



CITY OF CRYSTAL LAKE
AGENDA
CITY COUNCIL
REGULAR MEETING
City of Crystal Lake
100 West Woodstock Street, Crystal Lake, IL
City Council Chambers
October 1, 2019
7:30 p.m.

1. **Call to Order**
2. **Roll Call**
3. **Pledge of Allegiance**
4. **Approval of Minutes – September 17, 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. **Special Event Request, Parking Restrictions and Waiver of Special Event and Police Department Fees - Festival of Lights Parade, Downtown Crystal Lake/Main Street — Friday, November 29, 2019**
 - b. **City Treasurer Appointment**
 - c. **Appointment to the Police Pension Board of Trustees**
 - d. **Appointment to the Firefighters' Pension Board of Trustees**
 - e. **Approved Financial Institutions**
 - f. **Annexation Public Hearing Continuations to January 7, 2020 City Council Meeting**
Reinhardt-Kirk, 851 Reiland Drive
Chicago Title Trust 4149, Whiskey Business, 870 E. Terra Cotta Avenue
Chicago Title Trust 4152, 850 E. Terra Cotta Avenue
10. **Special Event Request - Christmas Tree Lane, Downtown Crystal Lake/Main Street – November 20, 2019 through December 31, 2019**
11. **Class 16 Temporary Liquor License Requests (2) – Fire Wagon Hockey, Inc., Hocktoberfest – October 19-20, 2019 and October 26-27, 2019**
12. **Class 4 Liquor License Request – Soto Services Inc., DBA Chilo's Restaurant, 282 W. Virginia Street**
13. **Left Turn Restriction – 161 North Route 31 (Crystal Lake Car Wash)**

14. **Rezoning of Crystal Court Properties Abutting Three Oaks Recreation Area with a Planned Unit Development Overlay**
15. **UDO Text Amendment – Recreational Cannabis and Establishment of 3% Retail Tax on Cannabis**
16. **Appropriation of Motor Fuel Tax (MFT) funds for Crystal Lake Avenue and Main Street Improvement**
17. **Tree Pruning Services Contract Award**
18. **Stormwater Solutions: Bid Award for Various Projects (Gardina Vista, Green Oaks, Cove Pond, Woodland Channel)**
19. **Purchase of Commercial Chassis Rescue Pumpers**
20. **State Mandated Small Wireless Facilities Deployment Act – Verizon Master Pole Attachment Agreement**
21. **Council Inquiries and Requests**
22. **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**
23. **Reconvene to Regular Session**
24. **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: October 1, 2019

Item: Festival of Lights Parade and Parking Restrictions Request

Staff Recommendation: Motion to approve the 2019 Festival of Lights Parade to be held on Friday, November 29, 2019, as requested subject to the conditions contained in this agenda supplement and waiver of the Special Event (\$50) and Police Department chargeback fees (~\$1,858).

Staff Contact: Michelle Rentzsch, Director of Community Development

Background:

Downtown Crystal Lake is requesting approval to hold the annual Festival of Lights Parade on Friday, November 29, 2019 at 7:00 p.m. in Downtown Crystal Lake. Since they are requesting road closures, establishment of temporary no-parking zones, use of City property, and Police Department assistance, this event is classified as a Special Event that requires City Council approval.

The parade participants and vehicles will line up at City Hall and use the far-east entrance/exit off Woodstock Street into City Hall. Parade participants will be asked to use the Alexander Commuter Lot to park their personal vehicles during the parade. During the parade, the Fire Rescue, Police, and Public Works Departments will use the west entrance/exit to City Hall. A map of the parade route has been attached to this agenda supplement.

The following roads will be closed starting at about 6:30 p.m. for the parade route and will open when the route clears at about 8:30 p.m.

- Woodstock Street between Walkup Avenue and Caroline Street, and between Grant Street and Williams Street
- Caroline Street between Woodstock Street and Crystal Lake Avenue
- Crystal Lake Avenue between Caroline Street and Main Street
- Grant Street between Crystal Lake Avenue and Woodstock Street
- Williams Street between Woodstock Street and Crystal Lake Avenue

The road closures are the same as previous years, with the exception of Crystal Lake Avenue. In previous years, Crystal Lake Avenue was closed between Caroline Street and Williams Street. However, the parade organizers and the Police Department met to discuss this year's parade, and determined that closing Crystal Lake Avenue to Main Street would be safer for the disbursing crowd after the tree lighting ceremony. The parade vehicle return route has also been changed to send vehicles down Franklin Street, which is easier to navigate with larger vehicles than the former route down Paddock Street.

In addition, the Downtown Crystal Lake organization is requesting to prohibit parking temporarily along the following streets from 5:00 p.m. until the end of the parade at approximately 8:30 p.m.:

- Both sides of Caroline Street between Woodstock Street and Crystal Lake Avenue,
- Both sides of Franklin Avenue between Williams Street and Walkup Avenue,
- Both sides of Woodstock Street between Grant Street and Williams Street,
- Both sides of Williams Street between Woodstock Street and Crystal Lake Avenue, and
- Both sides of Grant Street between Crystal Lake Avenue and Woodstock Street.

The Crystal Lake Police Department will place "NO PARKING AFTER 5 P.M. BY POLICE ORDER" signs along Caroline Street, Franklin Street, Williams Street, Grant Street, and Woodstock Street. The Downtown Crystal Lake organization will place City-owned barricades and parking cones to restrict parking along Williams Street and Woodstock Street.

City staff has reviewed the petitioner's request, and does not have concerns regarding the parade and the parking restrictions, providing the following conditions are met:

- 1) The Downtown Crystal Lake organization must coordinate with the Crystal Lake Police Department and the Crystal Lake Public Works Department regarding staffing, signage, and other needs for the parade.
- 2) Signs must be posted restricting parking on the following streets:
 - a. Both sides of Caroline Street between Woodstock Street and Crystal Lake Avenue,
 - b. Both sides of Franklin Avenue between Williams Street and Walkup Avenue,
 - c. Both sides of Woodstock Street between Grant Street and Williams Street,
 - d. Both sides of Williams Street between Woodstock Street and Crystal Lake Avenue, and
 - e. Both sides of Grant Street between Crystal Lake Avenue and Woodstock Street.The signs must be removed after the parade has concluded.
- 3) City-owned barricades and parking cones will be used by the petitioner to block parking on Woodstock Street, both sides of Williams Street and Grant Street. The petitioner must complete and submit a Barricade Borrowing Application.
- 4) The petitioner must continue to work with City staff on how best to control spectators which may include 3-foot tall metal barricades, additional parade marshals, additional police assistance, or other acceptable crowd control measures to ensure the safety of all spectators and participants.
- 5) Any vendor present at this event, or present within the immediate area during the event, must have permission and approval from the Downtown Crystal Lake / Main Street organization, along with the appropriate proof of insurance and a vendor license. In addition, any business conducting a promotional activity must coordinate with the

Downtown CL organization to ensure the activity does not conflict with the parade approval.

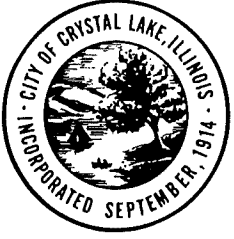
- 6) All debris created by the event must be cleaned up during and after the event. In addition, Prairie Land., the City's refuse contractor, will conduct a special collection following the parade.
- 7) If tents or canopies will be used, the petitioner must contact the Fire Rescue Department for further review.
- 8) Promotional and informational banners and signage are approved via this approval. Please contact the Building Division regarding the details of the signage to be used in conjunction with the event.
- 9) Emergency vehicle access must be maintained throughout the event. Items should not be placed on the roadway to prohibit access, and volunteers should be available to remove barricades to allow emergency vehicles on the roadway if necessary.
- 10) In the case of inclement weather, an alternate date can be approved by the City Manager.

The Police Department estimates that the cost for Police Officer assistance for this event is \$1,858 based on previous year's staffing. In previous years, Downtown Main Street has not been charged for the Police Officers. The Downtown Main Street has requested that the \$50 application Special Event application fee as well as the Police Department chargeback be waived.

The applicant has been made aware of these recommended conditions and advised to attend the October 1, 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>	October 1, 2019
<u>Item:</u>	City Treasurer Appointment
<u>Staff Recommendation:</u>	Motion to approve the appointment of Eric T. Helm as City Treasurer effective October 5, 2019.
<u>Staff Contact:</u>	Aaron T. Shepley, Mayor

Background:

Current Finance Director and Treasurer George Koczvara notified the City that he has accepted the position of Village Manager with the Village of Orland Park. This is a significant career advancement and an incredible opportunity for George. His last day with the City will be October 4, 2019. Chapter 121 of the City Code creates the position of Treasurer, which is appointed by the Mayor. Since Mr. Koczvara will be leaving his position with the City, a new Treasurer appointment is necessary.

In order to plan for the smooth transition in the Finance Department, Deputy City Manager Eric Helm has been appointed as Interim Finance Director. In this capacity, Mr. Helm will work closely with Assistant Finance Director Laura Herrig to ensure operational continuity. The City has been actively recruiting for a full-time Finance Director and Mr. Helm's appointment will be temporary.

The Council is requested to approve the appointment of Deputy City Manager, Eric T. Helm, as City Treasurer effective October 5, 2019. Per the City Code, the position of City Treasurer is appointed by the Mayor and approved by the City Council. Attached is a copy of the ordinance regarding the City Treasurer position.

Votes Required to Pass:

Simple majority.

DRAFT



RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF CRYSTAL LAKE, ILLINOIS,
Approving Appointment of City Treasurer**

WHEREAS, the current City Treasurer George Koczwarra will leave his position and no longer be employed with the City of Crystal Lake; and

WHEREAS, the City Treasurer is appointed by the Mayor with the approval of the Crystal Lake City Council pursuant to Chapter 121 of the City Code; and

WHEREAS, the Mayor of the City of Crystal Lake, has recommended that Eric Helm be appointed and replace George Koczwarra as the City Treasurer.

NOW THEREFORE, by adoption of this resolution, the City Council approves the appointment of Eric Helm as the City Treasurer effective October 5, 2019.

Adopted by the City Council of the City of Crystal Lake at a regular meeting on the 1st day of October, 2019.

Aaron T. Shepley, Mayor

ATTEST:

Nick Kachiroubas, City Clerk



Agenda Item No: 9c

**City Council
Agenda Supplement**

Meeting Date: October 1, 2019

Item: Appointment to Police Pension Board of Trustees

Staff Recommendation: Motion to approve Mayoral appointment of Assistant Finance Director Laura Herrig to the Board of Trustees of the Police Pension Fund.

Staff Contact: Aaron T. Shepley, Mayor

Background:

Previously, Director of Finance George Koczwara was appointed to the Police Pension Fund Board of Trustees. Because he has accepted a position with another organization, it will be necessary to appoint someone else to the Police Pension Fund Board of Trustees. It is recommended that Assistant Finance Director, Laura Herrig, be appointed to the Police Pension Fund Board of Trustees. Ms. Herrig's appointment is recommended due to her financial experience and her familiarity with the operation of the pension fund.

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

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

Votes Required to Pass:

Simple majority vote

DRAFT



RESOLUTION NO. _____

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

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

WHEREAS, a vacancy has occurred on the Board of Trustees of the Police Pension Fund due to the departure of George Koczwarra from the City; and

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

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

NOW THEREFORE, by adoption of this resolution, the City Council confirms the appointment of Laura Herrig to the Board of Trustees of the Police Pension Fund appointment effective October 5, 2019.

Adopted by the City Council of the City of Crystal Lake at a regular meeting on the 1st day of October, 2019.

Aaron T. Shepley, Mayor

ATTEST:

Nick Kachiroubas, City Clerk



Agenda Item No: 9d

**City Council
Agenda Supplement**

<u>Meeting Date:</u>	October 1, 2019
<u>Item:</u>	Appointment to Firefighters' Pension Board of Trustees
<u>Staff Recommendation:</u>	Motion to approve the Mayoral appointment of Assistant Finance Director Laura Herrig to the Firefighters' Pension Fund Board of Trustees.
<u>Staff Contact:</u>	Aaron T. Shepley, Mayor

Background:

Previously, Director of Finance George Koczwara was appointed to the Firefighters' Pension Fund Board of Trustees. Because he has accepted a position with another organization, it will be necessary to appoint someone else to the Firefighters' Pension Fund Board of Trustees. It is recommended that Assistant Finance Director, Laura Herrig, be appointed to the Firefighters' Pension Fund Board of Trustees. Ms. Herrig's appointment is recommended due to her financial experience and her familiarity with the operation of the pension fund.

The membership of the Firefighters' Pension Fund Board of Trustees is governed by Public Act 94-0317 (40 ILCS 5/4-121) which states:

"...the board for each municipality or fire protection district shall consist of 5 members. Two members of the board shall be appointed by the mayor or president of the board of trustees of the municipality or fire protection involved. Two members of the board shall be active participants of the pension fund who are elected from the active participants of the fund. One member of the board shall be a person who is retired under the Firemen's Pension Fund Act of 1919 or this Article who is elected from person retired under the Firemen's Pension Fund Act of 1919 or this Article."

The appointment requirements are also contained in Chapter 11-6 of the City Code.

Votes Required to Pass:

Simple majority.

DRAFT



RESOLUTION NO. _____

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

Confirming Appointments to the Board of Trustees of the Firefighters' Pension Fund

WHEREAS, a vacancy has occurred on the Board of Trustees of the Firefighters' Pension Fund due to the departure of George Koczwarra from the City; and

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

WHEREAS, the Mayor of the City of Crystal Lake, has recommended that Laura Herrig replace George Koczwarra on the five-member Board of Trustees of the Firefighters' Pension Fund.

NOW THEREFORE, by adoption of this resolution, the City Council confirms the appointment of Laura Herrig to the Board of Trustees of the Firefighters' Pension Fund appointment effective October 5, 2019.

Adopted by the City Council of the City of Crystal Lake at a regular meeting on the 1st day of October, 2019.

Aaron T. Shepley, Mayor

ATTEST:

Nick Kachiroubas, City Clerk



Agenda Item No: 9e

City Council Agenda Supplement

Meeting Date:

October 1, 2019

Item:

Approved Financial Institutions

Staff Recommendation:

Adopt a resolution authorizing the annual list of approved financial institutions

Staff Contact:

Eric Helm, Interim Director of Finance
Laura Herrig, Assistant Finance Director

Background:

Adoption of this resolution is merely an annual procedural requirement. This annual disclosure is presented to provide information relating to individuals who have been designated as official signatories on the City's accounts, designated financial institutions and general functions that will be performed. In response to the resignation of George Koczwarra, the City's Director of Finance, Eric Helm, the Interim Director of Finance has been added as an authorized signer.

This information was last reviewed by City Council in November 2018.

Attached is a resolution that discloses the banks and brokerage firms along with the designated signatories.

Votes Required to Pass:

Simple Majority

DRAFT



RESOLUTION NO.

DESIGNATION OF FINANCIAL INSTITUTIONS AND SIGNATORIES

WHEREAS, the City Council of the City of Crystal Lake, McHenry County, Illinois has previously adopted a Resolution which designated certain financial institutions as depositories for City Funds and designated signatories; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CRYSTAL LAKE, MCHENRY COUNTY, ILLINOIS, that Gary J. Mayerhofer, City Manager, Eric Helm, Interim Director of Finance, Nick Kachiroubas, City Clerk, and Laura Herrig, Assistant Finance Director of the City of Crystal Lake are hereby designated as official signatories.

BE IT FURTHER RESOLVED that these signatories can conduct business at the following institutions conducting business with the City of Crystal Lake:

- Amalgamated Bank of Chicago
- American Community Bank and Trust
- Associated Bank
- Bank of America
- BB&T Bank
- BMO Harris Bank
- BNY Mellon
- Chase Bank
- Charles Schwab
- Citibank
- Citizens Bank
- Crystal Lake Bank and Trust Company
- Fifth Third Bank
- First Midwest Bank
- First Tennessee
- Home State Bank
- Huntington Bank
- Illinois Funds
- Illinois Metropolitan Investment Fund
- Sawyer Falduto Asset Management, LLC
- US Bank
- Wintrust Financial

BE IT FURTHER RESOLVED that one of the aforementioned persons will initiate the transaction and a second person will confirm deposits and withdrawals of funds from any of the said bank accounts.

BE IT FURTHER RESOLVED that the City of Crystal Lake reserves the right to conduct business with the above-mentioned institutions as determined necessary. This includes a depository account, wire transfer agreements, third party surety agreements, safekeeping agreements, collateral agreements and lockbox agreements. For the purpose of transaction clearing and safekeeping or the purchase of insured certificates of deposit, the above are authorized to act on behalf of this entity as its agent with respect to such accounts and agreements. The intent is to earn the highest returns on its investments at the lowest cost and risk.

DATED at Crystal Lake, Illinois, this 1st day of October, 2019.

APPROVED:

Aaron T. Shepley, Mayor

SEAL:

ATTEST:

Nick Kachiroubas, City Clerk

PASSED: October 1, 2019

APPROVED: October 1, 2019



Agenda Item No: 9f

City Council
Agenda Supplement

Meeting Date: October 1, 2019

Item: Chicago Title Land Trusts 1004004149 & 1004004152 (Whiskey Business and Shopping Center) and Reinhardt/Kirk Annexation Public Hearing Continuation

Recommendation: Motion to continue the 1) Chicago Title Land Trusts 1004004149 & 1004004152 and 2) Reinhardt/Kirk requests to the January 7, 2020 City Council meeting for the Annexation Public Hearings.

Staff Contact: Michelle Rentzsch, Community Development Director
Kathryn Cowlin, Assistant City Planner

Background:

Chicago Title Land Trusts- The petitioner is requesting the annexation of three parcels that total approximately 3.04 acres, located at 4616 Route 176, 4709 Route 176 and lot 13 on Reiland Drive. The parcels are improved with Whiskey Business, a commercial retail shopping center, auto repair business and outdoor storage.

Reinhardt/Kirk- The property is contiguous with the above property and consists of one parcel that totals approximately 0.28 acres, located at 851 Reiland Drive. The property would be involuntarily annexed after the annexation of the Chicago Title Land Trusts.

City staff respectfully requests that the Whiskey Business and Reinhardt/Kirk petitions be continued to the January 7, 2020 City Council meeting for the Annexation Public Hearing in order to continue to work with the petitioner on the annexation agreement for the Chicago Title Land Trusts.

Votes Required to Pass: A simple majority.



Agenda Item No: 10

City Council
Agenda Supplement

Meeting Date: October 1, 2019

Item: Downtown Crystal Lake/Christmas Tree Lane

City Council Discretion: a) Motion to approve the Special Event for Downtown Crystal Lake/Main Street Christmas Tree Lane, pursuant to the recommendations listed below in this supplement and to waive the Special Event (\$50) application fee.
b) Motion to deny the request.

Staff Contact: Michelle Rentzsch, Director of Community Development

Background:

The applicant has applied for a Special Event to allow for a new tradition, Christmas Tree Lane, to be held in Downtown Crystal Lake. The event would be held from November 20, 2019 through December 31, 2019 in the Depot Park.

This is a new event for Downtown Crystal Lake/Main Street. Each year lights and decorations for the gazebo and trees in Depot Park add to the holiday ambience. This year Downtown Crystal Lake would like to invite organizations to decorate Christmas trees that will be supplied and staked to the ground by Countryside Flower Shop and Nursery (see attached map). The trees will be four to five feet in height and there is electricity available near the gazebo. Each sponsored tree will have a small sign indicating the group who decorated it.

Similar to the business-sponsored Scarecrow Decorating Contest at Johnny Appleseed, this would be another way to invite community participation, showcase the creative decorations, attract shoppers and diners to the downtown, and add to the overall holiday decorations for the area.

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

1. The approval is valid from November 20, 2019 through December 31, 2019.
2. The site must be maintained and free of garbage.
3. Signs must not obstruct the view of traffic or be attached to utility poles.
4. Pedestrian ways or fire lanes cannot be obstructed.
5. The trees must be a minimum of 15 feet from the Gazebo.
6. Provide information on how trees are to be staked.

7. Temporary promotional signage for this event is approved. Locations and details of the signage must be submitted to the City.
8. If power is run, all electrical cords must be properly sized and protected. All connections must meet the requirements of the 2017 National Electrical Code. Please contact Mike Magnussen at 815-356-3605 if you have any questions regarding these requirements.

The applicant is also requesting a waiver of the \$50.00 Special Event application fee.

The applicant has been made aware of these recommended conditions and advised to attend the October 1, 2019 City Council meeting to answer any questions.

Votes Required to Pass:

A simple majority vote.



Agenda Item No: 11

**City Council
Agenda Supplement**

<u>Meeting Date:</u>	October 1, 2019
<u>Item:</u>	Class 16 Temporary Liquor License Requests – Fire Wagon Hockey, Inc.
<u>Staff Recommendation:</u>	Motion to approve issuance of two (2) Class 16 Temporary Liquor Licenses to Fire Wagon Hockey, Inc.
<u>Staff Contact:</u>	Eric T. Helm, Deputy City Manager

Background:

The City has received two requests from Fire Wagon Hockey, Inc. for the issuance of Class 16 Temporary Liquor Licenses in order to sell beer and wine at their annual Hocktober Fest - basket silent auction being held at Crystal Ice House, located at 320 East Prairie Street on October 19-20, 2019, and October 26-27, 2019, from 12:00 p.m. to 10:00 p.m.

Two applications have been submitted as one license shall not exceed three (3) days. The total number of days for this event is four (4). The Hocktober Fest has been separated into two weekends.

Fire Wagon Hockey has established a financial scholarship program to help families within the organization in need of additional aid. The organization is supported primarily through program revenue and fundraising from participants. The Council has approved events for Fire Wagon Hockey most recently in August 2019.

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

Attached for City Council review is a copy of all support documentation regarding the requests.

Votes Required to Pass:

Simple majority



Agenda Item No: 12

**City Council
Agenda Supplement**

Meeting Date: October 1, 2019

Item: City Code Amendment to Increase the Number of Class 4 Liquor Licenses – Applicant: Soto Services Inc., DBA Chilo’s Restaurant

Staff Recommendation: Motion to adopt an ordinance increasing the number of Class 4 liquor licenses from the currently permitted 3 licenses to 4 licenses, in order to allow for the issuance of a new Class 4 liquor license to Soto Services Inc., DBA Chilo’s Restaurant, located at 282 W. Virginia Street.

Staff Contact: Eric T. Helm, Deputy City Manager

Background:

Soto Services Inc. is purchasing Carlos Mexican Grill 3, located at 282 W. Virginia Street from the current owner. Since the current license was issued to the current owner, the liquor license will be surrendered.

Licenses are non-transferable, thus Soto Services Inc. is requesting the City Council to approve an increase in the number of Class 4 licenses to allow for the operation of a business at 282 W. Virginia Street. The name of the business will change from Carlos Mexican Grill 3 to Chilo’s Restaurant.

It should be noted that the new owner, Soto Services Inc., will not have a license for video gaming, as that license is also not transferable, and the new owner has not had a liquor license for the required one-year time period before application.

Chapter 329 Liquor Licenses, Section 329-5 License Classification - Class 4 License which shall authorize the retail sale, on the premises specified, of alcoholic liquor, for consumption, on the premises between the hours of 11:00 a.m. and 1:00 a.m. Monday, Tuesday, Wednesday, Thursday; 11:00 a.m. and 2:00 a.m. Friday and Saturday; and 10:00 a.m. on Sunday and 1:00 a.m. on Monday. A Class A type restaurant may be located on the premises.

The annual fee for such license shall be the sum of \$1,750.

The applicant has submitted all of the necessary paperwork. A fingerprint/background search is complete for corporate officers.

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

- Payment of Prorated License Fee
- Copy of Certificate of Occupancy
- Certificate of Insurance
- \$1,000 Surety Bond
- Proof of Ownership or Lease

The following establishments currently hold Class 4 Liquor Licenses.

<u>Name</u>	<u>Address</u>	<u>Zoning</u>
Antigua Mexican Grill	1500 Carlemont Drive, Unit J	"B-2 PUD"
Taqueria Las Cumbres, Inc.	93 Grant Street	"B-4"
Wings Etc.	5899 NW Highway, Unit G	"B-2"

The attached ordinance approves an increase in the number of Class 4 liquor licenses in order to allow the owner of Chilo's Restautant operate under a new license. This ordinance is expressly made subject to the voluntary surrender of the existing liquor license by the current license holder.

Votes Required to Pass:

Simple majority

DRAFT

Ord. No.
File No. 255 L



The City of Crystal Lake

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

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

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

- 1. Class 4 License shall be increased from 3 to 4.

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

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

DATED at Crystal Lake, Illinois, this 1st day of October, 2019.

City of Crystal Lake, an
Illinois municipal corporation

Aaron T. Shepley, Mayor

SEAL

ATTEST

CITY CLERK

PASSED: October 1, 2019
APPROVED: October 1, 2019



Agenda Item No: 13

City Council Agenda Supplement

Meeting Date: October 1, 2019

Item: Left Turn Restriction for 161 North Route 31 (Crystal Lake Car Wash)

Staff Recommendation: Motion to adopt a resolution making it unlawful to turn left out from 161 North Route 31 onto Route 31 during the times of 7:00 – 9:00 am and 4:00 - 6:00 pm.

Staff Contact: Abigail Wilgreen, City Engineer

Background:

On March 19, 2019, the Crystal Lake Car Wash was approved on Route 31, across from Orchard Lane. A full access driveway is proposed and was supported by the Traffic Impact Study completed by Gewalt Hamilton, one of the City's approved traffic consultants.

During the approval process, an ordinance condition was added stating "Work with staff to limit left turn access from this site onto Route 31 during peak traffic hours." Signage will be added with the development stating no left turns onto Route 31 between the hours of 7:00 – 9:00 am and 4:00 – 6:00 pm.

Since Route 31 is owned and maintained by the Illinois Department of Transportation (IDOT), the Traffic Impact Study was submitted to them for review and approval. During this process, IDOT requested that the no left turn restriction be formally acknowledged by the City via a resolution. To meet this requirement imposed by IDOT, staff is requesting that the attached resolution be approved.

Votes Required to Pass:

Simple majority

DRAFT



The City of Crystal Lake Illinois

RESOLUTION

BE IT RESOLVED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF CRYSTAL LAKE, that it shall be unlawful turn left out of the property known as 161 North Route 31 onto Illinois Route 31 during the times of 7:00 am to 9:00 am and 4:00 pm to 6:00 pm.

DATED at Crystal Lake, Illinois, this 1st day of October, 2019.

CITY OF CRYSTAL LAKE, an Illinois Municipal Corporation

BY: _____
Mayor

SEAL

ATTEST:

City Clerk

PASSED: October 1, 2019

APPROVED: October 1, 2019

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



Agenda Item No: 14

City Council
Agenda Supplement

Meeting Date: October 1, 2019

Item: Rezoning of Crystal Court properties abutting Three Oaks Recreation Area with a Planned Unit Development overlay.

PZC Recommendation: Motion to approve the PZC recommendation and adopt an ordinance to allow the extension of the Three Oaks PUD overlay to the Crystal Court Shopping Center property.

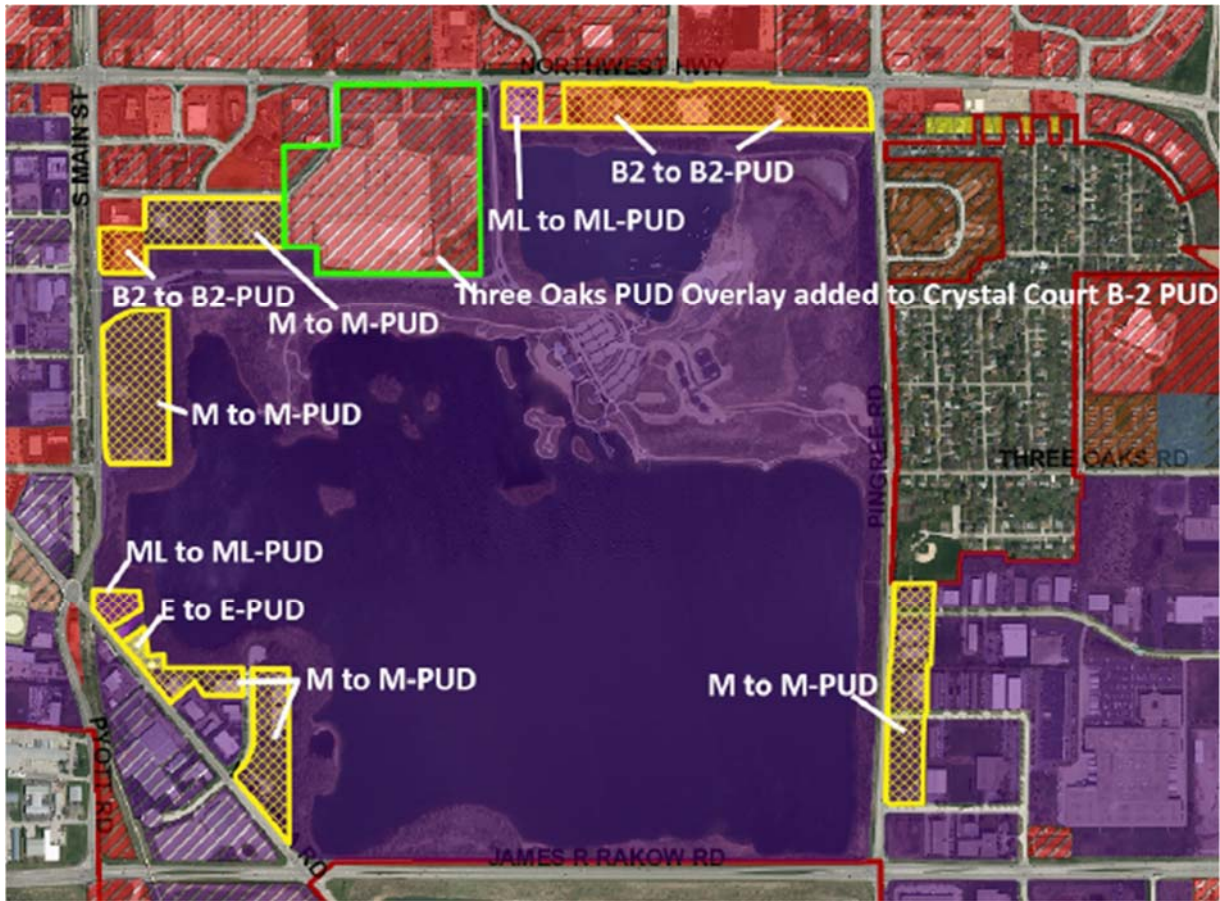
Staff Contact: Michelle Rentzsch, Director of Community Development
Kathryn Cowlin, Assistant City Planner

Background:

- At the August 6th City Council meeting the Council approved the rezoning of various properties around Three Oaks Recreation Area as the Three Oaks PUD overlay. The City Council referred to the Planning & Zoning Commission the recommendation to add the properties within the Crystal Court Shopping Center to the Three Oaks PUD overlay.

Request:

- Properties within the Crystal Court Shopping Center are adjacent to the Three Oaks Recreation Area and are zoned B-2 PUD General Commercial Planned Unit Development.
- The proposed rezoning would place the Three Oaks Planned Unit Development overlay upon all the properties within Crystal Court.
- The map below illustrates the location of the properties that were rezoned with the PUD overlay and the Crystal Court Shopping Center, which would be added to the overlay district.

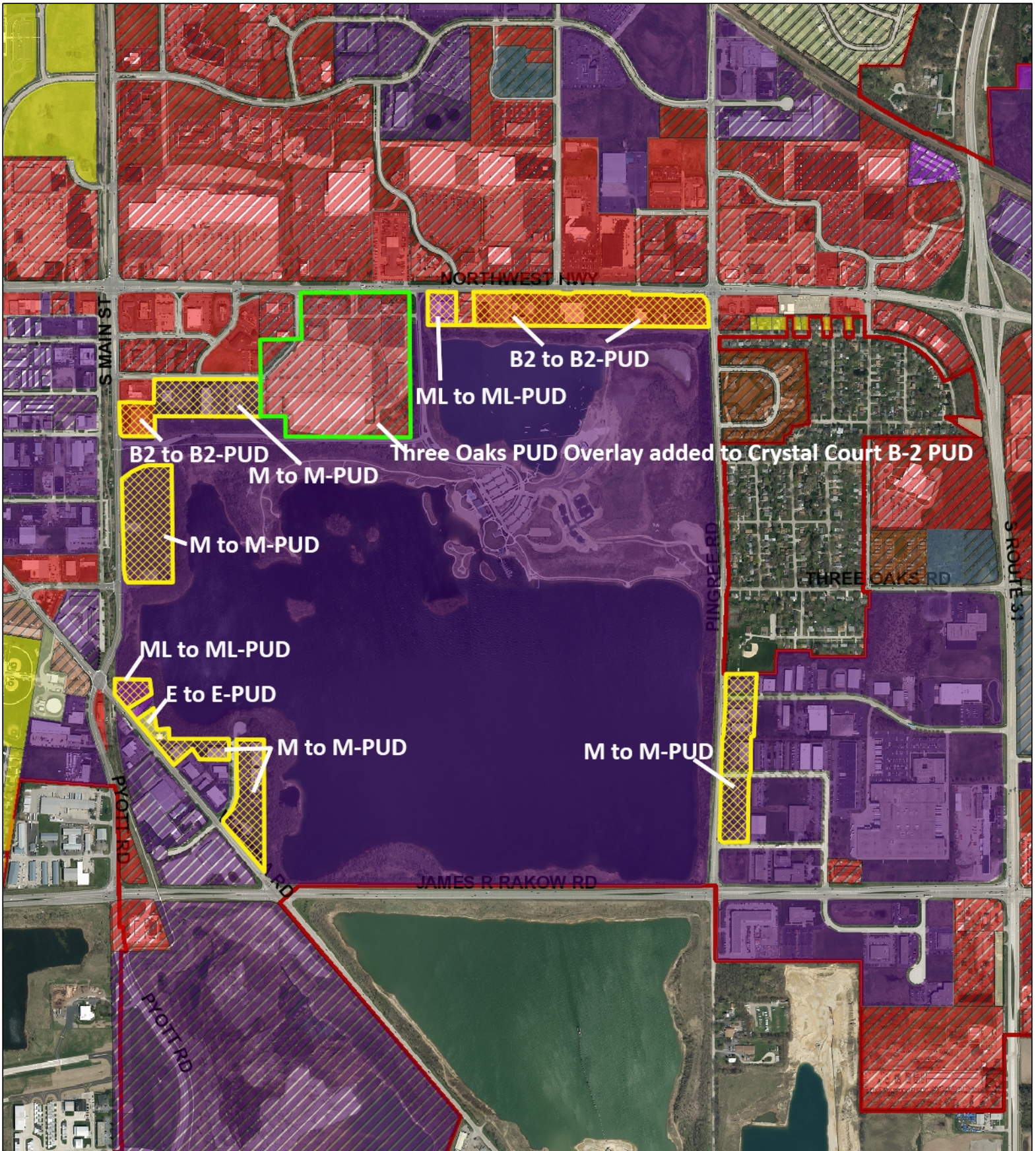


PZC Discussion:

- The PZC stated the findings of fact had been met.

The PZC made a **positive recommendation (6-0)** to approve the extension of the Three Oaks PUD overlay to the properties within the Crystal Court Shopping Center.

Votes Required to Pass: A simple majority.



Date Printed: 8/23/2019

NOTES:
 PIQ Map - Crystal Court Shopping Center added to Three Oaks PUD Overlay

- Zoning**
- B-1
 - B-1 PUD
 - B-2
 - B-2 PUD
 - B-4
 - B-4 PUD
 - COUNTY

This map was generated using the City of Crystal Lake's GIS Web Mapping Application. This map is a user generated static output from an Internet Mapping Site and is for reference only.



DRAFT

Ord. No.
File No. ...



The City of Crystal Lake Illinois

**AN ORDINANCE EXTENDING THE
THREE OAKS RECREATION AREA PUD OVERLAY DISTRICT**

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 buildings and structures 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 (the "*UDO*"); and

WHEREAS, from time to time it is appropriate to review, update and modify the UDO 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 August 15, 2019 in the Northwest Herald, held a public hearing at 7:30 p.m., on September 4, 2019 at City Hall at 100 W. Woodstock Street, Crystal Lake, Illinois to consider proposed amendments to the Crystal Lake Zoning Map ("Zoning Map") regarding rezoning of certain properties proposed to be located within an overlay district; and

WHEREAS, on September 4, 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 Zoning Map be approved, all as more specifically set forth in that certain Report of the Planning and Zoning Commission in Case #2019-136, dated as of September 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 an amendment to the Zoning Map 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 the City of Crystal Lake Zoning Map shall be, and is hereby, amended to add

to the Three Oaks Recreation Area PUD Overlay District (Three Oaks PUD) the properties depicted on Exhibit A to this Ordinance and identified by parcel index number (P.I.N.) on Exhibit B to this Ordinance.

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

DATED at Crystal Lake, Illinois, this 1st day of October, 2019.

City of Crystal Lake, an
Illinois municipal corporation

Aaron T. Shepley, Mayor

SEAL

ATTEST:

Nick Kachiroubas, City Clerk

Passed: October 1st, 2019

Approved: October 1st, 2019

EXHIBIT A

Depiction of Three Oaks Recreation Area PUD Overlay District

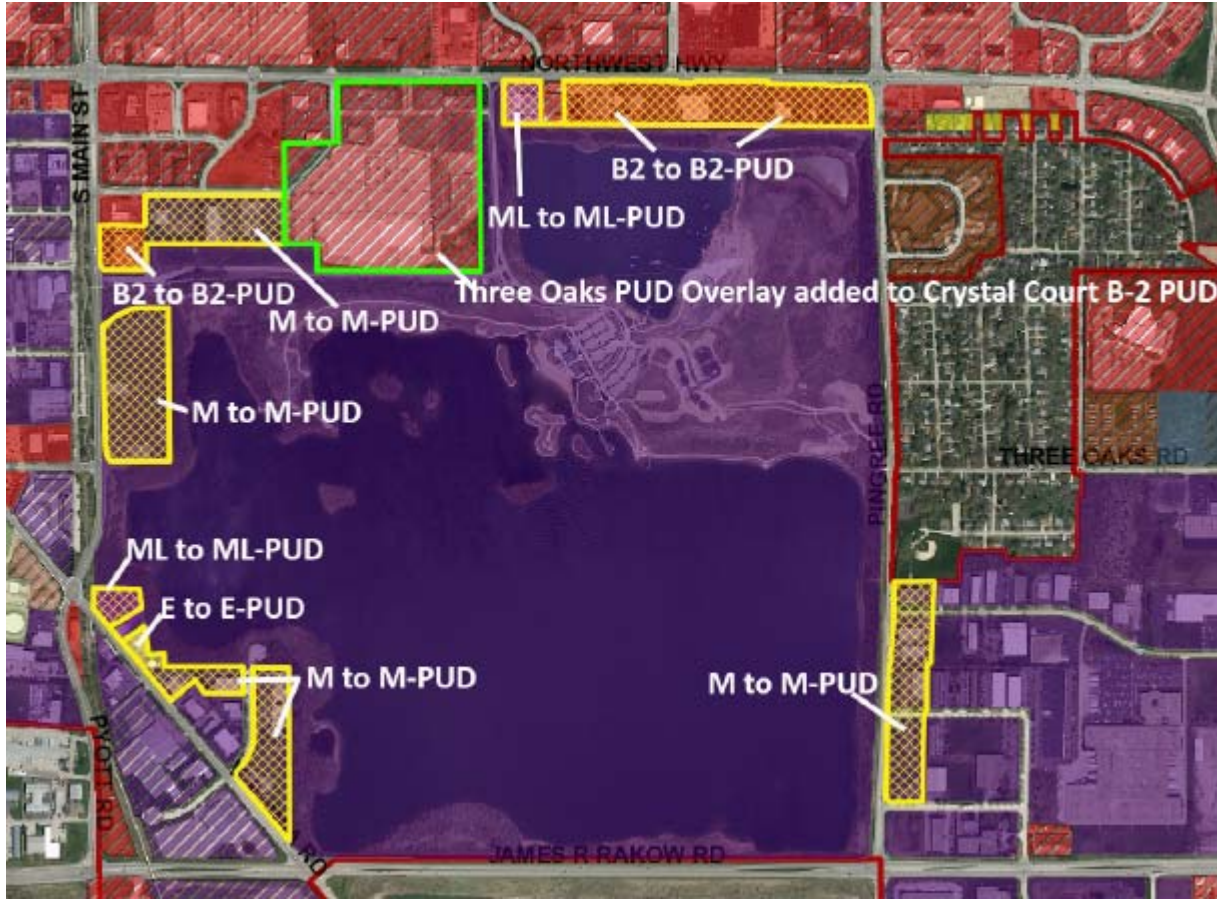


EXHIBIT B

Description by P.I.N. of Three Oaks Recreation Area PUD Overlay District

19-09-103-007	376LT LIBERTY RD
19-09-126-006	5625 NORTHWEST HWY
19-09-126-010	Part of 5561 NORTHWEST HWY
19-09-126-011	5561 NORTHWEST HWY
19-09-126-012	5577 NORTHWEST HWY
19-09-126-013	5607 NORTHWEST HWY
19-09-126-014	5641 NORTHWEST HWY
19-09-126-017	5545 NORTHWEST HWY
19-09-126-018	5657 NORTHWEST HWY
19-09-126-019	5689 NORTHWEST HWY



Agenda Item No: 15

City Council Agenda Supplement

Meeting Date: October 1, 2019

Item: UDO Text Amendments – Recreational Cannabis

PZC Recommendation: To approve the Planning and Zoning Commission recommendation and to adopt an ordinance amending Articles 2, 4, and 10 of the UDO to allow dispensaries in the B-2 and M districts as a Special Use Permit with the recommended buffers.

Staff Recommendation: Make a motion to adopt an ordinance approving Municipal Cannabis Retailers' Occupation Tax.

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

Background:

- With the passing of the Cannabis Recreation and Tax Act by the State of Illinois, each municipality can now consider allowing the sale, processing, consumption, cultivation/growing, and transportation of recreational cannabis within its jurisdiction.
- On August 6, 2019, the City Council adopted a resolution referring the matter to the PZC for a public hearing of the appropriate zoning regulations for this use.
- A comprehensive discussion occurred at the September 4, 2019 Planning and Zoning Commission public hearing, which explored permitting Cannabis Dispensaries as a Special Use Permit with certain criteria in the B-2 and M zoning districts with buffers from sensitive uses.

City Council Discussion Points:

- #1. Opt out entirely of allowing any dispensaries or cannabis businesses by adopting the attached ordinance. OR
- #2. Opt out for a year to allow more time to review the impact of cannabis businesses on other communities that have allowed them and revisit the matter at the end of one year. OR
- #3. Approve the PZC recommendation and adopt the enclosed ordinances for the UDO amendments and municipal cannabis retailers' occupation tax. OR

- #4. Consider variations to the PZC recommendation by deciding the appropriate cannabis business uses, zoning districts, criteria, and buffers that are acceptable.

Request:

In order to allow any cannabis based business, amendments to the Unified Development Ordinance are necessary. Amendments are proposed to the following sections:

Article 2

- Land Use Table Section 2-300 to creating the Cannabis Dispensary use under Miscellaneous Store Retailers as a Special Use in the B-2 and M zoning districts with Use Criteria.

Misc. Store Retailers		F	E	RE	R-1	R-2	R-3A	R-3B	R-O	O	B-1	B-2	B-4	M-L	M	Use Criteria
	Cannabis Dispensary											S			S	2-400-76

- Section 2-400-76 the Special Use Criteria
Cannabis Dispensary. All cannabis dispensaries must comply with the following standards:
 - a. Minimum required buffer from sensitive uses:
 - (i) A Cannabis Dispensary may not be located within 1,000 feet of the property line of a pre-existing public or private nursery school, preschool, primary or secondary school, day care center, or residential care home. Learning centers and vocational/trade centers shall not be classified as a public or private school for purposes of this Section.
 - (ii) A Cannabis Dispensary may not be located within 1,000 feet of the property line of an existing religious establishment, parks and open space, library, or recovery home.
 - (iii) A Cannabis Dispensary may not be located within 250 feet of residentially zoned property.
 - (iv) For the purposes of this section, distances shall be measured in a straight line, without regard to intervening structures or objects, from the nearest point on the property of the lot on which an applicable Cannabis Dispensary is located to the nearest point on a property line of any protected use. **For occupancy purposes, if a portion of the buffer touches the property, it does not exclude the entire property. If a portion of the building is in the buffer, the entire building would be considered in the buffer and not eligible. (Suggested language for added clarity)**
 - (v) Summary of Buffer Requirements:

<u>Use</u>	<u>Required Buffer</u>
Schools	1,000 feet
Childcare	1,000 feet
Religious Establishment	1,000 feet
Residentially zoned property	250 feet
Parks and Open Space	1,000 feet
Library	1,000 feet
Recovery Home	1,000 feet

- b. Single-Use Site: A Cannabis Dispensary shall be the sole principal use of the zoning lot on which it is located, and at least 75% of the floor area of any building space occupied by a Cannabis Dispensary shall be devoted to the activities of the Cannabis Dispensary as authorized by the Cannabis Regulation and Tax Act. Sale of food for on-premises consumption shall not be allowed as an accessory use or activity to a Cannabis Dispensary.
- c. A Cannabis Dispensary may not conduct any sales or distribution of cannabis other than as authorized by the Act.
- d. Exterior Display: A Cannabis Dispensary shall be maintained or operated in a manner that the public viewing of cannabis, cannabis products, cannabis paraphernalia or similar products from any sidewalk, public or private right-of-way or from outside of the cannabis dispensing organization is not allowed.
- e. Hours of Operations: Hours of operation are limited to between 6:00am and 10:00pm.
- f. Environmental: Emission of dust, fumes, vapors, or odors in a manner that impacts neighboring premises or properties or any public property or right-of-way shall be prohibited.
- g. Signage: Electronic Message Center signs are not permitted for a Cannabis Dispensary. No cannabis leaf or bud image may be used in promotional signage for the Dispensary.
- h. State Requirements: The Cannabis Dispensary must comply with all applicable provisions of the Cannabis Regulation and Tax Act, 410 ILCS 705/1 *et seq.*, as may be revised or amended from time to time.
- i. All hazardous waste and cannabis waste shall be disposed of in accordance with the provisions of the statutes of the State of Illinois and ordinances of the City of Crystal Lake.
- j. On-Premises Consumption: It shall be prohibited to consume cannabis products in a Cannabis Dispensary or anywhere on the site occupied by a dispensary.

Article 4, Section 4-200

- Parking Table, which establishes the required parking ratio for certain uses. Cannabis Dispensary would be under Miscellaneous Store Retailer and would require 5 spaces per 1,000 square feet of gross floor area. This is similar to other retail requirements.

Table 4-200 Minimum Off-Street Parking Requirements		
Commercial		
Miscellaneous Store Retailers	Used Merchandise Stores	3.5 per 1,000 GFA
	Cannabis Dispensary	5 per 1,000 GFA

PZC Highlights:

The PZC discussed each one of their five decision points

1) Prohibit all Cannabis Businesses except for Dispensaries. OR Permit certain other Cannabis Businesses such as cultivation centers, craft growers, infusers/processors and transporters.

The consensus of the PZC was to only allow Dispensaries at this time and revisit other uses in the future.

2) Dispensaries allowed only as a Special Use Permit in the B-2 and M zoning districts. OR Dispensaries allowed as a Permitted or Special Use Permit in other zoning districts. OR Permit other Cannabis Businesses in certain zoning districts.

The consensus of the PZC was to allow Dispensaries only as a Special Use Permit in B-2 and M zoning districts.

3) Review the suggested Special Use Permit criteria and recommend its inclusion in the UDO. OR Review the suggested Special Use Permit criteria and recommend different or additional criteria.

The consensus of the PZC was to accept the suggested Special Use Permit criteria.

4) Review the suggested buffers from sensitive uses and recommend their inclusion in the UDO. OR Review the suggested buffers from sensitive uses and recommend additional or amended buffers or sensitive uses.

The consensus of the PZC was to adopt the recommended buffers of 1,000 feet from all listed uses and 250 from residentially zoned property.

5) Recommend that on-premise consumption of cannabis be prohibited in Dispensaries. OR Recommend that on-premise consumption of cannabis be permitted and recommend limitations on the on-premise consumption.

The consensus of the PZC was to prohibit on-premise consumption in dispensaries.

PZC Motions

- The PZC recommended **approval (6-0)** of:
 - a) Prohibition of the following categories of adult-use cannabis businesses: cultivation center, craft grower, infuser, processor, and transporter **to be revisited in one (1) year**; and **(Added by PZC)**
 - b) An Amendment to the UDO, Articles 2, 4, and 10 to permit a Cannabis Dispensary as a Special Use Permit in the B-2 General Commercial **and M Manufacturing** zoning districts, with the recommended criteria and buffers. **(Added by PZC)**
- **The PZC also made a motion** to prohibit all cannabis businesses at this time, subject to re-visiting the issue after a one-year period to allow further time for review, analysis, and input. **This motion did not pass; the vote was tied 3-3.**

Local Taxes

Any municipality may impose, in addition to the State's tax, a municipal cannabis retailers' occupation tax, which may not exceed 3% of gross receipts. Counties may also impose a tax up to 3.75% in unincorporated areas and up to 0.75% of gross receipt of sales made in a municipality within the County. Since the Act preempts home rule authority, the City would not be able to add additional taxes to cannabis, such as the Home Rule Sales Tax. Enclosed is an ordinance that would permit the City to collect 3% tax on the sale of recreational cannabis.

Other Matters

The City Council will be asked to make further amendments to the City Code in response to the Act. These will be developed and presented to the Council following the Council's determination of whether (and to what extent) to allow Cannabis businesses.

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, the City of Crystal Lake is a home rule municipal corporation under the Illinois Constitution; and

WHEREAS, pursuant to Illinois law, its home rule authority, and the provisions of the Illinois Municipal Code, 65 ILCS 5/1-1-1 *et seq.*, the City is authorized to regulate land uses 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 August 15, 2019 in the Northwest Herald, held a public hearing at 7:30 p.m., on September 4, 2019 at City Hall at 100 W. Woodstock Street, Crystal Lake, Illinois to consider proposed amendments to the Unified Development Ordinance regarding Adult-Use Cannabis businesses and Articles 2, 4, and 10 within the City; and

WHEREAS, on September 4, 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-2019-00133, dated as of September 5, 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 Adult-Use Cannabis businesses 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, County of McHenry, State of 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:

Article 2

Section 2-300. Land Use Table

Misc. Store Retailers		F	E	RE	R-1	R-2	R-3A	R-3B	R-O	O	B-1	B-2	B-4	M-L	M	Use Criteria
	Cannabis Dispensary												S			S

SECTION II:

Section 2-400-76. Limited and special use criteria

Cannabis Dispensary. All cannabis dispensaries must comply with the following standards:

- a. Minimum required buffer from protected uses:
 - (i) A Cannabis Dispensary may not be located within 1,000 feet of the property line of a pre-existing public or private nursery school, preschool, primary or secondary school, day care center, or residential care home. Learning centers and vocational/trade centers shall not be classified as a public or private school for purposes of this Section.
 - (ii) A Cannabis Dispensary may not be located within 1,000 feet of the property line of an existing religious establishment, parks and open space, library, or recovery home.
 - (iii) A Cannabis Dispensary may not be located within 250 feet of residentially zoned property.
 - (iv) For the purposes of this section, distances shall be measured in a straight line, without regard to intervening structures or objects, from the nearest point on the property of the lot on which an applicable Cannabis Dispensary is located to the nearest point on a property line of any protected use. For occupancy purposes, if a portion of the buffer touches the property, it does not exclude the entire property. If a portion of the building is in the buffer, the entire building would be considered in the buffer and not eligible.

(v) Summary of Buffer Requirements:

<u>Use</u>	<u>Required Buffer</u>
Schools	1,000 feet
Childcare	1,000 feet
Religious Establishment	1,000 feet
Residentially zoned property	250 feet
Parks and Open Space	1,000 feet
Library	1,000 feet
Recovery Home	1,000 feet

- b. Single-Use Site: A Cannabis Dispensary shall be the sole principal use of the zoning lot on which it is located, and at least 75% of the floor area of any building space occupied by a Cannabis Dispensary shall be devoted to the activities of the Cannabis Dispensary as authorized by the Cannabis Regulation and Tax Act. Sale of food for on-premises consumption shall not be allowed as an accessory use or activity to a Cannabis Dispensary.
- c. A Cannabis Dispensary may not conduct any sales or distribution of cannabis other than as authorized by the Act.
- d. Exterior Display: A Cannabis Dispensary shall be maintained or operated in a manner that the public viewing of cannabis, cannabis products, cannabis paraphernalia or similar products from any sidewalk, public or private right-of-way or from outside of the cannabis dispensing organization is not allowed.
- e. Hours of Operations: Hours of operation are limited to between 6:00am and 10:00pm.
- f. Environmental: Emission of dust, fumes, vapors, or odors in a manner that impacts neighboring premises or properties or any public property or right-of-way shall be prohibited.
- g. Signage: Electronic Message Center signs are not permitted for a Cannabis Dispensary. No cannabis leaf or bud image may be used in promotional signage for the Dispensary.
- h. State Requirements: The Cannabis Dispensary must comply with all applicable provisions of the Cannabis Regulation and Tax Act, 410 ILCS 705/1 *et seq.*, as may be revised or amended from time to time.
- i. All hazardous waste and cannabis waste shall be disposed of in accordance with the provisions of the statutes of the State of Illinois and ordinances of the City of Crystal Lake.
- j. On-Premises Consumption: It shall be prohibited to consume cannabis products in a Cannabis Dispensary or anywhere on the site occupied by a dispensary.

SECTION III:

Section 4-200 Off-Street Parking and Loading

Table 4-200 Minimum Off-Street Parking Requirements		
Commercial		
Miscellaneous Store Retailers	Used Merchandise Stores	3.5 per 1,000 GFA
	Cannabis Dispensary	5 per 1,000 GFA

SECTION IV:

Article 10-200. Definitions

CANNABIS BUSINESS ESTABLISHMENT:

A cannabis craft grower, cultivation center, dispensary, infuser, processing, or transporter organization.

CANNABIS CRAFT GROWER:

A facility operated by an organization or business that is licensed by the Illinois Department of Agriculture as a “craft grower” to cultivate, dry, cure and package cannabis and perform other necessary activities to make cannabis available for sale at a dispensing organization or use at a processing organization, per the Cannabis Regulation and Tax Act, (P.A. 101-0027), as it may be amended from time-to-time, and regulations promulgated thereunder.

CANNABIS CULTIVATION CENTER:

A facility operated by an organization or business that is licensed by the Illinois Department of Agriculture as a “cultivation center” to cultivate, process, transport and perform necessary activities to provide cannabis and cannabis-infused products to licensed cannabis business establishments, per the Cannabis Regulation and Tax Act, (P.A. 101-0027), as it may be amended from time-to-time, and regulations promulgated thereunder.

CANNABIS DISPENSARY:

A facility operated by an organization or business that is licensed by the Illinois Department of Financial and Professional Regulation as a “dispensing organization” to acquire cannabis from licensed cannabis business establishments for the purpose of selling or dispensing cannabis, cannabis-infused products, cannabis seeds, paraphernalia or related supplies to purchasers or to qualified registered medical cannabis patients and caregivers, per the Cannabis Regulation and Tax Act, (P.A. 101-0027), as it may be amended from time-to-time, and regulations promulgated thereunder.

CANNABIS INFUSER:

A facility operated by an organization or business that is licensed by the Illinois Department of Agriculture as an “infusing organization” or “infuser” to directly incorporate cannabis or cannabis concentrate into a product formulation to produce a cannabis-infused product, per the Cannabis Regulation and Tax Act, (P.A. 101-0027), as it may be amended from time-to-time, and regulations promulgated thereunder.

CANNABIS PROCESSING:

A facility operated by an organization or business that is licensed by the Illinois Department of Agriculture as a “processing organization” or “processor” to either extract constituent chemicals or compounds to produce cannabis concentrate or incorporate cannabis or cannabis concentrate into a product formulation to produce a cannabis product, per the Cannabis Regulation and Tax Act, (P.A. 101-0027), as it may be amended from time-to-time, and regulations promulgated thereunder.

CANNABIS TRANSPORTER:

An organization or business that is licensed by the Illinois Department of Agriculture as a “transporting organization” or “transporter” to transport cannabis on behalf of a cannabis business establishment or a community college licensed under the Community College Cannabis Vocational Training Pilot Program, per the Cannabis Regulation and Tax Act, (P.A. 101-0027), as it may be amended from time-to-time, and regulations promulgated thereunder.

ENCLOSED, LOCKED FACILITY

A room, greenhouse, building, or other enclosed area equipped with locks or other security devices that permit access only by a cultivation center's agents or a dispensing organization's agent working for the registered cultivation center or the registered dispensing organization to cultivate, store and distribute cannabis for registered qualifying patients or adults 21 years of age or older in accordance with Illinois law.

MEDICAL CANNABIS CONTAINER

A sealed, traceable, food compliant, tamper resistant, tamper evident container or package used for the purpose of containment of medical cannabis from a medical cannabis cultivation center to a medical cannabis dispensing organization.

MEDICAL CANNABIS CULTIVATION CENTER

A facility operated by an organization or business that is registered by the Illinois Department of Agriculture to perform necessary activities to provide ~~only~~ registered medical cannabis dispensing organizations with usable medical cannabis.

MEDICAL CANNABIS DISPENSING ORGANIZATION ("MEDICAL CANNABIS DISPENSARY")

A facility operated by an organization or business that is registered by the Illinois Department of Financial and Professional Regulation to acquire medical cannabis from a registered cultivation center for the purpose of dispensing cannabis, paraphernalia, or related supplies and educational materials to registered qualifying patients.

CANNABIS INFUSED PRODUCT

Food, oils, ointments, or other products containing usable cannabis that are not smoked.

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

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

DATED at Crystal Lake, Illinois, this 1st day of October, 2019.

City of Crystal Lake, an
Illinois municipal corporation

Aaron T. Shepley, Mayor

SEAL

ATTEST:

Nick Kachiroubas, City Clerk

Passed: October 1, 2019

Approved: October 1, 2019

DRAFT

Ord. No.
File No.



The City of Crystal Lake Illinois

**AN ORDINANCE AMENDING THE MUNICIPAL CODE
OF THE CITY OF CRYSTAL LAKE
BY THE ADDITION OF CHAPTER 467, ARTICLE XIV
IMPOSING A MUNICIPAL CANNABIS RETAILERS' OCCUPATION TAX**

WHEREAS, the City has the authority to adopt ordinances and to promulgate rules and regulations [that pertain to its government and affairs and] that protect the public health, safety and welfare of its citizens; and

WHEREAS, this Ordinance is adopted pursuant to the provisions of the Illinois Municipal Cannabis Retailers' Occupation Tax Law, 65 ILCS 5/11-8-22 *et seq.* (Act); and

WHEREAS, this Ordinance is intended to impose the tax authorized by the Act providing for a municipal cannabis retailers' occupation tax which will be collected by the Illinois Department of Revenue;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Crystal Lake as follows:

SECTION 1. Recitals. The facts and statements contained in the preamble to this Ordinance are found to be true and correct and are hereby adopted as part of this Ordinance.

SECTION 2. Adoption of Tax. Chapter 467 of the Municipal Code of the City of Crystal Lake shall be amended by the addition of Article XIV that will read as follows:

Chapter 467, Article XIV Municipal Cannabis Retailers' Occupation Tax.

1. Tax imposed; Rate.

(a) A tax is hereby imposed upon all persons engaged in the business of selling cannabis, other than cannabis purchased under the Compassionate Use of Medical Cannabis Pilot

Program Act, at retail in the City at the rate of 3% of the gross receipts from these sales made in the course of that business.

(b) The imposition of this tax is in accordance with the provisions of Sections 8-11-22, of the Illinois Municipal Code (65 ILCS 5/8-11-22).

2. Collection of tax by retailers.

(a) The tax imposed by this Ordinance shall be remitted by such retailer to the Illinois Department of Revenue (Department). Any tax required to be collected pursuant to or as authorized by this Ordinance and any such tax collected by such retailer and required to be remitted to the Department shall constitute a debt owed by the retailer to the State. Retailers may reimburse themselves for their seller's tax liability hereunder by separately stating that tax as an additional charge, which charge may be stated in combination, in a single amount, with any State tax that sellers are required to collect.

(b) The taxes hereby imposed, and all civil penalties that may be assessed as an incident thereto, shall be collected and enforced by the Department. The Department shall have full power to administer and enforce the provisions of this article.

3. Severability. If any provision of this Ordinance, or the application of any provision of this Ordinance, is held unconstitutional or otherwise invalid, such occurrence shall not affect other provisions of this Ordinance, or their application, that can be given effect without the unconstitutional or invalid provision or its application. Each unconstitutional or invalid provision, or application of such provision, is severable, unless otherwise provided by this Ordinance.

4. Effective Date. This Ordinance shall be in full force and effect from and after its passage and approval and publication as required by law, provided, however, that the tax provided for herein shall take effect for all sales on or after the first day of January, 2020. Copies of this Ordinance shall be certified and sent to the Illinois Department of Revenue.

City of Crystal Lake, an
Illinois municipal corporation

Aaron T. Shepley, Mayor

SEAL

ATTEST:

Nick Kachiroubas, City Clerk

Passed: October 1, 2019

Approved: October 1, 2019

DRAFT

Ord. No.
File No.



The City of Crystal Lake Illinois

**AN ORDINANCE AMENDING CHAPTER 226 OF
THE CRYSTAL LAKE CITY CODE TO PROHIBIT
ADULT-USE CANNABIS BUSINESSES WITHIN THE CITY OF CRYSTAL LAKE**

WHEREAS, the City of Crystal Lake (the “*City*”) is an Illinois home rule municipality established and existing in accordance with the Constitution of the State of Illinois of 1970; and

WHEREAS, the Cannabis Regulation and Tax Act (the “*Act*”) was recently approved by the General Assembly and signed into law on June 25, 2019; and

WHEREAS, the Act authorizes the establishment of dispensary, cultivation center, craft grower, processor/ infuser, and transporter businesses (“*Cannabis Businesses*”) throughout Illinois for the purpose of producing, processing, distributing, and selling at retail adult-use cannabis in accordance with the Act (“*Adult-Use Cannabis*”) for purchase and personal recreational use by Illinois residents and non-residents 21 years of age and older beginning January 1, 2020; and

WHEREAS, under the Act, the City has authority to enact ordinances that prohibit Cannabis Businesses within the City or significantly limit the locations where Cannabis Businesses may be established; and

WHEREAS, the City has a long tradition of utilizing its zoning and planning authority to

ensure that compatible uses are maintained in its various neighborhoods; and

WHEREAS, the Mayor and City Council have determined that Cannabis Businesses will be incompatible with the purposes and uses allowed within the City’s various neighborhoods, and the presence of Cannabis Businesses within the City will therefore be detrimental to the City and its residents; and

WHEREAS, Chapter 226 of the Crystal Lake City Code (“*City Code*”) regulates Drugs and Drugs Paraphernalia within the City; and

WHEREAS, the Mayor and City Council have determined that it is in the best interests of the City and its residents to amend Chapter 226 of the City Code to prohibit Cannabis Businesses within the corporate limits of the City;

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

SECTION ONE: Recitals. The foregoing recitals are incorporated in, and made a part of, this Ordinance by this reference as findings of the City Council of the City.

SECTION TWO: Amendment to Chapter 226 of the City Code; Prohibition of Cannabis Businesses. Chapter 226, titled “Drugs and Drug Paraphernalia” of the City Code is hereby amended to add a new Article III, which shall hereafter be and read as follows:

§ Article III Adult-Use Cannabis Businesses Prohibited.

- A. Adult-use cannabis businesses [including dispensing organizations, cultivation centers, craft growers, processing organizations, infuser organizations, and transporting organizations, all as defined by the Cannabis Regulation and Tax Act (PA 101-0027)] operating pursuant to said Cannabis Regulation and Tax Act, as may be amended from time to time, are hereby prohibited from locating or operating within the corporate limits of the City of Crystal Lake. This section shall not be construed to prohibit the operation of any facility licensed to operate pursuant to the

Compassionate Use of Medical Cannabis Pilot Program Act, 410 ILCS 130/1 *et seq.*, as may be amended from time to time, that does not also hold a license to operate pursuant to the Cannabis Regulation and Tax Act.

SECTION THREE: Effective Date. This Ordinance shall be in full force and effect upon its passage, approval, and publication in the manner provided by law.

DATED at Crystal Lake, Illinois, this 1st day of October, 2019.

City of Crystal Lake, an
Illinois municipal corporation

Aaron T. Shepley, Mayor

SEAL

ATTEST:

Nick Kachiroubas, City Clerk

Passed: October 1, 2019

Approved: October 1, 2019



Agenda Item No: 16

City Council
Agenda Supplement

Meeting Date: October 1, 2019

Item: Appropriation of MFT funds for the Crystal Lake Avenue at Main Street Improvement.

Staff Recommendation: Motion to adopt a resolution appropriating \$508,317 in MFT funds for the Crystal Lake Avenue at Main Street Improvement.

Staff Contact: Abigail Wilgreen, City Engineer

Background:

The Illinois Department of Transportation (IDOT) opened bids for the Crystal Lake Avenue and Main Street intersection improvements on September 20, 2019. IDOT performs the bidding and award of this project because the City received \$1.5 million in Federal Surface Transportation Funds for the project.

While four bids were received, the apparent low bidder, Copenhaver Construction was \$508,317 over the engineer's estimate. The following provides a summary of the bids received, per the IDOT website:

<i>Firm</i>	<i>Amount of Bid</i>
Copenhaver Construction	\$4,028,645.25
Curran Contracting	\$4,062,000.00
Alliance Contractors	\$4,289,065.84
Martam Contracting	\$4,394,271.20

The City Council approved an agreement with IDOT on May 7, 2019, that stated the City would cover its local share of the construction. The funds to cover the City's local match project are being paid from Motor Fuel Tax (MFT) funds. It is recommended that the City Council appropriate an additional \$508,317 in MFT funds for the Main Street and Crystal Lake Avenue Intersection Improvement.

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 additional expenditure. The project is budgeted in the FY 2019/2020 budget and this additional amount will be included in the proposed FY 2020/2021 budget using MFT funds.

Votes Required to Pass:

A simple majority.



Resolution for Improvement Under the Illinois Highway Code

DRAFT



Resolution Type	Resolution Number	Section Number
Supplemental		12-00116-00-CH

BE IT RESOLVED, by the Council of the County of Crystal Lake Illinois that the following described street(s)/road(s)/structure be improved under the Illinois Highway Code. Work shall be done by Contract

For Roadway/Street Improvements:

Name of Street(s)/Road(s)	Length (miles)	Route	From	To
Main Street		FAU 124	At Crystal Lake Avenue	

For Structures:

Name of Street(s)/Road(s)	Existing Structure No.	Route	Location	Feature Crossed

BE IT FURTHER RESOLVED,

1. That the proposed improvement shall consist of

Widening and resurfacing of the intersection, the installation of a permanent traffic signal, and intersection lighting.

2. That there is hereby appropriated the sum of five hundred and eight thousand, three hundred and seventeen Dollars (\$508,317.00) for the improvement of said section from the Local Public Agency's allotment of Motor Fuel Tax funds.

BE IT FURTHER RESOLVED, that the Clerk is hereby directed to transmit four (4) certified originals of this resolution to the district office of the Department of Transportation.

I, Nick Kachiroubas County Clerk in and for said County

of Crystal Lake in the State aforesaid, and keeper of the records and files thereof, as provided by statute, do hereby certify the foregoing to be a true, perfect and complete original of a resolution adopted by

Council of Crystal Lake at a meeting held on October 01, 2019

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal this 1st day of October, 2019

(SEAL)

Clerk Signature Date

Approved

Regional Engineer Department of Transportation Date

Agenda Item No: 17



**City Council
Agenda Supplement**

Meeting Date:

October 1, 2019

Item:

Tree Pruning Services Contract Award

Staff Recommendation:

Motion to award the contract for tree pruning services to the lowest responsive and responsible bidder, Winkler's Tree and Landscaping, and to adopt a Resolution authorizing the City Manager to execute a contract with Winkler's Tree and Landscaping in the amount bid.

Staff Contact:

Michael Magnuson, Director of Public Works

Background:

The City of Crystal Lake is a member of the Municipal Partnership Initiative (MPI). As members of MPI, regional communities collaborate by preparing and soliciting bids for various projects. MPI allows members to combine purchasing power, which enables significant cost reductions. Regarding this specific project, the City of Crystal Lake partnered with the following communities: City of McHenry and Village of Algonquin. On September 25, 2019, staff publicly opened and read aloud bids received for tree pruning.

The breakdown of bids is as follows:

	Bid Price per Tree
√ Winkler's Tree and Landscaping La Grange, IL	\$58.89
Trees "R" Us Wauconda, IL	\$68.65
Landscape Concepts Management Grayslake, IL	\$81.60

√ Indicates the lowest responsive and responsible bidder

The Public Works Department Urban Forest Management Plan strives to achieve a healthy, sustainable urban forest and improve the natural resource management within the City. One of the

goals of the Plan is to strive to trim parkway trees on a 5-year cycle. The program covers only trees that require routine arboriculture pruning to correct structural problems or growth patterns which would eventually obstruct traffic or interfere with sightlines or signage. One of the main objectives of this pruning is to raise the crown of the trees to stay consistent with City policies.

The 2019/2020 program will trim approximately 1,700 trees.

Recommendation:

The Public Works Department has reviewed all bids received for completeness and accuracy in accordance with the invitation to bid documents. It is the recommendation of staff to award the Tree Pruning Services contract to the lowest responsive and responsible bidder, Winkler's Tree and Landscaping. Winkler's Tree and Landscaping has performed these services for the City in the past with favorable results.

Votes Required to Pass:

Simple Majority

DRAFT



RESOLUTION

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE that the City Manager is authorized to execute a contract with Winkler's Tree and Landscaping for Tree Pruning Services in the amount bid.

DATED this 1st day of October, 2019.

CITY OF CRYSTAL LAKE,
an Illinois municipal corporation,

By: _____
MAYOR

SEAL
ATTEST

CITY CLERK

PASSED: October 1, 2019

APPROVED: October 1, 2019



Agenda Item No: 18

**City Council
Agenda Supplement**

Meeting Date:

October 1, 2019

Item:

Stormwater Solutions: Bid Award for Various Projects
(Gardina Vista, Green Oaks, Cove Pond, Woodland
Channel)

Staff Recommendation:

Motion to award the bid for Various Stormwater Projects to the lowest responsive and responsible bidder, Mauro Sewer Construction, Inc., in the bid amount of \$639,910, and adopt a Resolution authorizing the City Manager to execute a contract with Mauro Sewer Construction, Inc., allowing for a 10 percent contingency.

Staff Contact:

Michael Magnuson, Director of Public Works
Abigail Wilgreen, City Engineer

Background:

The Stormwater Solutions initiative identified a multi-year program of projects to reduce flooding and improve drainage. Three projects from this program are ready for construction and were bid out as a package. Consensus of the adjacent residents has been obtained, the engineering completed and regulatory permits have been obtained. The three projects are:

- Crystal Vista South Study Area: Gardina Vista Storm Sewer Project: Installation of a new storm sewer and drywells to reduce flooding in a low area between Gardina Vista and Floresta Vista.
- Green Oaks Study Area: Replacement of a drain tile on City owned property to improve surface and subsurface drainage west of the Green Oaks subdivision.
- Woodland Drive/North Shore Study Area: Enhance conveyance of stormwater flows out of Cove Pond and provide an overflow out of Woodland Channel.

On September 24, 2019, the City opened and publicly read the bids received for the project. The City received five bids and the results are tabulated below.

<i>Firm</i>	<i>Amount of Bid</i>
Mauro Sewer Construction, Inc., Des Plaines, IL ¹	\$639,910.00
Martam Construction, Elgin, IL	\$647,900.00
Lenny Hoffman Excavating, Inc., Wilmette, IL	\$680,691.00
Copenhaver Construction, Gilberts, IL	\$686,903.85
Joel Kennedy Constructing Corp., Chicago, IL	\$765,235.00

¹ Indicates Recommended Lowest Responsive and Responsible Bidder.
 Rejected single bid on 9/3/2019 was \$669,660.85
 Engineer's Estimate \$624,765.00 (low bid within 2.4% of estimate)

Mauro Sewer Construction has successfully constructed several recent projects for the City (Mary Lane drainage project, Honeysuckle storm sewer project, IL Rt.176 water main relocation) and staff is satisfied with their performance. City bid advertisement procedures were followed. This project is included in the Fiscal Year 2019-2020 budget.

Votes Required to Pass:

Simple majority vote.

DRAFT



RESOLUTION

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE that the City Manager be authorized to execute the contract with Mauro Sewer Construction, Inc., for various stormwater projects in the amount of \$639,910.00. The City Manager is additionally authorized to approve up to 10 percent in justifiable contract amendments from a contingency allowance.

DATED this 1st day of October, 2019.

CITY OF CRYSTAL LAKE,
an Illinois Municipal Corporation

BY: _____
Mayor

SEAL

ATTEST:

City Clerk

PASSED: October 1, 2019

APPROVED: October 1, 2019



Agenda Item No: 19

City Council Agenda Supplement

Meeting Date:

October 1, 2019

Item:

Purchase of Commercial Chassis Rescue Pumpers

Staff Recommendation:

Motion to:

1. Award the proposal for the purchase of two (2) Commercial Chassis Rescue Pumpers to the lowest responsible and responsive proposer, Rosenbauer South Dakota, LLC, and
2. Adopt a Resolution authorizing the City Manager to execute an agreement with Rosenbauer South Dakota, LLC for two (2) Commercial Chassis Rescue Pumpers in the submitted proposal amount of \$707,413, including trade-in, with a 10% contingency for unforeseen circumstances, and
3. Adopt an Ordinance amending the 2019/2020 Annual City Budget.

Staff Contact:

Paul DeRaedt, Fire Rescue Chief
George J. Koczwarra, Director of Finance
Don Christenson, Fleet and Facility Superintendent

Background

On August 12, 2019, the City of Crystal Lake received proposals for the purchase of two (2) Commercial Chassis Rescue Pumpers. A rescue pumper is a combination fire apparatus that includes two components: a pump with hose and rescue equipment. A standalone pumper, also commonly referred to as an engine, has a relatively small water tank (approximately 750 gallons) to supply initial attack until connection to a hydrant or other water supply is made. A rescue pumper, on the other hand, is a pumper that has a rescue body style, with full height/full depth compartments on both sides that will carry rescue equipment such as hydraulic spreaders/shears, extra air bottles, air bags, extrication tools, EMS supplies, as well as the typical firefighting equipment including ladders.

In the past, the Crystal Lake Fire Rescue Department, similar to most surrounding fire departments, purchased custom chassis rescue pumpers. Following an extensive due diligence review, the Crystal Lake Fire Rescue Department determined to seek competitive proposals for commercial chassis rescue pumpers instead of custom chassis rescue pumpers. As a result of adjustments to the specifications, as well as utilizing a commercial chassis specification versus a custom chassis, the City will initially save approximately \$117,000 per apparatus (manufacturer provided cost saving figures). However, when compared to the cost of previous custom specified apparatus (without current specification changes), the savings are approximately \$250,000 per apparatus. These initial savings do not account for the expected savings as a result of procuring commercially available parts as opposed to having to procure sole-source

parts from the custom chassis manufacturer. The recommended commercial chassis rescue pumpers will provide similar safety and operational features and lower maintenance costs compared to the custom chassis rescue pumpers in our fleet today.

In addition to the cost savings, the City has specified enhanced safety and operational features including a Clean-Cab concept, ladder compartment accessible from the rear of the apparatus, and a high-impact HVAC filtration system within the cab to reduce particle circulation.

Below is a summary of the proposals received:

	Rosenbauer South Dakota, LLC*	Alexis Fire Equipment Co.	Fire Service, Inc. (KME)	Marion Body Works
Rescue Pumper 1				
Total	\$351,910	\$406,171	\$416,583	\$438,317
Rescue Pumper 2				
Total	\$355,503	\$406,171	\$416,583	\$438,317
Grand Total	\$707,413	\$812,342	\$833,166	\$876,634

*Lowest Responsible, Responsive Proposer

Lifecycle Costing

The City owns and maintains 326 vehicles and equipment, including five rescue pumpers (3 frontline, 2 reserve/callback). City vehicles are tools used to carry out the City’s mission. Thus, the primary goals are that the vehicles are:

- Safe
- Reliable, and
- Provide necessary functionality at an economical cost.

Three options are typically used in determining a vehicle’s replacement point:

1. Replacement is determined based on established intervals of age and mileage. This method is simple to implement, but may not result in the most economical cost because it does not consider variability among vehicles.
2. Replacement is made when repairing exceeds the value of the vehicle. This method is often referred to as the “drive it till it dies” approach, which typically occurs when a major component fails, such as a transmission or engine. Major components tend to start failing on vehicles in the 150,000 to 200,000 miles range.
3. Replacement is based on lifecycle costing analysis. This method considers the point in the vehicle or equipment’s life when the sum of all ownership and operating costs reaches a minimum. .

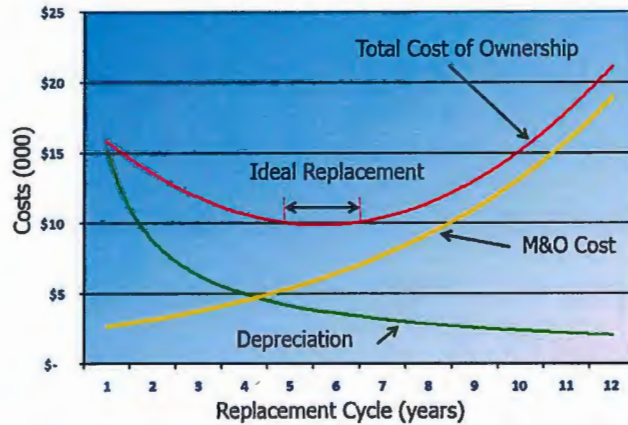
Among the three methods, the lifecycle costing method is preferred because it results in the most economical cost. Typical parameters included in lifecycle costing include:

- Depreciation
- Cost of Money
- Insurance
- Fuel
- Maintenance and Repairs

Other replacement considerations:

- Obsolescence Cost
- Downtime Costs
- Market Conditions

As a vehicle ages, its capital cost diminishes (depreciation) and its operating costs (e.g., maintenance, repair, and fuel) increase. As depicted in the graphic below, the combination of these two costs produces a U-shaped total cost curve that reflects the total cost of ownership of the asset.



Ideally, a vehicle or piece of equipment should be replaced around the time the rise in annual operating costs begin to outweigh the decline in annual capital costs – that is, when the two cost curves intersect and the total cost of ownership begins to increase.

Maintaining a functional, safe, and reliable fleet is especially important for the Crystal Lake Fire Rescue Department because of its call volumes. Over the past few decades, fire rescue departments throughout the country have found that their call volumes have become dominated by emergency medical services (EMS) calls as opposed to actual fire calls. In calendar year 2018, the Crystal Lake Fire Rescue Department responded to 6,345 calls for service of which 4,013 were EMS related and 18 were structure fire related.

Seeing the benefits of the life cycle costing methodology, City staff began reexamining the City’s procurement practices as they relate to rescue pumpers. In the past, the City has generally replaced rescue pumpers on a 12 to 15-year rotation. City staff is proposing to replace rescue pumpers on a 7-year rotation instead for the following reasons:

1. City staff has found that it is at around the 7-year mark, that the cost of maintenance and operation of a rescue pumper dramatically increases.
2. A 15-year old rescue pumper has little to no residual value. As an example, the City has spent approximately 24 months attempting to sell a 15-year old surplus rescue pumper to no avail. At this point, the City can only sell the rescue pumper for spare parts. Not only does a 15-year old rescue pumper have very little residual value, throughout its long lifecycle, the City spent almost as much maintaining the apparatus as it did buying the apparatus. City staff has found that a used market does exist for 7-year rescue pumpers and can be sold for good residual value.
3. By maintaining a fleet of newer rescue pumpers that do not require as much maintenance, the Crystal Lake Fire Rescue Department will look to reduce its fleet of rescue pumpers from 5 to 4. Because of maintenance demand, 5 rescue pumpers were maintained in the fleet because it was not uncommon for at least 2 rescue pumpers to be undergoing fleet maintenance at any given time.

Commercial Chassis Rescue Pumper

Commercial Chassis Rescue Pumper



Custom Chassis Rescue Pumper



A rescue pumper consists of four general parts:

- Cab and Chassis
- Pump
- Water Tank
- Body

The only significant difference between a commercial and custom chassis rescue pumper, other than cost, is the actual cab and chassis. The purpose of the cab and chassis is to move the personnel, pump, tank, body, and equipment from Point A to Point B, safely and effectively. The engine of the chassis also serves as the power plant for the pump.

A commercial chassis is manufactured by a builder that produces hundreds of thousands of trucks every year, for many different medium and heavy-duty environments. All commercial trucks have one thing in common: they are very precisely engineered and built in world-class centers. On the other hand, only about 3,000 custom fire trucks are built every year which often can result in production errors or long-term maintenance issues, especially when it comes to electrical components. Parts are also typically much harder to find for a custom chassis, as these are often specifically manufactured for the truck. This makes the repair costs for a custom chassis more expensive than a commercial chassis.

Custom chassis units typically lead the fleet division to procure parts from sole source vendors; the truck manufacturer. Sole source vendors are not shy about their pricing structures, often charging a premium for their parts. Radiator replacement is a good area to draw a comparison between commercial and custom. Downtime, labor & parts costs are easily compared.

The radiator removal/installation for an existing custom chassis for either repairs or replacement time on average was 24.6 hours. The cost of a new radiator from chassis manufacturer was \$3,128.18. As a comparison, radiator replacement costs were evaluated on 7 plow trucks, using a commercial chassis such as Freightliner and International. Radiator removal/installation time on average was 12.6 hours and the radiators on average cost \$731.15.

The greatest difference between a commercial and custom chassis is the design. The wheelbase minimum of a custom chassis is often shorter than that of a commercial chassis. A custom chassis can offer seating for up to ten firefighters, whereas a commercial chassis can accommodate four to five firefighters.

Commercial versus Custom Chassis Rescue Pumper

- Operations – Similar to Custom Chassis
- Safety – Similar to Custom Chassis
- Maintenance – Better than Custom Chassis
- Financial – Better than Custom Chassis

Below is a chart that provides a cost savings comparison between custom and commercial chassis.

	Commercial Chassis on 7-year Rotation	Custom Chassis on 7-Year Rotation
Rescue Pumper 1	\$367,227	\$484,227 ²
Rescue Pumper 2	\$367,227	\$484,227 ²
Rescue Pumper 3 ¹	\$378,244	\$498,754
Rescue Pumper 4 ¹	\$389,591	\$513,716
Total	\$1,502,289	\$1,980,924
¹ Assumes a 3% escalator		
² Assumes a \$117,000 custom chassis upcharge		

In addition to the \$478,635 in savings, the City will also see savings by reducing the number of rescue pumpers from the current 5 rescue pumper to 4 rescue pumpers by transitioning to a 7-year apparatus rotation. This will result in an additional \$390,000 in savings, bring the total savings to \$868,635 by transitioning to commercial chassis rescue pumpers as well as transitioning to a 7-year lifecycle rotation.

Commercial Chassis Features

A commercial chassis, just like a custom chassis that is built as a fire pumper, must comply with the same national standards.

- National Fire Protection Association (NFPA) 1901-Standard for Automotive Fire Apparatus (including)
 - Rollover stability (SAE J2180)
 - Cab Roof Strength (SAE J2422)
 - Front Strength Evaluation (SAE J2420)
- Federal Motor Vehicle Safety Standards (FMVSS)
 - Air brake systems as an example

Air brake systems are designed for the vehicle based upon the application they are to be used, the total vehicle weight rating including the equipment or maximum load to be carried, and the conditions the vehicle will be exposed to such as steep inclines to name a few. Commercial chassis fire pumpers, based upon their rated weight, may only use an air brake system to activate the brake pads rather than a hydraulic system found in today's passenger vehicles.

80% of the trucks on the road today utilize a drum brake system. The other 20% are usually disc brakes similar to what are used in passenger cars. Disc brakes in the trucking world have increased in popularity because of their lightweight material and ease of cooling when frequent braking occurs. At one time disc brakes did a better job of managing heat than drum brakes. This caused them to experience less brake fade, which results in more consistent performance. Recent advancements in drum brake technology have improved the ability for drum brakes to cool similar to their disc brake counterparts.

In 2009, the federal standards were changed to reduce the minimum stopping distance of trucks by 30%. Many thought this would be an end to drum brakes in the industry as disc brakes were able to stop sooner than their drum brake counterparts. This proved not to be the case as drum brake manufacturers redesigned these brakes to remain competitive with the disc brake market when it came to cost and stopping distance.

The commercial chassis being recommended is a Freightliner M2 106. Freightliner utilizes drum brakes on all four wheels along with an antilock braking system (ABS). An ABS system prevents the brakes from locking up under the driver's reaction to a driving condition and through rapid pulses of the brake being applied, reduce the stopping distance better than the driver could. ABS is also utilized in custom chassis applications and is common in passenger vehicles.

Meritor, a well-recognized leader in disc and drum brakes, is the brand of brakes used by Freightliner as well as many other commercial and custom chassis builders. Meritor recommends drum brakes in medium truck duty use over disc brakes. In all other instances, they recommend disc brakes or a combination of disc and drum. They have engineered their drum brakes to meet the demands of fire service use. Their brakes meet or exceed Federal Motor Vehicle Safety Standards.

Suspension systems in all vehicles provide for a more comfortable ride, control of the vehicle in various conditions of travel, and wear and tear on the vehicle components. Flat leaf, air ride, and independent front suspensions (IFS) are available to all types of commercial vehicles. In an IFS system, the wheels operate independently thereby keeping the wheels on the pavement which adds to vehicle control. They are also costly to maintain as compared to the flat leaf and air ride suspension systems.

Advances in suspension system design for the flat leaf and air ride systems have improved as well. Design improvements now offer a smoother ride for the occupants and the vehicle components, better control including braking and stability, and are cost effective compared to the IFS systems. The Crystal Lake Fire Rescue Department will be moving away from the IFS systems we currently use whether we utilize a commercial or custom chassis.

Stability control in preventing vehicle rollover has been a concern over the years, particularly in the fire service, because of the higher center of gravity these vehicles possess. Both custom and commercial chassis builders offer stability control systems in their chassis. Stability control systems recognize the conditions of a potential rollover and decrease speed along with other actions on the vehicle to prevent the rollover from occurring. The Freightliner chassis is equipped with a stability control system.

Supplemental Restraining Systems (SRS), also known as air bags are common in passenger vehicles. Custom chassis builders have been adding air bags into their cabs and most recently side air bags for

rollover protection for the occupants. While SRS is required in passenger vehicles, the Federal Motor Vehicle Safety Standards do not require SRS in commercial vehicles. Stability control, ABS, mandatory seatbelt usage, and regular driver training play a major roll in occupant safety of a commercial vehicle involved in a collision. This is also a common theme in recommendations from the National Institute for Occupational Safety and Health (NIOSH) in fire apparatus accident investigations involving severe injury or fatality.

Access to the cab is comparable between the custom and commercial chassis. Concerns that injuries of slips and falls of our personnel will increase with commercial chassis use, we need to look no further than our Public Works Department for that answer. Public Works employees are in and out of their commercial chassis vehicles multiple times a day. To date, there have been no significant reported injuries reported from climbing in and out of these vehicles. On the other hand, the Fire Rescue Department has experienced two injuries to firefighters climbing in and out of a custom fire pumper.

Cab Step Height (Ground to floor of interior cab) of current CLFRD apparatus:

- E-One – 40.5 inches (Right rear seat), 41 inches (Right front seat)
- Crimson – 46 inches (Right rear seat), 43 inches (Right front seat)
- Pierce – 46 inches (Right rear seat), 39 inches (Right front seat)
- Tender – 54 inches
- Ladder Truck – 43 inches (Right rear seat), 43 inches (Right front seat)

Proposed Commercial apparatus:

- Freightliner M2 106 – 46 inches

The specific commercial chassis that will be utilized for the recommended rescue pumpers is the Freightliner M2 106. Freightliner supports a vocational line for fire and emergency vehicles. The M2 106 is a reliable chassis used in a number of fire and emergency trucks. It is a common chassis used for ambulances including in the following fire rescue departments: Algonquin, Mt. Prospect, Wheeling, Schaumburg, Streamwood, Carol Stream, Downers Grove, Naperville, Buffalo Grove, and Northbrook. The M2 106 is also a common chassis used for rescue pumpers for those departments that utilize commercial chassis pumpers.

National Fire Protection Association Compliance

The National Fire Protection Association (NFPA) is an international nonprofit organization devoted to eliminating death, injury, property and economic loss due to fire, electrical and related hazards. The NFPA issues a number of codes and standards. One of these is NFPA 1901.

NFPA 1901, *the Standard for Automotive Fire Apparatus*, is published by the NFPA to outline the standard for firefighting apparatus. The listing sets standards for mechanical, cosmetic, lighting, and all equipment to be included with fire apparatus to be standards compliant in the United States. The current version of NFPA 1901 is the 2016 edition.

As described by National Fire Protection Association: "NFPA 1901 defines the requirements for new automotive fire apparatus designed to be used under emergency conditions for transporting personnel and equipment, and to support the suppression of fires and mitigation of other hazardous situations. This Standard covers everything from pumpers to aerial fire apparatus to special service apparatus, such as rescue vehicles and haz-mat vehicles, as well as quints and mobile foam apparatus."

The recommended commercial chassis rescue pumpers are NFPA 1901 compliant.

Enhanced Safety and Operational Features

In addition to the cost savings, the City has specified enhanced safety and operational features including a Clean-Cab concept, ladder compartment accessible from the rear of the apparatus, and a high-impact HVAC filtration system within the cab to reduce particle circulation.

Clean-Cab Concept

The Clean-Cab Concept is a safety and health initiative meant to maintain a healthy and safe environment for firefighters. It centers on specifically designing the cab of the rescue pumper to be free from firefighting equipment that is contaminated with carcinogen causing products of combustion (smoke/debris) from the fire ground such as self-contained breathing apparatus (SCBA), tools, hand lights, and so forth. The design of the rescue pumper provides a nonporous interior so that the cab can be easily cleaned after a fire to reduce any secondary cross-contamination. The goal is to reduce firefighter exposure to contaminated gear and off-gassing equipment and to address numerous other safety concerns.

High-Impact HVAC Filtration System

A high-impact HVAC Filtration system will be installed in the cab that uses two types of filters to trap particulates such as soot and activated charcoal to change the chemistry of volatile organic compounds into a benign gas.

Internal Ladder Storage

With internal ladder storage, the ladders are out of the elements, yet convenient and simple to remove. Externally mounted ladders are often out of reach for many firefighters. As such, manufacturers have developed different manual or hydraulic ladder racks that lower the ladders to the firefighter below. The City has experienced a number of mechanical issues with these external ladder racks.

Budget Amendment

The current fiscal year budget includes the replacement of one rescue pumper with another rescue pumper planned in the next fiscal year. Because of the one-year lead time for delivery of these rescue pumpers, and the favorable net pre-pay discount (including the cost of payment security) on the units, City staff is recommending that the Fire Rescue Budget be amended so that both rescue pumpers are ordered this year.

Recommendation

It is staff's recommendation to authorize the City Manager to execute an agreement with Rosenbauer South Dakota, LLC for two (2) Commercial Chassis Rescue Pumpers in the submitted proposal amount of \$707,413, including trade-in, with a 10% contingency for unforeseen circumstances, and adopt an Ordinance amending the 2019/2020 Annual City Budget. Rosenbauer International is the largest fire truck apparatus and emergency response vehicle manufacturer in the world. As part of the City's due diligence review, the Fire Chief, Fleet and Facilities Superintendent and the Finance Director completed site visits with Departments that utilize Rosenbauer commercial chassis apparatus, as well as inspecting the Rosenbauer South Dakota facility.

Votes Required to Pass

Resolution - Simple majority

Ordinance – Two-thirds of Corporate Authorities holding office (5)

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 Rosenbauer South Dakota, LLC for two (2) Commercial Chassis Rescue Pumpers in the submitted proposal amount of \$707,413, including trade-in, with a 10% contingency for unforeseen circumstances.

DATED this 1st day of October, 2019.

CITY OF CRYSTAL LAKE, an
Illinois municipal corporation,

By: _____
MAYOR

SEAL

ATTEST

CITY CLERK

PASSED: October 1, 2019
APPROVED: October 1, 2019

DRAFT

Ord. No.: 7570

File No.: 117



The City of Crystal Lake

AN ORDINANCE REGARDING COMMERCIAL CHASSIS RESCUE PUMPERS

WHEREAS, on April 16, 2019, the Annual Budget for Fiscal Year 2019-2020 was adopted and approved by Ordinance 7522-117; and

WHEREAS, it has been determined that certain revisions to the Annual Budget for Fiscal Year 2019-2020 are necessary to adjust for additional expenses which were not anticipated at the time that the Annual Budget for Fiscal Year 2019-2020 was adopted, and

WHEREAS, 65 ILCS 5/8-2-9.6 permits the corporate authorities of the City of Crystal Lake to make such revisions to the Annual Budget for Fiscal Year 2019-2020 upon a two-thirds vote of the corporate authorities; and

WHEREAS, the Mayor and City Council believe it is in the best interest of the City of Crystal Lake to revise the Annual Budget for Fiscal Year 2019-2020 to reflect such budget adjustments, as set forth in this ordinance; and

WHEREAS, all of the adjustments to the Annual Budget for Fiscal Year 2019-2020, contemplated by this ordinance contain sufficient funds to effectuate the purpose of the proposed revisions.

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

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

SECTION TWO: The Budget for all corporate purposes of the City of Crystal Lake, County of McHenry, State of Illinois, for the fiscal year commencing on the first day of May 2019 and ending on the thirtieth day of April 2020, as presented to the Mayor and City Council of the City of Crystal Lake on April 16, 2019, is hereby amended and revised and incorporated herein by this reference and made a part hereof and is hereby adopted.

SECTION THREE: Pursuant to Section 8-2-9.6 of the Illinois Municipal Code, (65 ILCS 5/8-2-9.4), the original budgeted expenditures shall be and hereby is amended as follows:

	Fiscal Year	Current	Fiscal Year
	2019-2020	Amendment	2019-2020
	Original Budget	Request	Amended Budget
Combined Expenditures for Capital & Equipment Replacement Fund	\$13,769,578	\$347,796 (additional rescue pumper) + \$72,279.60 (total 10% contingency) = \$420,075.60	\$13,841,857.60
Transfer from Fund Balance from Fire Rescue Fund	\$3,083,664	\$420,075.60	\$2,663,588.40

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

DATED at Crystal Lake, Illinois, this 1st day of October, 2019.

APPROVED:

Aaron T. Shepley, Mayor

ATTEST:

Nick Kachiroubas, City Clerk

PASSED: October 1, 2019

APPROVED: October 1, 2019



Agenda Item No: 20

**City Council
Agenda Supplement**

Meeting Date:

October 1, 2019

Item:

State Mandated Small Wireless Facilities Deployment Act-
Verizon Master Pole Attachment Agreement

Staff Recommendation:

Motion to adopt a Resolution authorizing the City Manager to execute the Master Pole Attachment Agreement with Chicago SMSA Limited Partnership d/b/a Verizon Wireless.

Staff Contact:

Michelle Rentzsch, Director of Community Development
George J. Koczwarra, Director of Finance

Background:

- At the July 17, 2018 City Council meeting, in response to Public Act 100-0585, the City Council adopted an Ordinance (Chapter 428 of the City Code) providing for the regulation and permitting of small wireless facilities. The Act preempts Home Rule Authority and stipulates the following:
 1. provides the regulations and process for permitting and deploying small cell wireless facilities
 2. allows wireless providers to place telecommunications equipment with an antenna up to 6 cubic feet in size and related equipment up to 28 cubic feet in size on existing or new utility poles and other support structures in rights-of-way and on private property that is zoned for commercial and industrial uses, subject to compliance with the local regulations and permits.
- At the January 15, 2019 City Council meeting, in response to a further FCC Order, the City Council approved an amendment to Chapter 428. The City Code was amended to incorporate the reasonable application fees and application processing deadlines established by the FCC Order.
- At the July 2, 2019 City Council meeting, the City Council approved the City's Right-of-Way Design Guidelines. The Design Guidelines provide various rules and regulations for right-of-way apparatuses, utilities, and telecommunications facilities, including small cell wireless facilities.
- Now each carrier will seek approval for a master agreement with the City. Verizon is the first carrier asking for approval. The agreement has been reviewed by special counsel

and meets the City's Code, stipulates the requirements for locating equipment, and sets rental fees.

The types of equipment and method of small cell deployment will vary and will depend upon the network needs and technology requirements of the various wireless carriers. Typical antenna locations are expected to be:

- Mounted onto existing utility or street lighting poles (can't add more than 10' in height or 45 feet total).
- Placed onto new freestanding poles erected in the public right of way (must meet City's Design Guidelines).
- Strung on wires between existing poles (can't exceed 28 cubic feet).

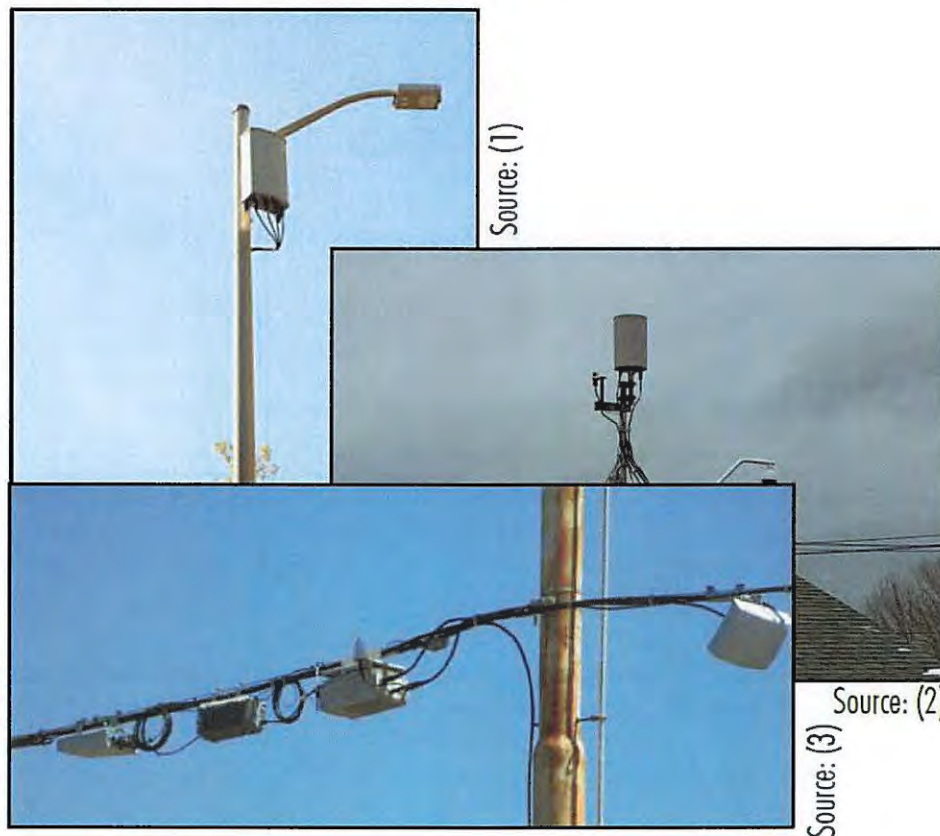


Photo Sources: (1) scientists4wiredtech.com; (2) steelintheair.com; (3) wade4wireless.com

There are an estimated 60,000+ small cell units already operating nationwide. Requests for small cell antenna installations in the City are expected to rise in the coming months as wireless companies work to meet the increasing wireless data demands of their customers.

Master Pole Agreement:

Consistent with the requirements of Public Act 100-0585 and the FCC Order, attached is a Master Pole Attachment Agreement between the City of Crystal Lake and Verizon Wireless.

The Master Pole Attachment Agreement was developed by City staff, working with special counsel Victor Filippini, and is consistent with the requirements of Chapter 428 of the City Code.

The Master Pole Attachment Agreement facilitates placement of Verizon small cell wireless equipment and wiring on City-owned poles and structures within City rights-of-way in accordance with Chapter 428 of the City Code and the requirements of State and federal law. The Agreement also provides for Verizon to pay the City the maximum rental fees authorized by law for its use of the City's poles.

Following approval of the Master Pole Attachment Agreement, Verizon will then submit individual site location permits as applicable. These individual permit requests will then be handled administratively within the time and other parameters as indicated in Public Act 100-0585 and the FCC Order.

Recommendation:

It is staff's recommendation to approve a motion to adopt a Resolution authorizing the City Manager to execute the Master Pole Attachment Agreement with Chicago SMSA Limited Partnership d/b/a Verizon Wireless.

Votes Required to Pass:

Simple majority vote.

DRAFT

Res. No. 19R-



RESOLUTION

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE that the City Manager is authorized to execute on behalf of the City of Crystal Lake the attached Master Pole Attachment Agreement with Chicago SMSA Limited Partnership d/b/a Verizon Wireless.

DATED this 1st day of October, 2019.

CITY OF CRYSTAL LAKE, an
Illinois municipal corporation,

By: _____
MAYOR

SEAL

ATTEST

CITY CLERK

PASSED: October 1, 2019

APPROVED: October 1, 2019