



CITY OF CRYSTAL LAKE
AGENDA
CITY COUNCIL
REGULAR MEETING
City of Crystal Lake
100 West Woodstock Street, Crystal Lake, IL
City Council Chambers
June 18, 2019
7:30 p.m.

1. **Call to Order**
2. **Roll Call**
3. **Pledge of Allegiance**
4. **Approval of Minutes – June 4, 2019 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. **St. Thomas the Apostle Church Outdoor Mass and Picnic Special Event Request and Lake Street Road Closure - Sunday, July 28, 2019**
 - b. **Crystal Lake Water Ski Association Tournaments Special Event Request, Waiver of No-Wake Restrictions and Fee Waiver, 300 Lake Shore Drive – July 14, August 18 and September 1, 2019**
10. **On Angel's Wings Special Use Permit to allow for a Used Merchandise Store, 2 Crystal Lake Plaza**
11. **Arby's Planned Unit Development Amendment to allow changes to the exterior facade, 6000 Northwest Highway**
12. **Bohl Farm Marketplace – Five Below Planned Unit Development Amendment to allow changes to the façade and signage, 5460 Northwest Highway**
13. **Pingry Place Townhomes Planned Unit Development Amendment to allow changes to the approved elevations and floor plans**
14. **Unified Development Ordinance (UDO) Text Amendment, Chapter 650 of the City Code Article 2 and Article 4**
15. **Lease Agreement - Lou Street Lockup**
16. **Amending the Vehicle Leasing and Replacement Program for the 2019-2020 Fiscal Year**

- 17. Purchase – Six (6) inch Portable Wastewater Pump**
- 18. Bid Award – Ackman/Huntley Road Path Construction**
- 19. Appropriation of Motor Fuel Tax (MFT) funds for the pedestrian improvements for the Ackman Road/Huntley Road Path**
- 20. Consideration of a Resolution – Urging action to alleviate Wedgewood Subdivision Drainage Issues**
- 21. General Obligation Bonds, Series 2019 and the Refunding of Series 2009 A and B Bonds**
- 22. Board and Commission Reappointments – Historic Preservation Commission**
- 23. Council Inquiries and Requests**
- 24. 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**
- 25. Reconvene to Regular Session**
- 26. Adjourn**

If special assistance is needed in order to participate in a City of Crystal Lake public meeting, please contact Melanie Nebel, 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: June 18, 2019

Item: St. Thomas the Apostle Church Outdoor Mass and Picnic

Staff Recommendation: Motion to approve the St. Thomas the Apostle Church's application for a Special Event for an outdoor mass and picnic, including the closure of part of Lake Street, on Sunday, July 28, 2019, pursuant to the staff recommended conditions.

Staff Contact: Michelle Rentzsch, Director of Community Development
Sharon Doruff, Administrative Assistant

Background: St. Thomas the Apostle Church has requested a Special Event approval for their annual outdoor mass and picnic. The event is scheduled for Sunday, July 28, 2019 from 7:00 a.m. until 7:00 p.m. The request includes permission to close Lake Street between Washington Street and the western portion of the St. Thomas the Apostle Church property. Closing Lake Street would make it safer for the participants to move between the St. Thomas school area to the parking lot and grassy area across the street from the school, as well as provide for adequate time for setup and cleanup. The City Council has approved similar requests annually since 2013.

City staff has reviewed the petitioner's request and does not have concerns regarding the event and the closure of Lake Street, providing the following conditions are met:

- 1) City-owned barricades must be used to block off the street closure sections. Barricades must be placed to allow access to existing crosswalks. In addition, a "Local Traffic Only" sign must be placed temporarily at the entrance to Lake Street from Dole Avenue.
- 2) The petitioner must send a notice to all affected property owners along Lake Street.
- 3) Emergency vehicle access must be maintained throughout the event. Items should not be placed on the roadway to prohibit access, and volunteers should be available to remove barricades to allow emergency vehicles on the roadway, if necessary.
- 4) Local traffic access to Lake Street must be maintained throughout the event. Volunteers should be available to remove barricades to allow property owners on the roadway, if necessary.

- 5) All debris created by the event shall be cleaned up during and after the event.
- 6) Provide 20-foot access lane(s) for emergency vehicles to gain access to the building, Fire Department Connection, and the event site.
- 7) Fire hydrants located on or near the property of the event must remain unobstructed and “No Parking” signs posted.
- 8) The use of a tent or tents was indicated on the application but not on the site map. Tents and canopies used for this event must comply with City’s tent requirements.
- 9) Generators, if used, must be a minimum of 20 feet from any tents/canopies and protected from the public by fencing, enclosure, or other approved means.
- 10) Any barricades used to restrict traffic or pedestrians must be easily moveable or manned by event staff should an emergency occur during the event hours.
- 11) The applicant needs to contact the Fire Prevention Bureau three days prior to the event to schedule a site/tent inspection, or if you have any questions or concerns regarding this review.
- 12) Promotional and informational banners and signage may need a limited duration sign permit issued from the Building Division. Please contact the Building Division regarding signage to be used in conjunction with the event.
- 13) In the case of inclement weather, an alternate date can be approved by the City Manager.

The applicant has been made aware of these recommended conditions and advised to attend the June 18, 2019 City Council meeting to answer any questions.

Votes Required to Pass: Simple majority vote.



Agenda Item No: 9b

City Council Agenda Supplement

<u>Meeting Date:</u>	June 18, 2019
<u>Item:</u>	Crystal Lake Water Ski Association Tournaments Special Event
<u>Staff Recommendation:</u>	<p>Motion to approve the Crystal Lake Water Ski Association's Special Event requests for their 2019 Tournaments to be held on July 14, August 18, and September 1:</p> <ol style="list-style-type: none">1. The application for a Special Event Permit pursuant to the conditions recommended in this agenda supplement,2. A waiver of no-wake restrictions on Crystal Lake, and3. A waiver of the application fee (\$50).
<u>Staff Contact:</u>	Michelle Rentzsch, Director of Community Development Sharon Doruff, Administrative Assistant

Background:

The Crystal Lake Water Ski Association (CLWSA) is requesting approval of its schedule for three tournaments throughout the summer of 2019. This includes a waiver of the no-wake restrictions on Crystal Lake. The dates and times of the tournaments are:

1. Slalom Tournament – Sunday, July 14, 2019 from 2:00 p.m. to 6:00 p.m.
2. Slalom Tournament – Sunday, August 18, 2019 from 2:00 p.m. to 6:00 p.m.
3. Barefoot Tournament – Sunday, September 1, 2019 from 2:00 p.m. to 6:00 p.m.

As the events would occur during no-wake hours, the CLWSA is requesting a waiver from the no-wake restrictions for event participants. No-wake restrictions would be back in effect at the end of the events. The City Council has lifted the no-wake restrictions for these events in the past and also approved a fee waiver.

Ski areas will be clearly marked and adequate personnel will be provided to ensure a safe event. The organizers are not requesting any further assistance of the City. The CLWSA has also received approval for a no-wake restrictions waiver from the Crystal Lake Park District and the Village of Lakewood.

City staff has reviewed the request and does not have any concerns in waiving the no-wake restrictions, providing the following conditions are met:

- 1) All debris created by the event must be cleaned up during and after the event.
- 2) Petitioner must adhere to the required City insurance provisions for the use of City-owned property and sign the required Indemnity/Hold Harmless agreement.
- 3) Promotional and informational banners and signage may need a limited duration sign permit issued from the Building Division. Please contact the Building Division regarding signage to be used in conjunction with the event.
- 4) In the case of inclement weather, alternate dates can be approved by the City Manager.

The applicant has requested that the \$50 application fee be waived.

The applicant has been made aware of these recommended conditions and advised to attend the June 18, 2019 City Council meeting to answer any questions.

Votes Required to Pass:

Simple majority vote.



Agenda Item No: 10

**City Council
Agenda Supplement**

<u>Meeting Date:</u>	June 18, 2019
<u>Item:</u>	REPORT OF THE PLANNING & ZONING COMMISSION
<u>Request:</u>	Special Use Permit for a Used Merchandise Store
<u>Petitioner:</u>	Jeannette Hager and Vanessa Candow, On Angel's Wings, petitioners 2 Crystal Lake Plaza
<u>PZC Recommendations:</u>	To approve the PZC recommendation and adopt an ordinance granting the SUP for a Used Merchandise Store at 2 Crystal Lake Plaza.
<u>Staff Contact:</u>	Michelle Rentzsch, Director of Community Development Elizabeth Maxwell, City Planner

Background:

- On Angel's Wings recently received approval to locate in the former Party City space, but found the interior needed significant renovations. They are now locating at this space in the Plaza.
- The petitioner is proposing a Used Merchandise store with animal adoptions. The used merchandise portion is 4,500 square feet and the pet adoption center is 9,622 square feet. The Special Use Permit is required for the used merchandise use. Pet adoptions are considered a pet store and are a permitted use in the B-2 zoning district.

PZC Highlights:

- The PZC discussed the use of the building and had several questions about the pet adoption function of the space.
- The PZC was supportive of the request for a Special Use Permit for the used merchandise store, noting that it helps support the animal rescue, which is a good thing for the community and found that the request met the Findings of Fact.

PZC Vote:

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

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
 - A. Application (On Angel's Wings, received 05/16/19)
 - B. Floor Plan (On Angel's Wings, received 05/16/19)
 - C. Floor Plan (On Angel's Wings, undated, received 05/16/19)
2. No outside donation bins are permitted.
3. If donations are left outside or dropped off outside, it is the responsibility of On Angel's Wings staff to remove them in a timely fashion. If this condition is violated, a citation will be issued upon inspection of the premises.
4. The petitioner shall comply with all noise ordinances.
5. The petitioner shall safely transport animals in and out of the premises for viewing, adoptions and walks.
6. 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.

PLN-2019-00086 On Angel's Wings – 2 Crystal Lake Plaza Units D & E – Special Use Permit



DRAFT

Ord. No.
File No.



The City of Crystal Lake Illinois

AN ORDINANCE GRANTING A SPECIAL USE PERMIT
AT 2 CRYSTAL LAKE PLAZA

WHEREAS, pursuant to the terms of a Petition (File #PLN-2019-86) before the Crystal Lake Planning and Zoning Commission, the Petitioner has requested the issuance of a Special Use Permit to allow a used merchandise store for the property located at 2 Crystal Lake Plaza; and

WHEREAS, the Planning and Zoning Commission of the City of Crystal Lake, pursuant to notice duly published on May 17, 2019 in the Northwest Herald, held a public hearing at 7:30 p.m., on June 5, 2019 at City Hall at 100 W. Woodstock Street, Crystal Lake, Illinois to consider the proposed Special Use Permit; and

WHEREAS, on June 5, 2019, 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 #PLN-2019-86, dated as of June 6, 2019; 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 used merchandise store for the property commonly known as 2 Crystal Lake Plaza Unit (19-05-382-011), 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 (On Angel's Wings, received 05/16/19)
 - B. Floor Plan (On Angel's Wings, received 05/16/19)

C. Floor Plan (On Angel’s Wings, undated, received 05/16/19)

2. No outside donation bins are permitted.
3. If donations are left outside or dropped off outside, it is the responsibility of On Angel’s Wings staff to remove them in a timely fashion. If this condition is violated, a citation will be issued upon inspection of the premises.
4. The petitioner shall comply with all noise ordinances.
5. The petitioner shall safely transport animals in and out of the premises for viewing, adoptions and walks.
6. 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 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.

DATED at Crystal Lake, Illinois, this 18th day of June, 2019.

City of Crystal Lake, an
Illinois municipal corporation

Aaron T. Shepley, Mayor

SEAL

ATTEST:

Nick Kachiroubas, City Clerk

Passed: June 18, 2019

Approved: June 18, 2019



Agenda Item No: 11

City Council Agenda Supplement

<u>Meeting Date:</u>	June 18, 2019
<u>Item:</u>	REPORT OF THE PLANNING & ZONING COMMISSION
<u>Request:</u>	Arby's Final PUD Amendment to allow changes to the exterior facade.
<u>Petitioner:</u>	Michael Mohr, Mohr Architecture, representing the petitioner 6000 Northwest Hwy
<u>PZC Recommendation:</u>	To approve the PZC recommendation and adopt an ordinance granting the Final PUD Amendment for exterior changes at 6000 Northwest Highway.
<u>Staff Contact:</u>	Michelle Rentzsch, Director of Community Development Kathryn Cowlin, Assistant City Planner

Background:

- **Existing Use:** Arby's has been at this existing location since 1984 when it received Planned Unit Development and a Special Use Permit approval for a drive-through restaurant.
- **Previous Approvals:** In 2002, Arby's received approval for a façade renovation, which included adding a trellis, new signage and parking lot lighting. In 2005, the landscape plan was amended to add landscaping around the drive-through menu sign.
- **Proposed Changes:** The proposed plan includes renovating the entire exterior to update the branding. The exterior renovations include removing the EIFS and adding Hardie Board siding on the parapet wall, painting the existing brick, adding a cornice and a red awning.
- The outdoor seating area would remain, but the trellis would be removed.

PZC Highlights:

- The PZC thanked the petitioner for investing in the property and felt that the Findings of Fact had been met.

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

1. Approved plans, to reflect staff and advisory board comments, as approved by the City Council:

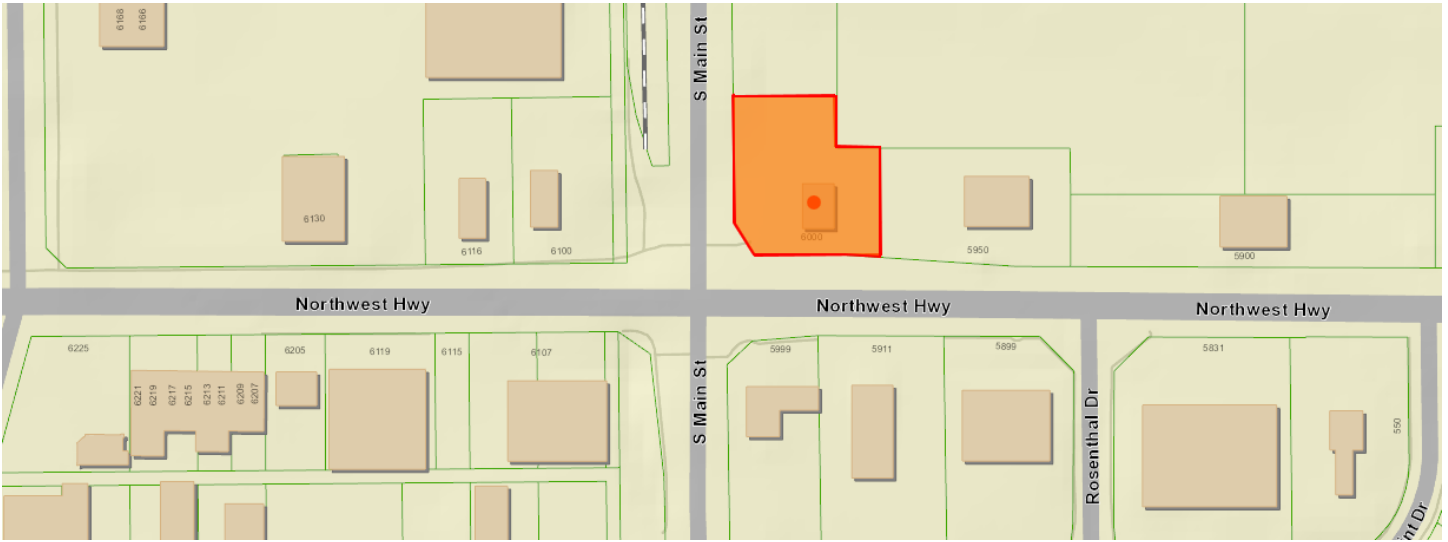
- A. Application (Mohr Architecture, dated 05/03/19, received 05/06/19).
- B. Elevations (Mohr Architecture, dated 10/01/19, received 10/)

2. The wall sign on the south elevation must not be greater than 50 square feet in area.
3. The light fixtures must be a decorative fixture.
4. The dumpster enclosure must be painted white and gray to match the building.
5. Replace any missing landscaping to ensure the property is in compliance with the approved landscape plan.
6. The total allowable square footage of wall signs is 150 square feet, as permitted by the UDO.
7. The conditions of the previous PUD Amendments and original PUD Ordinance (#4080, 5037, 5049, 5126 and 5607) are still valid, as applicable.
8. The petitioner shall comply with all of the requirements of the Community Development Department.

Votes Required to Pass:

A simple majority vote.

PLN-2019-00074 – ARBY'S – 6000 NORTHWEST HWY.



DRAFT

Ord. No.
File No.



The City of Crystal Lake Illinois

**AN ORDINANCE GRANTING AN AMENDMENT
TO THE FINAL PUD FOR ARBY'S**

WHEREAS, pursuant to the terms of the Petition (File #PLN-2019-00074) before the Crystal Lake Planning and Zoning Commission, the Petitioner has requested an Amendment to the Final Planned Unit Development for to allow changes to the exterior façade; and

WHEREAS, the Planning and Zoning Commission of the City of Crystal Lake, pursuant to notice duly published on May 17, 2019 in the Northwest Herald, held a public hearing at 7:30 p.m., on June 5, 2019 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 June 5, 2019, 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 #PLN-2019-00074, dated as of June 6, 2019; 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 exterior façade for the property located at 6000 Northwest Highway (19-04-351-012), 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 (Mohr Architecture, dated 05/03/19, received 05/06/19).

B. Elevations (Mohr Architecture, dated 10/01/19, received 10/)

2. The wall sign on the south elevation must not be greater than 50 square feet in area.
3. The light fixtures must be a decorative fixture.
4. The dumpster enclosure must be painted white and gray to match the building.
5. Replace any missing landscaping to ensure the property is in compliance with the approved landscape plan.
6. The total allowable square footage of wall signs is 150 square feet, as permitted by the UDO.
7. The conditions of the previous PUD Amendments and original PUD Ordinance (#4080, 5037, 5049, 5126 and 5607) are still valid, as applicable.
8. 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.

Ord. No.
File No.

DATED at Crystal Lake, Illinois, this 18th day of June, 2019.

City of Crystal Lake, an
Illinois municipal corporation

Aaron T. Shepley, Mayor

SEAL

ATTEST:

Nick Kachiroubas, City Clerk

Passed: June 18, 2019

Approved: June 18, 2019



Agenda Item No: 12

**City Council
Agenda Supplement**

Meeting Date: June 18, 2019

Item: REPORT OF THE PLANNING & ZONING COMMISSION

Request: Bohl Farm Marketplace - Five Below Final Planned Unit Development Amendment to allow changes to the façade and signage.

Petitioner: Jeffrey Brownell, petitioner
5460 Northwest Highway

PZC Recommendations: To approve the PZC recommendations and adopt an ordinance granting the Final PUD Amendment to allow the changes to the approved elevations and signage for Five Below at 5460 Northwest Highway.

Staff Contact: Michelle Rentzsch, Director of Community Development
Elizabeth Maxwell, City Planner

Background:

- The original Planned Unit Development approval included the Dress Barn at this location. A small sign variation to allow 54 square feet was also granted.
- Five Below is relocating from the outlot building to this inline space. They are requesting painting the EIFS behind the sign text blue, which would be considered signage. The text portion is 75.69 square feet and the entire blue background is 316 square feet.
- Several other tenants in the shopping center have received sign variations.

Business	Wall Signage
Target	292 SF
Buy Buy Baby	211.58 SF
Kohls	195 SF
Fresh Thyme	239.5 SF
Planet Fitness	140 SF

PZC Highlights:

- The PZC did have concerns with the blue background. Most of the tenants in the center are using the center colors and not proprietary colors. They amended the condition to reduce the blue background by approximately 48 feet.
- The PZC found that the request met the Findings of Fact.

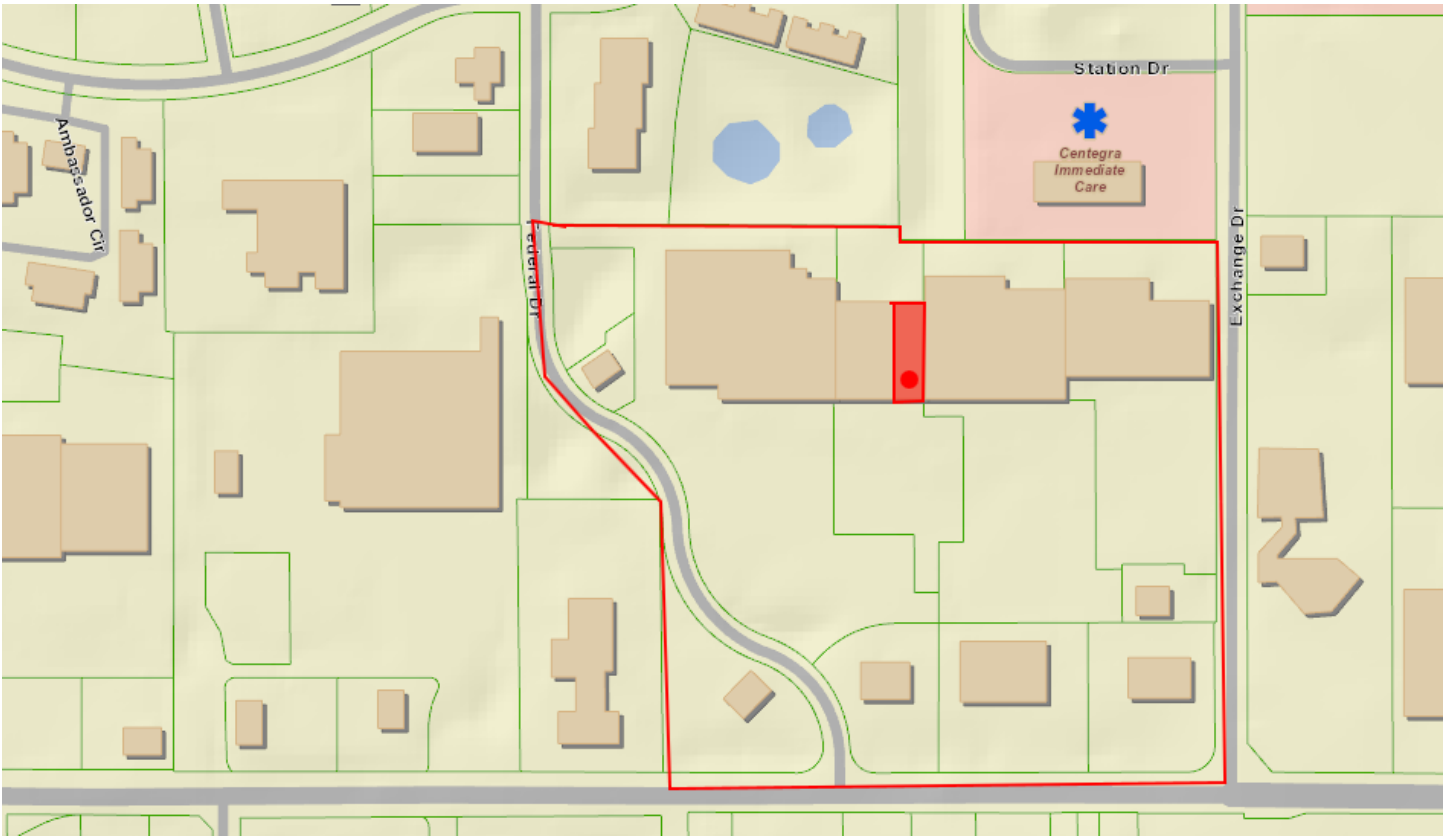
PZC Vote:

The PZC recommended **approval (6-0)** 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 (IRC Retail Centers, received 05/13/19)
 - B. Narrative (PFDA Architects, dated 05/10/19, received 05/13/19)
 - C. Elevation, sheet A2 (PFDA Architects, dated 05/13/19, received 05/13/19)
 - D. Alteration Plan Sheet A1 (PFDA Architects, dated 05/02/19, received 05/13/19)
 - E. Signage (Kieffer Starlite, dated 03/11/19, received 05/13/19)
 - F. Alta Survey (American Surveying & Mapping, dated 03/24/16, received 05/13/19)
2. The overall planned unit development approval and all subsequent amendments are still in effect unless modified by this ordinance.
3. Work with staff to replace any dead or dying landscape in the center.
4. The petitioner must address all of the review comments and requirements of the Community Development, Fire Rescue, Police, and Public Works Departments.
5. **Reduce the blue background of the wall sign by two feet along the length, which is approximately 48 square feet. (Added by PZC)**

Votes Required to Pass: A simple majority vote.

PLN-2019-00081 FIVE BELOW – 5460 NORTHWEST HWY.



DRAFT

Ord. No.
File No.



The City of Crystal Lake Illinois

**AN ORDINANCE GRANTING AN AMENDMENT
TO THE FINAL PUD FOR FIVE BELOW**

WHEREAS, pursuant to the terms of the Petition (File #PLN-2019-81) before the Crystal Lake Planning and Zoning Commission, the Petitioner has requested an Amendment to the Final Planned Unit Development for to allow exterior changes to the building façade and signage including an additional variation for increased wall signage; and

WHEREAS, the Planning and Zoning Commission of the City of Crystal Lake, pursuant to notice duly published on May 17, 2019 in the Northwest Herald, held a public hearing at 7:30 p.m., on June 5, 2019 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 June 5, 2019, 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 #PLN-2019-81, dated as of June 6, 2019; 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 exterior changes to the building façade and signage including an additional variation for increased wall signage for the property located at 5540 Northwest Highway (19-04-452-002), Crystal Lake, Illinois.

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

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
 - A. Application (IRC Retail Centers, received 05/13/19)
 - B. Narrative (PFDA Architects, dated 05/10/19, received 05/13/19)
 - C. Elevation, sheet A2 (PFDA Architects, dated 05/13/19, received 05/13/19)
 - D. Alteration Plan Sheet A1 (PFDA Architects, dated 05/02/19, received 05/13/19)
 - E. Signage (Kieffer Starlite, dated 03/11/19, received 05/13/19)
 - F. Alta Survey (American Surveying & Mapping, dated 03/24/16, received 05/13/19)
2. The overall planned unit development approval and all subsequent amendments are still in effect unless modified by this ordinance.
3. Work with staff to replace any dead or dying landscape in the center.
4. The petitioner must address all of the review comments and requirements of the Community Development, Fire Rescue, Police, and Public Works Departments.
5. Reduce the blue background of the wall sign by two feet along the length, which is approximately 48 square feet.

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.

Ord. No.
File No.

DATED at Crystal Lake, Illinois, this 18th day of June, 2019.

City of Crystal Lake, an
Illinois municipal corporation

Aaron T. Shepley, Mayor

SEAL

ATTEST:

Nick Kachiroubas, City Clerk

Passed: June 18, 2019

Approved: June 18, 2019



Agenda Item No: 13

City Council Agenda Supplement

<u>Meeting Date:</u>	June 18, 2019
<u>Item:</u>	REPORT OF THE PLANNING & ZONING COMMISSION
<u>Request:</u>	Pingry Place Townhomes Planned Unit Development Amendment to allow changes to the approved elevations and floor plans.
<u>Petitioner:</u>	David Helmrich, Metronomic and Pingry Place HOA, petitioners Woodstock Street and Grant Street
<u>PZC Recommendation:</u>	To approve the PZC recommendation and adopt an ordinance granting the PUD Amendment to allow changes to the approved elevations and floor plans at the Pingry Place Townhomes.
<u>Staff Contact:</u>	Michelle Rentzsch, Director of Community Development Kathryn Cowlin, Assistant City Planner

Background:

- The subject property received Final Planned Unit Development and Final Plat of Subdivision approval in 1992. The PUD approval was for 34 townhome units.
- The original developer constructed the first phase which consisted of 14 units. The exterior finish material (face brick) started to fail shortly after the construction was completed.
- In 1997, Builders Group Inc. proposed replacing the face brick with full brick. The City had no objection to this request. The work was never completed.
- The current property owners have been patching the existing face brick as it has failed, but this has not been a viable long-term solution.
- In 2018, the current HOA proposed stabilizing the existing face brick over the winter until the brick could be completely replaced with full brick in phases over a four year time span. The replacement schedule was agreed to in an effort to give the HOA time to finance the costly replacement of the brick (\$600,000) and avoid code enforcement fines. The replacement of the brick was to commence by May 1, 2019, but was delayed due to the proposed PUD Amendment.
- In 2019, Metronomic purchased the remaining buildable lots. In an effort to improve the property and resolve the existing façade issue, the developer and the HOA are requesting a PUD Amendment to change the facades.

Request:

- The petitioners are requesting a Final PUD Amendment to allow changes to the approved elevations and floor plans.
 - The proposed building materials are stacked stone for the base, James Hardie board horizontal siding with shake siding in the gables and metal balusters on the balconies.
 - The elevations will be accented with five-inch window trim, gable brackets and chimneys. The new units will have chimneys to match the existing units.
 - The sides of the new construction units will be accented with windows so there will not be any blank elevations.
- Metronomics will be developing the remaining vacant lots and the HOA will coordinate the refurbishing of the existing units.

PZC Highlights:

- The HOA supports the proposed elevations and feels they will be a great improvement to the property.
- The HOA requested that they be given extra time to complete the improvements. The PZC recommended a revision to recommended condition number two.
- The PZC felt that the Findings of Fact had been met.

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

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
 - A. Application (Metronomic & Pingry Place Homeowner’s Association, dated 05/13/19, received 05/14/19)
 - B. Color Rendering (Metronomic, received 05/13/19)
 - C. Architecture Plan Set (ALA, dated 05/09/19, received 05/14/19)
 - D. Plat of Survey (Vanderstappen, dated 03/12/19, received 05/14/19)
2. The exterior renovation to the existing 14 units ~~must~~ **should** be completed by December 31, 2020 **or reviewed by the City Council for progress prior to that date. (Amended by the PZC)**
3. Site landscaping must match the approved landscape plan, substituted plant species need to be approved by city staff.
4. All conditions of approval from ordinance 3526 are still valid, unless amended by this approval.
5. ~~If~~ **Revisions to the Covenants, Codes and Restrictions are proposed, submit a copy for city staff review and a draft to City Council for their review. (Amended 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.

PLN-2019-00082 PINGRY PLACE TOWNHOUSES – FINAL PUD AMENDMENT



DRAFT

Ord. No.
File No.



The City of Crystal Lake Illinois

**AN ORDINANCE GRANTING AN AMENDMENT
TO THE FINAL PUD FOR PINGRY PLACE**

WHEREAS, pursuant to the terms of the Petition (File #PLN-2019-00083) 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 exterior façade and floor plans; and

WHEREAS, the Planning and Zoning Commission of the City of Crystal Lake, pursuant to notice duly published on May 17, 2019 in the Northwest Herald, held a public hearing at 7:30 p.m., on June 5, 2019 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 June 5, 2019, 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 #PLN-2019-00082, dated as of June 6, 2019; 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 exterior façade and floor plans for the properties located at 25-32 Bryant Court, 31-39 Patrick Lane, and 81-109 Lesley Lane (14-32-478-012, 14-32-478-013, 14-32-478-014, 14-32-478-015, 14-32-478-016, 14-32-478-017, 14-32-478-018, 14-32-478-019, 14-32-478-020, 14-32-478-021, 14-32-478-022, 14-32-478-023, 14-32-478-024, 14-32-478-025, 14-32-478-026, 14-32-478-027, 14-32-478-028, 14-32-478-029, 14-32-478-030, 14-32-478-031, 14-32-478-032, 14-32-478-033, 14-32-478-034, 14-32-478-035, 14-32-478-036, 14-32-478-037, 14-32-478-039, 14-32-478-040, 14-32-478-041, 14-32-478-042, 14-32-478-043, 14-32-478-044, 14-32-478-045, 14-32-478-046), Crystal Lake, Illinois.

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

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
 - A. Application (Metronomic & Pingry Place Homeowner's Association, dated 05/13/19, received 05/14/19)
 - B. Color Rendering (Metronomic, received 05/13/19)
 - C. Architecture Plan Set (ALA, dated 05/09/19, received 05/14/19)
 - D. Plat of Survey (Vanderstappen, dated 03/12/19, received 05/14/19)
2. The exterior renovation to the existing 14 units should be completed by December 31, 2020 or reviewed by the City Council for progress prior to that date.
3. Site landscaping must match the approved landscape plan, substituted plant species need to be approved by city staff.
4. All conditions of approval from ordinance 3526 are still valid, unless amended by this approval.
5. Revisions to the Covenants, Codes and Restrictions are proposed, submit a copy for city staff review and a draft to City Council for their review.
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 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.

Ord. No.
File No.

DATED at Crystal Lake, Illinois, this 18th day of June, 2019.

City of Crystal Lake, an
Illinois municipal corporation

Aaron T. Shepley, Mayor

SEAL

ATTEST:

Nick Kachiroubas, City Clerk

Passed: June 18, 2019

Approved: June 18, 2019



Agenda Item No: 14

City Council Agenda Supplement

Meeting Date:

June 18, 2019

Item:

UDO Text Amendment to Article 2 and Article 4.

PZC Recommendation:

To approve the PZC recommendation and adopt an ordinance amending Chapter 650 of the Code of Ordinances of the City of Crystal Lake for the changes to Articles 2 and 4.

Staff Contact:

Michelle Rentzsch, Director of Community Development
Kathryn Cowlin, Assistant City Planner

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 include the following:

Article 2

- Allow Stealth Design Wireless Communication Antennas as a Special Use. This will allow for a public hearing and give neighboring property owners an opportunity to voice any concerns.
- Clarification of the standards for the Stealth Design Wireless Communication Antennas.

Article 4

- The City received a complaint regarding a property owner continually keeping a motor home parked in the driveway.
- Clarification to the exceptions for residential parking by removing “consecutive”. The change would allow motor homes over 25 feet in length to be temporarily parked on residential driveways for 10 days in one month, as long as the motor home is not being used for residential purposes.

- As it reads now, a motor home can sit in a driveway for 10 days, leave for one day, and be back for another ten days and so on. The original intent was to allow homeowners the ability to temporarily park (up to 10 days) when preparing or returning from a trip. The original intent was not to allow motor homes permanently in the driveway.

Article 4 – Use of Residential Parking Areas:

F. Use of residential parking areas. The parking and storage of construction equipment, trucks, trailers and commercial vehicles in any residential district must be in a fully enclosed structure. If not, the vehicle standards listed below must be met. All vehicles as provided herein are allowed to be parked only on an approved surface.

2. Exceptions.

- a. The following vehicles are exceptions to the restrictions set forth in the vehicle standards listed above in Subsection F(1):
 - (i) Recreational vehicles. A recreational vehicle can be stored anywhere on the interior side yards (does not include side yard abutting a street), rear yard or driveway, as long as it does not result in impaired visibility for motorists maneuvering between neighboring properties and the street.
 - (ii) Oversized livery vehicles. An oversized livery vehicle, commonly known as a "stretch limousine," that is used or intended to be used for the transportation of persons for hire shall not be subject to the length restrictions set forth in Subsection F(1)(c) of this section.
 - (iii) Service, emergency, and utility vehicles. Garbage trucks, school buses, utility company vehicles, government-owned vehicles, emergency vehicles conducting emergency operations, service trucks, tow trucks, landscaping vehicles, vehicles servicing a construction site, delivery trucks, and moving vans (while loading or unloading), but only while engaged in their customary business use.
 - (iv) Motor homes over 25 feet in length can be temporarily parked on residential driveways, for a period not to exceed 10 consecutive days in one month, as long as the motor home is not being used for residential purposes.
 - (v) A recreational vehicle that is larger than 25 feet in length and/or 11 feet in height can be stored in the interior side yards or rear yard as long as it is not located within five feet of the side or rear property lines. "Rear yard" shall be defined as set forth in this chapter.
 - (vi) Not more than two recreational vehicles shall be located on a lot, unless otherwise allowed pursuant to the provisions of this chapter. Trailers and contents located thereon shall be considered as one recreational vehicle.
 - (vii) In the case of a legal nonconforming lot, where the side yard is obstructed by restrictive size, trees, uneven grade, or poor access, watercrafts may be stored in the front yard, yard abutting a street or the street side yard of a lake front lot. Fences, landscaping or similar obstacles constructed or placed in the access to the interior side yard do not constitute an obstruction. Watercraft shall only be allowed in these locations from October 1 through April 30. From May 1 through September 30, watercraft may be parked on the driveway.

PZC Highlights:

- The PZC discussed the proposed amendments and had no issues with the proposed language.
- Following discussion, the PZC recommended **approval (6-0)** of the proposed changes as presented.

Votes Required to Pass: A simple majority.

DRAFT

Ord. No.
File No.



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**

WHEREAS, pursuant to its home rule powers, the Illinois Municipal Code, and other applicable authority, the City is authorized to regulate land uses and the construction, alteration, and maintenance of structures and the use of residential parking areas within the City and does so pursuant to the City’s Unified Development Ordinance, set forth as Chapter 650 of the Crystal Lake City Code; and

WHEREAS, from time to time it is appropriate to review, update and modify the Unified Development Ordinance to assure that it appropriately addresses new issues that may arise; and

WHEREAS, the Planning and Zoning Commission of the City of Crystal Lake, pursuant to notice duly published on May 17, 2019 in the Northwest Herald, held a public hearing at 7:30 p.m., on June 5, 2019 at City Hall at 100 W. Woodstock Street, Crystal Lake, Illinois to consider proposed amendments to the Unified Development Ordinance regarding stealth wireless antennas and Article 4 within the City; and

WHEREAS, on June 5, 2019, 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 proposed amendments to the Unified Development Ordinance be approved, all as more specifically set forth in that certain Report of the Planning and Zoning Commission in Case #PLN-2019-00083, dated as of June 6, 2019; and

WHEREAS, the Mayor and City Council, having considered such recommendation and the findings and report of the Planning and Zoning Commission, have found and determined that adopting amendments to the Unified Development Ordinance regarding stealth wireless antennas and exemptions to the use of residential parking areas section as set forth in this Ordinance will be in the

best interests of the City and its residents;

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 Table 650-2-300, “Permitted Uses Table,” set forth in Section 650-2-200, “Use Categories,” of the City’s Unified Development Ordinance be amended in part as follows:

TABLE 2-300 PERMITTED USES TABLE																		
	F	E	RE	R-1	R-2	R-3A	R-3B	RO	O	B-1	B-2	B-4	M-L	M	W	USE CRITERIA	NAICS	
Civic																		
Utilities																		
Utilities	Stealth-Design Wireless Communication Antennas	LS	LS	LS	LS	LS	LS	LS	LS	LS	LS	LS	LS	LS	S	2-400-C-71		

SECTION II: That Section 650-2-400C.71, “Stealth Designed Wireless Communication Antennas,” of the City’s Unified Development Ordinance be amended in part 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 towners, 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.
 - (iv) All ground mounted equipment associated with the stealth-designed wireless communication antennas must be fully screened with a solid board-on-board fence or with six-foot to eight-foot evergreen shrubs planted in an alternate pattern, five feet on center.**
 - (v) All ground mounted equipment associated with the stealth-designed wireless communication antennas must meet the required setbacks for accessory structures as outlined in this ordinance.**

SECTION III: That Section 650-4-200F.2.a.4, Use of Residential Parking Areas of the City's Unified Development Ordinance be amended in part to as follows:

- iv. Motor homes over 25 feet in length can be temporarily parked on residential driveways, for a period not to exceed 10 days in one month, as long as the motor home is not being used for residential purposes.

SECTION IV: That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION V: 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 18th day of June, 2019.

City of Crystal Lake, an
Illinois municipal corporation

Aaron T. Shepley, Mayor

SEAL

ATTEST:

Nick Kachiroubas, City Clerk

Passed: June 18, 2019

Approved: June 18, 2019



Agenda Item No: 15

**City Council
Agenda Supplement**

Meeting Date: June 18, 2019

Item: Lease Agreement with Lou Street Lockup

Staff Recommendation: Motion to adopt a resolution authorizing the City Manager to execute a one-year lease agreement with Lou Street Lockup for the use of the property at 6210 Lou Street, at a rate of \$2,000 per month

Staff Contact: Eric T. Helm, Deputy City Manager

Background:

The City's Police Department utilizes off-site storage for vehicles and equipment that have been impounded and are required to be stored. Since 2007, the City has utilized Lou Street Lockup, located at 6210 Lou Street, for this purpose. The facility currently meets the City's storage needs and the rent has not increased since 2007. The monthly rent of \$2,000 has remained unchanged since 2007. Due to these factors, it is recommended that the lease with Lou Street Lockup continue until July 17, 2020.

There is no change to the attached "Industrial Building Lease" language that was previously reviewed and approved by City legal counsel.

Votes Required to Pass:

Simple majority

DRAFT

Res. _____



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 a one (1) year lease agreement with Lou Street Lockup in the form attached hereto as Exhibit A for the use of the property at 6210 Lou Street, Suite 1 at a rate of \$2,000 per month.

DATED this 18th day of June, 2019.

CITY OF CRYSTAL LAKE, an
Illinois municipal corporation,

By: _____
MAYOR

SEAL

ATTEST:

CITY CLERK

PASSED:

APPROVED:



Agenda Item No: 16

**City Council
Agenda Supplement**

Meeting Date: June 18, 2019

Item: Amending the Vehicle Leasing and Replacement Program for the 2019-2020 Fiscal Year

Staff Recommendation: Motion to Adopt a Resolution amending the Vehicle Leasing and Replacement Program for the 2019-2020 Fiscal Year.

Staff Contact: George J. Koczwar, Director of Finance
James Black, Chief of Police

Summary:
At the April 16, 2019 City Council meeting, the City Council approved the 2019-2020 Vehicle Leasing and Replacement Program with Enterprise Fleet Management, Inc. The purpose of the attached Resolution is to amend the specific vehicles to be leased as part of the 2019-2020 program. The attached resolution adds Unit 1022, a Police Department marked squad car. In March 2019, Unit 1022 was involved in a car crash resulting in the vehicle being declared as totaled by the City's risk pool (IRMA). A 3rd party vehicle failed to yield as it made a left turn in front of the squad, causing the collision. Both drivers received only minor injuries. IRMA has already removed the vehicle and has reimbursed the City the vehicle's fair market value.

Votes Required to Pass:
Simple majority

DRAFT

Res. 19R-



RESOLUTION NO. 19R-

**AMENDMENT TO THE VEHICLE LEASING AND REPLACEMENT PROGRAM
FOR THE 2019-2020 FISCAL YEAR.**

WHEREAS, at the May 1, 2018 City Council Meeting, the City Council approved a Vehicle Leasing and Replacement Program (the "VLR Program") with Enterprise Fleet Management, Inc. for City vehicles through The Interlocal Purchasing System (TIPS) for a term of five years, with an option to renew for an additional five years; and

WHEREAS, the City Council authorized the City Manager to execute on behalf of the City a Master Equity Lease Agreement, Full Maintenance Agreement, and Maintenance Management and Fleet Rental Agreement with Enterprise Fleet Management, Inc.; and

WHEREAS, the City Council declared City vehicles to be surplus when the City Manager determined that various City-owned vehicles were no longer necessary to the City or otherwise need to be replaced for use by the City within parameters outlined in the May 1, 2018 Resolution; and

WHEREAS, at the April 16, 2019 City Council Meeting, the City Council further approved the VLR Program for the 2019-2020 Fiscal Year in an amount not to exceed \$925,821 which has been budgeted for the Vehicle Leasing and Replacement Program in the Crystal Lake 2019-2020 Fiscal Year Budget, and authorized the City Manager to take any actions necessary to facilitate the 2019-2020 Vehicle Leasing and Replacement Program; and

WHEREAS, the VLR Program approval for the 2019-2020 Fiscal Year included a specific listing of vehicles to be leased as part of the 2019-2020 VLR Program.

NOW, THEREFORE, BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF CRYSTAL LAKE hereby amends the VLR Program for the 2019-2020 Fiscal Year by changing the listing of vehicles to be leased as part of the 2019-2020 VLR program by adding Police Vehicle #1022.

BE IT FURTHER RESOLVED that the City Manager is authorized to take any actions necessary to facilitate the 2019-2020 Vehicle Leasing and Replacement Program, as amended.

DATED at Crystal Lake, Illinois, this 18th day of June, 2019.

APPROVED:

Aaron T. Shepley, Mayor

ATTEST:

Nick Kachiroubas, City Clerk

PASSED: June 18, 2019

APPROVED: June 18, 2019



Agenda Item No: 17

City Council Agenda Supplement

Meeting Date:

June 18, 2019

Item:

Purchase of 6-inch Portable Wastewater Pump

Staff Recommendation:

Adopt a resolution authorizing the City Manager to execute an agreement with Xylem for the purchase of a Godwin 6-inch portable pump through the U.S. Government's General Service Administration Federal Supply Schedule 084, in the amount of \$104,699.40 with a 10% contingency.

Staff Contact:

Michael Magnuson, Director of Public Works

Background:

The U.S. Government's General Services Administration (GSA) maintains a large list of multiple-award purchasing schedules. Contractors are selected for GSA Multiple-Award Schedules through an open and continuous qualification process. GSA users seek competition from multiple GSA contractors at the point of sale by obtaining quotations. The GSA requires most-favored customer pricing, which provides state and local governments with a price advantage based on federal purchasing economies of scale. Through GSA, local governments can utilize the Federal Supply Schedule 084 contract. Schedule 084 provides solutions such areas as law enforcement, security, facilities management, fire, rescue, clothing, marine craft and emergency response. The City's Financial Policies identifies GSA contracts as an approved procurement method.

The Fiscal Year 2019/2020 Budget for the Public Works Department includes the purchase of a 6-inch portable pump for the Wastewater Division. The pump will be used for monthly maintenance of wastewater plant infrastructure, lift station maintenance and emergency pumping operations during high rain events. In addition, this pump will serve as the only Public Works pump that has the capability to bypass pump Lift Station #22 during an emergency situation. Lift Station #22, located at the low point of Illinois Route 31 near the Fountains of Crystal Lake, is a critical lift station that serves the Fountains at Crystal Lake retirement community, the Springs at Crystal Lake rehabilitation facility, and the majority of the new Woodlore Subdivision.

The GSA Contract price is \$104,699.40 (see attached).

Recommendation:

City staff has had previous satisfactory results with Godwin pumps and currently has other Godwin pumps in service. Therefore it is staff's recommendation to purchase a Godwin 6-inch portable pump through the U.S. Government's General Service Administration Federal Supply Schedule 084, in the amount of \$104,699.40 with a 10% contingency.

There are sufficient budget funds for this purchase.

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 an agreement with Xylem for purchase of a Godwin 6-inch portable pump through the U.S. Government's General Service Administration Federal Supply Schedule 084, in the amount of \$104,699.40 with a 10% contingency.

DATED this 18th day of June, 2019.

CITY OF CRYSTAL LAKE, an
Illinois Municipal Corporation,

By: _____
MAYOR

SEAL

ATTEST

CITY CLERK

PASSED: June 18, 2019
APPROVED: June 18, 2019



Agenda Item No: 18

**City Council
Agenda Supplement**

Meeting Date: June 18, 2019

Item: Ackman/Huntley Road Path Construction Bid Award

Staff Recommendation: Motion to award the Ackman/Huntley Road Path Construction bid to the lowest responsive and responsible bidder, Schroeder Asphalt Services, in the bid amount of \$336,952.78, and adopt a resolution authorizing the City Manager to execute a contract with Schroeder Asphalt Services, allowing for a 10 percent contingency.

Staff Contact: Abigail Wilgreen, City Engineer

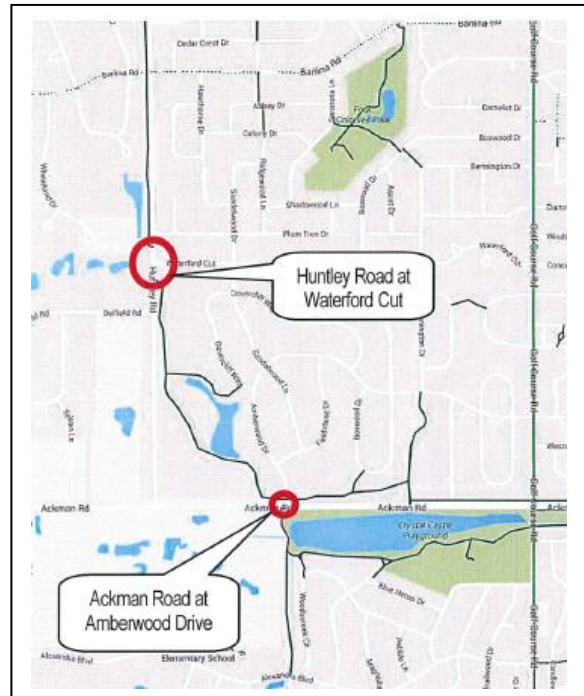
Background:

The City routinely reviews the existing bicycle/pedestrian network throughout the City for opportunities for improvement. With the cooperative effort of the City, McHenry County, and Crystal Lake Park District, many gaps in the pedestrian network have been eliminated over the last 5 to 8 years.

However, two gaps do still exist near the southwest area of the City: crossing of Ackman Road near Amberwood Drive and crossing of Huntley Road near Waterford Cut. These two locations are less than a mile apart and are part of a regional trail system in this area, connecting neighborhoods with schools and parks.

This project will provide for a safer crossing at these locations by:

- Installing pedestrian flashing beacons at both locations
- Constructing a new concrete median for a pedestrian refuge island on Ackman Road
- Constructing the missing multi-use path section along the east side of Huntley Road, north and south of Waterford Cut



City staff has been working with staff from McHenry County Division of Transportation (McDOT) and Crystal Lake Park District (CLPD) as Ackman Road is under the jurisdiction and maintenance responsibility of McDOT and the two adjacent parks are owned and maintained by the CLPD. On June 6, 2017, the City entered into an agreement with these other two agencies that divided the cost of the improvement.

On May 15, 2019, the City opened and publicly read the bids received for the Ackman/Huntley Road Path Construction. The City received four bids and the results are tabulated below.

<i>Firm</i>	<i>Amount of Bid</i>
Schroeder Asphalt Services ¹ Huntley, IL	\$336,952.78
Landmark Contractors Huntley, IL	\$379,668.10
Curran Contracting Company Crystal Lake, IL	\$386,131.15
Copenhaver Construction Gilberts, IL	\$452,476.89

¹ Indicates Recommended Lowest Responsive and Responsible Bidder

In accordance with the terms of the IGA, the costs of the construction will be distributed as summarized below.

<i>Item</i>	<i>City Share</i>	<i>County Share</i>	<i>Park District Share</i>	<i>Total</i>
Ackman Road Construction	\$0	\$191,914.55	\$44,935.25	\$236,849.80
Huntley Road Construction	\$25,025.74	\$50,051.49	\$25,025.75	\$100,102.98
Total	\$25,025.74	\$241,966.04*	\$69,961.00	\$336,952.78

*County portion includes the resurfacing of Ackman Road for a section around the crossing which they will fund 100%.

While Schroeder Asphalt Services has responded to several of the City's bid requests, the City has yet to use their services. The City checked the references provided and they were acceptable. The project has been approved by the Crystal Lake Park District and the McHenry County Transportation Committee. Specifications were sent to various contractors and standard bid advertisement procedures were followed. This project is included in the Fiscal Year 2019-2020 budget.

Votes Required to Pass:

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 City Manager be authorized to execute the contract with Schroeder Asphalt Services for the Ackman Road/Huntley Road Path Construction in the amount of \$336,952.78. The City Manager is additionally authorized to approve up to 10 percent in justifiable contract amendments from a contingency allowance.

DATED this 18th day of June, 2019.

CITY OF CRYSTAL LAKE, an Illinois
Municipal Corporation

BY: _____
Mayor

SEAL

ATTEST:

City Clerk

PASSED: June 18, 2019

APPROVED: June 18, 2019



Agenda Item No: 19

**City Council
Agenda Supplement**

Meeting Date: June 18, 2019

Item: Appropriation of Motor Fuel Tax funds for the pedestrian improvements for the Ackman Road/Huntley Road Path.

Staff Recommendation: Motion to adopt a resolution appropriating \$47,500 in MFT funds for the pedestrian improvements for the Ackman Road/Huntley Road Path.

Staff Contact: Abigail Wilgreen, City Engineer

Background:

It is recommended that the City Council appropriate \$47,500 in Motor Fuel Tax (MFT) funds for the pedestrian improvements for the Ackman Road/Huntley Road Path project. This appropriation is for the City's share of the construction for the bike path crossings as well as design engineering for the project. Below is a breakdown of the funding.

Item	Amount
Design Engineering	\$19,900
Construction	\$25,026
Construction Contingency	\$2,547
Total	\$47,500

Any funds that are obligated and not spent will be returned to the City's unobligated balance once the project is complete. The City has sufficient reserves in its MFT fund for this expenditure. The improvement is budgeted in the FY 2019/2020 budget using MFT funds.

Votes Required to Pass:

A simple majority vote.



Agenda Item No: 20

**City Council
Agenda Supplement**

Meeting Date: June 18, 2019

Item: Consideration of a Resolution urging action to alleviate Wedgewood subdivision drainage issues.

City Council Discretion: 1) Motion to adopt a Resolution urging the Village of Lakewood to investigate water inundation issues negatively affecting the Wedgewood Subdivision and implement solutions.

2) No action.

Staff Contact: Michael Magnuson, P.E., Director of Public Works
Abigail Wilgreen, P.E., City Engineer

Background:

The Wedgewood Homeowner's Association (HOA) has previously approached City staff regarding their drainage issues at the northwest corner of their subdivision (Woods 2). The HOA feels that they have been negatively impacted by changes in stormwater patterns from recent Village of Lakewood projects.

Staff investigated their concerns and found that in addition to the past several years of higher than normal rainfall, there may have been changes to the tributary drainage patterns north of this area, within the Village of Lakewood, that are negatively impacting the Woods 2 area.

The HOA previously retained Hey and Associates to look at improvements that the HOA could complete to manage the drainage. Hey identified adding an additional culvert under Wedgewood Drive at a lower elevation to improve drainage. However, this would still result in standing water. This project conflicts with an existing City watermain. City staff has communicated to the HOA that the City could lower the watermain in this area to help facilitate the HOA's project. Since this project does not fully address the water intrusion issue and is costly, the HOA decided not to move forward with the improvement at this time.

Discussion:

In an effort to assist the HOA, City staff prepared a draft memorandum of findings and presented it to the HOA. City staff also met with the Village of Lakewood at a staff level and presented the memo to the Village Administrator and Public Works staff (April 17, 2019.) The Lakewood Village Administrator stated she would look into the issues and get back to the City. City staff inquired about the status of Lakewood's investigation on May 1, 2019 and May 31, 2019 and has been told that they are still working on it. City staff is unsure when a response will be received.

Recommendation:

City Council discretion.

Votes Required to Pass:

Simple majority of the City Council

DRAFT



RESOLUTION

WHEREAS the City of Crystal Lake and the Village of Lakewood are working to manage the impacts of increased rainfall and winter precipitation that have impacted both communities; and

WHEREAS the Wedgewood residential neighborhood is located entirely within the corporate limits of the City of Crystal Lake; and

WHEREAS the residents of Wedgewood have been negatively impacted by stormwater on individual lots and land collectively owned by their Homeowner's Association; and

WHEREAS City of Crystal Lake staff has identified potential increases in stormwater entering Wedgewood from the Village of Lakewood and communicated these concerns to Village of Lakewood staff;

NOW THEREFORE BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE that;

1. The Village of Lakewood should direct its Village Engineer to investigate potential changes in drainage patterns as a result of Lakewood capital projects and changes to private development; and
2. The Village of Lakewood staff and Village Engineer should develop solutions to mitigate the impacts from any changes in drainage patterns that have occurred.
3. The Village of Lakewood shall provide monthly updates to the City of Crystal Lake.

DATED this 18thth day of June, 2019.

CITY OF CRYSTAL LAKE, an
Illinois Municipal Corporation,

By: _____
MAYOR

SEAL

ATTEST

CITY CLERK

PASSED:

APPROVED:



Agenda Item No: 21

**City Council
Agenda Supplement**

Meeting Date: June 18, 2019

Item: General Obligation Bonds, Series 2019 and the Refunding of Series 2009 A and B bonds.

Staff Recommendation:

1. A motion adopting a Resolution authorizing the development of a financing plan for the issuance of General Obligation Bonds, Series 2019 and the refunding of Series 2009 A and B bonds, and authorizing the City Manager to execute agreements for services related to the development of a financing plan for the issuance of General Obligation Bonds, Series 2019 and the refunding of Series 2009 A and B bonds.
2. A motion adopting an Ordinance providing for the issuance of not to exceed \$15,000,000 General Obligation Bonds of the City of Crystal Lake, McHenry County, Illinois, for the purpose of financing certain capital improvements within the City and refunding certain outstanding bonds of the City, providing for the levy and collection of a direct annual tax for the payment of the principal of and interest on said bonds, authorizing the sale of said bonds to the purchasers thereof and providing for the execution of an escrow agreement in connection with such issuance.
3. A motion adopting a Resolution approving a Disclosure Compliance Policy.

Staff Contact: George Koczvara, Director of Finance

Background

At the April 16, 2019 City Council meeting, the City Council adopted the 2019-2020 Annual Budget. Included as part of the budget is financing for certain flooding improvements as well as a water main projects in the McCormick Park tower area. These improvements include:

- North Shore Storm Sewer Project – There is no existing storm sewer system in the North Shore neighborhood, more specifically the area between North Shore Drive and Lippold Park. Flooding consistently occurs in this area, especially for the homes along East End Avenue, Greenfield Road, and Crystal Beach Avenue. The proposed improvement would install new storm sewer in the right-of-way along Crystal Beach Avenue, Greenfield Road and East End and replace the existing storm sewer pipes that go into the lake at two beach areas along North Shore Drive. Best management practice (BMP)

basins would be installed along each street on existing vacant lots to ensure storm water is filtered before entering the lake.

- Pine/Oriole Storm Water Project - This project includes the acquisition of up to five homes which would be demolished and the properties be restored to pre-development grade. The project assumes the purchase of the two lowest and most impacted homes. This project provides the best relief to homes along Crystal Lake Avenue. Costs assume utility disconnections, environmental permitting and abatement (asbestos abatement, if needed).
- McCormick Park Area Water Main - The City's Water System Master Plan identifies the need to replace 4,000 feet of 6 inch and 4 inch water main with new 12 inch water main to improve hydraulic connection to McCormick Park Water Tower. During peak flow demands, the level in the McCormick Park Water Tower can fall to very low levels, jeopardizing the City's ability to meet its water demands and required fire flow pressure. This new water main is required for additional flows to the McCormick Park Water Tower. Additional water capacity will be available by upsizing these water mains and it will also allow the tank to fill at a faster rate. Improvements will be on Pierson Street from Lakeshore Drive to McHenry Avenue, McHenry Avenue from Pierson Street to Lake Street, Lake Street from McHenry Avenue to Linn Avenue, and on Linn Avenue from Lake Street to Virginia Street, plus a new 8 inch water main on Pierson Street from Lakeshore Drive to Dole Avenue. This work would include connection from Pierson Street to the elevated tank riser.

The attached Ordinance puts into place the process for the issuance of debt issuance to fund \$5,105,000 in projects as well as \$9,995,000 to refinance 2009 Series A and 2009 Series B bonds that had been previously issued.

In June 2009, the City issued bonds for the development of the Three Oaks Recreation Area and various water system improvements. These 2009 Series A and B bonds have an aggregate outstanding balance of \$10,440,000 at gross interest rates ranging from 4.65% to 5.75% (approximately 3.06% to 3.56% after accounting for the federal subsidies). These bonds were issued under the American Recovery and Reinvestment Act of 2009 (the "ARRA") which created two categories of bonds that provided direct subsidies to governments to offset interest costs: Build America Bonds & Recovery Zone Economic Development Bonds.

Currently, interest rates on bonds are lower than the interest rate the City is paying for the 2009 Series A and B bonds. Based on current market conditions, the attached financial analysis indicates that the City could realize a total net savings of \$415,000.

With regard to the new debt issuance, repayment will be made utilizing the recently approved Utility Taxes. As far as the refinancing, the revenue source for the repayment will continue to be proceeds from the Home Rule Sales tax as well as water and sewer user fees.

Disclosure Compliance Policy

In August 2018, the Securities and Exchange Commission approved new Amendments to Rule 15c2-12. This Rule governs disclosure requirements associated with municipal securities.

The new Amendments, effective February 27, 2019, are an effort to provide additional financial information to investors where an issuer may have material financial obligations that could impact bond holders. Governments will have to state in continuing disclosure agreements entered on or after the effective date that they will disclose to the market any new and material financial obligations and notify the market when an outstanding or new financial obligation reflects material financial difficulties.

Material financial obligations are related to debt and debt type products and not normal business operations. The types of financial obligations that are captured under the Amendments include: bank loans, capital leases, swaps, variable rate obligations, and other types of financial products that “operate as vehicles to borrow money.”

The attached Disclosure Compliance Policy was drafted by the City’s bond counsel, Chapman and Cutler.

Recommendation

The attached Resolution authorizes the development of a borrowing plan for General Obligation Bonds, Series 2019 and the refunding of Series 2009 A and B bonds, and authorizes the City Manager to execute agreements for services related for the funding of these projects. The agreement for services related to these projects include bond counsel, financial advisor, rating service, online auction, bond registrar/paying agent, escrow agent and other related services. Fees paid to funding service providers will be part of the financing proceeds.

The attached Ordinance provides for the issuance of the General Obligation Bonds. The attached Ordinance allows the Mayor to execute the required documents following the bond sales. The results of the bond sales will be presented to the City Council at the July 16, 2019 City Council meeting.

The attached Disclosure Compliance Policy will update the City’s Disclosure Policy in compliance with Securities and Exchange Commission approved new Amendments to Rule 15c2-12.

Attorney Filippini has reviewed the attached.

Votes Required to Pass:

Simple Majority

DRAFT



RESOLUTION AUTHORIZING THE DEVELOPMENT OF A FINANCING PLAN FOR GENERAL OBLIGATION BONDS, SERIES 2019 AND REFUNDING OF SERIES 2009 A AND B BONDS

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CRYSTAL LAKE, ILLINOIS, AS FOLLOWS:

Section 1. Funding Plan. The City Manager and the City Finance Director, together with the City’s Financial Advisor, and the City’s Bond Counsel, are authorized to prepare and present to this City Council, a plan for the issuance of General Obligation Bonds, Series 2019 and the refunding of General Obligation Bonds, Series 2009 A and B.

Section 2. Service Providers. The City Manager be and he is hereby authorized and directed to execute agreements for services related to the issuance of General Obligation Bonds, Series 2019 and the refunding of General Obligation Bonds, Series 2009 A and B including:

Par Amount (Preliminary)		Series 2019A (BQ)		Series 2019B (NBQ)		Total	
		\$9,995,000		\$5,105,000		\$15,100,000	
		Paid By:		Paid By:		Paid By:	
		Issuer	Underwriter	Issuer	Underwriter	Issuer	Underwriter
Financial Advisor ⁽²⁾	PMA Securities, LLC.....	14,994.50	-	9,615.50	-	24,610.00	-
OS Production, Due Diligence, Distribution and Posting.....	PMA Securities, LLC.....	2,500.00	-	2,500.00	-	5,000.00	-
Bond Counsel.....	Chapman and Cutler LLP.....	15,000.00	-	25,000.00	-	40,000.00	-
Disclosure Counsel.....	Chapman and Cutler LLP.....	7,500.00	-	7,500.00	-	15,000.00	-
General/Local Counsel.....	N/A.....	n/a		n/a		n/a	
Underwriter's Counsel.....	N/A.....	n/a		n/a		n/a	
Rating Service ⁽³⁾	S&P Global Ratings.....	12,907.45	-	6,592.55	-	19,500.00	-
Online Auction ⁽⁴⁾	Grant Street.....	3,000.00	-	3,000.00	-	6,000.00	-
Surety Bond ⁽⁵⁾	TBD.....	n/a		n/a		n/a	
Bond Registrar/Paying Agent ⁽⁵⁾	TBD.....	900.00	-	900.00	-	1,800.00	-
Escrow Agent.....	N/A.....	n/a		n/a		n/a	
Verification Agent.....	N/A.....	n/a		n/a		n/a	
Purchase Agent.....	N/A.....	n/a		n/a		n/a	
CUSIP ⁽⁵⁾	S&P Global Market Intelligence.....	500.00	-	500.00	-	1,000.00	-
Total Cost of Issuance.....		\$ 57,301.95	\$ -	\$ 55,608.05	\$ -	\$ 112,910.00	\$ -

(1) Does not include the Underwriter's discount which is determined as part of the competitive bidding process.
(2) FA fee equal to \$8,000 plus \$1.10 / \$1,000 for par amounts between \$9,995,000 - \$35,000,000.
(3) S&P aggregate fee is an estimate based on published S&P fee schedule for bond issues between \$10,000,000 - \$25,000,000 in par amount.
(4) PMA to discuss auction platform with the City.
(5) Good faith estimate.

Fees paid to funding service providers will be part of the financing proceeds.

DATED this 18th day of June, 2019

CITY OF CRYSTAL LAKE, an
Illinois Municipal Corporation,

By: _____
MAYOR

SEAL

ATTEST

CITY CLERK

EXTRACT OF MINUTES of the regular public meeting of the City Council of the City of Crystal Lake, McHenry County, Illinois, held at the City Council Chambers, City Hall, located at 100 West Woodstock Street, in said City, at 7:30 p.m., on Tuesday, the 18th day of June, 2019.

The Mayor called the meeting to order and directed the City Clerk to call the roll.

Upon the roll being called, Aaron T. Shepley, the Mayor and the following Councilmembers answered physically present at said location: _____
_____.

The following Councilmembers were allowed by a majority of the members of the City Council in accordance with and to the extent allowed by rules adopted by the City Council to attend the meeting by video or audio conference: _____
_____.

No Councilmember was not permitted to attend the meeting by video or audio conference.

The following Councilmembers were absent and did not participate in the meeting in any manner or to any extent whatsoever: _____
_____.

The City Council then discussed the proposed bond financing for the City and considered an ordinance providing for the issuance of not to exceed \$15,000,000 general obligation bonds of the City and providing for the levy and collection of a direct annual tax for the payment of the principal of and interest on said bonds.

Thereupon, the City Clerk presented, the Director of Finance explained, and there was incorporated into the record in full the following ordinance:

AN ORDINANCE providing for the issuance of not to exceed \$15,000,000 General Obligation Bonds of the City of Crystal Lake, McHenry County, Illinois, for the purpose of financing certain capital improvements within the City and refunding certain outstanding bonds of the City, providing for the levy and collection of a direct annual tax for the payment of the principal of and interest on said bonds, authorizing the sale of said bonds to the purchasers thereof and providing for the execution of an escrow agreement in connection with such issuance.

(the “Bond Ordinance”).

Councilmember _____ moved and Councilmember _____ seconded the motion that the Bond Ordinance as presented be adopted.

A City Council discussion of the matter followed. During the City Council discussion, the Director of Finance gave a public recital of the nature of the matter, which included a reading of the title of the ordinance and statements (1) that the ordinance provided for the issuance of general obligation bonds for the purpose of paying the costs of certain capital improvements within the City and refunding certain outstanding bonds of the City, and in connection with said refunding, it may be necessary for the City to enter into an escrow agreement, (2) that the bonds are issuable without referendum pursuant to the home rule powers of the City, (3) that the ordinance provides for the levy of taxes to pay the bonds, (4) that the ordinance authorizes the sale of the bonds, (5) that the ordinance authorizes said escrow agreement and (6) that the ordinance provides many details for the bonds, including tax-exempt status covenants, provision for terms and form of the bonds, and appropriations.

The Mayor directed that the roll be called for a vote upon the motion to adopt the ordinance.

Upon the roll being called, the following Councilmembers voted AYE: _____

and the following Councilmembers voted NAY: _____ .

WHEREUPON, the Mayor declared the motion carried and the ordinance adopted, and henceforth did approve and sign the same in open meeting, and did direct the City Clerk to record the same in full in the records of the City Council of the City of Crystal Lake, McHenry County, Illinois.

Other business was duly transacted at said meeting.

Upon motion duly made and carried, the meeting adjourned.

City Clerk

DRAFT

ORDINANCE NUMBER _____

AN ORDINANCE providing for the issuance of not to exceed \$15,000,000 General Obligation Bonds of the City of Crystal Lake, McHenry County, Illinois, for the purpose of financing certain capital improvements within the City and refunding certain outstanding bonds of the City, providing for the levy and collection of a direct annual tax for the payment of the principal of and interest on said bonds, authorizing the sale of said bonds to the purchasers thereof and providing for the execution of an escrow agreement in connection with such issuance.

Adopted by the City Council of the
City of Crystal Lake, McHenry
County, Illinois, on the 18th day of
June, 2019.

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This Table of Contents is for convenience only and is not a part of the Ordinance.

ORDINANCE NUMBER _____

AN ORDINANCE providing for the issuance of not to exceed \$15,000,000 General Obligation Bonds of the City of Crystal Lake, McHenry County, Illinois, for the purpose of financing certain capital improvements within the City and refunding certain outstanding bonds of the City, providing for the levy and collection of a direct annual tax for the payment of the principal of and interest on said bonds, authorizing the sale of said bonds to the purchasers thereof and providing for the execution of an escrow agreement in connection with such issuance.

WHEREAS by virtue of its population, the City of Crystal Lake, McHenry County, Illinois (the “City”), and pursuant to the provisions of Section 6 of Article VII of the Constitution of the State of Illinois (the “*Illinois Constitution*”), the City is a home rule unit and may exercise any power or perform any function pertaining to its government and affairs including, but not limited to, the power to tax and to incur debt; and

WHEREAS pursuant to the provisions of said Section 6, the City has the power to incur debt payable from ad valorem property tax receipts or from any other lawful source and maturing within 40 years from the time it is incurred without prior referendum approval; and

WHEREAS the City Council of the City (the “*Council*”) has considered the needs of the City and has heretofore determined and does hereby determine that it is advisable, necessary and in the best interests of the City to construct certain capital improvements within the City, including the following:

1. Crystal Lake Park Beach North Shore Storm Sewer Project;
2. Pine/Oriole Storm Water Project; and
3. McCormick Park Area Water Main

(all of such improvements to be collectively known as the “*Project*”), all as shown in the plans and cost estimates as prepared by the City Engineer and on file with the City Clerk; and

WHEREAS the estimated cost to the City of the Project does not exceed the sum of \$6,100,000 plus any estimated available amount of interest earnings on said sum prior to its expenditure; and

WHEREAS there are insufficient funds on hand and available to pay the costs of the Project, and it is necessary for that purpose that a sum to pay such costs be borrowed, and in evidence of such indebtedness, general obligation bonds of the City be issued in the principal amount of not to exceed \$6,100,000, and that such indebtedness be incurred in accordance with the Act (as hereinafter defined); and

WHEREAS the Council does hereby determine that it is advisable and in the best interests of the City to borrow not to exceed \$6,100,000 at this time pursuant to the Act for the purpose of paying the costs of the Project and, in evidence of such borrowing, issue its full faith and credit bonds in the principal amount of not to exceed \$6,100,000 (the "*Project Bonds*"); and

WHEREAS the City has heretofore issued the following outstanding and validly subsisting and unpaid general obligation bonds (the "*Series 2009A Bonds*");

TAXABLE GENERAL OBLIGATION BONDS, SERIES 2009A

Original principal amount: \$12,435,000
Dated: September 29, 2009
Originally due serially: 2011-2025
Amount outstanding: \$5,440,000

Due on January 1, and described as follows:

YEAR	AMOUNT OUTSTANDING (\$)	RATE OF INTEREST (%)
2020	900,000	4.65
2021	925,000	4.80
2022	955,000	4.90
2023	990,000	5.10
2024	1,020,000	5.20
2025	650,000	5.30

which bonds are subject to redemption prior to maturity at the option of the City, from any available funds, on any date on or after January 1, 2019, at the redemption price of par plus accrued interest to the redemption date; and

WHEREAS the City has heretofore issued the following outstanding and validly subsisting and unpaid general obligation bonds (the “*Series 2009B Bonds*” and, together with the Series 2009A Bonds, the “*Prior Bonds*”):

TAXABLE GENERAL OBLIGATION BONDS, SERIES 2009B

Original principal amount: \$5,000,000
Dated: September 29, 2009
Originally due serially: 2025-2029
Amount outstanding: \$5,000,000

Due on January 1, and described as follows:

YEAR	AMOUNT OUTSTANDING (\$)	RATE OF INTEREST (%)
2025	405,000	5.40
2026	1,095,000	5.40
2027	1,130,000	5.50
2028	1,165,000	5.65
2029	1,205,000	5.75

which bonds are subject to redemption prior to maturity at the option of the City, from any available funds, on any date on or after January 1, 2019, at the redemption price of par plus accrued interest to the redemption date; and

WHEREAS for the amounts and maturities of the Prior Bonds to be refunded (the “*Refunded Bonds*”), interest rates are now more favorable in the market for tax-exempt municipal bonds than they were at the time the Prior Bonds were issued; and it is possible to refund the Refunded Bonds to realize debt service savings, net of the amount of subsidy payments which the City expected to receive from the U.S. Treasury with respect to interest payments due on the Refunded Bonds (the “*Subsidy Payments*”); and

WHEREAS the Refunded Bonds shall be fully described in the Bond Notification (as hereinafter defined) or Escrow Agreement (as hereinafter defined); and

WHEREAS pursuant to the provisions of the Act, the City is authorized to borrow money and to issue its general obligation bonds to accomplish the refunding (the “*Refunding*”) of the

Refunded Bonds for the purpose of realizing such net debt service savings, which Refunding is defined to include the payment of related costs of issuance of such refunding; and

WHEREAS there are insufficient funds on hand and available to accomplish the Refunding, and it is necessary for that purpose that a sum to pay such costs be borrowed, and in evidence of such indebtedness, general obligation bonds of the City be issued in the principal amount of not to exceed \$8,900,000, and that such indebtedness be incurred in accordance with the Act; and

WHEREAS the Council does hereby determine that it is advisable and in the best interests of the City to borrow not to exceed \$8,900,000 at this time pursuant to the Act for the purpose of accomplishing the Refunding and, in evidence of such borrowing, issue its full faith and credit bonds in the principal amount of not to exceed \$8,900,000 (the "*Refunding Bonds*"); and

WHEREAS in accordance with the terms of the Prior Bonds, certain of the Refunded Bonds may be called for redemption in advance of their maturity, and it is necessary and desirable to make such call for the redemption of such Refunded Bonds at their earliest possible or practicable call date and provide for the giving of proper notice to the registered owners of such Refunded Bonds:

NOW THEREFORE Be It Ordained by the City Council of the City of Crystal Lake, McHenry County, Illinois, in the exercise of its home rule powers, as follows:

Section 1. Definitions. In addition to such other words and terms used and defined in this Ordinance, the following words and terms used in this Ordinance shall have the following meanings, unless, in either case, the context or use clearly indicates another or different meaning is intended:

"*Act*" means, collectively, the Illinois Municipal Code, as amended, the Debt Reform Act, as supplemental authority to said Code, and also the home rule powers of the City under Section 6 of Article VII of the Illinois Constitution; and, in the event of conflict between the

provisions of said Code and home rule powers, the home rule powers shall be deemed to supersede the provisions of said Code.

“Bond” or *“Bonds”* means one or more, as applicable, of the not to exceed \$15,000,000 General Obligation Bonds authorized to be issued by this Ordinance.

“Bond Fund” means the Bond Fund established and defined in Section 16 of this Ordinance.

“Bond Moneys” means the Pledged Taxes and any other moneys deposited into the Bond Fund and investment income earned in the Bond Fund.

“Bond Notification” means the Bond Notification as authorized to be executed by the Designated Representatives of the City in Section 15 of this Ordinance and by which the final terms of each series of Bonds will be established.

“Bond Purchase Contract” means each contract for the sale of Bonds by and between the City and the Purchaser of such Bonds.

“Bond Register” means the books of the City kept by the Bond Registrar to evidence the registration and transfer of the Bonds.

“Bond Registrar” means the Treasurer or a bank and trust company authorized to do business in the State of Illinois as set forth in the Bond Notification, or a successor thereto or a successor designated as Bond Registrar hereunder.

“City Clerk” means the City Clerk of the City.

“Code” means the Internal Revenue Code of 1986, as amended.

“County Clerk” means the County Clerk of The County of McHenry, Illinois.

“Debt Reform Act” means the Local Government Debt Reform Act, as amended.

“Designated Representatives” means (i) the Mayor and (ii) either the Director of Finance of the City or the Assistant Director of Finance of the City.

“Escrow Agent” means the escrow agent under the Escrow Agreement (which shall be a bank or trust company authorized to do business in the State of Illinois) as set forth in the Escrow Agreement, with the powers and duties set forth therein, or successor as therein provided.

“Escrow Agreement” means the Escrow Agreement by and between the City and the Escrow Agent as authorized in Section 16 of this Ordinance, substantially in the form as attached hereto as *Exhibit A* and made a part hereof by this reference, or with such changes therein as shall be approved by the officers of the City executing the Escrow Agreement, such execution to constitute evidence of the approval of such changes.

“Mayor” means the Mayor of the City.

“Ordinance” means this Ordinance, numbered as set forth on the title page hereof, and passed by the Council on the 18th day of June, 2019.

“Paying Agent” means the Treasurer or a bank and trust company authorized to do business in the State of Illinois as set forth in the Bond Notification, or a successor thereto or a successor designated as Paying Agent hereunder.

“Pledged Taxes” means the taxes levied on the taxable property within the City to pay principal of and interest on the Bonds as made in Section 13 hereof.

“Project” means the project described in the preambles hereto.

“Purchase Price” means the price to be paid by the Purchaser for each series of Bonds as set forth in the Bond Notification thereof.

“Purchaser” means the purchaser of each series of Bonds as set forth in the Bond Notification and as further described in Section 15 of this Ordinance.

“Tax-exempt” means, with respect to the Bonds, the status of interest paid and received thereon as excludable from the gross income of the owners thereof under the Code for federal income tax purposes.

“*Term Bonds*” means Bonds subject to mandatory redemption by operation of the Bond Fund and designated as term bonds in the Bond Notification.

“*Treasurer*” means the Treasurer of the City.

Section 2. Incorporation of Preambles. The Council hereby finds that all of the recitals contained in the preambles to this Ordinance are true, correct and complete and does incorporate them into this Ordinance by this reference.

Section 3. Determination to Issue Bonds. It is necessary and in the best interests of the City to provide for the Project and the Refunding, to pay all related costs and expenses incidental thereto, and to borrow money and issue the Bonds for such purposes. It is hereby found and determined that such borrowing of money is necessary for the welfare of the government and affairs of the City, is for a proper public purpose or purposes and is in the public interest, and is authorized pursuant to the Act; and these findings and determinations shall be deemed conclusive.

Section 4. Bond Details. For the purpose of providing for the costs of the Project and the Refunding, there shall be issued and sold the Bonds in the principal amount of not to exceed \$15,000,000. The Bonds shall be issued in one or more series, designated as “General Obligation Bonds,” with such series descriptors as may be appropriate and shall be comprised of Project Bonds and/or Refunding Bonds, as set forth in the Bond Notification. The Bonds, if issued, shall be dated such date (not earlier than June 18, 2019, and not later than December 18, 2019) as set forth in the Bond Notification (the “*Dated Date*”), and shall also bear the date of authentication, shall be in fully registered form, shall be in denominations of \$5,000 each or authorized integral multiples thereof (but no single Bond in any series shall represent installments of principal maturing on more than one date), and shall be numbered 1 and upward. The Bonds shall become due and payable serially or be subject to mandatory redemption as shall

be set forth in the Bond Notification (with option of prior redemption as hereinafter set forth) and in such principal amounts as shall be set forth therein; *provided, however*, that the final maturity shall be due on or before December 15, 2039, and each maturity or sinking fund payment shall not exceed \$2,100,000. Each Bond shall bear interest, at a rate not to exceed 5.00% per annum, from the later of its Dated Date or from the most recent interest payment date to which interest has been paid or duly provided for, until the principal amount of such Bond is paid or duly provided for, such interest (computed upon the basis of a 360-day year of twelve 30-day months) being payable semi-annually commencing with the first interest payment date as set forth in the Bond Notification, and on June 15 and December 15 of each year thereafter to maturity.

Interest on each Bond shall be paid by check or draft of the Paying Agent, payable upon presentation thereof in lawful money of the United States of America, to the person in whose name such Bond is registered at the close of business on the applicable Record Date (the “*Record Date*”), and mailed to the registered owner of the Bond as shown in the Bond Register or at such other address furnished in writing by such Registered Owner. The Record Date shall be the 1st day of the month of any regular or other interest payment date occurring on the 15th day of any month and 15 days preceding any interest payment date occasioned by the redemption of Bonds on other than the 15th day of a month. The principal of the Bonds shall be payable in lawful money of the United States of America at the principal corporate trust office of the Paying Agent, or at successor Paying Agent and locality.

Section 5. Global Book-Entry System. The Bonds shall be initially issued in the form of a separate single fully registered Bond for each of the maturities of the Bonds as provided in Section 4 hereof, and the ownership of each such Bond shall be registered in the Bond Register in the name of Cede & Co., or any successor thereto (“*Cede*”), as nominee of The Depository Trust Company, New York, New York, and its successors and assigns (“*DTC*”). All of the

outstanding Bonds shall be registered in the Bond Register in the name of Cede, as nominee of DTC, except as hereinafter provided. The Mayor, Treasurer and City Clerk are hereby authorized to execute and deliver on behalf of the City such letters to or agreements with DTC and the Bond Registrar as shall be necessary to effectuate such book-entry system (any such letter or agreement being referred to herein as the "*Representation Letter*").

With respect to the Bonds registered in the Bond Register in the name of Cede, as nominee of DTC, the City and the Bond Registrar shall have no responsibility or obligation to any broker-dealer, bank or other financial institution for which DTC holds Bonds from time to time as securities depository (each such broker-dealer, bank or other financial institution being referred to herein as a "*DTC Participant*") or to any person on behalf of whom such a DTC Participant holds an interest in the Bonds. Without limiting the immediately preceding sentence, the City and the Bond Registrar shall have no responsibility or obligation with respect to (i) the accuracy of the records of DTC, Cede or any DTC Participant with respect to any ownership interest in the Bonds, (ii) the delivery to any DTC Participant or any other person, other than a registered owner of a Bond as shown in the Bond Register, of any notice with respect to the Bonds, including any notice of redemption, or (iii) the payment to any DTC Participant or any other person, other than a registered owner of a Bond as shown in the Bond Register, of any amount with respect to principal of or interest on the Bonds. The City and the Bond Registrar may treat and consider the person in whose name each Bond is registered in the Bond Register as the holder and absolute owner of such Bond for the purpose of payment of principal and interest with respect to such Bond, for the purpose of giving notices of redemption and other matters with respect to such Bond, for the purpose of registering transfers with respect to such Bond, and for all other purposes whatsoever. The Bond Registrar shall pay all principal of and interest on the Bonds only to or upon the order of the respective registered owners of the Bonds, as shown

in the Bond Register, or their respective attorneys duly authorized in writing, and all such payments shall be valid and effective to fully satisfy and discharge the City's obligations with respect to payment of principal of and interest on the Bonds to the extent of the sum or sums so paid. No person other than a registered owner of a Bond as shown in the Bond Register, shall receive a Bond certificate evidencing the obligation of the City to make payments of principal and interest with respect to any Bond. Upon delivery by DTC to the Bond Registrar of written notice to the effect that DTC has determined to substitute a new nominee in place of Cede, the name "*Cede*" in this Ordinance shall refer to such new nominee of DTC.

In the event that (i) the City determines that DTC is incapable of discharging its responsibilities described herein and in the Representation Letter, (ii) the agreement among the City, the Bond Registrar and DTC evidenced by the Representation Letter shall be terminated for any reason or (iii) the City determines that it is in the best interests of the beneficial owners of the Bonds that they be able to obtain certificated Bonds, the City shall notify DTC and DTC Participants of the availability through DTC of Bond certificates and the Bonds shall no longer be restricted to being registered in the Bond Register in the name of Cede, as nominee of DTC. At the time, the City may determine that the Bonds shall be registered in the name of and deposited with such other depository operating a global book-entry system, as may be acceptable to the City, or such depository's agent or designee, and if the City does not select such alternate global book-entry system, then the Bonds may be registered in whatever name or names registered owners of Bonds transferring or exchanging Bonds shall designate, in accordance with the provisions of Section 11 hereof.

Notwithstanding any other provision of this Ordinance to the contrary, so long as any Bond is registered in the name of Cede, as nominee of DTC, all payments with respect to

principal of and interest on such Bond and all notices with respect to such Bond shall be made and given, respectively, in the manner provided in the Representation Letter.

Section 6. Execution; Authentication. The Bonds shall be executed on behalf of the City by the manual or duly authorized facsimile signature of the Mayor and attested by the manual or duly authorized facsimile signature of the City Clerk, as they may determine, and shall have impressed or imprinted thereon the corporate seal or facsimile thereof of the City. In case any such officer whose signature shall appear on any Bond shall cease to be such officer before the delivery of such Bond, such signature shall nevertheless be valid and sufficient for all purposes, the same as if such officer had remained in office until delivery. All Bonds shall have thereon a certificate of authentication, substantially in the form hereinafter set forth, duly executed by the Bond Registrar as authenticating agent of the City and showing the date of authentication. No Bond shall be valid or obligatory for any purpose or be entitled to any security or benefit under this Ordinance unless and until such certificate of authentication shall have been duly executed by the Bond Registrar by manual signature, and such certificate of authentication upon any such Bond shall be conclusive evidence that such Bond has been authenticated and delivered under this Ordinance. The certificate of authentication on any Bond shall be deemed to have been executed by it if signed by an authorized officer of the Bond Registrar, but it shall not be necessary that the same officer sign the certificate of authentication on all of the Bonds issued hereunder.

Section 7. Term Bonds, Mandatory Redemption and Covenants. The Bonds may be subject to mandatory redemption (as Term Bonds) as provided in the Bond Notification. Bonds designated as Term Bonds shall be made subject to mandatory redemption by operation of the Bond Fund at a price of not to exceed par and accrued interest, without premium, on a given date of the years and in the amounts as shall be determined in the Bond Notification. The City

covenants that it will redeem any Term Bonds pursuant to the mandatory redemption requirement for such Term Bonds and levy taxes accordingly.

Section 8. Optional Redemption. All or a portion of the Bonds, if any, due on and after the date, if any, specified in the Bond Notification shall be subject to redemption prior to maturity at the option of the City from any available funds, as a whole or in part, and if in part in integral multiples of \$5,000 in any order of their maturity as determined by the City (less than all of the Bonds of a single series and maturity to be selected by the Bond Registrar), on the date specified in the Bond Notification, if any (not later than December 15, 2029), and on any date thereafter, at the redemption price of par plus accrued interest to the date fixed for redemption.

Section 9. Term Bonds Purchase or Redemption. If the City redeems pursuant to optional redemption as hereinabove provided or purchases Term Bonds of any maturity and cancels the same from Bond Moneys as hereinafter described, then an amount equal to the principal amount of Term Bonds so redeemed or purchased shall be deducted from the mandatory redemption requirements provided for Term Bonds of such maturity, first, in the current year of such requirement, until the requirement for the current year has been fully met, and then in any order of such Term Bonds as due at maturity or subject to mandatory redemption in any year, as the City shall determine. If the City redeems pursuant to optional redemption or purchases Term Bonds of any maturity and cancels the same from moneys other than Bond Moneys, then an amount equal to the principal amount of Term Bonds so redeemed or purchased shall be deducted from the amount of such Term Bonds as due at maturity or subject to mandatory redemption requirement in any year, as the City shall determine.

Section 10. Redemption Procedure. For a mandatory redemption of Term Bonds, the Bond Registrar shall proceed without further authorization or direction to provide for such redemption. For optional redemptions, the City shall, at least 45 days prior to the redemption

date (unless a shorter time period shall be satisfactory to the Bond Registrar), notify the Bond Registrar of such redemption date and of the principal amount, series and maturity or maturities of Bonds to be redeemed. In the event of an optional redemption of less than all of a given maturity of Term Bonds, the City shall also notify the Bond Registrar of the allocation of the amount to be redeemed to the mandatory redemption requirements for such Term Bonds. For purposes of any redemption of less than all of the Bonds of a single maturity, the particular Bonds or portions of Bonds to be redeemed shall be selected by lot not more than 60 days prior to the redemption date by the Bond Registrar for the Bonds of such maturity by such method of lottery as the Bond Registrar shall deem fair and appropriate; *provided, however*, that such lottery shall provide for the selection for redemption of Bonds or portions thereof so that any \$5,000 Bond or \$5,000 portion of a Bond shall be as likely to be called for redemption as any other such \$5,000 Bond or \$5,000 portion.

The Bond Registrar shall promptly notify the City and the Paying Agent in writing of the Bonds or portions of Bonds selected for redemption and, in the case of any Bond selected for partial redemption, the principal amount thereof to be redeemed.

Unless waived by the registered owner of Bonds to be redeemed, official notice of any such redemption shall be given by the Bond Registrar on behalf of the City by mailing the redemption notice by first class mail not less than 30 days and not more than 60 days prior to the date fixed for redemption to each registered owner of the Bond or Bonds to be redeemed at the address shown on the Bond Register or at such other address as is furnished in writing by such registered owner to the Bond Registrar.

All official notices of redemption shall include the full name of the Bonds to be redeemed and at least the information as follows:

- (a) the redemption date;

- (b) the redemption price;
- (c) if less than all of the outstanding Bonds of a particular maturity are to be redeemed, the identification (and, in the case of partial redemption of Bonds within such maturity, the respective principal amounts) of the Bonds to be redeemed;
- (d) a statement that on the redemption date the redemption price will become due and payable upon each such Bond or portion thereof called for redemption and that interest thereon shall cease to accrue from and after said date;
- (e) the place where such Bonds are to be surrendered for payment of the redemption price, which place of payment shall be the principal corporate trust office of the Paying Agent; and
- (f) such other information then required by custom, practice or industry standard.

Unless moneys sufficient to pay the redemption price of the Bonds to be redeemed shall have been received by the Paying Agent prior to the giving of such notice of redemption, such notice may, at the option of the City, state that said redemption shall be conditional upon the receipt of such moneys by the Paying Agent on or prior to the date fixed for redemption. If such moneys are not received, such notice shall be of no force and effect, the City shall not redeem such Bonds, and the Bond Registrar shall give notice, in the same manner in which the notice of redemption shall have been given, that such moneys were not so received and that such Bonds will not be redeemed. Otherwise, prior to any redemption date, the City shall deposit with the Paying Agent an amount of money sufficient to pay the redemption price of all the Bonds or portions of Bonds which are to be redeemed on that date.

Subject to the provisions for a conditional redemption described above, notice of redemption having been given as aforesaid, the Bonds or portions of Bonds so to be redeemed shall, on the redemption date, become due and payable at the redemption price therein specified,

and from and after such date (unless the City shall default in the payment of the redemption price) such Bonds or portions of Bonds shall cease to bear interest. Upon surrender of such Bonds for redemption in accordance with said notice, such Bonds shall be paid by the Paying Agent at the redemption price. The procedure for the payment of interest due as part of the redemption price shall be as herein provided for payment of interest otherwise due. Upon surrender for any partial redemption of any Bond, there shall be prepared for the registered owner a new Bond or Bonds of like tenor, of authorized denominations, of the same series and maturity, and bearing the same rate of interest in the amount of the unpaid principal.

If any Bond or portion of a Bond called for redemption shall not be so paid upon surrender thereof for redemption, the principal shall, until paid or duly provided for, bear interest from the redemption date at the rate borne by the Bond or portion of Bond so called for redemption. All Bonds which have been redeemed shall be cancelled and destroyed by the Bond Registrar and shall not be reissued.

As part of their respective duties hereunder, the Bond Registrar and Paying Agent shall prepare and forward to the City a statement as to notice given with respect to each redemption together with copies of the notices as mailed and published.

Section 11. Registration and Exchange or Transfer of Bonds; Persons Treated as Owners. The City shall cause books (the “*Bond Register*”) for the registration and for the transfer of the Bonds as provided in this Ordinance to be kept at the principal corporate trust office of the Bond Registrar, which is hereby constituted and appointed the registrar of the City for the Bonds. The City is authorized to prepare, and the Bond Registrar or such other agent as the City may designate shall keep custody of, multiple Bond blanks executed by the City for use in the transfer and exchange of Bonds.

Any Bond may be transferred or exchanged, but only in the manner, subject to the limitations, and upon payment of the charges as set forth in this Ordinance. Upon surrender for transfer or exchange of any Bond at the principal corporate trust office of the Bond Registrar, duly endorsed by or accompanied by a written instrument or instruments of transfer or exchange in form satisfactory to the Bond Registrar and duly executed by the registered owner or an attorney for such owner duly authorized in writing, the City shall execute and the Bond Registrar shall authenticate, date and deliver in the name of the transferee or transferees or, in the case of an exchange, the registered owner, a new fully registered Bond or Bonds of like tenor, of the same series and maturity, bearing the same interest rate, of authorized denominations, for a like aggregate principal amount.

The Bond Registrar shall not be required to transfer or exchange any Bond during the period from the close of business on the Record Date for an interest payment to the opening of business on such interest payment date or during the period of 15 days preceding the giving of notice of redemption of Bonds or to transfer or exchange any Bond all or a portion of which has been called for redemption.

The execution by the City of any fully registered Bond shall constitute full and due authorization of such Bond, and the Bond Registrar shall thereby be authorized to authenticate, date and deliver such Bond; *provided, however,* that the principal amount of Bonds of each series and maturity authenticated by the Bond Registrar shall not at any one time exceed the authorized principal amount of Bonds for such maturity less the amount of such Bonds which have been paid.

The person in whose name any Bond shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes, and payment of the principal of or interest on any Bond shall be made only to or upon the order of the registered owner thereof or his or her legal

representative. All such payments shall be valid and effectual to satisfy and discharge the liability upon such Bond to the extent of the sum or sums so paid.

No service charge shall be made for any transfer or exchange of Bonds, but the City or the Bond Registrar may require payment of a sum sufficient to cover any tax or other governmental charge that may be imposed in connection with any transfer or exchange of Bonds, except in the case of the issuance of a Bond or Bonds for the unredeemed portion of a Bond surrendered for redemption.

Section 12. Form of Bond. The Bonds shall be in substantially the form hereinafter set forth; *provided, however,* that if the text of the Bonds is to be printed in its entirety on the front side of the Bonds, then the second paragraph on the front side and the legend “See Reverse Side for Additional Provisions” shall be omitted and the text of paragraphs set forth for the reverse side shall be inserted immediately after the first paragraph.

as shown on the registration books of the City maintained by _____ in the City of _____, _____, as bond registrar (the "*Bond Registrar*"), at the close of business on the applicable Record Date (the "*Record Date*"). The Record Date shall be the 1st day of the month of any regular or other interest payment date occurring on the 15th day of any month and 15 days preceding any interest payment date occasioned by the redemption of Bonds on other than the 15th day of a month. Interest shall be paid by check or draft of the Paying Agent, payable upon presentation in lawful money of the United States of America, mailed to the address of such Registered Owner as it appears on such registration books or at such other address furnished in writing by such Registered Owner to the Bond Registrar, or as otherwise agreed by the City and Cede & Co., as nominee, or successor, for so long as this Bond is held by The Depository Trust Company, New York, New York, the depository, or nominee, in book-entry only form as provided for same.

Reference is hereby made to the further provisions of this Bond set forth on the reverse hereof, and such further provisions shall for all purposes have the same effect as if set forth at this place.

It is hereby certified and recited that all conditions, acts and things required by the Constitution and Laws of the State of Illinois to exist or to be done precedent to and in the issuance of this Bond, including the Act, have existed and have been properly done, happened and been performed in regular and due form and time as required by law; that the indebtedness of the City, represented by the Bonds, and including all other indebtedness of the City, howsoever evidenced or incurred, does not exceed any constitutional or statutory or other lawful limitation; and that provision has been made for the collection of a direct annual tax, in addition to all other taxes, on all of the taxable property in the City sufficient to pay the interest hereon as the same falls due and also to pay and discharge the principal hereof at maturity.

This Bond shall not be valid or become obligatory for any purpose until the certificate of authentication hereon shall have been signed by the Bond Registrar.

IN WITNESS WHEREOF the City of Crystal Lake, McHenry County, Illinois, by its Council, has caused this Bond to be executed by the manual or duly authorized facsimile signature of its Mayor and attested by the manual or duly authorized facsimile signature of its City Clerk and its corporate seal or a facsimile thereof to be impressed or reproduced hereon, all as appearing hereon and as of the Dated Date identified above.

Mayor, City of Crystal Lake
McHenry County, Illinois

ATTEST:

City Clerk, City of Crystal Lake
McHenry County, Illinois

[SEAL]

Date of Authentication: _____, _____

CERTIFICATE
OF
AUTHENTICATION

Bond Registrar and Paying Agent:

_____, _____

This Bond is one of the Bonds described in the within-mentioned Ordinance and is one of the General Obligation Bonds, Series 201__, having a Dated Date of _____, 2019, of the City of Crystal Lake, McHenry County, Illinois.

as Bond Registrar

By _____
Authorized Officer

[FORM OF BOND - REVERSE SIDE]

This bond is one of a series of bonds (the “*Bonds*”) in the aggregate principal amount of \$ _____ issued by the City for the purpose[s] of [constructing certain capital improvements within the City] [and] [refunding certain of the City’s outstanding bonds], and of paying expenses incidental thereto, all as described and defined in the ordinance authorizing the Bonds (the “*Ordinance*”), pursuant to and in all respects in compliance with the applicable provisions of the Illinois Municipal Code, as amended, as supplemented by the Local Government Debt Reform Act of the State of Illinois, as amended, and as further supplemented and, where necessary, superseded, by the powers of the City as a home rule unit under the provisions of Section 6 of Article VII of the Illinois Constitution of 1970 (collectively, such Illinois Municipal Code and constitutional home rule powers being the “*Act*”), and with the Ordinance, which has been duly passed by the City Council of the City, approved by the Mayor, and published, in all respects as by law required.

Subject to the provisions relating to this Bond remaining in book-entry only form, this Bond may be transferred or exchanged, but only in the manner, subject to the limitations, and upon payment of the charges as set forth in the Ordinance. Upon surrender for transfer or exchange of this Bond at the principal corporate trust office of the Bond Registrar in the City of _____, _____, duly endorsed by or accompanied by a written instrument or instruments of transfer or exchange in form satisfactory to the Bond Registrar and duly executed by the Registered Owner or an attorney for such owner duly authorized in writing, the City shall execute and the Bond Registrar shall authenticate, date and deliver in the name of the transferee or transferees or, in the case of an exchange, the Registered Owner, a new fully registered Bond or Bonds of like tenor, of the same maturity, bearing the same interest rate, of authorized denominations, for a like aggregate principal amount.

The Bond Registrar shall not be required to transfer or exchange any Bond during the period from the close of business on the Record Date for an interest payment to the opening of business on such interest payment date or during the period of 15 days preceding the giving of notice of redemption of Bonds or to transfer or exchange any Bond all or a portion of which has been called for redemption.

The Bonds may be subject to optional [and mandatory] redemption, and the holder of this Bond shall refer to the provisions of the Ordinance for the terms and provision for notice of redemption.

The City, the Bond Registrar and the Paying Agent may deem and treat the Registered Owner hereof as the absolute owner hereof for the purpose of receiving payment of or on account of principal hereof and interest due hereon and for all other purposes, and the City, the Bond Registrar and the Paying Agent shall not be affected by any notice to the contrary.

ASSIGNMENT

FOR VALUE RECEIVED, the undersigned sells, assigns and transfers unto

--

Here insert Social Security Number,
Employer Identification Number or
other Identifying Number

(Name and Address of Assignee)

the within Bond and does hereby irrevocably constitute and appoint _____

as attorney to transfer the said Bond on the books kept for registration thereof with full power of substitution in the premises.

Dated: _____

Signature guaranteed: _____

NOTICE: The signature to this transfer and assignment must correspond with the name of the Registered Owner as it appears upon the face of the within Bond in every particular, without alteration or enlargement or any change whatever.

Section 13. Tax Levy. For the purpose of providing funds required to pay the interest on the Bonds promptly when and as the same falls due, and to pay and discharge the principal thereof at maturity, *there is hereby levied upon all of the taxable property within the City, in the years for which any of the Bonds are outstanding (namely, 2019 through 2038), a direct annual tax sufficient for that purpose in a yearly amount not to exceed \$2,500,000. Such levy shall be fully set forth in the Bond Notification for the Bonds.*

The Bond Moneys in the Bond Fund shall be applied to pay principal of and interest on the Bonds.

Interest or principal coming due at any time when there are insufficient funds on hand from the Pledged Taxes to pay the same shall be paid promptly when due from current funds on hand in advance of the collection of the Pledged Taxes herein levied; and when the Pledged Taxes shall have been collected, reimbursement shall be made to said funds in the amount so advanced. The City covenants and agrees with the purchasers and registered owners of the Bonds that so long as any of the Bonds remain outstanding, the City will take no action or fail to take any action which in any way would adversely affect the ability of the City to levy and collect the foregoing tax levy. The City and its officers will comply with all present and future applicable laws in order to assure that the Pledged Taxes may be levied, extended and collected as provided herein and deposited into the Bond Fund.

Whenever other funds from any lawful source are made available for the purpose of paying any principal of or interest on the Bonds so as to enable the abatement of the taxes levied herein for the payment of same, the Council shall, by proper proceedings, direct the deposit of such funds into the Bond Fund and further shall direct the abatement of the taxes by the amount so deposited. A certified copy or other notification of any such proceedings abating taxes may then be filed with the County Clerk in a timely manner to effect such abatement.

Section 14. Filing with County Clerk. Promptly, as soon as this Ordinance becomes effective, a copy hereof, certified by the City Clerk, shall be filed with the County Clerk; and the County Clerk shall in and for each of the years 2019 to 2038, inclusive, ascertain the rate percent required to produce the aggregate tax hereinbefore provided to be levied as set forth in each of said years; and the County Clerk shall (to the extent said tax has not been abated as provided herein) extend the same for collection on the tax books in connection with other taxes levied in said years in and by the City for general corporate purposes of the City; and in said years such annual tax shall be levied and collected by and for and on behalf of the City in like manner as taxes for general corporate purposes for said years are levied and collected, and in addition to and in excess of all other taxes.

Section 15. Sale of Bonds; Bond Notification. The Designated Representatives are hereby authorized to proceed not later than the 18th day of December, 2019, without any further authorization or direction whatsoever from the Council, to sell and deliver the Bonds upon the terms as prescribed in this Section, pursuant to one or more Bond Notifications. Each Purchaser of the Bonds shall be: (a) pursuant to a competitive sale conducted by PMA Securities, Inc., Naperville, Illinois (“PMA”), the best bidder for the Bonds; (b) in a negotiated underwriting, a bank or financial institution listed in the Dealers & Underwriters or Municipal Derivatives sections of the most recent edition of The Bond Buyer’s Municipal Marketplace; or (c) in a private placement, (i) a bank or financial institution authorized to do business in the State of Illinois, (ii) a governmental unit as defined in the Debt Reform Act, or (iii) an “accredited investor” as defined in Rule 501 of Regulation D as promulgated under the Securities Act of 1933, as amended; *provided, however,* that a Purchaser as set forth in either (b) or (c) shall be selected only upon the recommendation of PMA that the sale of said Bonds on a negotiated or private placement basis to such Purchaser is in the best interest of the City because of (i) the

pricing of said Bonds by such Purchaser, (ii) then current market conditions, or (iii) the timing of the sale of said Bonds; and further *provided*, that a Purchaser as set forth in (c) may be selected through the utilization of a placement agent selected by the Designated Representatives after consultation with PMA if the use of such placement agent is determined by the Designated Representatives to be in the best interest of the City. The Bonds shall be sold and delivered to the Purchaser thereof, upon receipt of the Purchase Price or Prices, the same being not less than 97.0% of the principal amount of such Project Bonds and not less than 97.0% of the principal amount of such Refunding Bonds (exclusive of original issue discount, if any), plus accrued interest, if any, to date of delivery. As an additional limitation on the sale of the Refunding Bonds, PMA must provide a certificate or report setting forth that the Refunding will provide a present value debt service savings to the City resulting from the issuance of Bonds to refund the Prior Bonds which are chosen to be refunded, which report shall demonstrate that the City will realize a minimum net present value savings of 2.00% of the debt service on the Prior Bonds being refunded, net of the Subsidy Payments. The Designated Representatives may choose all or any lesser portion of the Prior Bonds to be refunded, in such manner as will provide such savings. Nothing in this Section shall require the Designated Representatives to sell any of the Bonds if in their judgment, the conditions in the bond markets shall have deteriorated from the time of adoption thereof or the sale of all or any portion of the Bonds shall for some other reason not be deemed advisable, but the Designated Representatives shall have the authority to sell the Bonds in any event so long as the limitations set forth in this Ordinance and the conditions of this Section shall have been met.

Prior to the sale of the Bonds, any one of the Designated Representatives is hereby authorized to approve and execute a commitment for the purchase of a Municipal Bond Insurance Policy (as hereinafter defined), to further secure the Bonds, as long as the present

value of the fee to be paid for the Municipal Bond Insurance Policy (using as a discount rate the expected yield on the Bonds treating the fee paid as interest on the Bonds) is less than the present value of the interest reasonably expected to be saved on the Bonds over the term of the Bonds as a result of the Municipal Bond Insurance Policy.

Upon the sale of any series of Bonds, the Designated Representatives and any other officers of the City as shall be appropriate, shall be and are hereby authorized and directed to approve or execute, or both, such documents of sale of the Bonds as may be necessary, including, without limitation, the Bond Purchase Contract, the Bond Notification, Preliminary Official Statement, Official Statement and closing documents. The Designated Representatives must find and determine in the Bond Notification that no person holding any office of the City either by election or appointment, is in any manner financially interested either directly, in his or her own name, or indirectly in the name of any other person, association, trust or corporation in said Bond Purchase Contract with the Purchaser for the purchase of the Bonds. The distribution of the Preliminary Official Statement relating to the Bonds is hereby in all respects authorized and approved, and the proposed use by the Purchaser of an Official Statement (in substantially the form of the Preliminary Official Statement but with appropriate variations to reflect the final terms of the Bonds) is hereby approved.

Upon the sale of any series of Bonds, the Designated Representatives shall prepare the Bond Notification, which shall include the pertinent details of sale as provided herein, and such shall be entered into the records of the City and made available at the next public meeting of the City Council. The Designated Representatives shall also file with the County Clerk the Bond Notification or like document including a statement of taxes.

The officers of the City are hereby authorized to take any action as may be required on the part of the City to consummate the transactions contemplated by the Bond Purchase Contract, this Ordinance, said Preliminary Official Statement, said final Official Statement and the Bonds.

Section 16. Creation of Funds and Appropriations.

There is hereby created a special fund of the City known as the “Bond and Interest Fund of 2019” (the “*Bond Fund*”), with such other or additional descriptors as may be appropriate and as set forth in the Bond Notification, which fund is hereby irrevocably pledged to and shall be used only for the purpose of paying the principal of and interest on the Bonds. The Pledged Taxes shall be set aside as collected and deposited into the Bond Fund, which is a trust fund established for the purpose of carrying out the covenants, terms and conditions imposed upon the City by this Ordinance. The Bonds are secured by the pledge of all moneys in the Bond Fund, and such pledge is irrevocable until the Bonds have been paid in full or the obligations of the City are discharged under this Ordinance.

Simultaneously with the delivery of any Bonds, the principal proceeds of the Refunding Bonds, together with any premium received from the sale and delivery of such Refunding Bonds and such additional amounts as may be necessary from the general funds of the City, are hereby appropriated to refund the Refunded Bonds, and that portion thereof not needed to pay such costs of issuance is hereby ordered deposited either (a) with Amalgamated Bank of Chicago, Chicago, Illinois, the prior paying agent for the Prior Bonds, or (b) in escrow with the Escrow Agent pursuant to the Escrow Agreement, for the purpose of paying the principal of and interest on the Refunded Bonds upon redemption prior to maturity. The Council approves the form, terms and provisions of the Escrow Agreement and directs the Mayor and the City Clerk to execute, attest, seal and deliver the Escrow Agreement in the name and on behalf of the City. Amounts in the escrow may be used to purchase Government Securities (as defined in the Escrow Agreement) to provide for the principal and interest payable on the Refunded Bonds upon redemption prior to

maturity. The Escrow Agent and the Purchaser of the Refunding Bonds are each hereby authorized to act as agent for the City in the purchase of the Government Securities.

Simultaneously with the delivery of any Bonds, the principal proceeds of the Project Bonds, together with any premium received from the sale and delivery of such Project Bonds, are hereby appropriated for paying the costs of the Project and are hereby ordered deposited into the Series 2019 Project Fund (the "*Project Fund*"), which is hereby created. The Council reserves the rights, as it becomes necessary or advisable from time to time, to revise the list of expenditures for the Project, to change priorities, to revise cost allocations between expenditures and to substitute projects, in order to meet current needs of the City; *subject, however*, to the various covenants set forth in this Ordinance and in related certificates given in connection with delivery of the Bonds and also subject to obtaining the opinion of Chapman and Cutler LLP, Chicago, Illinois, or some other attorney or firm of attorneys whose opinions are generally acceptable to the purchasers in the national marketplace of governmental Tax-exempt obligations that such changes or substitutions are proper under the Act and do not adversely affect the Tax-exempt status of the Bonds.

At the time of the issuance of any series of Bonds, the costs of issuance of such Bonds may be paid by the Purchaser on behalf of the City from the proceeds of such Bonds.

Section 17. General Arbitrage Covenants. The City hereby covenants that it will not take any action, omit to take any action or permit the taking or omission of any action within its control (including, without limitation, making or permitting any use of the proceeds of the Bonds) if taking, permitting or omitting to take such action would cause any of the Bonds to be an arbitrage bond or a private activity bond within the meaning of the Code or would otherwise cause the interest on the Bonds to be included in the gross income of the recipients thereof for federal income tax purposes. The City acknowledges that, in the event of an examination by the Internal Revenue Service (the "*IRS*") of the exemption from Federal income taxation for interest

paid on the Bonds, under present rules, the City may be treated as a “taxpayer” in such examination and agrees that it will respond in a commercially reasonable manner to any inquiries from the IRS in connection with such an examination.

The City also agrees and covenants with the purchasers and holders of the Bonds from time to time outstanding that, to the extent possible under Illinois law, it will comply with whatever federal tax law is adopted in the future which applies to the Bonds and affects the Tax-exempt status of the Bonds.

The Council hereby authorizes the officials of the City responsible for issuing the Bonds, the same being the Mayor, City Clerk and Treasurer, to make such further covenants and certifications as may be necessary to assure that the use thereof will not cause the Bonds to be arbitrage bonds and to assure that the interest on the Bonds will be exempt from federal income taxation. In connection therewith, the City and the Council further agree: (a) through their officers, to make such further specific covenants, representations as shall be truthful, and assurances as may be necessary or advisable; (b) to consult with counsel approving the Bonds and to comply with such advice as may be given; (c) to pay to the United States, as necessary, such sums of money representing required rebates of excess arbitrage profits relating to the Bonds; (d) to file such forms, statements, and supporting documents as may be required and in a timely manner; and (e) if deemed necessary or advisable by their officers, to employ and pay fiscal agents, financial advisors, attorneys, and other persons to assist the City in such compliance.

Section 18. Registered Form. The City recognizes that Section 149(a) of the Code requires the Bonds to be issued and to remain in fully registered form in order to be and remain Tax-exempt. In this connection, the City agrees that it will not take any action to permit the Bonds to be issued in, or converted into, bearer or coupon form.

Section 19. Qualified Tax-exempt Obligations. The City recognizes the provisions of Section 265(b)(3) of the Code which provide that a “qualified tax-exempt obligation” as therein defined may be treated by certain financial institutions as if it were acquired on August 7, 1986, for certain purposes. All or a portion of the Bonds may be issued as “bank qualified bonds” (the “*BQ Bonds*”) as set forth in the Bond Notification. Each of the BQ Bonds is designated as a “qualified tax-exempt obligation” for the purposes and within the meaning of Section 265(b)(3) of the Code.

Section 20. Rights and Duties of Bond Registrar and Paying Agent. If requested by the Bond Registrar or the Paying Agent, or both, any officer of the City is authorized to execute standard forms of agreements between the City and the Bond Registrar or Paying Agent with respect to the obligations and duties of the Bond Registrar or Paying Agent hereunder. In addition to the terms of such agreements and subject to modification thereby, the Bond Registrar and Paying Agent by acceptance of duties hereunder agree:

(a) to act as bond registrar, paying agent, authenticating agent, and transfer agent as provided herein;

(b) as to the Bond Registrar, to maintain a list of Bondholders as set forth herein and to furnish such list to the City upon request, but otherwise to keep such list confidential to the extent permitted by law;

(c) to give notice of redemption of Bonds as provided herein;

(d) as to the Bond Registrar, to cancel and/or destroy Bonds which have been paid at maturity or upon redemption or submitted for exchange or transfer;

(e) as to the Bond Registrar, to furnish the City at least annually a certificate with respect to Bonds cancelled and/or destroyed; and

(f) to furnish the City at least annually an audit confirmation of Bonds paid, Bonds outstanding and payments made with respect to interest on the Bonds.

The City Clerk is hereby directed to file a certified copy of this Ordinance with the Bond Registrar and the Paying Agent.

Section 21. Reimbursement. With respect to expenditures for the Project paid within the 60-day period ending on this date and with respect to which no declaration of intent was previously made, the City hereby declares its intent to reimburse such expenditures and hereby allocates proceeds of the Bonds in the amount indicated in the Tax Exemption Certificate and Agreement to be delivered in connection with the issuance of the Project Bonds to reimburse said expenditures.

Section 22. Defeasance. Any Bond or Bonds which (a) are paid and cancelled, (b) which have matured and for which sufficient sums been deposited with the Paying Agent to pay all principal and interest due thereon, or (c) for which sufficient Defeasance Obligations have been deposited with the Paying Agent or similar institution having trust powers to pay, taking into account investment earnings on such obligations, all principal of and interest on such Bond or Bonds when due at maturity or as called for redemption, pursuant to an irrevocable escrow or trust agreement, shall cease to have any lien on or right to receive or be paid from the Pledged Taxes hereunder and shall no longer have the benefits of any covenant for the registered owners of outstanding Bonds as set forth herein as such relates to lien and security of the outstanding Bonds. All covenants relative to the federal Tax-Exempt status of the interest on Bonds; and payment, registration, transfer, and exchange; are expressly continued for all Bonds whether outstanding Bonds or not.

For purposes of this Section, “*Defeasance Obligations*” means (a) direct and general full faith and credit obligations of the United States Treasury (“*Directs*”), (ii) certificates of

participation or trust receipts comprised wholly of Directs or (c) other obligations unconditionally guaranteed as to timely payment by the United States Treasury.

Section 23. Continuing Disclosure Undertaking. The Mayor or Treasurer is hereby authorized, empowered and directed to execute and deliver the Continuing Disclosure Undertaking (the “*Continuing Disclosure Undertaking*”) in substantially the same form as now before the Council, or with such changes therein as the individual executing the Continuing Disclosure Undertaking on behalf of the City shall approve, the official’s execution thereof to constitute conclusive evidence of the approval of such changes. When the Continuing Disclosure Undertaking is executed and delivered on behalf of the City as herein provided, the Continuing Disclosure Undertaking will be binding on the City and the officers, employees and agents of the City, and the officers, employees and agents of the City are hereby authorized, empowered and directed to do all such acts and things and to execute all such documents as may be necessary to carry out and comply with the provisions of the Continuing Disclosure Undertaking as executed. Notwithstanding any other provision of this Ordinance, the sole remedies for failure to comply with the Continuing Disclosure Undertaking shall be the ability of the beneficial owner of any Bond to seek mandamus or specific performance by court order, to cause the City to comply with its obligations under the Continuing Disclosure Undertaking.

Section 24. Municipal Bond Insurance. In the event the payment of principal and interest on the Bonds is insured pursuant to a municipal bond insurance policy (the “*Municipal Bond Insurance Policy*”) issued by a bond insurer (the “*Bond Insurer*”), and as long as such Municipal Bond Insurance Policy shall be in full force and effect, the City and the Bond Registrar agree to comply with such usual and reasonable provisions regarding presentment and payment of the Bonds, subrogation of the rights of the Bondholders to the Bond Insurer when holding Bonds, amendment hereof, or other terms, as approved by the Mayor on advice of

counsel, their approval to constitute full and complete acceptance by the City of such terms and provisions under authority of this section.

Section 25. Record-Keeping Policy and Post-Issuance Compliance Matters. On April 1, 2014, the Council adopted a record-keeping policy (the “*Policy*”) in order to maintain sufficient records to demonstrate compliance with its covenants and expectations to ensure the appropriate federal tax status for the debt obligations of the City, the interest on which is excludable from “gross income” for federal income tax purposes or which enable the City or the holder to receive federal tax benefits, including, but not limited to, qualified tax credit bonds and other specified tax credit bonds. The Council and the City hereby reaffirm the Policy.

Section 26. Publication of Ordinance. A full, true and complete copy of this Ordinance shall be published within ten days after passage in pamphlet form by authority of the Council.

Section 27. Severability. If any section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity of such section, paragraph, clause or provision shall not affect any of the other provisions of this Ordinance.

Section 28. Superseder and Effective Date. All ordinances, resolutions and orders, or parts thereof, in conflict herewith, are to the extent of such conflict hereby superseded; and this Ordinance shall be in full force and effect immediately upon its passage, approval and publication.

AYES: _____

NAYS: _____

ABSENT: _____

ADOPTED: June 18, 2019

APPROVED: June 18, 2019

Mayor, City of Crystal Lake
McHenry County, Illinois

Recorded In City Records: June 18, 2019.

Published in pamphlet form by authority of the Council on June 18, 2019.

ATTEST:

City Clerk, City of Crystal Lake
McHenry County, Illinois

EXHIBIT A

FORM OF ESCROW LETTER AGREEMENT

_____, 20__

Re: City of Crystal Lake, McHenry County, Illinois
\$ _____ General Obligation Bonds, Series 201_____

Ladies and Gentlemen:

The City of Crystal Lake, McHenry County, Illinois (the "City"), by an ordinance adopted by the City Council of the City on the 18th day of June, 2019 (as supplemented by a notification of sale of bonds dated _____, 2019, the "Bond Ordinance"), has authorized the issue and delivery of \$_____ General Obligation Bonds, Series 20__, dated _____, 2019 (the "Bonds"). The City has authorized by the Bond Ordinance that proceeds of the Bonds be used to pay and redeem on _____, 20__, \$_____ of the City's outstanding and unpaid General Obligation Bonds, Series 2009__, dated September 29, 2009 (the "Prior Bonds"), maturing on January 1 of the years 20__ to 20__, inclusive (the "Refunded Bonds").

The City hereby deposits with you \$_____ from the proceeds of the Bonds and \$_____ from funds of the City on hand and lawfully available (collectively, the "Deposit") and you are hereby instructed as follows with respect thereto:

1. [Upon deposit, you are directed to hold the Deposit in an irrevocable trust fund account (the "Trust Account") for the City to the benefit of the holders of the Refunded Bonds.] [Upon deposit, you are directed to purchase U.S. Treasury Securities [State and Local Government Series Certificates of Indebtedness] in the amount of \$_____ and maturing as described on *Exhibit A* hereto (the "Government Securities"). You are further instructed to fund a beginning cash escrow deposit on demand in the amount of \$_____. The beginning deposit and the Government Securities are to be held in an irrevocable trust fund account (the "Trust Account") for the City to the benefit of the holders of the Refunded Bonds.]

2. [You shall hold the Deposit in the Trust Account in cash for the sole and exclusive benefit of the holders of the Refunded Bonds until redemption of the Refunded Bonds on _____, 20__ is made.] [You shall hold the Government Securities and any interest income or profit derived therefrom and any uninvested cash in the Trust Account for the sole and exclusive benefit of the holders of the Refunded Bonds until redemption of the Refunded Bonds on _____, 20__ is made.]

3. You shall promptly collect the principal, interest or profit from the proceeds deposited in the Trust Account and promptly apply the same as necessary to the payment of the Refunded Bonds as herein provided.

4. The City has called the Refunded Bonds for redemption and payment prior to maturity on _____, 20___. You are hereby directed to provide for and give or cause the Prior Paying Agent (as hereinafter defined) to give timely notice of the call for redemption of the Refunded Bonds. The form and time of the giving of such notice regarding the Refunded Bonds shall be as specified in the ordinance authorizing the issuance of the Refunded Bonds. The City agrees to reimburse you for any actual out-of-pocket expenses incurred in the giving of such notice, but the failure of the City to make such payment shall not in any respect whatsoever relieve you from carrying out any of the duties, terms or provisions of this Agreement.

5. In addition, you are hereby directed to give or cause the Prior Paying Agent to give notice of the call of the Refunded Bonds, on or before the date the notice of such redemption is given to the holders of the Refunded Bonds, to the Municipal Securities Rulemaking Board (the "MSRB") through its Electronic Municipal Market Access system for municipal securities disclosure or through any other electronic format or system prescribed by the MSRB for purposes of Rule 15c2-12 adopted by the Securities and Exchange Commission under the Securities Exchange Act of 1934, as amended. Information with respect to procedures for submitting notice can be found at <https://msrb.org>.

6. You shall remit the sum of \$_____ on _____, 201__, to Amalgamated Bank of Chicago, Chicago, Illinois, as paying agent for the Refunded Bonds (the "*Prior Paying Agent*"), such sum being sufficient to pay the principal of and interest on the Refunded Bonds on such date, and such remittance shall fully release and discharge you from any further duty or obligation thereto under this Agreement.

7. You shall make no payment of fees, due or to become due, of the bond registrar and paying agent on the Bonds or the Refunded Bonds. The City shall pay the same as they become due.

8. If at any time it shall appear to you that the funds on deposit in the Trust Account will not be sufficient to pay the principal of and interest on the Refunded Bonds, you shall notify the City not less than five (5) days prior to such payment date and the City shall make up the anticipated deficit from any funds legally available for such purpose so that no default in the making of any such payment will occur.

9. Upon final disbursement of funds sufficient to pay the Refunded Bonds as hereinabove provided for, you shall transfer any balance remaining in the Trust Account to the City and thereupon this Agreement shall terminate.

Very truly yours,

CITY OF CRYSTAL LAKE,
MCHENRY COUNTY, ILLINOIS

By _____
Mayor

ATTEST:

By _____
City Clerk

[SEAL]

Accepted this ____ day of ____, 20__.

_____, _____

By _____
Its _____

STATE OF ILLINOIS)
) SS
COUNTY OF MCHENRY)

CERTIFICATION OF MINUTES AND ORDINANCE

I, the undersigned, do hereby certify that I am the duly qualified and acting City Clerk of the City of Crystal Lake, McHenry County, Illinois (the “*City*”), and as such official I am the keeper of the official journal of proceedings, books, records, minutes and files of the City and of the Council (the “*Council*”) thereof.

I do further certify that the foregoing is a full, true and complete transcript of that portion of the minutes of the meeting of the Council held on the 18th day of June, 2019 insofar as the same relates to the adoption of an ordinance, numbered _____ entitled:

AN ORDINANCE providing for the issuance of not to exceed \$15,000,000 General Obligation Bonds of the City of Crystal Lake, McHenry County, Illinois, for the purpose of financing certain capital improvements within the City and refunding certain outstanding bonds of the City, providing for the levy and collection of a direct annual tax for the payment of the principal of and interest on said bonds, authorizing the sale of said bonds to the purchasers thereof and providing for the execution of an escrow agreement in connection with such issuance.

a true, correct and complete copy of which said ordinance as adopted at said meeting appears in the foregoing transcript of the minutes of said meeting.

I do further certify that the deliberations of the Council on the adoption of said ordinance were taken openly; that the vote on the adoption of said ordinance was taken openly; that said meeting was held at a specified time and place convenient to the public; that notice of said meeting was duly given to all newspapers, radio or television stations and other news media requesting such notice; that an agenda for said meeting was posted at the location where said meeting was held and at the principal office of the Council at least 96 hours in advance of the holding of said meeting, that at least one copy of said agenda was continuously available for public review during the entire 96-hour period preceding said meeting, that said agenda contained a separate specific item concerning the proposed adoption of said ordinance, a true, correct and complete copy of said agenda as so posted being attached to this Certificate as *Exhibit A*, that said meeting was called and held in strict compliance with the provisions of the Open Meetings Act of the State of Illinois, as amended, and the Illinois Municipal Code, as amended, and that the Council has complied with all of the provisions of said Act and said Code and with all of the procedural rules of the Council in the adoption of said ordinance.

IN WITNESS WHEREOF I hereunto affix my official signature and the seal of the City this
18th day of June, 2019.

City Clerk

[SEAL]

[Attach Exhibit A]

STATE OF ILLINOIS)
) SS
COUNTY OF MCHENRY)

CERTIFICATE OF PUBLICATION IN PAMPHLET FORM

I, the undersigned, do hereby certify that I am the duly qualified and acting City Clerk of the City of Crystal Lake, McHenry County, Illinois (the “*City*”), and as such official I am the keeper of the official journal of proceedings, books, records, minutes, and files of the City and of the City Council (the “*Council*”) thereof.

I do further certify that on the 18th day of June, 2019 there was published in pamphlet form, by authority of the Council, a true, correct and complete copy of Ordinance Number _____ of the City providing for the issuance of not to exceed \$15,000,000 General Obligation Bonds of the City and that said ordinance as so published was on said date readily available for public inspection and distribution, in sufficient number to meet the needs of the general public, at my office as City Clerk located in the City.

IN WITNESS WHEREOF I have affixed hereto my official signature and the seal of the City this 18th day of June, 2019.

[SEAL]

City Clerk

STATE OF ILLINOIS)
) SS
COUNTY OF MCHENRY)

CERTIFICATE OF FILING

I, the undersigned, do hereby certify that I am the duly qualified and acting County Clerk of The County of McHenry, Illinois, and as such officer I do hereby certify that on the ____ day of _____, 2019 there was filed in my office a properly certified copy of Ordinance Number _____ passed by the City Council of the City of Crystal Lake, McHenry County, Illinois, on the 18th day of June, 2019, and entitled:

AN ORDINANCE providing for the issuance of not to exceed \$15,000,000 General Obligation Bonds of the City of Crystal Lake, McHenry County, Illinois, for the purpose of financing certain capital improvements within the City and refunding certain outstanding bonds of the City, providing for the levy and collection of a direct annual tax for the payment of the principal of and interest on said bonds, authorizing the sale of said bonds to the purchasers thereof and providing for the execution of an escrow agreement in connection with such issuance.

and that the same has been deposited in, and all as appears from, the official files and records of my office.

IN WITNESS WHEREOF I have hereunto affixed my official signature and the seal of The County of McHenry, Illinois, this ____ day of _____, 2019.

County Clerk of The County of McHenry,
Illinois

[SEAL]

EXHIBIT A

EXTRACT OF MINUTES of the regular public meeting of the City Council of the City of Crystal Lake, McHenry County, Illinois, held at the City Council Chambers, City Hall, located at 100 West Woodstock Street, in said City, at 7:30 p.m., on Tuesday, the 18th day of June, 2019.

* * *

The meeting was called to order by the Mayor, and upon the roll being called, Aaron T. Shepley, the Mayor, and the following Councilmembers were physically present at said location: _____

The following Councilmembers were allowed by a majority of the members of the City Council in accordance with and to the extent allowed by rules adopted by the City Council to attend the meeting by video or audio conference: _____

No Councilmember was not permitted to attend the meeting by video or audio conference.

The following Councilmembers were absent and did not participate in the meeting in any manner or to any extent whatsoever: _____

The Mayor announced that the City Council would consider a resolution adopting a disclosure compliance policy of the City.

Whereupon, Councilmember _____ presented and the City Clerk read by title a resolution as follows, a copy of which was provided to each Councilmember prior to said meeting and to everyone in attendance at said meeting who requested a copy:

RESOLUTION adopting a disclosure compliance policy of the City of Crystal Lake, McHenry County, Illinois.

* * *

WHEREAS, the City Council (the “*Council*”) of the City of Crystal Lake, McHenry County, Illinois (the “*City*”), has determined that it is necessary and in the best interest of the City to ensure compliance with its responsibilities under federal securities laws, including its continuing disclosure undertakings (the “*Undertakings*”) under Rule 15c2-12 of the Securities Exchange Act of 1934, as amended (the “*Rule*”), and the statements of the Securities and Exchange Commission (the “*SEC*”) in enforcement actions; and

WHEREAS, it is necessary and in the best interest of the City that the City adopt appropriate policies and procedures (the “*Disclosure Policies and Procedures*”) and training to enable the City to create accurate disclosures with respect to its (i) preliminary official statements, final official statements and any supplements or amendments thereto, disseminated by the City pursuant to the issuance by the City of any bonds, notes, certificates or other obligations, (ii) Financial Information, as required by and defined in the Undertakings to be filed with the Municipal Securities Rulemaking Board’s Electronic Municipal Market Access (“*EMMA*”) system, and (iii) notices of Material Events or Reportable Events, each as defined in the Undertakings, and any other required or voluntary disclosures to EMMA:

NOW, THEREFORE, Be It and It Is Hereby Resolved by the City Council of the City of Crystal Lake, McHenry County, Illinois, as follows:

Section 1. The Council hereby finds that all of the recitals contained in the preambles to this Resolution are full, true and correct and does incorporate them into this Resolution by this reference.

Section 2. The Council and the City hereby adopt the Disclosure Policies and Procedures attached as *Exhibit A* hereto and made a part hereof and, in doing so, amend any similar disclosure policies and procedures heretofore adopted.

Section 3. If any section, paragraph, clause or provision of this Resolution shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this Resolution.

Section 4. All resolutions or parts thereof in conflict herewith be and the same are hereby repealed and this Resolution shall be in full force and effect forthwith upon its adoption.

Adopted June 18, 2019.

Mayor, City of Crystal Lake,
McHenry County, Illinois

Attest:

City Clerk, City of Crystal Lake,
McHenry County, Illinois

EXHIBIT A

CITY OF CRYSTAL LAKE, MCHENRY COUNTY, ILLINOIS (THE “CITY”) POLICIES AND PROCEDURES FOR PREPARING AND UPDATING DISCLOSURES

Pursuant to the City’s responsibilities under the securities laws, including its continuing disclosure undertakings (the “*Undertakings*”) under Rule 15c2-12 of the Securities Exchange Act of 1934, as amended, and the Securities and Exchange Commission’s statements in enforcement actions, it is necessary and in the best interest of the City that the City’s (i) preliminary and final official statements or offering circulars and any supplements or amendments thereto (collectively, the “*Official Statements*”), disseminated by the City in connection with any bonds, notes, certificates or other obligations, (ii) Annual Financial Information or Financial Information, as required by and defined in the Undertakings (the “*Annual Financial Information*”) to be filed with the Municipal Securities Rulemaking Board’s (“*MSRB*”) Electronic Municipal Market Access (“*EMMA*”) system, and (iii) notices of Material Events or Reportable Events, each as defined in the Undertakings, and any other required or voluntary disclosures to EMMA (each, an “*EMMA Notice*”) comply in all material respects with the federal securities laws. Further, it is necessary and in the best interest of the City that the City adopt policies and procedures to enable the City to create accurate disclosures with respect to its (i) Official Statements, (ii) Annual Financial Information, and (iii) EMMA Notices. Official Statements, Annual Financial Information and EMMA Notices are collectively referred to herein as the “*Disclosures*.”

In response to these interests, the City hereby adopts the following policies and procedures (the “*Disclosure Policy*”):

(a) *Disclosure Officer*. The Director of Finance of the City (the “*Disclosure Officer*”) is hereby designated as the officer responsible for the procedures related to Disclosures as hereinafter set forth (collectively, the “*Disclosure Procedures*”).

(b) *Disclosure Procedures: Official Statements.* Whenever an Official Statement will be disseminated in connection with the issuance of obligations by the City, the Disclosure Officer will oversee the process of preparing the Official Statement pursuant to the following procedures:

1. The City shall select (a) the working group for the transaction, which group may include outside professionals such as disclosure counsel, a municipal advisor and an underwriter (the “*Working Group*”) and (b) the member of the Working Group responsible for preparing the first draft of the Official Statement.

2. The Disclosure Officer shall review and make comments on the first draft of the Official Statement. Such review shall be done in order to determine that the Official Statement does not include any untrue statement of a material fact or omit to state a material fact necessary in order to make the statements made in the Official Statement not misleading. Particular attention shall be paid to the accuracy of all descriptions, significant information and financial data regarding the City. Examples include confirming that information relating to the City, including but not limited to demographic changes, the addition or loss of major employers, the addition or loss of major taxpayers or any other material information within the knowledge of the Disclosure Officer, is included and properly disclosed. The Disclosure Officer shall also be responsible for ensuring that the financial data presented with regard to the City is accurate and corresponds with the financial information in the City’s possession, including but not limited to information regarding bonded indebtedness, notes, certificates, outstanding leases, tax rates or any other financial information of the City presented in the Official Statement.

3. After completion of the review set forth in 2. above, the Disclosure Officer shall (a) discuss the first draft of the Official Statement with the members of the Working Group and such staff and officials of the City as the Disclosure Officer deems necessary and appropriate and (b) provide comments, as appropriate, to the members of the Working Group. The Disclosure Officer shall also consider comments from members of the Working Group and whether any additional changes to the Official Statement are necessary or desirable to make the document compliant with the requirements set forth in 2. above.

4. The Disclosure Officer shall continue to review subsequent drafts of the Official Statement in the manner set forth in 2. and 3. above.

5. If, in the Disclosure Officer’s reasonable judgment, the Official Statement does not include any untrue statement of a material fact or omit to state a material fact necessary in order to make the statements made in the Official Statement not misleading, the Official Statement may, in the reasonable discretion of the Disclosure Officer, be released for dissemination to the public; *provided,*

however, that the use of the Official Statement must be ratified, approved and authorized by the City Council of the City (the “*Council*”).

(c) *Disclosure Procedures: Annual Financial Information.* The Disclosure Officer will oversee the process of preparing the Annual Financial Information pursuant to these procedures:

1. By October 15th of each year (the same being at least 30 days prior to the last date on which the Annual Financial Information is required to be disseminated pursuant to the related Undertaking, the Disclosure Officer shall begin to prepare (or hire an agent to prepare) the Annual Financial Information. The Disclosure Officer shall also review the audited or unaudited financial statements, as applicable, to be filed as part of the Annual Financial Information (the “*Financial Statements*”). In addition to the required updating of the Annual Financial Information, the Disclosure Officer should consider whether additional information needs to be added to the Annual Financial Information in order to make the Annual Financial Information, including the Financial Statements, taken as a whole, correct and complete in all material respects. For example, if disclosure of events that occurred subsequent to the date of the Financial Statements would be necessary in order to clarify, enhance or correct information presented in the Financial Statements, in order to make the Annual Financial Information, taken as a whole, correct and complete in all material respects, disclosure of such subsequent events should be made.

2. If, in the Disclosure Officer’s reasonable judgment, the Annual Financial Information, including the Financial Statements, is correct and complete in all material respects, the Disclosure Officer shall file the Annual Financial Information with EMMA (or confirm that such filing is completed by any agent hired by the City for such purpose) within the timeframe allowed for such filing.

(d) *Disclosure Procedures: Reportable Events.* The Disclosure Officer will prepare (or hire an agent to prepare) Reportable Event Disclosure and file the same with EMMA (or confirm that such filing is completed by an agent hired by the City for such purpose) in a timely manner (not in excess of ten business days after the occurrence of the Reportable Event). Incurrence of a Financial Obligation, if material, or agreement to covenants, events of default, remedies, priority rights, or other similar terms of a Financial Obligation, any of which affect security holders, if material, is a Reportable Event. Upon the incurrence of any Financial Obligation, as such term is defined in the Undertaking, the Disclosure Officer shall review such Financial Obligation and assess whether such Financial Obligation is material. If, in connection with such Financial Obligation, the City has agreed to any covenant, event of default, remedy, priority right or other similar term which affects security holders, the Disclosure Officer shall further review such term and assess whether the same is material. The Disclosure Officer shall prepare a summary of such review. If, in the Disclosure Officer’s reasonable judgment, following consultation with financial or legal professionals as necessary, such Financial

Obligation and/or term of such Financial Obligation is deemed material, the Disclosure Officer shall file a summary of such Financial Obligation (or the entire financing document, provided that confidential or sensitive information may be redacted to the extent such redaction does not prevent all material terms from being disclosed) with EMMA not in excess of ten business days after the incurrence of such Financial Obligation.

(e) *Disclosure Procedures: EMMA Notices.* Whenever the City determines to file an EMMA Notice, or whenever the City decides to make a voluntary filing to EMMA, the Disclosure Officer will oversee the process of preparing the EMMA Notice pursuant to these procedures:

1. The Disclosure Officer shall prepare (or hire an agent to prepare) the EMMA Notice. The EMMA Notice shall be prepared in the form required by the MSRB.

2. In the case of a disclosure required by an Undertaking, the Disclosure Officer shall determine whether any changes to the EMMA Notice are necessary to make the document compliant with the Undertaking.

3. If, in the Disclosure Officer's reasonable judgment, the EMMA Notice is correct and complete and, in the case of a disclosure required by an Undertaking, complies with the Undertaking, the Disclosure Officer shall file the EMMA Notice with EMMA (or confirm that such filing is completed by any agent hired by the City for such purpose) within the timeframe allowed for such filing.

(f) *Additional Responsibilities of the Disclosure Officer.* The Disclosure Officer, in addition to the specific responsibilities outlined above, shall have general oversight of the entire disclosure process, which shall include:

1. Maintaining appropriate records of compliance with this Disclosure Policy (including proofs of EMMA filings) and decisions made with respect to issues that have been raised;

2. Evaluating the effectiveness of the procedures contained in this Disclosure Policy; and

3. Making recommendations to the Council as to whether revisions or modifications to this Disclosure Policy are appropriate.

(g) *General Principles.*

1. All participants in the disclosure process should be encouraged to raise potential disclosure items at all times in the process.

2. The process of revising and updating the Disclosures should not be viewed as a mechanical insertion of current numbers. While it is not anticipated that there will be major changes in the form and content of the Disclosures at the time of each update, the Disclosure Officer should consider whether such changes are necessary or desirable in order to make sure the Disclosure does not make any untrue statement of a material fact or omit to state a material fact necessary or desirable, in order to make the statements made, in light of the circumstances in which they were made, not misleading at the time of each update.

3. Whenever the City releases information, whether in written or spoken form, that may reasonably be expected to reach investors, it is said to be “speaking to the market.” When speaking to the market, City officials must be sure that the released information does not make any untrue statement of a material fact or omit to state a material fact necessary or desirable, in order to make the statements made, in light of the circumstances in which they were made, not misleading.

4. While care should be taken not to shortcut or eliminate any steps outlined in this Disclosure Policy on an ad hoc basis, the review and maintenance of the Disclosures is a fluid process and recommendations for improvement of these Disclosure Procedures should be solicited and regularly considered.

5. The Disclosure Officer is authorized to request and pay for attendance at relevant conferences or presentations or annual training sessions conducted by outside counsel, consultants or experts in order to ensure a sufficient level of knowledge for the effective administration of this Disclosure Policy.

Councilmember _____ moved and Councilmember _____
seconded the motion that said resolution as presented and read by title be adopted.

After a full discussion thereof, the Mayor directed that the roll be called for a vote upon
the motion to adopt said resolution.

Upon the roll being called, the following Councilmembers voted AYE: _____

_____ and the following Councilmembers voted NAY: _____ .

Whereupon the Mayor declared the motion carried and said resolution adopted, approved
and signed the same in open meeting and directed the City Clerk to record the same in full in the
records of the City Council of the City of Crystal Lake, McHenry County, Illinois, which was
done.

Other business not pertinent to the adoption of said resolution was duly transacted at said
meeting.

Upon motion duly made, seconded and carried, the meeting was adjourned.

City Clerk

STATE OF ILLINOIS)
) SS
COUNTY OF MCHENRY)

CERTIFICATION OF MINUTES AND RESOLUTION

I, the undersigned, do hereby certify that I am the duly qualified and acting City Clerk of the City of Crystal Lake, McHenry County Illinois (the “City”), and as such officer I am the keeper of the books, records, files, and journal of proceedings of the City and of the City Council thereof (the “Council”).

I do further certify that the foregoing constitutes a full, true and complete transcript of the minutes of the meeting of the City Council held on the 18th day of June, 2019, insofar as the same relates to the adoption of a resolution entitled:

RESOLUTION adopting a disclosure compliance policy of the City of Crystal Lake, McHenry County, Illinois.

a true, correct and complete copy of which said resolution as adopted at said meeting appears in the foregoing transcript of the minutes of said meeting.

I do further certify that the deliberations of the Council on the adoption of said resolution were taken openly, that the vote on the adoption of said resolution was taken openly, that said meeting was held at a specified time and place convenient to the public, that notice of said meeting was duly given to all of the news media requesting such notice, that an agenda for said meeting was posted at the principal office of the Council at least 96 hours in advance of the holding of said meeting, that said agenda contained a separate specific item concerning the proposed adoption of said resolution, a true, correct and complete copy of said agenda as so posted being attached to this certificate as *Exhibit A*, that at least one copy of said agenda was continuously available for public review during the entire 96-hour period preceding said meeting, that said meeting was called and held in strict accordance with the provisions of the Illinois Municipal Code, as amended, and the Open Meetings Act of the State of Illinois, as amended, and that the Council has complied with all of the applicable provisions of said Code and said Act and its procedural rules in the adoption of said resolution.

IN WITNESS WHEREOF, I hereunto affix my official signature and the seal of the City, this 18th day of June, 2019.

City Clerk

[SEAL]



Agenda Item No: 22

**City Council
Agenda Supplement**

<u>Meeting Date:</u>	June 18, 2019
<u>Item:</u>	Board and Commission Reappointments
<u>Mayor's Recommendation:</u>	Motion to reappoint members to the Historic Preservation Commission.
<u>Contact:</u>	Aaron T. Shepley, Mayor

Background:

On June 30, 2019, terms on the Historic Preservation Commission for Hamilton Hale and Bob Wyman will expire. Mr. Hale and Mr. Wyman have expressed interest in reappointment to the Historic Preservation Commission for a three-year term, expiring on June 30, 2022.

Historic Preservation Commission appointments and reappointments are nominated and confirmed by the Mayor and City Council.

Should the Council have any questions, please contact Mayor Shepley.

Votes Required to Pass: Simple majority