, Inc.
- Logistic Services & Mail Equipment – Pitney Bowes
- Technology, Security & Communication Solutions - CDW Government, LLC
- Retail Payments Solutions – FIS
- Document Shredding and Recycling - Shred-It USA
- Construction Rental Equipment - United Rentals (North America), Inc.

NASPO ValuePoint Cooperative Purchasing Organization

- Small Package Delivery Service – FedEx
- Facilities Maintenance, Repair and Operations – MSC Industrial Direct Co., Inc.
- Industrial Supplies, OEM Fasteners, Safety Products – Fastenal

- Public Safety Communication Equipment-Radios – Kenwood, and Motorola Solutions
- Vehicle Lifts and Garage Associated Equipment - Snap-on Industrial

National Intergovernmental Purchasing Alliance

- Office Furniture and Filing Systems - National Office Furniture, Kimball Office, and Allsteel

The Cooperative Purchasing Network

- Cabling & Networking Products & Solutions – Anixter
- Maintenance, Repair and Operations Supplies and Related Services - WESCO Distribution, Inc.
- Fleet Washing Products and Services – Zep, Inc.

BuyBoard National Purchasing Cooperative

- Holiday Lighting and Decorations - Downtown Decorations

National Purchasing Partners (NPPGov)

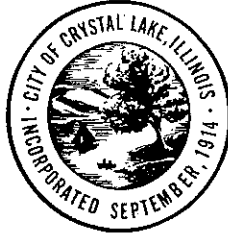
- Gases (Medical, Industrial, Etc.), Gas Products, Welding, Safety Supplies – Airgas
- Conducted Electrical Weapons (CEW) and Accessories – Taser, and Axon
- Office Supplies, Inks and Toner, and Paper - Staples Business Advantage

Recommendation:

It is staff's recommendation to adopt an ordinance amending Chapter 102, Article I, Procurement and establishing Chapter 118, Signing Authority. Additionally, staff recommends the adoption of a resolution authorizing the City Manager to execute Agreements to participate in cooperative purchasing with McHenry County Shared Services, Municipal Partnering Initiative, the Interlocal Purchasing System, National Purchasing Partners, Purchasing Cooperative of America, 1Government Procurement Alliance, and National Purchasing Cooperative as well as authorize execution of various purchasing contracts through the approved purchasing cooperatives.

Votes Required to Pass:

Simple majority



DRAFT

AN ORDINANCE AMENDING THE CRYSTAL LAKE CITY CODE

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

SECTION I: Chapter 102. Chapter 102, Article I, Procurement, of the Crystal Lake City Code is hereby amended as follows:

§ 102-1 General provisions.

- A. Short title. This Chapter **102** shall be known as the "Crystal Lake Procurement Code."
- B. Purpose. The purpose of this chapter is to provide for fair and equitable standards and processes for purchasing by the City, to maximize the value of public funds in procurement, and to provide safeguards for maintaining a procurement system of quality and integrity.
- C. Application. This chapter applies to contracts for the procurement of supplies, services, and construction. It shall apply to all expenditures of public funds within the scope of this chapter irrespective of the source of the funds. When the procurement involves an expenditure regulated by Illinois law, by federal regulations, or by another regulatory agency with jurisdiction over the expenditure, the procurement shall be conducted as required by applicable laws and regulations. Nothing in this chapter shall be construed to prohibit the City from complying with the terms of a grant or gift.
- D. Public access to procurement information. Procurement information shall be a public record to the extent provided in the Freedom of Information Act and shall be available to the public as provided in such statute.

§ 102-2 Procurement Officer.

- A. Establishment of position. There is hereby established the position of Procurement Officer.
- B. Authority. Except as otherwise provided in this chapter or elsewhere in this Code, the Procurement Officer shall serve as the principal public purchasing official for the City and shall be responsible for the procurement of supplies, services, and construction in accordance with this chapter.
- C. Appointment; service; removal. The City Manager shall be responsible for the appointment of the Procurement Officer. The Procurement Officer shall serve "at will." The City Manager shall be responsible for the removal of the Procurement Officer.
- D. Duties. In accordance with this chapter, and subject to the supervision of the City Manager, the duties of the Procurement Officer are:

- (1) To procure or supervise the procurement of all supplies, services, and construction needed by the City.
 - (2) To seek the highest quality in supplies and contractual services at the least expense to the City.
 - (3) To manage the procurement process.
 - (4) To enforce written specifications describing the standards established in conformity with this chapter.
 - (5) To keep informed of current developments in the field of purchasing, prices, market conditions, and new products, and to secure for the City the benefits of research done in the field of purchasing by other governmental jurisdictions, national technical societies, trade associations having national recognition, and by private businesses and organizations.
 - (6) To prescribe and maintain such forms as are necessary to the operation of this chapter.
 - (7) To prepare and adopt a standard purchasing nomenclature for using agencies and suppliers.
 - (8) To engage in consolidated purchases when available and appropriate, for the purpose of maximizing the value of City expenditures.
 - (9) To preserve the integrity of the procurement system.
 - (10) To establish and maintain programs for specifications development and contract administration, inspection, and acceptance, in cooperation with other public agencies using the supplies, services, and construction.
 - (11) To investigate all possibilities of cooperating in a joint purchasing program with other governmental units in order to obtain lower prices through bulk purchases.
 - (12) To confer regularly with the City Manager about the matters being undertaken by the Procurement Officer.
- E. Operational procedures. Consistent with this chapter, and with the approval of the City Manager, the Procurement Officer must adopt operational procedures relating to this chapter.
- F. Delegation to other City officials. The City Manager may delegate authority to purchase certain supplies, services, or construction items to other City officials, if the City Manager determines that the delegation is necessary for the effective procurement of those items.

§ 102-3 Authorization and methods for procurements.

The City Manager and Director of Finance are authorized to enter into contracts on behalf of the City as provided in this section as well as Chapter 118. City Council approval is required for contracts that are not within the approval authority of the City Manager or Director of Finance.

Unless provided otherwise by this Code or specially authorized by law, the methods set forth in Subsections A (Competitive bidding), B (Competitive proposals), C (Small purchases), D (Sole-source procurement), and E (Emergency procurements), and F (Pass-Through Contracts) of this section shall apply to contracts.

A. Competitive bidding. Contracts shall be awarded by competitive bidding except as otherwise provided in this chapter.

- (1) Invitation for bids. An invitation for bids shall be issued and shall include specifications and all contractual terms and conditions applicable to the procurement.
- (2) Public notice. Public notice of the invitation for bids shall be given within a reasonable time, not less than 10+5 calendar days prior to the date set forth therein for the opening of bids. The Procurement Officer shall designate a means of distribution of information to interested parties using methods that are reasonably available. Such methods may include publication in newspapers of general circulation, electronic or paper mailing lists, and web sites designated and maintained for that purpose. The notice shall state the place, date, and time of bid opening.
- (3) Sealed bids. Bids must be submitted in sealed envelopes, for opening only at the time and place designated in the invitation for bids.
- (4) Bid opening. The sealed bids shall be opened publicly in the presence of one or more witnesses at the time and place designated in the invitation for bids. The amount of each bid, other information the Procurement Officer deems relevant and appropriate, and the name of each bidder shall be announced and recorded. The record shall be open to public inspection.
- (5) Bid evaluation and acceptance. Bids shall be evaluated based on the requirements set forth in the invitation for bids, which may include criteria to determine acceptability such as expertise, experience, management skills, staffing, references, inspection, testing, quality, workmanship, delivery, and suitability for a particular purpose. Those criteria that will affect the bid price and be considered in evaluation for award shall be objectively measurable, such as discounts, transportation costs, and total or life cycle costs. The invitation for bids shall set forth the evaluation criteria to be used.
- (6) Correction or withdrawal of bids.
 - (a) A bid may be withdrawn at any time before the bid opening by written or electronic notice received in the office designated in the invitation for bids prior to the time set for bid opening. Any modification prior to the bid opening must be submitted in a sealed envelope prior to the scheduled opening of the bid.
 - (b) The correction or withdrawal of inadvertent errors in a bid after the bid opening, or the cancellation of an award or contract based on an error in a bid, may be permitted only when the City has determined that it is appropriate. After the bid opening, no change in a bid price or other provision of a bid will be permitted if the City determines that the change would be prejudicial to the interest of the City or to fair competition. In lieu of a bid correction, a low bidder alleging a material mistake of fact may be permitted

to withdraw its bid if:

[1] The mistake is clearly evident on the face of the bid document but the intended correct bid is not similarly evident; or

[2] The bidder submits evidence that clearly and convincingly demonstrates that a mistake was made.

(c) All decisions to permit the correction or withdrawal of bids, or to cancel awards of contracts based on bid mistakes, shall be supported by a written determination made by the Procurement Officer.

(7) Award. The contract shall be awarded with reasonable promptness by appropriate written notice to the lowest responsive and responsible bidder whose bid meets the requirements and criteria set forth in the invitation for bids and is determined to be in the best interests of the City (the "most responsible bid"). In the event the most responsible bid exceeds available funds, the Procurement Officer is authorized, when time, economic considerations, or other exigencies preclude re-solicitation of work of a reduced scope, to negotiate an adjustment of the most responsible bid in order to bring the bid within the amount of available funds.

(8) Two-step competitive bidding. When it is considered impractical to prepare initially a purchase description to support an award based on price, a two-step bidding process may be used. Two-step competitive sealed bidding is a combination of competitive procedures designed to obtain the benefits of sealed bidding when adequate specifications are not available. The objective of two-step sealed bidding is to permit the development of a sufficiently descriptive and not unduly restrictive statement of the City's requirements, including adequate technical requirements, so that subsequent acquisitions may be made by conventional sealed bidding. This method is especially useful in acquisitions requiring technical proposals. The two-step competitive sealed bidding procurement method is designed to obtain the benefits of competitive sealed bidding by award of a contract to the lowest responsive, responsible bidder while also obtaining the benefits of the competitive sealed negotiation procedure through solicitation of technical offers and the conduct of discussions to arrive at technical offers. The City may request additional information from bidders to clarify material contained in their technical proposals. Such requests for additional information should always occur before the priced bids are considered.

(9) 65 ILCS 5/8-9-1 provides a mechanism for the waiver of public bidding. Notwithstanding the foregoing requirements of this Chapter, any such contract may be entered into by the proper officers without advertising for bids, if authorized by a vote of two-thirds of all Council members then holding office.

B. Competitive proposals. Solicitation of competitive proposals is a procurement option allowing the award to be based on an evaluation process using stated criteria to arrive at a contract that will be the most advantageous to the City.

(1) Competitive proposals, typically solicited through a request for proposals (RFP), may be practical when the Procurement Officer determines that the use of a competitive bidding

process either is not practicable or otherwise is not advantageous to the City, and one or more of the following conditions, or similar conditions, exist:

- (a) The contract needs to be other than a fixed-price type.
 - (b) Oral or written discussions may need to be conducted with proposers concerning technical and price aspects of their proposals.
 - (c) The work is highly specialized or otherwise requires extraordinary, defined skills or experience in a particular area not generally available.
 - (d) Proposers may need to be afforded the opportunity to revise their proposals, including prices.
 - (e) Award may need to be based upon a comparative evaluation, as stated in the RFP, of differing price, quality, and contractual factors in order for the City to determine the most advantageous proposal. Quality factors may include technical and performance capability and the content of the technical proposal.
 - (f) Important criteria other than price will be considered in determining an award.
- (2) General RFP process. Proposals generally shall be solicited through an RFP as follows:
- (a) Public notice of the request for proposals shall be given at least ~~10~~¹⁵ calendar days before the proposals are due.
 - (b) Submission of proposals. Proposals must be submitted in sealed envelopes. All proposals shall be handled so that the identity of the proposers and the contents of the proposals remain confidential during the process of negotiation. A register of proposals shall be prepared containing the name of each proposer, the number of modifications to a proposal received, if any, and a description sufficient to identify the item offered. The register of proposals shall be open for public inspection only after the conclusion of negotiations and award of a contract.
 - (c) Evaluation factors. The request for proposals shall state the relative importance of price and other evaluation factors.
 - (d) Discussion with responsible proposers and revisions to proposals. As provided in the request for proposals, discussions may be conducted with responsible proposers who submit proposals determined to be reasonably susceptible of being selected for award for the purpose of clarification to assure full understanding of, and conformance to, the solicitation requirements. Proposers shall be accorded fair and equal treatment with respect to any opportunity for discussion and revision of proposals, and such revisions may be permitted after submissions and prior to award for the purpose of obtaining best and final offers. In conducting discussions, there shall be no disclosure of the identity of competing proposers or of any information derived from proposals submitted by competing proposers.
 - (e) Award. Award shall be made to the responsible proposer whose proposal is

determined to be the most advantageous to the City, taking into consideration price and the evaluation factors set forth in the request for proposals. The contract file shall contain the basis on which the award is made.

- C. Small purchases. A "small purchase" is defined as a single, complete purchase, the price of which is less than ~~\$25,000~~~~\$20,000~~. Any purchase or contract for purchase for which the total price is ~~\$25,000~~~~\$20,000~~ or more is not a small purchase and may not be classified as a small purchase merely by making the purchase in installments or by otherwise dividing the purchase. A small purchase may be made in accordance with the small purchase procedures authorized in this subsection.
- (1) Purchases greater than ~~\$15,000~~~~\$10,000~~ but less than ~~\$25,000~~~~\$20,000~~. Insofar as it is practical, the City shall allow three business days for the submission of written quotations by vendors for purchases greater than ~~\$15,000~~~~\$10,000~~ but less than ~~\$25,000~~~~\$20,000~~. The City Manager ~~and Director of Finance~~ shall approve the purchase from the vendor with the lowest responsive, responsible quotation that is in the best interest of the City. Quotations shall be in writing and authenticated by an appropriate officer of the vendor. A quotation shall include, at a minimum, the name of the vendor, the date, the description of the items offered, and the total amount of the quotation. The quotation shall be made part of the purchase record.
 - (2) Purchases greater than ~~\$5,000~~~~\$1,000~~ but not more than ~~\$15,000~~~~\$10,000~~. Insofar as it is practical, the City shall allow three business days for the submission of written quotations by vendors for purchases greater than ~~\$5,000~~~~\$1,000~~ but not more than ~~\$15,000~~~~\$10,000~~. The ~~City Manager and~~ Director of Finance shall approve the purchase from the vendor with the lowest responsive, responsible quotation that is in the best interest of the City. Quotations shall be in writing. A quotation shall include, at a minimum, the name of the vendor, the date, the description of the items offered, and the total amount of the quotation. The quotation shall be made part of the purchase record.
 - (3) Purchases not more than ~~\$5,000~~~~\$1,000~~. The City Manager, with the advice of the Procurement Officer, shall adopt operational procedures for making purchases of ~~\$5,000~~~~\$1,000~~ or less. Those operational procedures shall provide for obtaining adequate and reasonable competition for the supply, service, or construction being purchased.
- D. Sole-source procurement. A contract which would otherwise require competitive bidding under this chapter or this Code may be awarded without competitive ~~ion~~ bidding when the Procurement Officer determines in writing submitted to the City Manager, after conducting a good faith review of available sources, that ~~there is only~~ one source for the required supply, service, or construction item is in the best interest of the City. The Procurement Officer, or his/her designee, shall conduct negotiations as appropriate as to price, delivery, and terms. A record of sole-source procurements shall be maintained as a public record and shall list each contractor's name, the amount and type of each contract, a listing of the item(s) procured under each contract, and the identification number of each contract file. If a contract exceeds the established expenditure limit, then the City Council must authorize the contract.
- E. Emergency procurements. Notwithstanding any other provisions of this chapter or this

Code, the City Manager may make, or authorize the Procurement Officer and others to make, emergency procurements of supplies, services, or construction items when there exists an immediate threat to public health, welfare, or safety. An emergency procurement must be made with as much competition as is practicable under the circumstances. A written determination of the basis for the emergency and for the selection of the particular contractor shall be included in the contract file. As soon as practicable, a record of each emergency procurement shall be made, including the contractor's name, the amount and type of the contract, a listing of the items procured under the contract, and the identification number of the contract file.

F. Pass-Through Contracts are contracts that are entered into by the City, where City obligations for payment pursuant to such contracts are paid entirely by other entities or persons. Except as may be required pursuant to the provisions of 65 ILCS 5/8-9-1, the City Manager, or his/her designee, may award and execute all Pass-Through contracts, regardless of price, for supplies, equipment, services or construction which are funded entirely by non-City entities or persons without the expenditure of City funds or commitment to future City funds, provided that prior to the execution of the a commitment for payment from the funding source is obtained through a funding agreement or a deposit and reimbursement agreement.

GF. Responsibility of bidders and proposers. If a bidder or proposer that otherwise would have been awarded a contract is found unresponsive or irresponsible (collectively "unqualified"), then the determination of "unqualified" shall be made in writing by the Procurement Officer, setting forth the basis for the finding. The failure of a bidder or proposer to supply information promptly in connection with an inquiry from the City with respect to responsibility may be grounds for a determination of unqualified. The determination shall be made part of the contract file and be made a public record.

HG. Bid and performance bonds on supply or service contracts. Bid bonds, labor and materials payment bonds, and performance bonds or other security may be requested for supply contracts or service contracts as the Procurement Officer, in consultation with the appropriate department head or City Manager, deems advisable to protect the City's interests. All bonding requirements should be established in the bid or solicitation documents. Bid bonds, labor and materials payment bonds, and performance bonds or other security may not be used as a substitute for a determination of a bidder or proposer's responsibility.

IH. Cancellation of invitations for bids or requests for proposals. The City may cancel an invitation for bids, a request for proposals, or any other solicitation and may reject any or all bids or proposals in whole or in part, when that cancellation or rejection is in the best interests of the City. The reasons for cancellation or rejection shall be made part of the contract file. Each bid issued or solicitation made by the City should state that the bid or solicitation may be cancelled and that any bid or proposal may be rejected in whole or in part. The City shall attempt to send notice of cancellation to all potential bidders or proposers. The City shall provide the reason or reasons for cancellation or rejection at the request of an unsuccessful bidder or proposer.

§ 102-4 Types of contracts and contract administration.

The City may use any form or type of contract that is, in the City's judgment, appropriate for the procurement and that will promote the best interests of the City. Contracts are subject to the following conditions and limitations.

A. Multi-term contracts.

- (1) Specified term. Unless otherwise provided by law, a contract for supplies or services may be for any stated term determined by the City. The term, and any renewal or extension options and the conditions of those options, must be included in the bid or solicitation documents. Funds for the term or any renewal or extension must be available prior to the commencement of the term, renewal, or extension.
- (2) Cancellation due to unavailability of funds. When funds have not been appropriated or otherwise made available to pay the costs of performance for any term, renewal, or extension, then the contract must be allowed to expire or be cancelled.

B. Multiple-source contracting. Multiple-source contract awards shall not be made when a single award will meet the City's needs without sacrifice of economy or service. Multiple-source contracts shall not be made for the purpose of dividing the work or business, or for creating the opportunity for contract awards based on criteria not directly related to utility, economy, or the City's best interests, or to avoid the resolution of tie bids. Any multiple-source contract awards that are made shall be limited to the least number of contractors necessary to meet the valid requirements.

C. Right to inspect premises. The City, at reasonable times, may inspect that part of the vendor's place of business or a contractor's or subcontractor's workplace that is pertinent to the supply of goods or performance of services or work for the City under any contract, subcontract, or supply agreement.

D. Reporting of anticompetitive practices. When for any reason the City suspects the existence of collusion or other anticompetitive practice among any bidders or proposers, the City shall notify the Office of the Illinois Attorney General and any other appropriate legal officer that would have jurisdiction over the matter.

E. City procurement records.

- (1) Contract file. All determinations and other written records pertaining to the solicitation, award, or performance of a contract shall be maintained in a contract file.
- (2) Retention of procurement records. All procurement records shall be retained and disposed of by the City in accordance with records retention guidelines and schedules approved by the State of Illinois.

§ 102-5 Specifications generally.

All specifications shall be drafted so as to promote maximum value at the lowest cost, to promote overall economy for the purposes intended, and to encourage competition in satisfying the City's needs. Specifications must not be unduly or unnecessarily restrictive. The standards stated in this section apply to all specifications, including without limitation specifications

prepared on behalf of the City by architects, engineers, designers, and draftsmen.

§ 102-6 Brand name or equal specifications.

- A. Brand name or equal specifications. Brand name or equal specifications may be used when the Procurement Officer determines that:
- (1) No other design or performance specification or qualified products list is available;
 - (2) Time does not permit the preparation of another form of purchase description not including a brand name specification;
 - (3) The nature of the product or the nature of the City's requirements makes use of a brand name or equal specification suitable for the procurement; or
 - (4) Use of a brand name or equal specification is in the City's best interests.
- B. Designation of several brand names. Brand name or equal specifications shall seek to designate as many different brands as are practicable, but at least three if possible, as "or equal" references and shall further state that substantially equivalent products to those designated will be considered for award.
- C. Required characteristics. Unless the Procurement Officer determines that the essential characteristics of the brand names included in the specifications are commonly known in the industry or trade, the brand name or equal specifications shall include a description of the particular design, functional, or performance characteristics that are required.
- D. Nonrestrictive use of brand name or equal specifications. When a brand name or equal specification is used in a solicitation, the solicitation shall contain explanatory language that the use of a brand name is for the purpose of describing the standard of quality, performance, and characteristics desired and is not intended to limit or restrict competition.

§ 102-7 Construction bidding and contracts.

- A. Definition. For purposes of this chapter, "construction" means the process of building, altering, repairing, improving, or demolishing any public infrastructure facility, including without limitation any public structure, building, or other improvement of any kind to real property. Construction does not include routine operation, routine repair, or routine maintenance of an existing infrastructure facility.
- B. Method of construction contract management. The Procurement Officer, in consultation with the appropriate department head and the City Manager, as appropriate, shall have discretion to select the appropriate method of construction contract management for a particular project. In determining which method to use, the Procurement Officer shall consider the City's requirements, its resources, and the potential contractor's capabilities.
- C. Bid security. A bid security shall be required for all competitively bid construction contracts, in accordance with applicable state law. The bid security shall be a bond provided by a surety company authorized to do business in the state, or the equivalent in cash, or otherwise supplied in a form satisfactory to the City. The bid bond must meet the following

standards:

- (1) Amount. The bid bond shall be in an amount adequate to provide guarantee, that the winning bidder will undertake the contract under the terms at which they bid. ~~equal to at least 10% of the amount of the bid.~~
- (2) Payment on bond. The bidding documents must provide the circumstances under which the City may take action against the bond due to material noncompliance of the bidder with the bid requirements.
- (3) Withdrawal of bid. When a bidder withdraws its bid before award as provided in this Code, no action will be taken against the bidder or the bid bond.
- (4) Performance and labor and materials payment bonds. When a construction contract is awarded in excess of ~~\$25,000~~\$20,000, the following bonds or security shall be delivered to the City and shall become binding on the parties upon the execution of the contract:
 - (a) A letter of credit or performance bond in a form provided by or otherwise satisfactory to the City, executed by a surety company authorized to do business in the state or otherwise secured in a manner satisfactory to the City, in an amount equal to 100% of the price specified in the contract; and
 - (b) A letter of credit or labor and materials payment bond in a form provided by or otherwise satisfactory to the City, executed by a surety company authorized to do business in the state or otherwise secured in manner satisfactory to the City, for the protection of all persons supplying labor and materials to the contractor or its subcontractors for the performance of the work provided for in the contract. The bond shall be in an amount equal to 100% of the price specified in the contract.
- (5) Authority to require additional bonds. Nothing in this section shall be construed to limit the authority of the Procurement Officer to require a performance bond or other security in addition to the bonds stated in this subsection, or in circumstances other than those specified in this section.
- (6) Copies of letter of credit and bond forms. Any person may request and obtain from the City a certified copy of a letter of credit or bond upon payment of the cost of reproduction of the letter of credit or bond and postage, if any. A certified copy of a letter of credit or bond shall be prima facie evidence of the contents, execution, and delivery of the original.
- (7) Suits on labor and materials payment bonds. Unless otherwise provided by law, any person who has furnished labor or materials to a contractor or subcontractor for the work provided in the contract, for which a bond is furnished under this section, and who has not been paid in full within 90 days after the date on which that person performed the last of the labor or supplied the material, shall have the right to sue on the bond for any amount unpaid at the time the suit is instituted and to prosecute the action for the amount due that person. However, any person having a contract with a subcontractor of the contractor, but no express or implied contract with the contractor furnishing the bond, shall have a right of action upon the payment bond upon giving written notice to the

contractor within 90 days after the date on which that person performed the last of the labor or supplied the material. That person shall state in the notice the amount claimed and the name of the party to whom the material was supplied or for whom the labor was performed. The notice shall be served personally or by registered or certified mail, postage prepaid, in an envelope addressed to the contractor at any place the contractor maintains an office or conducts business.

§ 102-8 Procurement of architect, engineer, and land surveying services.

As a Home Rule unit, the City is not required to adhere to the requirements of the Illinois Local Government Professional Services Selection Act (50 ILCS 510) when hiring an architect, engineer, or land surveyor. Nevertheless, the City generally will apply the standards of that Act, except that the City always will consider cost as a selection factor, unless otherwise required by law, and the City may choose not to use a formal selection process for architectural, engineering, or land surveying services less than ~~\$25,000~~\$20,000. When the City does solicit such services, then the City must solicit proposals and adhere to the following requirements:

- A. Public notice; ~~permitting firms to annually file a statement of qualifications and performance data with the City.~~ The City ~~must mail a notice requesting a statement of interest in a specific project to all firms who have a current statement on file with the City and~~ must place an advertisement in a daily newspaper of general circulation throughout the City, requesting a statement of interest in the specific project and further requesting statements of qualifications ~~and performance data from those firms which do not have such a statement on file with the City.~~ Such advertisement shall state the day, hour and place the statement of interest and the statements of qualifications and performance data shall be due.
- B. Selection procedure. The City then must evaluate the firms submitting letters of interest, taking into account qualifications, ability of professional personnel, past record and experience, performance data on file, willingness to meet time and budget requirements, location, workload of the firm, and such other factors as the City may determine in writing are applicable. The City may conduct discussions with and require presentations by firms deemed to be the most qualified regarding their qualifications, approach to the project and ability to furnish the required services.
- C. Selection. On the basis of evaluations, discussions and presentations, the City shall select no fewer than three firms which it determines to be the most qualified to provide services for the project and rank them in order of qualifications to provide services regarding the specific project. The City shall then contact the firm ranked most preferred and attempt to negotiate a contract at a fair and reasonable compensation, taking into account the estimated value, scope, complexity, and professional nature of the services to be rendered. If fewer than three firms submit letters of interest and the City determines that one or both of those firms are so qualified, the City may proceed to negotiate a contract.
- D. Contract negotiation.
 - (1) The City shall prepare a written description of the scope of the proposed services to be used as a basis for negotiations and shall negotiate a contract with the highest qualified firm at compensation the City determines in writing to be fair and reasonable. In making this decision, the City shall take into account the estimated value, scope, complexity,

and professional nature of the services to be rendered.

- (2) If the City is unable to negotiate a contract with the preferred firm, negotiations with that firm shall be terminated. The City shall then begin negotiations with the firm that is next preferred. If the City is unable to negotiate a contract with that firm, negotiations with that firm shall be terminated. The City shall then begin negotiations with the firm that is next preferred.
- (3) If the City is unable to negotiate a satisfactory contract with any of the selected firms, it shall reevaluate the architectural, engineering, or land surveying services requested, including the estimated value, scope, and complexity and fee requirements. The City shall then compile a second list of not less than three qualified firms and proceed in accordance with these procedures.

E. Federally funded projects. As part of the process for consultant selection for federally funded projects, the following procedure will be followed:

- (1) A price proposal will be required for each RFP. The price proposal will be required to be submitted in a separate sealed envelope.
- (2) City staff will select, in order of preference, the three most highly qualified firms without reviewing any pricing information.
- (3) City staff will then negotiate with the highest ranked firm and review only the pricing information provided by the firm, and not pricing information from any of the other firms.
- (4) If negotiation with the highest ranked firm is unsuccessful and is formally terminated, the City will negotiate with the next most highly qualified firm and the City may review the pricing provided by that firm during the negotiation.
- (5) This process will continue until a satisfactory agreement is reached with a firm.
- (6) After a contract is awarded, the remaining unsealed price proposals will be returned to the proposers.

§ 102-9 Outside legal services.

The following procedures and requirements shall apply to any contracts for legal services to be provided by attorneys other than the City Attorney.

- A. Only the City Manager is authorized to secure legal services from an attorney other than the City Attorney. Any department head that desires such legal services shall submit a request to the Procurement Officer for those legal services.
- B. The Procurement Officer will make a recommendation to the City Manager, who may determine to enter into an agreement for legal services so long as funding is available in the current fiscal year budget.

§ 102-10 Cooperative purchasing.

- A. Authorization. The City shall endeavor to use joint or cooperative purchasing whenever favorable prices can be obtained for required goods and services. The City Manager and Director of Finance are authorized to issue a purchase order or contract when the funds for that purchase order or contract have been previously budgeted and appropriated by the City Council, using the applicable process and standards set forth in this chapter.
- B. Open competition. All cooperative purchasing conducted under this section shall be through open competition, including use of source selection methods substantially equivalent to those specified in § 102-3.
- C. Intergovernmental agreements. The Procurement Officer may participate in, sponsor, conduct, or administer cooperative purchasing of supplies, services, or construction with one or more units of local government in accordance with an agreement entered into by the participants. Such cooperative purchasing may include, without limitation, joint or multi-party contracts between public procurement units and open-ended public procurement unit contracts that are made available to other units of local government.

§ 102-11 Contract funding.

Neither the City Manager nor the Director of Finance may approve or enter into any purchase order, contract, or other obligation unless sufficient funds have been budgeted and allocated to that purchase order, contract, or other obligation in an amount sufficient to pay all required amounts.

§ 102-12 Assignment of contracts.

No purchase order, contract, or other obligation between the City and a vendor, services provider, or contractor shall be assignable or transferable in any manner by the vendor, services provider, or contractor without the written consent of the City Manager.

§ 102-13 Use of electronic transmissions.

The City Manager, Director of Finance, and Procurement Officer, and their designees, may use e-mail and other electronic media in the procurement processes authorized in this chapter, including without limitation for electronic signatures, consistent with applicable law and subject to the condition that the City Manager shall establish a standard protocol for use of electronic media, including such matters as:

- A. Appropriate security to protect against unauthorized access to information or processes; and
- B. The prompt provision of original documents when appropriate, such as signature pages, insurance documents, performance security, and similar matters.

§ 102-14 Claims relating to solicitations.

- A. Claims. Any bidder, proposer, or vendor (claimant) that has a protest, dispute, or other claim (collectively a "claim") about a matter related to a City bidding process, City RFP process, or other form of City solicitation may file a written notice of claim with the Procurement Officer within 10 days after the claimant knows or should have known of the facts giving rise to the claim. That notice of claim must (1) identify the particular transaction or process at issue, (2) include a detailed statement of the claim, and (3) provide

all relevant facts and circumstances related to the claim, including without limitation dates, entities and persons involved, communications, and documents. The notice of claim must state whether the claimant desires to meet with the Procurement Officer regarding the claim.

- B. Meeting with Procurement Officer. If the claimant requests a meeting with the Procurement Officer regarding the claim, then the Procurement Officer shall promptly schedule and conduct that meeting.
- C. Procurement officer report and recommendation. If no meeting is requested or if the claim is not resolved during the requested meeting between the claimant and Procurement Officer, then within 10 days after the filing of the claim or after the conclusion of the requested meeting, whichever is later, the Procurement Officer shall prepare a written report and recommendation regarding the claim for review and decision of the City Manager.
- D. Decision by City Manager. The City Manager shall issue a written decision on a claim within 10 days after receipt of the Procurement Officer's report and recommendation. The City Manager may accept the Procurement Officer's recommendation or make any other decision on the claim as the City Manager determines is proper. The decision of the City Manager will be final.

§ 102-15 Suspensions.

- A. Authority to suspend. The Procurement Officer, with the approval of the City Manager, may suspend a vendor, services provider, contractor, or other person (collectively, "contractor") for cause from eligibility to receive a purchase order, contract, or other order or agreement from the City for any period of time up to three years. Prior to making a decision to suspend, the Procurement Officer must give reasonable notice to the contractor and a reasonable opportunity for the contractor to be heard by the Procurement Officer. The Procurement Officer's decision shall be in writing and shall include the causes for the suspension, the time period of the suspension, and other relevant matters. The Procurement Officer shall promptly provide a copy of the decision to the contractor.
- B. Causes. The causes for suspension include the following:
 - (1) Conviction of the contractor for commission of a criminal offense related to obtaining or attempting to obtain any contract or subcontract, whether public or private, or relating to the performance of a contract or subcontract.
 - (2) Conviction of the contractor under any state or federal statute of embezzlement, theft, forgery, bribery, falsification or destruction of records, receiving stolen property, or any other offense indicating a lack of business integrity or business honesty.
 - (3) Conviction of the contractor under any state or federal antitrust statute arising out of the submission of bids or proposals.
 - (4) One or more contractor violations of contract provisions of a character that are regarded by the Procurement Officer or City Manager to be so serious as to justify suspension. Examples of such violations are, but are not limited to:
 - (a) A deliberate failure to perform in accordance with the terms or specifications provided

in the contract.

- (b) Repeated failures to perform, or repeated instances of unsatisfactory performance, without satisfactory excuse or mitigating circumstances.
 - (5) Suspension or debarment by another governmental agency.
 - (6) Any other cause the Procurement Officer or City Manager determines to be so serious and compelling as to affect responsibility as a contractor.
 - (7) Violation by the contractor of an ethical standard related to contracts, contracting, or construction.
- C. Appeal. A contractor may appeal a suspension by filing a written notice of appeal in the office of the City Clerk within five days. The notice of appeal must state each position and reason of the contractor in support of the appeal. The City Council shall consider the appeal and, considering all of the facts, circumstances, and decision of the Procurement Officer, shall deny the appeal, grant the appeal, or grant such other relief as the City Council determines is appropriate. The City Council, as part of its decision, may decrease or increase the length of any suspension. The City Council shall memorialize its decision in writing and promptly provide a copy of its decision to the contractor. The decision of the City Council is final.

§ 102-16 Ethical standards.

A. General standards of ethical conduct.

- (1) General ethical standard for employees. Any attempt to realize personal gain through public employment by conduct inconsistent with the proper discharge of a City employee's duties is a violation of this code.
- (2) General ethical standard for nonemployees. Any effort to influence any City employee to breach the standards of ethical conduct set forth in this code is a violation of this code.

B. Employee conflict of interest.

- (1) Conflict of interest. It is a violation of this Code for any employee to participate directly or indirectly in a procurement when the employee has an ownership, employment, prospective employment, or family interest pertaining to the procurement.
- (2) Disclosure by employees. On discovery of an actual or potential conflict of interest, an employee shall promptly file a written disclosure with the Procurement Officer and shall withdraw from further participation in the transaction involved.
- (3) Disclosure by public official. On discovery of an actual or potential conflict of interest, a public official shall promptly disclose the conflict and shall withdraw from participation in the decision-making process.

C. Gratuities. Consistent with the provisions of Chapter 44 of this Code, it shall be violation of this chapter for any person to offer, give, or agree to give any employee or former

employee, or for any employee or former employee to solicit, demand, accept, or agree to accept from another person, a gratuity or an offer of employment in connection with any decision, approval, disapproval, recommendation, preparation of any part of a program requirement or a purchase request, influencing the content of any specification or procurement standard, rendering of advice, investigation, auditing, or in any other advisory capacity in any proceeding or application, request for ruling, determination, claim or controversy, or other particular matter, pertaining to any program requirement or a contract or subcontract, or to any solicitation or proposal therefor.

- D. Kickbacks. It shall be a violation of this chapter for any payment, gratuity, or offer of employment to be made by or on behalf of a subcontractor under a contract to the prime contractor or higher tier subcontractor or any person associated therewith, as an inducement for the award of a subcontract or order.
- E. Influence peddling. It shall be a violation of this chapter for a person to be retained, or to retain a person, to solicit or secure a City contract upon an agreement or understanding for a commission, percentage, brokerage, or contingent fee, except for retention of bona fide employees or bona fide established commercial selling agencies for the purpose of securing business, which relationship shall be disclosed in any attempt to solicit or secure a City contract.
- F. Use of confidential information. It shall be a violation of this article for any employee or former employee knowingly to use confidential information for actual or anticipated personal gain, or for the actual or anticipated personal gain of any other person.
- G. Remedies against employees. In addition to existing remedies for breach by an employee of the ethical standards of this Code, the City may impose any one or more of the following:
 - (1) Oral or written warnings or reprimands;
 - (2) Suspension with or without pay for specified periods of time; and
 - (3) Termination of employment.
- H. Remedies against nonemployees. In addition to existing remedies for violations of this article by a nonemployee, the City may impose any one or more of the following:
 - (1) Written warnings or reprimands;
 - (2) Termination of transactions; and
 - (3) A suspension under § **102-15** of this chapter.
- I. Recovery of value transferred or received in violation of this chapter.
 - (1) General provisions. The value of anything transferred or received in violation of this chapter by an employee or a nonemployee may be recovered from both the employee and nonemployee.

- (2) Recovery of kickbacks. Upon a showing that a subcontractor made a kickback to a prime contractor or a higher tier subcontractor in connection with the award of a subcontract or order thereunder, it shall be conclusively presumed that the amount thereof was included in the price of the subcontract or order and ultimately borne by the City and will be recoverable by the City from the recipient. In addition, the amount may separately be recovered from the subcontractor making the kickback. The City's recovery from one offending party shall not preclude the City from recovery from other offending parties.

SECTION II: Chapter 118. A new chapter, Chapter 118, Signing Authority, is established in the Crystal Lake City Code as follows:

§ 118-1 Purpose.

This policy sets forth authorized employees of the City of Crystal Lake and authority levels of those employees to act on behalf of the City of Crystal Lake in the execution of certain documents. The City is committed to effective, efficient and transparent management of City business and processes. Only City officers and employees with appropriate approval authority and accountability shall approve financial transactions and sign legally binding documents to ensure responsible stewardship of City's resources.

§ 118-2 Applicability.

The provisions of this chapter apply to the execution of documents by authorized City employees that are not otherwise provided for by City Code or ordinances or resolutions approved by the City Council. In order for agreements which require expenditures to be executed, expenditures must be included in the approved budget or the agreement includes language, as approved by the City Attorney, to allow for termination of the agreement if the City Council does not appropriate the funds necessary to continue the agreement.

§ 118-2 Authorized Signatures.

A. Agreements, Contracts, Amendments or Change Orders for goods, maintenance or services

The City Manager is authorized to execute those agreements, contracts, amendments or change orders where the total annual commitment does not exceed \$25,000, or the agreement, contract, amendment or change order falls within the contingency amount approved by the City Council.

B. Agreements, Contracts, Amendments or Change Orders where the City is providing goods, maintenance or services

The City Manager is authorized to enter into and execute those agreements, contracts, amendments or change orders permitting the City to provide goods, maintenance or services to a public or private entity where the annual commitment by the City does not exceed \$25,000 per fiscal year.

C. Claims and Settlements

The City Manager is authorized to settle, approve or reject claims or litigation in an amount not to exceed \$25,000.

D. Agreements, Contracts, Amendments or Change Orders where the City is Landlord/Tenant, Licensee/Licensor or Facility User

The City Manager is authorized to negotiate enter into and execute those agreements, contracts, amendments or change orders with public or private entities where the City is Landlord/Tenant, Licensee/Licensor or for temporary use of a facility by the City where the total annual commitment does not exceed \$25,000.

E. Acquisition of or disposition of Real Property on the City's Behalf

(1) For purposes of this section, the following definitions shall apply:

(a) **Acquisition** means the purchase, lease or license Real Property by the City for the City's use or acceptance by the City of a Real Property by dedication or gift.

(b) **Disposition** means the sale, lease, vacation, release, or license of some or all of the City's interest in Public Property to another.

(c) **Public Property** means Real Property that is titled in the name of the City or City created boards or commissions; Real Property where the City or a City created board or commission is the grantee, devisee, or beneficiary; Real Property which was dedicated to the public use, whether generally or for a specific purpose, including, but not limited to, property within the City or within 1.5 miles of the City limits; easements where the City is grantee; Real Property leased by the City as a lessee; Real Property physically occupied by the City or by City operations; and real property possessed or utilized by the City under a claim of right.

(d) **Real Property** means any interest in real estate, whether the interest has been acquired by purchase, lease, license, common law or statutory dedication, gift, or possession.

(2) Authority to negotiate and Execute Documents for Acquisition and Disposition. The City Manager may be authorized to execute agreements, deeds, easements or other documents necessary to consummate the acquisition or disposition of real property when the total acquisition or disposition of real property does not exceed \$25,000 or when authorized by resolution of the City Council. Prior to any acquisition or disposition of real property, the City Attorney shall approve the form of the documents utilized in the transaction.

(3) Standards for Acquisition. The following are procedures and standards for acquisition of property:

(a) Acquisition Plan. City staff should, prior to the formal initiation of negotiations, develop a written acquisition plan. The plan should include the following elements:

(b) Goal. Staff should explain specifically how acquiring the property will assist in accomplishing a City Council goal or Council adopted plan.

(c) Costs of Acquisition. Staff should develop a reasonably accurate estimate of the costs of acquisition including: (a) Purchase price, (b) Expenses of purchase e.g. appraisals, title insurance or search, environmental assessment, assumed or forgiven taxes, and assumed or forgiven City liens, (c) Post-closing expenses, and (d) Source of Revenues for Acquisition and Maintenance.

(4) Purchase Price. The City's policy is to acquire the property at the lowest cost to the City. Below market purchase price or an owner's desire to donate the property should be a factor in considering the purchase of real property. However, below market price or donation should not be a determining factor deciding whether or not the City acquires property.

F. Credit Applications

(1) Credit applications often contain agreement language. The Director of Finance or designee is authorized to sign credit applications after City Attorney review of the credit application for such purchases as are authorized by Code or Ordinance or Resolution of the City Council.

G. Motor Vehicle Paperwork

(1) When authorized by the City Council through a surplus designation or purchase approval, the Director of Finance or designee is authorized to sign Motor Vehicle documentations authorizing the purchase or sale of a Motor Vehicle on behalf of the City of Crystal Lake.

H. Grant Applications

(1) Due to the time sensitive nature of Grant applications, the City Manager may execute Grant application paperwork for grants that do not bind the City monetarily for more than \$25,000 annually.

I. Lien / Lien Release

(1) The Director of Finance is authorized to execute and record liens in accordance with provisions in the Illinois Municipal Code, 65 ILCS 5/1-1-1 et seq. Once a lien is recorded, with City Council approval, the City can also bring a lawsuit to foreclose the lien. The Finance Director is also authorized to execute lien releases once the indebtedness has been satisfied in its entirety or in accordance with the provisions of Chapter 31, Delinquent Accounts. Recording of the lien release is the responsibility of the property owner to whom the lien has been released.

J. Uncollectable Receivables

(1) The Director of Finance is authorized to modify, cancel, and write-off uncollectible receivables in accordance with the provisions of Chapter 31, Delinquent Accounts.

K. Standard Pre-Litigation and Litigation Procedural Documents

- (1) The City Attorney or City's Special Counsel or his/her designee is authorized to sign standard pre-litigation and litigation procedural documents, such as continuances, tolling agreements, conflict waivers and joint defense agreements, where such documents do not result in a final settlement of the underlying litigation.

L. Agreements Approved by the City Council

City officers and employees designated by the City Council to sign agreements by resolution or minute order, are authorized to execute such documents.

M. Utility Relocation Agreements up to \$25,000

The City Manager is authorized to sign utility relocation contracts up to \$25,000. This authority is necessary for projects that require an immediate response (signed contract) in order to remain within the utility construction schedule.

N. Regulatory Reporting

- (1) The City Manager is authorized to delegate signature authority to a designee for regulatory reporting.

O. Letters of Support or Opposition

- (1) The City Manager; or Department Directors, with the approval of the City Manager, are authorized to sign letters of support or opposition of an organization, governmental entity or legislation when the organization or legislation relates to:
 - (a) A position taken by the Illinois Municipal League on a matter, unless the City Council has taken a contrary position.
 - (b) Legislation regarding projects approved by City Council.
 - (c) Items routine in nature, experienced in the normal course of conducting business of the City.
 - (d) A previously approved City Council position.
- (2) The City Attorney, in consultation with the City Manager, is authorized to sign legal briefs and/or letters related to:
 - (a) Legislation supporting a position taken by the Illinois Municipal League on a matter, unless the City Council has taken a contrary position.
 - (b) Legislation regarding projects approved by City Council.
 - (c) Requesting an Attorney General's Opinion, judicial proceeding or judicial opinion, when in his or her professional opinion the letter is in the best legal interests of the City of Crystal Lake.
- (3) Letters of support or opposition signed in accordance with the provisions of this section require a copy to be submitted to the Mayor and City Council.

P. Software Terms and Conditions

- (1) The City Manager or a Department Director, with the approval of the City Manager is authorized to negotiate and sign agreements for the installation, use, support or maintenance of software, provided that such agreements have been approved by the City Council or are within the spending authority of the City Manager as outlined in this Chapter.

Q. Authorized City Officials and Employees Regarding Bills, Banking, Trust and Investment Accounts

This policy sets forth authorized City officials and employees to act on behalf of the City of Crystal Lake and authorized signatures with regard to bills, City banking, trust and investment accounts to establish accounts, withdraw, transfer or deposit funds for the purpose of investment and to cover financial commitments of the City.

(1) Operating Accounts

- (a) The operating account is used for reimbursements, transfers, employee compensation, benefits and payments to vendors, contractors, government agencies, financial institutions and others who provide supplies, services and/or equipment to the City. Any two of the following City officials, or City staff members or their successors shall be authorized to sign checks, or other instruments for the withdrawal of moneys in the operating account: Mayor, City Clerk, City Manager, and Director of Finance.
- (b) Any one of the City officials or City staff members listed above may transfer funds from the operating account to another City account for the purpose of investing. When authorized by one of the City officials or City staff members listed above, a transfer may be processed by the following City staff members: Assistant Director of Finance, or City Accountant.

(2) Investment/Trust Accounts

- (a) Investment accounts cover all funds and investment activities under the direction of the City Council and are invested in accordance with the City of Crystal Lake Investment Policy. The investments of bond proceeds are further restricted by the provisions of relevant bond documents. The Investment Policy delegates management responsibility for the investment program to the Finance Director. In the absence of the Finance Director, the City Manager shall be authorized to manage investments.
- (b) A transfer of funds from an investment/trust account to another City account for the purpose of investing or funding the operating account, when authorized by one of the City officials, or employees listed above may be processed by the following: Assistant Director of Finance, or Accountant.

R. Pass-through Contracts

Pass-Through Contracts are contracts that are entered into by the City, where City obligations for payment pursuant to such contracts are paid entirely by other entities or persons. Except as may be required pursuant to the provisions of 65 ILCS 5/8-9-1, the City Manager, or his/her designee, may award and execute all Pass-Through contracts, regardless of price, for supplies, equipment, services or construction which are funded entirely by non-City entities or persons without the expenditure of City funds or commitment to future City funds, provided that prior to the execution of the a commitment for payment from the funding source is obtained through a funding agreement or a deposit and reimbursement agreement.

3. Bills List

- (a) The Bills List is an order by which the City Council authorizes the bank or other depository of City funds to pay a particular sum of money. If funds are available for the payment of an approved bill, a check or electronic transfer is created directing the bank or depository of the city funds to pay the funds to the payee.
- (b) Checks or electronic transfers will be distributed in accordance with applicable City policies. Checks will not be distributed until two of the following City officials or staff members have approved them: City Manager, City Clerk, Director of Finance, and Assistant Director of Finance. Checks issued in amounts exceeding \$25,000 will not be distributed until City Council approval and then with the approval of two of the City officials or staff members listed in this subparagraph.
- (c) Exceptions to this requirement include payments for the following items: Utilities, and Debt Service Trustee Payments. Personnel Benefits are included on the Bills List following distribution of payments.

SECTION III: Savings Provision. If any section, paragraph, subdivision, clause, sentence, or provision of this Ordinance is determined in a final order by a court of competent jurisdiction to be invalid such final order shall not affect, impair, invalidate, or nullify any other provision of this Ordinance, which other provisions shall remain and continue in full force and effect.

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

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

DATED at Crystal Lake, Illinois, this 11th day of December, 2017.

[Signature page to follow.]

APPROVED:

Aaron T. Shepley, Mayor

ATTEST:

Nick Kachiroubas, City Clerk

PASSED: December 11, 2017

APPROVED: December 11, 2017

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



Agenda Item No: 19

**City Council
Agenda Supplement**

Meeting Date: December 11, 2017

Item: Intergovernmental Funding Agreement for the Pingree Train Station Building Facility Assessment

Staff Recommendation: Motion to adopt a resolution authorizing the City Manager to execute an intergovernmental agreement with Metra for the Pingree Station Building Facility Assessment and authorize the City Manager to execute an agreement with HR Green in the amount of \$10,000 to perform the station facility assessment.

Staff Contact: Eric T. Helm, Deputy City Manager

The Pingree Train Station is located at the northwest intersection of Pingree Road and Congress Parkway and is owned by Metra Rail. The station serves as a stop on the Union Pacific/ Northwest Line. The station building is located on the north side of the tracks with four sets of stairs, two on the north side and two on the south side of the tracks. Since its opening in 2005, the station has experienced concrete settlement and weather degradation to various station elements. Over the last several years, the City has been in contact with Metra regarding the evaluation and eventual repair of the station elements.

Metra has agreed to pay for the evaluation and repair of the station, but is requesting that the City coordinate the work. There will be no cost to the City for this evaluation, other than staff time to coordinate the station evaluation and repair. City staff and Metra received three proposals for the initial facility assessment. The results are depicted below.

<u>Firm</u>	<u>Fee</u>
HR Green	\$10,000
Chris Burke and Associates	\$18,700
Direct Steel LLC	\$19,500

After review by the City and Metra, it was determined that HR Green provided the most competitive proposal for the evaluation. Metra agreed to authorize the use and payment of HR Green through an intergovernmental agreement (IGA) between the City and Metra. The IGA will obligate Metra to pay for the facility assessment.

As part of the evaluation, HR Green will evaluate the station's code compliance; assess the walkways, storm water detention basin areas, exterior lighting, the building envelope, and the mechanical, electrical, and plumbing systems. In addition, HR Green will provide a report providing an opinion of probable repair costs. Following the evaluation, the City will utilize an engineer/architect to prepare specifications for the station's ultimate repair.

Recommendations:

Staff recommends a motion to approve the Intergovernmental Funding Agreement for the Pingree Station Building Facility Assessment in the City of Crystal Lake with Metra and to authorize the City Manager to execute the necessary documents, including an agreement with HR Green to perform the facility assessment.

The City's legal counsel has reviewed the agreement and finds it acceptable.

Votes Required to Pass:

Simple majority



DRAFT

RESOLUTION

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE that the City Manager be and he is hereby authorized and directed to execute an intergovernmental funding agreement with Metra for the Pingree Station Building Facility Assessment between the City of Crystal Lake and the Commuter Rail Division of the Regional Transportation Authority (Metra) and authorize the City Manager to execute an agreement in the amount of \$10,000 with HR Green for the station facility assessment.

DATED this 11th day of December, 2017.

CITY OF CRYSTAL LAKE, an
Illinois Municipal Corporation,

By: _____
MAYOR

SEAL

ATTEST

CITY CLERK

PASSED:
APPROVED:



Agenda Item No: 20

**City Council
Agenda Supplement**

Meeting Date: December 11, 2017

Item: Three Oaks Recreation Area Picnic Pavilion Rental Rate and Park Operational Recommendations

Staff Recommendation: Motion to adopt an ordinance amending Chapter 241-47 pertaining to the fees of Three Oaks Recreation Area, Chapter 383-10 A, defining the North Lake Pavilion and Lake House Patio, and Chapter 383-4, Hours of Operation to establish Swimming Area closing.

Staff Contact: Eric Helm, Deputy City Manager
Melanie Nebel, Assistant to the City Manager

Background:

The 2017 season at the Three Oaks Recreation Area was very successful. Following the end of the season, City staff has reviewed the park's operations and recommends changes to the City Code. The changes include modifications of the pavilion rental rates and formally modify the City Code to reflect current practices.

Pavilion Rental Rate Modifications – (Amend Chapter 241-47 C-1, C-2 addition of C-3)

The City's picnic pavilion continues to be a popular amenity at Three Oaks Recreation Area. In 2017, the Picnic Pavilion (A) was reserved both on Saturday and Sunday of every weekend in June through September. City staff conducted a pavilion rental rate survey of other McHenry County organizations and Independence Grove, and the results indicate that the rates to rent the picnic pavilion at Three Oaks Recreation Area are similar to comparable organizations. The results of the survey are illustrated below.

Group Size	Three Oaks			CL Park District		Independence Grove			
	Res	NR - Off	NR - Peak	Res	NR	Lake County Resident		Non-Lake County Resident	
						Mon-Fri	Weekend	Mon-Fri	Weekend
1-50	\$75	\$130	\$150	\$75	\$150	\$200	\$300	\$300	\$450
51-100	\$110	\$200	\$220	\$110	\$220	\$200	\$300	\$300	\$450
101-150	\$145	\$270	\$290	\$145	\$290	\$400	\$600	\$600	\$900
151-200	\$180	\$340	\$360	\$180	\$360	\$400	\$600	\$600	\$900
200+	\$180	\$340	\$360	\$180	\$360	\$600-\$1,200	\$900-\$1,800	\$900-\$1,800	\$1,350-\$2,700

Based on the survey results and operational experience, City staff is recommending a change to the pavilion rental fee structure.

Three Oaks Pavilion A			
Group Size	Resident	Non-Resident Off	Non-Resident Peak
1-50	\$75/\$110	\$130/\$200	\$150/\$220
51-100	\$110	\$200	\$220
101-150	\$145	\$270	\$290
151-200	\$180	\$340	\$360
200+	\$180	\$340	\$360

The recommended change would only impact resident and non-resident small gatherings (1-50 people) using the main picnic grove pavilion (Pavilion A). These smaller groups would pay \$35 more for a rental. Non-residents would pay a corresponding rate. The fee structure for groups size 101-150 guests and 151-200 guests would remain the same. The price increase is recommended to encourage smaller groups to rent the smaller pavilions, which cost less to rent than the large pavilion. As reservations are first come, first serve regardless of size, larger groups are often left with the smaller pavilions to rent. The main pavilion at Three Oaks is unique and more comparable to what is offered at Independence Grove. The increased fee for smaller parties also brings the rental of the pavilion more in line with a similar pavilion at Independence Grove.

In addition, City staff recommends charging a fee to move picnic tables at the main picnic grove pavilion (Pavilion A) in the flat amount of \$25. This would only impact larger events, such as weddings and organization rentals. There are 12 tables under the pavilion. If a guest requests the majority of tables, usually under the pavilion, be moved out from underneath the structure or provides staff with a diagram of a new table layout requiring movement of tables, an additional \$25 fee would be charged to cover staff time moving and replacing the tables. If a guest requests one or two tables moved as part of a reservation, the fee would not be charged.

In order to enact these changes City staff recommends changes to City Code 241-47 regarding the existing fees and occupancy for the Pavilions at the Three Oaks Recreation of the City Code 241-47.

Pavilion B (Island), Pavilion C (Volleyball) & Pavilion D (North Lake)

Rental fees would increase to \$75 Resident/\$150 Non-Resident for the smaller pavilions, to be in line with the similar facilities, like the Crystal Lake Park District.

Three Oaks Pavilions B, C, & D Proposed Rates and Occupancy				
	Group Size	Resident	Non-Resident Peak	Non-Resident Off
Pavilion B	1-25	\$50 \$75	\$100 \$150	\$90 \$130
Pavilion C	1-25	\$50 \$75	\$100 \$150	\$90 \$130
Pavilion D	1-50	\$50 \$75	\$100 \$150	\$90 \$130

Lake House Patio Rental

As an additional option for guests, staff recommends offering Lake House Patio Rentals after Labor Day through mid-October, at the same rate as the Pavilion D group size 1-50 persons (\$75 Resident/\$130 Non-Resident). There is seating for 60 people at this location, and it would allow for use of the beach for weddings and other events, which has become increasingly popular. Catering would be allowed in the space, however tents and grills would not be allowed at this location due to the proximity to the Lake House Building. Patrons have used the patio in the past, but have not paid a rental fee. The implementation of a rental fee would help cover the staff expenses to serve these events.

Labor Day Through Mid - October	Three Oaks Lake House Patio Rental Proposal		
	Group Size	Resident	Non-Resident
	1- 60	\$75	\$130

City Code “Clean-Up” Modifications

The following changes are recommended to align the City Code language with current practices.

Formally Amend Section 383-10 A to include the “North Lake Pavilion” and “Lake House Patio”

In the last several years, the City began renting the North Lake Pavilion (Pavilion D), located on the North Lake near the Quarry Cable Park. The amendment of Section 383 would formally adopt language documenting the rental of this pavilion. The Lake House Patio would be a new amenity available for rental after Labor Day through mid-October in the 2018 season. As such, City staff recommends adding the North Lake Pavilion and the Lake House Patio to Section 383-10 A, Picnic Pavilion Defined.

Formally Adopt Scuba Zone Fees - (Amendment to Chapter 241-47 Three Oaks Recreation Area Fees to include Scuba (E))

City Staff recommends formally adopting the following daily fees for diving at the Scuba Zone. These rates were originally discussed by the City Council at the 2013-14 City Council budget workshop.

	Three Oaks	Pearl Lake	Haigh Quarry	Mermet Springs
Diver Fee	\$20	\$20	\$20	\$20
Diver Fee (Resident Discount/Non-profit Group)	\$15	N/A	N/A	N/A
Instructor Discount Fee	\$15 Non Resident / \$10 Resident (with 3 full price paying students)	Free with 4 or more divers	Free with 1 or more divers	N/A
Parking Fees	Resident: Free Non Resident: \$5 per vehicle	\$0	\$0	\$0

Formally Establish Swimming Closing -

Amend Chapter 383-4, Hours of Operation to establish set closing times for the Swimming Area

City Staff recommends formally adopting a standard closing time (one hour prior to sunset) throughout the year for the Swimming Area. With sunset being variable, there is currently no standard closing time for this area, which leads to confusion for both guest and staff.

A standard closing time would allow guests to prepare to exit the Swimming Area at a specific time and prepare to leave prior to the park closing at sunset.

Staff proposes the following closing times be implemented in the 2018 season:

Saturday prior to Memorial Day – July 31st:	Close at 7:30 PM (Sunset at 8:30 PM)
August 1st – Labor Day:	Close at 7:00 PM (Sunset at 8:00 PM)

Votes Required to Pass:

Simple majority vote of the City Council



DRAFT

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

WHEREAS, The City of Crystal owns and operates the Three Oaks Recreation Area; and

WHEREAS, the City desires to charge a fee for pavilion rentals that will help fund the operations and maintenance of the park.

WHEREAS, Residents and non-residents can rent out of the picnic pavilion at the Three Oaks Recreation Area; and

WHEREAS; there continues to be a high interest to rent the pavilions at the Three Oaks Recreation Area; and

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

SECTION I: That CHAPTER 241 Fees, Article 47 Three Oaks Recreation Area Fees shall be amended as follows:

§ 241-47. Three Oaks Recreation Area Fees

C. Pavilion Rental Rates

(1) Pavilion A – Picnic Grove

Number of People	Resident		Nonresident	
	Fee	Deposit	Fee	Deposit
1-50 (off)	\$110	\$50	\$200	\$100
1-50 (summer)	\$110	\$50	\$220	\$100
51-100 (off)	\$110	\$100	\$200	\$100
51-100 (summer)	\$110	\$100	\$220	\$100
101-150 (off)	\$145	\$150	\$270	\$150
101-150 (summer)	\$145	\$150	\$290	\$150
151-200 (off)	\$180	\$200	\$340	\$200
151-200 (summer)	\$180	\$200	\$360	\$200
200+ (off)	\$180	\$200	\$340	\$200
200+ (summer)	\$180	\$200	\$360	\$200

(1A) Picnic Table Relocation Fee – A flat picnic table relocation fee of \$25 may be charged as part of rental of Pavilion A (Picnic Grove) if patrons request the relocation of the majority of tables from underneath the structure or provide a layout requiring movement of tables for an event.

(2) Pavilions B and C - Island and Volleyball Court

Number of People	Resident		Nonresident	
	Fee	Deposit	Fee	Deposit
1-25 (off)	\$75	\$50	\$130	\$50
1-25 (summer)	\$75	\$50	\$150	\$50

(3) Pavilion D (North Lake) and Lake House Patio –

Amenity	Number of People	Fee	Deposit	Fee	Deposit
North Lake	1-50 (off)	\$75	\$50	\$130	\$50
North Lake	1-50 (summer)	\$75	\$50	\$150	\$50
Lake House Patio	1-60 (off)	\$75	\$50	\$130	\$50

E. Scuba Zone Fees –

Diver Fee	Diver Fee Resident Discount/Nonprofit Rate	Instructor Discount
\$20	\$15	\$15 Non-resident/ \$10 Resident (with 3 full price paying students)

SECTION II: That CHAPTER 383-4, Article 1 Three Oaks Recreation Area - Hours of Operation, shall be amended as follows:

A. The Mayor and City Council may establish, from time to time, the days and hours during which the various facilities of TORA will be open to the public. The Mayor and City Council also may provide for closure of all or part of TORA during its normal hours of operation for holidays, special events, weather conditions, or other circumstances.

B. Hours of Operation: Swimming Area

Saturday prior to Memorial Day – July 31st: Close at 7:30 PM (Sunset at 8:30 PM)
August 1st – Labor Day: Close at 7:00 PM (Sunset at 8:00 PM)

SECTION III: That Chapter 384-10(A), A., Article 1, Three Oaks Recreation – Picnic Pavilions: Permit Required, is hereby amended as follows:

A. Picnic pavilion defined. For the purposes of this § 383-10, "picnic pavilion" means the areas of TORA designated by the City as "Picnic Grove Pavilion," "Island Pavilion," "Volleyball Court Pavilion," "North Lake Pavilion," and "Lake House Patio."

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

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

DATED at Crystal Lake, Illinois this 11th day of December, 2017.

CITY OF CRYSTAL LAKE, an
Illinois municipal corporation,

By: _____
MAYOR

SEAL

ATTEST

CITY CLERK

PASSED: December 11, 2017

APPROVED: December 11, 2017

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



Agenda Item No. 21

**City Council
Agenda Supplement**

<u>Meeting Date:</u>	December 11, 2017
<u>Item:</u>	Consideration of Cancelling the December 19, 2017 and January 2, 2018 Regular City Council Meeting.
<u>Staff Recommendation:</u>	City Council Discretion
<u>Staff Contact:</u>	Aaron T. Shepley, Mayor

Background:

Due to the likelihood of a lack of a quorum for the regularly scheduled meeting of December 19, 2017, the special meeting of the City Council was scheduled for this evening. Council may wish to consider cancelling the December 19, 2017 regular City Council meeting.

The Council may also wish to consider cancelling the January 2, 2018 regular City Council meeting due its proximity to the New Year's Day holiday.

Votes Required to Pass:

Simple Majority.