



Agenda Item No: 10a

**City Council
Agenda Supplement**

<u>Meeting Date:</u>	October 16, 2018
<u>Item:</u>	Class 16 Temporary Liquor License Request – Options and Advocacy for McHenry County
<u>Staff Recommendation:</u>	Motion to approve issuance of a Class 16 Temporary Liquor License to Options and Advocacy for McHenry County
<u>Staff Contact:</u>	Eric T. Helm, Deputy City Manager

Background:

The City has received a request from Options and Advocacy for McHenry County for the issuance of a Class 16 Temporary Liquor License in order to sell beer and wine at their annual fundraiser being held at the St. Elizabeth Ann Seton Catholic Church, located at 1023 McHenry Avenue, on Saturday, October 27, 2018 from 6:00 p.m. to 10:00 p.m.

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

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

Votes Required to Pass:

Simple majority



Agenda Item No: 11

City Council Agenda Supplement

<u>Meeting Date:</u>	October 16, 2018
<u>Item:</u>	REPORT OF THE PLANNING & ZONING COMMISSION
<u>Request:</u>	Simplified Residential Variation to construct a second-story addition to the home with a projecting balcony that will encroach 7.8 feet into the average 51.3-foot front yard setback. Matt Foster, petitioner 903 North Shore Drive
<u>PZC Recommendation:</u>	Motion to approve the PZC recommendation and adopt an ordinance granting the variation for 903 North Shore Drive.
<u>Staff Contact:</u>	Michelle Rentzsch, Director of Community Development Elizabeth Maxwell, City Planner

Background:

- The petitioner has an existing house with a partial second story fronting on Crystal Lake.
- Homes along Crystal Lake are subject to averaged setbacks determined by the properties within 400 feet. The street side setback was determined to be 49 feet. The front-yard lakeside setback was determined to be 51.3 feet.
- The petitioner is proposing an addition to the street-side of the home and a covered porch, neither of which would be in the setback.
- The existing house, as it sits currently, is in the front yard setback. The petitioner is proposing a second story, which increases the volume of the structure in the setback, which will have a small 3-foot projecting balcony adding to the encroachment.

Key Factors:

- Request: Variation to allow the construction of a second-story addition and projecting balcony to the home that would encroach 7.8 feet into the front yard setback.

PZC Highlights:

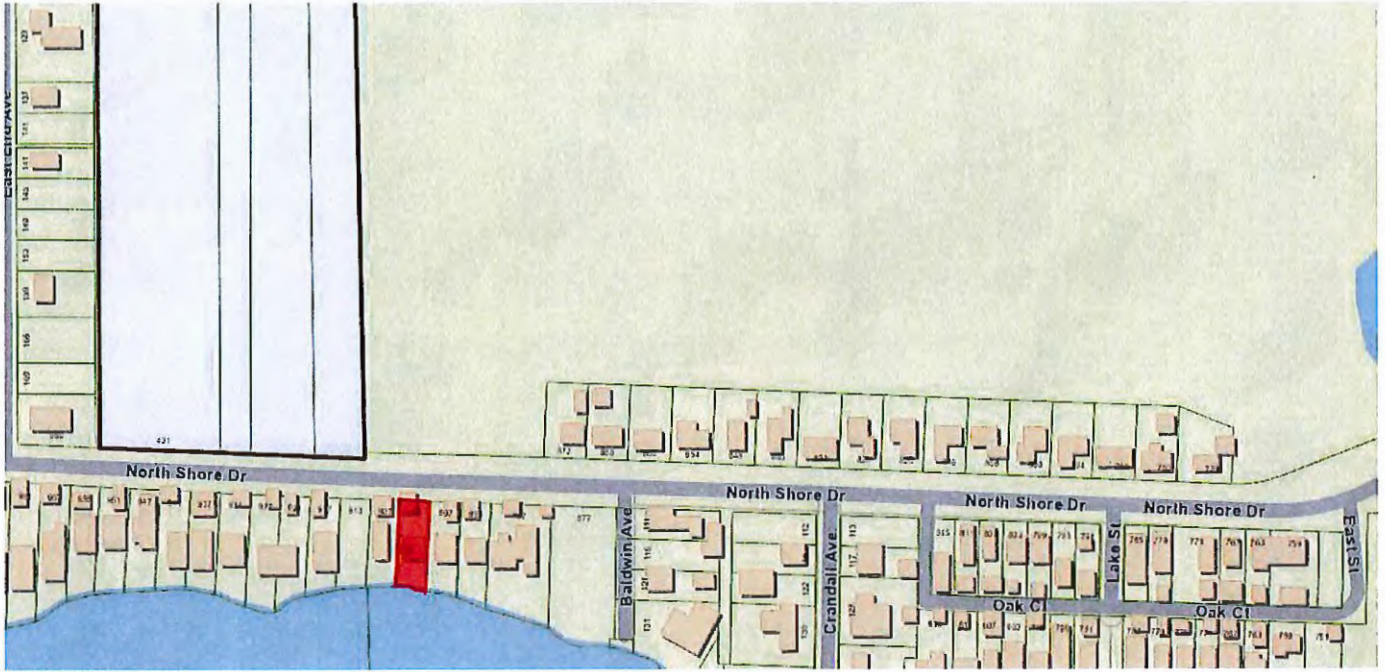
- The Planning and Zoning Commission (PZC) found that the hardship was created by the fact that the house was existing at that location and it was not moving closer to the lake, they were simply improving the structure.
- The PZC found that the petition met the Findings of Facts.

The Planning and Zoning Commission recommended **approval (6-0)** of the petitioners' request with the following conditions:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
 - A. Application (Foster, received 09/12/18)
 - B. Plat of Survey (Vanderstappen, dated 06/19/12, received 09/12/18)
 - C. Architectural Plans (ALA Architects, 05/24/18, received 09/12/18)
2. The petitioner must provide an accurate plat of survey showing all current improvements on the property.
3. The site is not permitted to exceed 50% impervious surface coverage.
4. The petitioner shall address all of the review comments and requirements of Community Development Department.

Votes Required to Pass: A simple majority vote

PLN-2018-00114 FOSTER – 903 NORTH SHORE DR





DRAFT

The City of Crystal Lake Illinois

AN ORDINANCE GRANTING A VARIATION
AT 903 NORTH SHORE DRIVE

WHEREAS, pursuant to the terms of the Application (File #PLN-2018-114) before the Crystal Lake Planning and Zoning Commission, the Applicant has requested the granting of a Simplified Residential Variation to allow an encroachment of 7.8 feet into the average 51.3-foot front yard setback (lake side) to construct an addition with second story and projecting balcony; and

WHEREAS, the Planning and Zoning Commission of the City of Crystal Lake, pursuant to notice duly published on September 14, 2018 in the Northwest Herald, held a public hearing at 7:30 p.m., on October 3, 2018 at City Hall at 100 W. Woodstock Street, Crystal Lake, Illinois to consider the proposed Simplified Residential Variation; and

WHEREAS, on October 3, 2018, the Planning and Zoning Commission, having fully heard and considered the testimony of all those present at the public hearing who wished to testify, made findings of fact as required by law and recommended to the Mayor and City Council of the City of Crystal Lake that the proposed Simplified Residential Variation be approved, all as more specifically set forth in that certain Report of the Planning and Zoning Commission in Case #PLN-2018-114, dated as of October 4, 2018; and

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

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

SECTION I: That a Variation be granted from the Crystal Lake Unified Development Ordinance to allow an encroachment of 7.8 feet into the average 51.3-foot front yard setback (lake side) to construct an addition with second story and projecting balcony at (903 North Shore Drive) (19-06-107-002), Crystal Lake, Illinois.

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

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Ord. No.
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1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
 - A. Application (Foster, received 09/12/18)
 - B. Plat of Survey (Vanderstappen, dated 06/19/12, received 09/12/18)
 - C. Architectural Plans (ALA Architects, 05/24/18, received 09/12/18)
2. The petitioner must provide an accurate plat of survey showing all current improvements on the property.
3. The total site improvements cannot exceed 50% impervious surface coverage of the lot.
4. The petitioner shall address all of the review comments and requirements of 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 granting of a Simplified Residential Variation in accordance with the provisions of this Ordinance, as provided by law.

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

DATED at Crystal Lake, Illinois, this 16th day of October, 2018.

City of Crystal Lake, an
Illinois municipal corporation

Aaron T. Shepley, Mayor

SEAL

ATTEST:

Nick Kachiroubas, City Clerk

Passed: October 16, 2018
Approved: October 16, 2018



Agenda Item No: 12

**City Council
Agenda Supplement**

Meeting Date:

October 16, 2018

Item:

REPORT OF THE PLANNING & ZONING COMMISSION

Park Place

Requests:

1. Comprehensive Land Use Amendment from Public/Semi-Public to Commerce.
2. Rezoning from R-1 Single Family to W PUD Watershed Planned Unit Development.
3. Preliminary/Final Planned Unit Development to allow the continuing banquet hall use.

Petitioner:

Paul Leech, petitioner
406 Woodstock Street

PZC Recommendation:

Motion to approve the PZC recommendation and adopt an ordinance granting a Comprehensive Land Use Amendment, Rezoning and Preliminary/Final PUD to allow a banquet use at 406 Woodstock Street.

Staff Contact:

Michelle Rentzsch, Director of Community Development
Elizabeth Maxwell, City Planner

Background:

- The site has been used as a banquet facility for over 70 years, starting first as the American Legion Hall then transferring ownership to the Crystal Lake Park District.
- The use is non-conforming and to ensure it has legal status to continue, the site needs to be rezoned. The most appropriate zoning district is W PUD Watershed.
- The Watershed PUD does require all sites standards and uses to be approved through the PUD. The PUD is approving the site, building, signage and use as presented. Any modifications to the site or the use would require an amendment to the PUD.

PZC Highlights:

- There were several members of the public that attended the meeting and expressed their concerns over the continued use. Traffic, noise and public drunkenness has been an issue in the past.

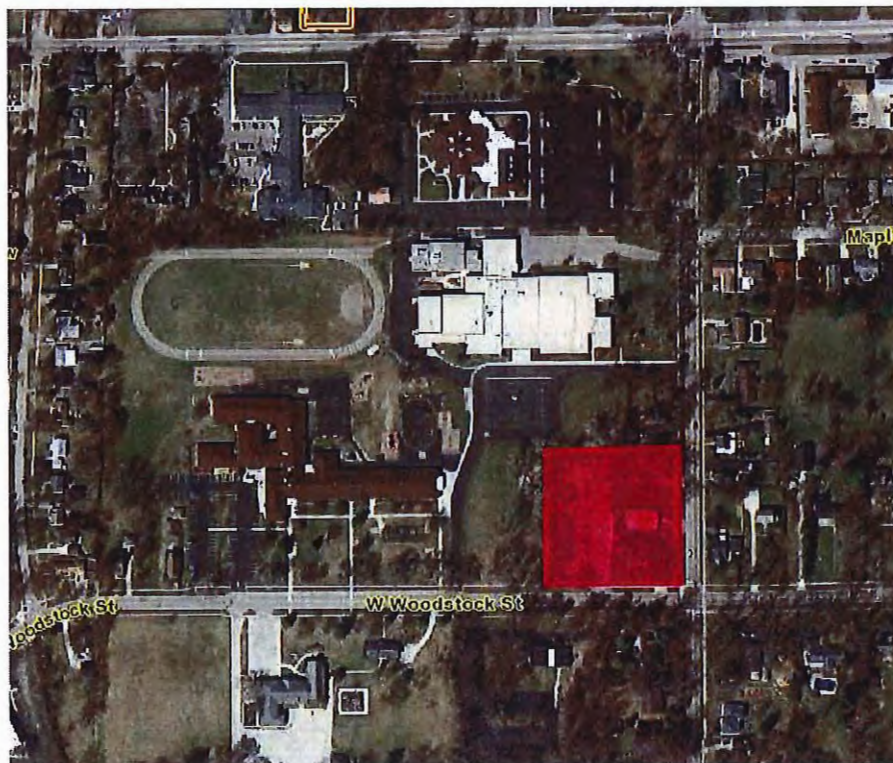
- The petitioner stated that he would be a better neighbor as he wants to fit in to the neighborhood. His staff is trained so people are not overserved and people are required to leave the premises when their rental contract time expires.
- The PZC discussed amending the Comprehensive Land Use Plan Amendment and the Rezoning of the property. They determined that the proposed rezoning and land use amendment made sense to continue the use as it is.
- The PZC found that the petition met the Findings of Fact.

The PZC recommended **approval (6-0)** of the petitioner's request subject to the following recommended conditions:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
 - A. Application (406 West Woodstock LLC, received 08/30/18)
 - B. Site Plans (Existing photos, undated, received 08/30/18)
 - C. Floor Plans (Terry Ernst & Assoc. dated 08/11/98, received 08/30/18)
 - D. Plat of Survey (American Survey Co., dated 05/29/98, received 08/30/18)
2. The site is permitted to be used as a banquet hall.
3. Any changes to the site or exterior of the building **or change of the use of the property** would require an amendment to the approved PUD. **(Modified by the PZC)**
4. **No exterior speakers shall be utilized on the property and no bands or musicians shall be allowed to play on the exterior of the property. (Added by the PZC)**

Votes Required to Pass: A simple majority vote.

PLN-2018-00103 PARK PLACE - 406 WOODSTOCK ST





DRAFT

The City of Crystal Lake Illinois

**AN ORDINANCE GRANTING A COMPREHENSIVE LAND USE PLAN
AMENDMENT, REZONING, AND
PRELIMINARY/FINAL PLANNED UNIT DEVELOPMENT
AT 406 W. WOODSTOCK STREET**

WHEREAS, pursuant to the terms of an Application (File #PLN-2018-103) before the Crystal Lake Planning and Zoning Commission, the Applicant has requested a Comprehensive Land Use Amendment from Public/Semi-Public to Commerce; Rezoning from R-1 Single Family to W PUD Watershed Planned Unit Development; and Preliminary/Final Planned Unit Development to allow the continuing banquet hall use; and

WHEREAS, the Planning and Zoning Commission of the City of Crystal Lake, pursuant to notice duly published on September 15, 2018 in the Northwest Herald, held a public hearing at 7:30 p.m., on October 3, 2018 at City Hall at 100 W. Woodstock Street, Crystal Lake, Illinois to consider the proposed rezoning; and

WHEREAS, on October 3, 2018, the Planning and Zoning Commission, having fully heard and considered the testimony of all those present at the public hearing who wished to testify, made findings of fact as required by law and recommended to the Mayor and City Council of the City of Crystal Lake that the proposed rezoning be approved, all as more specifically set forth in that certain Report of the Planning and Zoning Commission in Case #PLN-2018-103, dated as of October 4, 2018; and

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

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

SECTION I: That the following described property be and same is a Comprehensive Land Use Amendment from Public/Semi-Public to Commerce; Rezoning from R-1 Single Family to W PUD Watershed Planned Unit Development; and Preliminary/Final Planned Unit Development to allow the continuing banquet hall use at the property legally described as follows:

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A part of the Northeast Quarter of the Southeast Quarter of Section 31, Township 44 North, Range 8 East of the Third Principal Meridian, in McHenry County, Illinois, described as follows: Commencing at the Southeast corner of the Northeast Quarter of the Southeast Quarter of said Section 31; thence North on the Section line 338 feet; thence Westerly on a line forming an angle of 90 degrees and 12 minutes to the left, with a prolongation of the last described line 354.1 feet; thence South parallel with the East line of said section 338 feet; thence East 354.1 feet to the place of beginning and containing 2.74 acres of land more or less.

commonly known as 406 W. Woodstock Street in Crystal Lake, McHenry County, Illinois (PIN: 14-31-426-029).

SECTION II: That the Comprehensive Land Use Amendment from Public/Semi-Public to Commerce; Rezoning from R-1 Single Family to W PUD Watershed Planned Unit Development; and Preliminary/Final Planned Unit Development to allow the continuing banquet hall use be granted with the following conditions:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
 - A. Application (406 West Woodstock LLC, received 08/30/18)
 - B. Site Plans (Existing photos, undated, received 08/30/18)
 - C. Floor Plans (Terry Ernst & Assoc. dated 08/11/98, received 08/30/18)
 - D. Plat of Survey (American Survey Co., dated 05/29/98, received 08/30/18)
2. The site is permitted to be used as a banquet hall.
3. Any changes to the site or exterior of the building or change of the use of the property would require an amendment to the approved PUD and would need to meet the Crystal Lake Watershed Design Manual.
4. No exterior speakers shall be utilized on the property and no bands or musicians shall be allowed to play on the exterior of the property.

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 granting of the Comprehensive Land Use Plan Amendment, Rezoning, and Planned Unit Development in accordance with the provisions of this Ordinance, as provided by law.

SECTION IV: That this Ordinance shall be in full force and effect only upon and after the City: (a) receives the Acquisition Notice from the petitioner; and (b) passes and approves this Ordinance and publication as provided by law.

DATED at Crystal Lake, Illinois, this 16th day of October, 2018.

DRAFT

City of Crystal Lake, an
Illinois municipal corporation

Aaron T. Shepley, Mayor

SEAL

ATTEST:

Nick Kachiroubas, City Clerk

Passed: October 16, 2018
Approved: October 16, 2018



Agenda Item No: 13

**City Council
Agenda Supplement**

Meeting Date: October 16, 2018

Item: Liquor License Ordinance Amendment

Staff Recommendation: Motion to adopt an ordinance amending Chapter 329-17 of the City Code, regarding Liquor Licenses.

Staff Contact: Eric T. Helm, Deputy City Manager

Background:

The State Liquor Control Act and the City Liquor Code each restrict the retail sale of alcoholic beverages within 100 feet of any church, school, hospital, home for aged or indigent persons or for veterans, their spouses or children or any military or naval station. This restriction is intended for liquor stores and bars, since an exemption exists for hotels offering restaurant services as well as restaurants, clubs and other businesses where the sale of alcoholic liquor is not the primary business. A comparison between the State Act and the City Code are shown below, with proposed changes to the City Code highlighted.

State Liquor Control Act 235 ILCS 5/6-11	City Liquor Code Section 329-17 (with proposed changes highlighted)
No license shall be issued for the sale at retail of any alcoholic liquor within 100 feet of any church, school other than an institution of higher learning, hospital, home for aged or indigent persons or for veterans, their spouses or children or any military or naval station, provided, that this prohibition shall not apply to hotels offering restaurant service, regularly organized clubs, or to restaurants, food shops or other places where sale of alcoholic liquors is not the principal business...	No license shall be issued for the sale at retail of any alcoholic liquor within 100 feet of any church, school <u>other than an institution of higher learning</u> , hospital, homes for aged, indigent persons, veterans, their wives or children, or any military or naval station, provided that this prohibition shall not apply to hotels offering restaurant service, regularly organized clubs, or to restaurants, food shops or other places where sale of alcoholic liquor is not the principal business. Such places of business so exempted shall have been established for such purposes prior to the taking effect of this chapter and further provided that <u>T</u> his chapter shall not apply to not-for-profit corporations requesting Class 16 licenses.

While the State Liquor Control Act and the City's Liquor Control Code have essentially identical provisions with respect to the 100 foot rule and its exemptions, the City's Liquor Code adds the following qualification to the exemption:

“Such places of business so exempted (i.e. restaurants and hotels) shall have been established for such purposes prior to the taking effect of this chapter and further provided...” (Italics added)

This additional provision makes the City's Liquor Code more restrictive than the State Act. While the State Act allows restaurants and hotels (or other businesses that do not sell alcohol as their principal business) to exist within 100 feet of a school or church, the City Code only allows this ability for those businesses created prior to the establishment of the City Liquor Code Chapter 329. While the City is allowed to be more restrictive than the State, the current restrictive nature of the City Code may negatively impact some pending license applications.

City Staff proposes modifying the language in the attached draft ordinance which strikes the above quoted provision, in order to allow the issuance of liquor licenses to new establishments which do not sell alcohol as their primary business, (i.e., restaurants, banquet and hotels) and which are located within the 100' radius of schools or churches. Liquor stores, or those establishments at which the sale of alcoholic liquor as their primary business would still not be allowed within the 100 foot radius. City Staff feels that it is important to have consistency with the State Liquor Control Act to allow future City restaurants, banquet and hotels the flexibility in establishing their location.

Votes Required to Pass:

Simple majority

Ordinance #:

File #:



DRAFT

**AN ORDINANCE AMENDING THE CODE OF THE CITY OF CRYSTAL LAKE
PERTAINING TO THE AMENDMENT OF CHAPTER 329.**

WHEREAS, the City of Crystal Lake, (the “City”) is a home rule municipality as contemplated under Article VII Section 6 of the Constitution of the State of Illinois and the passage of this Ordinance constitutes an exercise of the City’s home rule powers; and

WHEREAS, it is in the best interest of the City of Crystal Lake to amend the language to reflect State statutes for the purposes of liquor licensing; and

WHEREAS, the Mayor and City Council have found and determined that it is in the best interest of the City and its residents to amend the City Code.

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

SECTION I: Recitals.

The foregoing recitals are hereby incorporated as though fully restated herein.

SECTION II: Method of Amendments: As used in this ordinance, strikethroughs represent deletions, bold letters represent additions. Items within brackets are explanatory, only, and are not intended to be included within the text of the City Code.

SECTION III: **Amendments to Section 329-17 (Location Restrictions)**

No license shall be issued for the sale at retail of any alcoholic liquor within 100 feet of any church, school **other than an institution of higher learning**, hospital, homes for aged, indigent persons, veterans, their wives or children, or any military or naval station, provided that this prohibition shall not apply to hotels offering restaurant service, regularly organized clubs, or to restaurants, food shops or other places where sale of alcoholic liquor is not the principal business. ~~Such places of business so exempted shall have been established for such purposes prior to the taking effect of this chapter and further provided that~~ **This** chapter shall not apply to not-for-profit corporations requesting Class 16 licenses.

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

DATED at Crystal Lake, Illinois, this 16th day of October, 2018.

City of Crystal Lake, an
Illinois municipal corporation

Aaron T. Shepley, Mayor

SEAL

ATTEST:

Nick Kachiroubas, City Clerk

Passed: _____

Approved: _____



Agenda Item No: 14

**City Council
Agenda Supplement**

<u>Meeting Date:</u>	October 16, 2018
<u>Item:</u>	REPORT OF THE PLANNING & ZONING COMMISSION
<u>Request:</u>	1. Special Use Permit for mini warehouse self-storage. 2. Variation from Article 3-200 to allow the existing 11-foot side yard setback and 86% impervious surface coverage to remain.
<u>Petitioner:</u>	David Kerth, Home State Bank Ryan Farrell, attorney 80 East Street
<u>PZC Recommendation:</u>	To approve the PZC recommendation and adopt an Ordinance for a Special Use Permit and variations for 80 East Street.
<u>Staff Contact:</u>	Michelle Rentzsch, Director of Community Development Kathryn Cowlin, Assistant City Planner

Background:

- Existing Use: The subject property is improved with a lean-to storage area and gravel lot and was considered an accessory use to the main building, located on the lot to the south.
- The property is a legally subdivided lot, but was considered one zoning lot with the property to the south. The lot is considered a legal nonconforming lot since it does not meet the required minimum lot width.

Request:

- The proposed use is self-storage. The storage area is within the lean-to structure and on the gravel surface.
- The use of the property was formerly storage.
- The lean-to structure is existing and has a setback of 11 feet, the required setback is 12.6 feet.
- The gravel lot is existing and is considered to be an impervious surface. The property has approximately 86% impervious surface coverage, the maximum impervious surface coverage is 70% for the Manufacturing zoning district.

PZC Highlights:

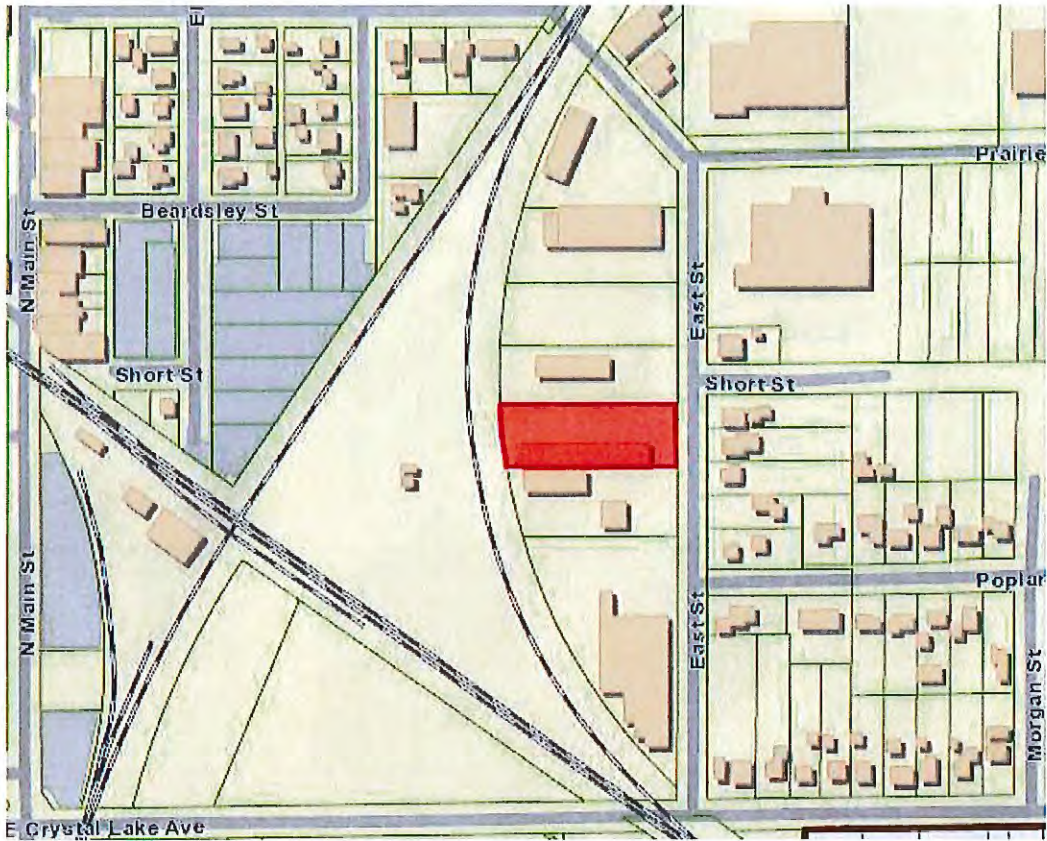
- A member of the public questioned the location of the lean-to and the use of the property, as there are no utilities on-site.
- The petitioner discussed the lean-to and the existing conditions of the site. The use is existing and the lean-to is located within the boundary of the property lines. The property is also below the grade of the street and the adjacent property to the south.
- The PZC stated that the petition met the Findings of Fact.

The PZC recommended **approval (6-0)** of the petitioner's request with the following conditions:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
 - A. Application (Home State Bank, dated 08/30/18, received 08/31/18)
 - B. Plat of Survey (received 08/31/18)
2. Work with staff to comply with the screening requirements. Examples of appropriate fencing material are a solid wood fencing, landscaping or the addition of a fabric screen to the existing chain link fence.
3. **Work with staff regarding the landscaping** shall be provided within a minimum five-foot-wide landscape beds along the foundations of the ends of the storage buildings, in accordance with the provisions of Section 4-400, Landscaping and screening standards. **(Revised by PZC)**
4. **Work with staff on the outdoor storage area** must be within the area that is screened from the street. **(Revised by PZC)**
5. **Work with staff on the security of the site. (Added by the PZC)**
6. The petitioner shall address all of the review comments and requirements of the Community Development and Fire Rescue Departments.

Votes Required to Pass: A simple majority vote.

PLN-2018-105 80 East Street - Variation



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Ord. No.
File No.



The City of Crystal Lake Illinois

**AN ORDINANCE GRANTING A SPECIAL USE PERMIT
AND VARIATIONS
AT 80 EAST STREET**

WHEREAS, pursuant to the terms of a Petition (File #PLN2018-00105) before the Crystal Lake Planning and Zoning Commission, the Petitioner has requested the granting of a Special Use Permit for mini-warehouse/self-storage with Variations to allow the existing 11-foot side yard setback and 86% impervious surface coverage; and

WHEREAS, the Planning and Zoning Commission of the City of Crystal Lake, pursuant to notice duly published on September 1, 2018 in the Northwest Herald, held a public hearing at 7:30 p.m., on September 19, 2018 at City Hall at 100 W. Woodstock Street, Crystal Lake, Illinois to consider the proposed Special Use Permit and Variations; and

WHEREAS, on October 3, 2018, 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 and Variations be approved, all as more specifically set forth in that certain Report of the Planning and Zoning Commission in Case #PLN-2018-00105, dated as of October 4, 2018; and

WHEREAS, it is in the best interests of the CITY OF CRYSTAL LAKE that the Special Use Permit and Variations 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 Special Use Permit for mini-warehouse/self-storage with Variations to allow the existing 11-foot side yard setback and 86% impervious surface coverage at the property commonly known as 80 East Street (14-33-356-005), City of Crystal Lake, IL.

Section II: That the Special Use Permit and Variations be granted with the following conditions:

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1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
 - A. Application (Home State Bank, dated 08/30/18, received 08/31/18)
 - B. Plat of Survey (received 08/31/18)
2. Work with staff to comply with the screening requirements. Examples of appropriate fencing material are a solid wood fencing, landscaping or the addition of a fabric screen to the existing chain link fence.
3. Work with staff regarding the Landscaping shall be provided within a minimum five-foot-wide landscape beds along the foundations of the ends of the storage buildings, in accordance with the provisions of Section 4-400, Landscaping and screening standards.
4. Work with staff on the outdoor storage area must be within the area that is screened from the street.
5. Work with staff on the security of the site.
6. The petitioner shall address all of the review comments and requirements of the Community Development and Fire Rescue Departments.

Section III: That the City Clerk be and is hereby directed to amend all pertinent records of the City of Crystal Lake to show the granting of a Special Use Permit and Variations 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.

DRAFT

DATED at Crystal Lake, Illinois, this 16th day of October, 2018.

City of Crystal Lake, an
Illinois municipal corporation

Aaron T. Shepley, Mayor

SEAL

ATTEST:

Nick Kachiroubas, City Clerk

Passed: October 16, 2018

Approved: October 16, 2018



Agenda Item No: 15

**City Council
Agenda Supplement**

<u>Meeting Date:</u>	October 16, 2018
<u>Item:</u>	City Code Amendment to Increase the Number of Class 4 Liquor Licenses – Applicant: Antigua Mexican Grill
<u>Staff Recommendation:</u>	Motion to adopt an ordinance increasing the number of Class 4 liquor licenses from the currently permitted 1 license to 2 licenses, in order to allow for the issuance of a new Class 4 liquor license to Antigua Mexican Grill, subject to staff conditions.
<u>Staff Contact:</u>	Eric T. Helm, Deputy City Manager

Background:

The City Code permits the issuance of a Class 4 liquor license for the retail sale, on the premises specified, of alcoholic liquor, for consumption, on the premises between the hours of 11:00 a.m. and 1:00 a.m. Monday, Tuesday, Wednesday, Thursday; 11:00 a.m. and 2:00 a.m. Friday and Saturday; and 10:00 a.m. Sunday and 1:00 a.m. Monday. A Class A-type restaurant may be located on the premises.

The applicant has submitted all of the necessary paperwork. A fingerprint/background search revealed no criminal history under the new applicant's name.

The following conditions must be met prior to the license being issued:

- Payment of Prorated License Fee
- Proof of Liquor Liability Insurance
- \$1,000 Surety Bond payable to the City of Crystal Lake
- Certificate of Occupancy
- Proof of Ownership or Lease

Wings Etc. is currently the only liquor license holder with a Class 4 license.

The attached ordinance approves an increase in the number of Class 4 liquor licenses in order to allow the issuance of a Class 4 liquor license to Antigua Mexican Grill, located at 1500 Carlemont, Unit J.

Votes Required to Pass:

Simple majority

DRAFT

Ord. No.
File No. 255 L



The City of Crvstal Lake

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

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

SECTION I: That CHAPTER 329 LIQUOR LICENSES Section 329-6 Limitations on licenses shall be as follows:

1. Class 4 License shall be increased from 1 to 2.

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

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

DATED at Crystal Lake, Illinois, this 16th day of October, 2018.

City of Crystal Lake, an
Illinois municipal corporation

Aaron T. Shepley, Mayor

SEAL



Agenda Item No: 16

**City Council
Agenda Supplement**

<u>Meeting Date:</u>	October 16, 2018
<u>Item:</u>	Annual Audit for the Fiscal Year 2017-2018
<u>Staff Recommendation:</u>	Motion to adopt a Resolution accepting the Comprehensive Annual Financial Report of the City of Crystal Lake for the Fiscal Year ending April 30, 2018.
<u>Staff Contact:</u>	George Koczwarra, Director of Finance Laura Herrig, Assistant Finance Director Stephanie Wrolson, Accountant

Background:

The City of Crystal Lake Fiscal Year 2017-18 Comprehensive Annual Financial Report (CAFR) has been completed. This report is management's annual financial report to the taxpayers, governing council, oversight bodies, investors and creditors of the City. This report provides a historical picture of the City's financial status as of April 30, 2018 and activities for the year (May 1, 2017 to April 30, 2018). **Selden Fox, Ltd. has expressed that the City's financial statements present fairly, in all material respects, the financial position of the City for the fiscal year ended April 30, 2018 (a "clean" opinion, the highest obtainable).** The report is available on-line at the City's website, under the "About Us" tab, under "Website Transparency."

State law (65 ILCS 5/8-8) requires that all general-purpose local governments publish within six months of the close of each fiscal year a complete set of financial statements presented in conformity with generally accepted accounting principles (GAAP) and audited in accordance with generally accepted auditing standards by a firm of licensed certified public accountants.

In addition, on July 16, 2014, Public Act 98-0738 was signed into law. It relates to new requirements concerning the audit of annual financial statements. The effective date of this act was January 1, 2015. This Act was added to the Illinois Municipal Code and requires the auditor to perform the following within sixty days after the issuance of audited financial statements:

- Provide a copy of the management letter and audited financial statements to the Municipality's Corporate Authorities. If the county or municipality maintains a website, these reports shall be posted to the website.
- Present the information from the audit to the Municipality's Corporate Authorities either in person or by a live phone or web connection during a public meeting.

Comprehensive Annual Financial Report, Communication with Those Charged with Governance, and Management Letter

Comprehensive Annual Financial Report (CAFR)

The CAFR is a thorough, detailed presentation of the City's financial position and activities for the year. **The 2017-18 CAFR was audited by Selden Fox, Ltd. The City received a "clean" opinion (see page 1), the highest obtainable.** As indicated in the CAFR, the auditors note:

In our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities, the business-type activities, the discretely presented component unit, each major fund, the aggregate remaining fund information of the City of Crystal Lake, Illinois as of April 30, 2018, and the respective changes in financial position and where applicable cash flows thereof, and the respective budgetary comparison for the General Fund, the Motor Fuel Tax, and Fire Rescue Funds (major Special Revenue Funds) for the year ended, in conformity with accounting principles generally accepted in the United States of America.

The CAFR is a valuable tool that enables City officials and investors to make financial decisions from sound and timely information. The report provides an independently audited accounting of the financial condition of the City. The CAFR contains a set of financial statements comprising the financial report of the City that complies with the accounting requirements promulgated by the Governmental Accounting Standards Board (GASB). GASB provides standards for the content of a CAFR in its annually updated publication Codification of Governmental Accounting and Financial Reporting Standards. The CAFR is composed of three sections: Introductory, Financial and Statistical. It combines the financial information of fund accounting and Enterprise Authorities accounting.

Communication with those Charged with Governance and Management Letter

Currently, Auditing Standards require two separate communications following the audit of the financial statements. The Auditor's **Communication with Those Charged with Governance** requires the communication of: the auditor's responsibilities under generally accepted auditing standards, an overview of the planned scope and timing of the audit, and significant findings from the audit. As indicated in the attached Communication, the auditors:

- Found the disclosures in the financial statements are neutral, consistent, and clear.
- Encountered no significant difficulties in dealing with management in performing and completing the audit.
- Encountered no disagreements with management.

Also included in this Communication are adjusting entries, entries made by City staff to account for post-year-end transactions (for example, to record wages earned through April 30 but not paid or for insurance proceeds due to the City as a result of a loss earlier in the year). Adjusting entries also include reclassifying a portion of contributions made to IMRF from a General function or activity to the Public Safety and Highways and Streets functions for GASB 34 reporting purposes. Finally, adjusting entries were made in order to account for the City's net pension liability, as required by GASB Statement 68. All three types of entries occur regularly during the normal course of an audit.

The second communication following the audit of the financial statements which requires the communication of deficiencies in internal control that meet the definition of a material weakness or a significant deficiency (**Management Letter**). **The attached Management Letter does not include any information of any deficiencies.** The attached Management Letter highlights upcoming GASB pronouncements.

In addition to the two required communications, the auditor may communicate other matters to those charged with governance that are not required by US Auditing Standards if the auditor feels such matters are of importance to the local government. These communications may be combined into one report or delivered in separate reports.

Certificate of Achievement for Excellence in Financial Reporting Program (GFOA CAFR Program)

The Government Finance Officers Association (GFOA) is a professional association of approximately 17,500 state, provincial, and local government finance officers in the United States and Canada. The GFOA established the Certificate of Achievement for Excellence in Financial Reporting Program (CAFR Program) in 1945 to encourage and assist state and local governments to go beyond the minimum requirements of generally accepted accounting principles to prepare comprehensive annual financial reports that evidence the spirit of transparency and full disclosure and then to recognize individual governments that succeed in achieving that goal.

Reports submitted to the CAFR program are reviewed by selected members of the GFOA professional staff and the GFOA Special Review Committee (SRC), is comprised of individuals with expertise in public-sector financial reporting and includes financial statement preparers, independent auditors, academics, and other finance professionals.

For the twenty-eighth consecutive year, the City's financial report has been prepared to comply with the high standards of the GFOA Certificate of Conformance for Excellence in Financial Reporting Award Program criteria.

Recommendation:

It is staff's recommendation to adopt a Resolution accepting the Comprehensive Annual Financial Report of the City of Crystal Lake for the Fiscal Year ending April 30, 2018. Members of the audit firm and Finance Department staff will be present at the meeting to address any questions.

Votes Required to Pass:

Simple majority



DRAFT

RESOLUTION TO ACCEPT THE COMPREHENSIVE ANNUAL FINANCIAL REPORT OF THE CITY OF CRYSTAL LAKE FOR THE FISCAL YEAR ENDING APRIL 30, 2018

WHEREAS, the City of Crystal Lake has prepared financial statements provided for in a Comprehensive Annual Financial Report (“CAFR”) for the fiscal year ended April 30, 2018; and

WHEREAS, Selden Fox, Ltd, an independent audit firm, (“Auditor”) has audited the financial statements contained in the CAFR of the City of Crystal Lake in accordance with Generally Accepted Accounting Standards and Government Auditing Standards; and

WHEREAS, it is the Auditor’s responsibility to express an opinion on these financial statements based upon their audit; and

WHEREAS, in the opinion of the Auditor, the financial statements as audited present fairly, in all material respects, the financial position of the City of Crystal Lake as of April 30, 2018, and the results of its operations for the year then ended in conformity with Generally Accepted Accounting Principles; and

WHEREAS, the Auditor has presented the information from the audit to the City Council in person during the October 16, 2018 City Council meeting.

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

Section 1. The City Council be and hereby accepts the audited Comprehensive Annual Financial Report, the Communication with those Charged with Governance, and Management Letter for the City of Crystal Lake for the fiscal year ending April 30, 2018.

Section 2. City Staff is directed to post all required documents per Public Act 098-0738 on the City of Crystal Lake website.

DATED this 16th day of October, 2018.

CITY OF CRYSTAL LAKE, an
Illinois municipal corporation,

By: _____
MAYOR

SEAL
ATTEST

CITY CLERK

PASSED: October 16, 2018
APPROVED: October 16, 2018



Agenda Item No: 17

City Council Agenda Supplement

Meeting Date: October 16, 2018

Item: Draft 2018 McHenry County Transit Plan Concepts

Staff Recommendation: Discussion Only

Staff Contact: Eric T. Helm, Deputy City Manager

Background:

The McHenry County Transit Plan was originally adopted as the official long-range transit plan for McHenry County in November 2005. This plan is periodically updated to reflect changing transit needs. Attached to this agenda supplement are the Draft 2018 Transit Plan Concepts, which will update the plan. This plan is being updated based on feedback from County stakeholders. This feedback was received through various surveys and events that were intended to solicit public comment. The attached plan is being sent to McHenry County communities for final comment.

The draft update contains several general recommendations and four potential transit concepts. The concepts are meant to focus on the future, and suggest improvements to transit service delivery. The concepts are summarized below:

Concept 1: Increase demand response service, decrease fixed route service

This concept would extend McRide service to the entire community and eliminate all fixed routes except for Route 550, which would leave Randall Road and travel on McHenry Avenue, Crystal Lake Avenue, and Grant Street to the Crystal Lake Metra station (northbound); southbound trips would use Main Street instead of Grant Street.

Concept 2: Focus fixed routes on the highest demand areas

This concept would focus on core fixed route demand, by modifying the fixed route system to serve high ridership areas. No changes would be made to the McRide demand service.

Concept 3: Focus fixed routes on local service rather than long distance service

This concept would convert long distance routes to fixed route circulators that travel only within one community, or two adjacent communities. This would help increase the frequency of fixed

route service for those residents and be more responsive to their needs rather than the current long distance route model. No changes would be made to the McRide demand service.

Concept 4: Increase fixed route service, decrease demand response service

This concept would involve an extensive expansion of fixed route service. Under this concept seven new fixed route would be created. The McRide demand service would be transformed into a service for seniors and the disabled only.

A representative from McHenry County Division of Transportation will attend the October 16th City Council meeting and present the plan. The representative will be available to receive City Council feedback and answer questions.



Agenda Item No: 18

**City Council
Agenda Supplement**

Meeting Date:

October 16, 2018

Item:

Liquid Aluminum Sulfate (ALUM) Purchase

Staff Recommendation:

Motion to award the bid for the purchase of Liquid Aluminum Sulfate to the lowest responsive, responsible bidder, Alexander Chemical Corporation, and adopt a resolution authorizing the City Manager to execute a one-year contract with Alexander Chemical Corporation for Liquid Aluminum Sulfate (ALUM) in the submitted bid amount.

Staff Contact:

Michael Magnuson, Director of Public Works

Background:

On October 4, 2018, the City of Crystal Lake publicly opened and read aloud the bids received for the purchase of Liquid Aluminum Sulfate (ALUM) for the Public Works Department. The following is a breakdown of the bids received per ton:

Company	Bid (2019)	Bid (2020)	Bid (2021)
√ Alexander Chemical Corporation Peru, IL	\$333.00	No Bid	No Bid
USALCO Baltimore, MD	\$337.70	\$354.57	\$372.31
Univar USA Kent, WA	\$342.00	No Bid	No Bid
Hawkins, Inc. Roseville, MN	\$424.90	No Bid	No Bid
Chemtrade Chemicals Parsippany, NJ	\$545.00	No Bid	No Bid

√ Indicates recommended lowest responsive, responsive bidder.

Liquid Aluminum Sulfate (ALUM) is used at the City's two wastewater treatment plants for phosphorous and barium removal as required by each facility's National Pollution Discharge Elimination System (NPDES) permit. In 2017, the City combined to use approximately 5,123 tons of ALUM.

Fiscal Year 2018/2019 budget funds were approved for this purchase. 2020 and 2021 were optional years for bidders.

Recommendation:

The Public Works Department has reviewed all bids received for completeness and accuracy in accordance with the invitation to bid document. It is the recommendation of staff to award the one-year contract for the provision of ALUM to the lowest responsible, responsive bidder, Alexander Chemical Corporation, in the submitted bid amount.

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 is authorized to execute a one-year contract for the purchase of liquid aluminum sulfate to the lowest responsive, responsible bidder, Alexander Chemical Corporation, in the submitted bid amount.

DATED this 16th day of October 2018.

CITY OF CRYSTAL LAKE, an
Illinois municipal corporation,

By: _____
MAYOR

SEAL

ATTEST

CITY CLERK

PASSED: October 16, 2018

APPROVED: October 16, 2018



Agenda Item No: 19

**City Council
Agenda Supplement**

Meeting Date: October 16, 2018

Item: Three Oaks Recreation Area Parking Lot and Bike Trail Crack Sealing and Re-Striping

Council Discretion: Motion to award the bid for Three Oaks Recreation Area Parking Lot and Bike Path Crack Sealing and Re-Striping to the lowest responsive & responsible bidder, Chicagoland Paving Contractors, Inc., and to adopt a resolution authorizing the City Manager to execute a contract with Chicagoland Paving Contractors, Inc. in the submitted bid amount of \$21,248.98, allowing for a 10 percent contingency.

Staff Contact: Eric Helm, Deputy City Manager
Nick Hammonds, Management Analyst

Background:

As the Council is aware, the City budgeted capital improvement funds for pavement crack sealing and re-striping for the Three Oaks Recreation Area in the FY 2018/19 Budget. The seal coating and crack sealing will help extend the life of the pavement. Through a Municipal Partnering Initiative with the Villages of Cary and Woodstock, the City received bids for crack sealing and re-striping of the Three Oaks Recreation Area parking lot and bike paths. The City utilized the partnering initiative to receive lower bulk pricing. Two contractors submitted pricing for the bid, Chicagoland Paving Contractors, Inc. and SKC Construction, Inc. A review of the bids received shows Chicagoland Paving Contractors, Inc. as the lowest responsive and responsible bidder.

Bid Analysis:

The following table details the per unit bid amounts received for the project.

	*Chicagoland Paving Contractors	SKC Construction
Bike Path Sealcoat	\$0.17 (per sq. ft.)	\$0.19 (per sq. ft.)
Parking Lot Sealcoat (including crack fill and re-striping)	\$0.17 (per sq. ft.)	\$0.24 (per sq. ft.)

*Indicates the lowest responsive and responsible bidder.

The low bidder submitted equal pricing for bike path sealcoating and parking lot sealcoating. The total quantities for the Three Oaks project, including parking lot and bike path crack sealing and re-striping, are calculated below to provide the total contract amount for the Three Oaks project.

	Estimated Quantity (in sq. ft.)	Chicagoland Paving Contractors, Inc.	Total
Parking Lot and Bike Path Sealcoat (including re-striping)	124,994	\$0.17 per square foot	\$21,248.98

Contract Timeline:

The project for pavement crack sealing and re-striping for the Three Oaks Recreation Area must occur when nighttime temperatures are above 50 Degrees Fahrenheit due to the materials used for pavement crack sealing. To ensure that the City receives the highest quality product and work for the project, Staff has confirmed Chicagoland Paving Contractors' availability to complete the work on or before October 31, 2018 weather dependent. In the event that the weather prohibits the contractor from completing the work in 2018, the project will be completed during April 2019.

Recommendation:

Staff recommends the City enter into a contract with Chicagoland Paving Contractors, Inc. for the crack sealing and re-striping of the Three Oaks Recreation Area parking lot and bike paths. The City has contracted with Chicagoland Paving Contractors, Inc. in the past for similar pavement improvements.

Votes Required to Pass:

Simple majority vote of the City Council.



Res. 18R-__

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 a one-year contract for Three Oaks Recreation Area Parking Lot and Bike Path Crack Sealing and Re-Striping between the City of Crystal Lake and Chicagoland Paving Contractors, Inc. in the submitted bid amount of \$21,248.98, allowing for a 10 percent contingency.

DATED this 16th day of October, 2018

CITY OF CRYSTAL LAKE, an
Illinois municipal corporation,

By: _____
MAYOR

SEAL

ATTEST

CITY CLERK

PASSED: October 16, 2018
APPROVED: October 16, 2018



Agenda Item No: 20

**City Council
Agenda Supplement**

Meeting Date: October 16, 2018

Item: Illinois Law Enforcement Training and Standards Board Grant Award

Staff Recommendation: A motion to adopt:

1. A Resolution accepting the Illinois Law Enforcement Training and Standards Board grant award for the reimbursement of purchases of in-car video cameras for use in law enforcement vehicles and authorizing the City Manager to execute contracts for the corresponding grant purchases.
2. An Ordinance amending the 2018-2019 Budget increasing the budgeted amounts for the corresponding grant purchases.

Staff Contact: James Black, Chief of Police
George Koczwar, Director of Finance
Greg Fettes, Director of Information Technology

Background:

In April of 2018, the Police Department applied for a grant administered by the Illinois Law Enforcement Training and Standards Board for monies that would allow the City to recoup a portion of the costs associated with the purchase of the Panasonic Arbitrator squad camera systems procured in the fall of 2016. This past August, the City was awarded \$93,000.00 in grant money.

As required by the grant and mandated by State law (Law Enforcement Camera Grant Act, 50 ILCS 707), the Police Department must now retain all captured squad video for a minimum of 2 years. The previous minimum retention period for video was 90 days.

The proceeds from the grant award will be used to reimburse the City a portion of the costs of the squad car camera system as well as the costs associated with server and related equipment to enhance the recording retention period.

Votes Required to Pass:

Resolution: Simple Majority

Budget Amendment Ordinance: Two-thirds of Councilmembers holding office (5)



DRAFT

RESOLUTION

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE that the City of Crystal Lake hereby accepts the Illinois Law Enforcement Training and Standards Board grant award for the reimbursement of purchases of in-car video cameras for use in law enforcement vehicles.

BE IT FURTHER RESOLVED that the City Manager is hereby authorized to take any actions necessary to facilitate the acceptance and execution of the Illinois Law Enforcement Training and Standards Board grant award for the reimbursement of purchases of in-car video cameras for use in law enforcement vehicles including technology related equipment purchases from Dell in the amount of \$18,633.12 and CDW in the amount of \$9,396.01.

DATED this 16th day of October, 2018.

CITY OF CRYSTAL LAKE, an
Illinois municipal corporation,

By: _____
Aaron T. Shepley, Mayor

SEAL

ATTEST

Nick Kachiroubas, City Clerk

PASSED: October 16, 2018

APPROVED: October 16, 2018



DRAFT

The City of Crystal Lake

AN ORDINANCE AUTHORIZING AN AMENDMENT TO THE BUDGET FOR FISCAL YEAR 2018-2019 FOR THE CITY OF CRYSTAL LAKE

WHEREAS, on April 17, 2018, the Annual Budget for Fiscal Year 2018-2019 was adopted and approved by Ordinance 7466-117; and

WHEREAS, it has been determined that certain revisions to the Annual Budget for Fiscal Year 2018-2019 are necessary to adjust for additional expenses which were not anticipated at the time that the Annual Budget for Fiscal Year 2018-2019 was adopted, and

WHEREAS, 65 ILCS 5/8-2-9.6 permits the corporate authorities of the City of Crystal Lake to make such revisions to the Annual Budget for Fiscal Year 2018-2019 upon a two-thirds vote of the corporate authorities; and

WHEREAS, the Mayor and City Council believe it is in the best interest of the City of Crystal Lake to revise the Annual Budget for Fiscal Year 2018-2019 to reflect such budget adjustments, as set forth in this ordinance; and

WHEREAS, all of the adjustments to the Annual Budget for Fiscal Year 2018-2019, contemplated by this ordinance contain sufficient funds to effectuate the purpose of the proposed revisions.

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

SECTION ONE: The foregoing recitals are incorporated herein and by this reference made a part hereof as findings of the Mayor and City Council of the City of Crystal Lake as if fully set forth.

SECTION TWO: The Budget for all corporate purposes of the City of Crystal Lake, County of McHenry, State of Illinois, for the fiscal year commencing on the first day of May 2018 and ending on the thirtieth day of April 2019, as presented to the Mayor and City Council of the City of Crystal Lake on April 17, 2018, is hereby amended and revised and incorporated herein by this reference and made a part hereof and is hereby adopted.

SECTION THREE: Pursuant to Section 8-2-9.6 of the Illinois Municipal Code, (65

DRAFT

ILCS 5/8-2-9.4), the original budgeted expenditures shall be and hereby is amended as follows:

	Fiscal Year	Prior	Current	Fiscal Year
	2018-2019	2018-2019	Amendment	2018-2019
	Original Budget	Amendments	Request	Amended Budget
Combined General Fund Revenues	\$30,949,507	\$10,000	\$93,000	\$31,052,507
Combined General Fund Expenditures	\$29,061,329	\$10,000	\$28,029	\$29,099,358

SECTION FOUR: This ordinance shall be in full force and effect upon passage and approval and publication in pamphlet form as required by law.

DATED at Crystal Lake, Illinois, this 16th day of October, 2018.

CITY OF CRYSTAL LAKE,
an Illinois Municipal Corporation

BY: _____
Mayor

SEAL

ATTEST:

City Clerk

PASSED: October 16, 2018

APPROVED: October 16, 2018