



CITY OF CRYSTAL LAKE
AGENDA
CITY COUNCIL
REGULAR MEETING
City of Crystal Lake
100 West Woodstock Street, Crystal Lake, IL
City Council Chambers
September 15, 2020
7:00 p.m.

1. **Call to Order**
2. **Roll Call**
3. **Pledge of Allegiance**
4. **Approval of Minutes – September 1, 2020 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. **Acting Mayor's Report**
8. **City Council Reports**
9. **Consent Agenda**
10. **Administrative Approval Extension of Outdoor Seating Areas and Ordinance Extending the Authority of the Liquor Commissioner to allow for Temporary Expansion or Creation of Outdoor Seating Areas for the Sale and Consumption of Alcoholic Liquor**
11. **Amendment to the Final Planned Unit Development Ordinance 7444 Condition # 8 to allow Carpathian Drive to be constructed no later than September 10, 2021**
12. **Bid Award – Motor Control Center (MCC) and Pump Replacements at Wastewater Treatment Plant #3 and Lift Station # 12 Project**
13. **Bid Award – Municipal Complex Fall Protection Equipment and Installation Project**
14. **Bid Award – City Hall Lobby Environmental Protection Barriers**
15. **City Code Amendment for Backyard Hens**
16. **Amendments to Various City Code Provisions**
17. **Council Inquiries and Requests**
18. **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**
19. **Reconvene to Regular Session**
20. **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: 10

City Council Agenda Supplement

Meeting Date: September 15, 2020

Item: Administrative Approval Extension of Outdoor Seating Areas and Ordinance Extending Authority of Liquor Commissioner to Amend Liquor Licenses to allow for Temporary Expansion or Creation of Outdoor Seating Areas for the Sale and Consumption of Alcohol

Recommendation:

- 1) Motion to approve an extension of the administrative approvals for outdoor seating areas on private and public property through December 31, 2020.
- 2) Motion to adopt an Ordinance authorizing the Liquor Control Commissioner to amend liquor licenses in order to allow for temporary expansion or creation of outdoor seating areas for the sale and consumption of alcoholic liquor through December 31, 2020.

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

Background:

On May 27, 2020, the City Council adopted a resolution approving the expansion of restaurant and bar outdoor seating areas via an administrative approval process. In addition, the City Council approved an ordinance that authorized the Liquor Commissioner to amend liquor licenses for restaurants and bars to permit the sale and consumption of liquor in new or expanded outdoor seating areas. Since then, 31 restaurants and bars have established outdoor seating areas customized to meet their needs during these unprecedented times. As part of the May 27 approval, it was indicated that the outdoor seating would be allowed through October 31, 2020 via the ordinance and checklists. The City has received several inquiries about the possibility of extending this approval beyond October 31.

If the extension is approved, a revised checklist to accommodate guidelines for outdoor heating appliances, tents, and other types of windbreaks will be provided to the restaurants with outdoor seating so these customer conveniences can be safely implemented. For the few outdoor seating

areas in the public right-of-way, at first substantial snowfall, the seating areas in the public parking spaces would need to be removed so the City's snow removal operations could occur.

Depending on the weather we experience, some outdoor seating areas could be extended through December. To allow the maximum flexibility, it is suggested that the approval be extended through December 31, 2020. All the conditions required as part of the previous approval will remain substantially the same. These conditions are included in the attached ordinance.

The newly created or expanded outdoor seating areas would only be allowed to be occupied if not prohibited by a Governor's order and only during such period that social distancing requirements remain in place. The attached ordinance further provides that the temporary outdoor seating areas must be removed within 14 days upon: (1) the termination of the 30-day renewal periods, (2) the termination of the Governor's Order pertaining to social distancing requirements or further Executive Orders that may impact indoor/outdoor dining areas, or (3) by the order of the Liquor Commissioner but in any event not later than December 31, 2020.

Votes Required to Pass:

Simple majority vote.

ORDINANCE EXTENDING THE AUTHORITY OF THE LIQUOR CONTROL COMMISSIONER TO AMEND LIQUOR LICENSES IN ORDER TO ALLOW FOR TEMPORARY EXPANSION OR CREATION OF OUTDOOR SEATING AREAS FOR THE SALE AND CONSUMPTION OF ALCOHOLIC LIQUOR

WHEREAS, Chapter 329 of the City Code sets forth classifications for the licensing of establishments for the sale of alcoholic liquor

WHEREAS, certain license classifications which allow for on premises consumption of alcoholic liquor provide that the premises upon which such alcoholic liquor may be sold and consumed may include outdoor seating within “open unroofed areas”, subject to certain conditions set forth within each such license classification, and

WHEREAS, approval of each of the outstanding liquor licenses issued within such classifications was premised upon information submitted and reviewed by the City Council and the Liquor Control Commissioner detailing the patron seating area, including the location and dimensions of outdoor seating areas for patrons; and

WHEREAS, as a result of the COVID-19 pandemic, Governor Pritzker issued Executive Orders 5 and 8 (the “Executive Orders”) which prohibited on-premises consumption of food and beverages at restaurants and bars throughout the State of Illinois; and

WHEREAS, Governor Pritzker subsequently announced a five phase plan to re-open businesses in Illinois; and

WHEREAS, on June 25, 2020, Governor Pritzker issued Executive Order 2020-43 which allowed restaurants and bars to resume service for on-premises consumption, as permitted by Department of Commerce and Economic Opportunity (DCEO) guidance with respect to both indoor and outdoor dining; and

WHEREAS, Executive Order 2020-43 further clarified that such on-premises consumption must ensure that patrons maintain adequate social distancing, as further outlined in the DCEO guidance; and

WHEREAS, on August 21, 2020, Governor Pritzker issued Executive Order 2020-52 which extended most of the previously issued executive orders, including Executive Order 2020-43, until September 19, 2020; and

WHEREAS, in light of the phased reopening and executive orders and in order to remain compliant with any social distancing recommendation/restrictions which will remain in place during this period, licensed establishments have or may in the future require the expansion of previously approved outdoor seating areas upon which consumption of alcoholic liquor has been approved or the creation of such areas in order to accommodate patrons, while complying with social distancing requirements; and;

WHEREAS, on May 27, 2020, the Acting Mayor and City Council adopted ordinance 7627 (the “Ordinance”) which authorized the Liquor Commissioner to approve temporary amendments to liquor licenses which permitted the on-premises consumption of alcoholic liquor in newly created or extended outdoor seating areas;

WHEREAS, the Ordinance provided that such temporary amendments shall be in effect for thirty (30) day periods, subject to automatic renewal for additional thirty (30) day periods expiring no later than October 31, 2020; and

WHEREAS, in light of the continuing public health concerns caused by the COVID-19 pandemic and in order to continue to promote the ability of local restaurants and bars to serve their patrons, the Acting Mayor and City Council have found and determined that the period of time which may permitted for the temporary amendment of on-premises consumption liquor licenses to allow the expansion or creation of open unroofed outdoor seating areas (hereinafter, the

“Expanded Outdoor Seating Area”) should be extended to December 31, 2020, subject to the limitations set forth in this ordinance.

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

SECTION ONE Recitals. The foregoing recitals are incorporated as though fully set forth herein.

SECTION TWO Authorization to Allow Temporary Amendment to Liquor Licenses The Liquor Control Commissioner is hereby authorized to review, and if deemed appropriate, amend any currently valid liquor license which permits the sale of alcoholic liquor for consumption upon the licensed premises in order to allow for the temporary expansion or creation of open unroofed seating areas for consumption of such alcoholic liquor within such Expanded Outdoor Seating Area, subject to the conditions set forth herein. Upon the amendment of such licenses, the sale and consumption of such alcoholic liquor shall be temporarily permitted within the Expanded Outdoor Seating Area, notwithstanding the fact that the classification under which the license is issued does not otherwise expressly allow for such sale and consumption within an a open unroofed area. The following conditions shall apply to all amended licenses which temporarily authorize the creation of an Expanded Outdoor Seating Area pursuant to this ordinance.

1. The total open unroofed area located upon the licensed premises (inclusive of the Expanded Outdoor Seating Area) shall not exceed the approved area specified in the amended liquor license and shall comply with all plans submitted to and approved by the City.
2. The open unroofed area shall be particularly described and adjacent to and operated as a part of the premises licensed to sell alcoholic liquor on the premises and shall have obtained all permits or approvals required by the ordinances of the City Code, City or other governmental authority.

3. The open unroofed area shall have a maximum capacity as defined by the Building Commissioner which shall be separately posted at the entrance to the open unroofed area.
4. Any part of the open unroofed area not blocked by a building shall be surrounded by a fence or other barrier approved by the Building Commissioner which shall contain the required number of fire exits. All fences or other barriers shall comply with the ordinances of the City regarding vision, clearance and required distances from corners.
5. All electrical wiring shall comply with the codes of the City.
6. All combustible rubbish shall be stored in a noncombustible container, and the license holder shall be responsible for keeping the area in a clean and slightly condition.
7. The noise emanating from any open unroofed area where alcoholic beverages are served pursuant to this license shall not violate any of the provisions of the City Code of Ordinances pertaining to noise.
8. The license holder shall be responsible for preventing violations of this chapter.
9. The Expanded Outdoor Seating Area shall be temporarily permitted for a thirty day period (the “Expansion Time Period”) and only during such period of time that social distancing requirements/recommendations issued by the Governor remain in place. The Extension Time Period shall be automatically extended for additional thirty-day periods (“Renewal Periods”) expiring no later than December 31, 2020, unless the City Council, in its sole discretion determines that no Renewal Period shall be allowed beyond the then current thirty-day period. The Expanded Outdoor Seating Area shall be removed within fourteen days of the earlier to occur of: 1) the termination of the Expansion Time Period (including any Renewal Period); 2) the termination of any requirement/recommendation of the Governor pertaining to social distancing or further Executive Orders from the Governor that may impact indoor/outdoor dining and bar service; 3) the order of the Liquor

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Commissioner requiring such removal.

- 10. Due to the potential impact upon neighboring residential uses, no portion of the open unroofed area, including the Expanded Outdoor Seating Area, if immediately proximate to residential uses, may be used by patrons after 11:00 p.m.
- 11. No amplified music shall be permitted in the Expanded Outdoor Seating Area, unless approved in connection with a Special Event permit.
- 12. Reflective striping shall be installed on fencing material that blocks any existing entry drives and exiting/safety requirements must be implemented per City Code.

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

DATED this fifteenth day of September, 2020.

CITY OF CRYSTAL LAKE, an Illinois Municipal Corporation

BY: _____
Haig Haleblian, Acting Mayor

SEAL

ATTEST:

Nick Kachiroubas, City Clerk

PASSED: September 15, 2020

APPROVED: September 15, 2020



Agenda Item No: 11

**City Council
Agenda Supplement**

Meeting Date:

September 15, 2020

Item:

REPORT OF THE PLANNING & ZONING COMMISSION

Request:

Amendment to the Final Planned Unit Development Ordinance 7444 Condition #8 to allow Carpathian Drive to be constructed no later than September 10, 2021.

Petitioner:

Scott Guerard & Rick Murphy, Lennar
Woodlore Estates – Carpathian Drive at 4262 Route 176

PZC Recommendation:

To approve the PZC recommendation and adopt an Ordinance granting the Amendment to the Final Planned Unit Development Ordinance to allow Carpathian Drive to be constructed no later than September 10, 2021.

Staff Contact:

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

Background:

- Existing Use: The property is vacant land south of the Woodlore Estates subdivision.
- Previous Approvals: In 2018, the Final Planned Unit Development (PUD) Amendment and Preliminary Plat of Subdivision for Woodlore Estates was approved. A condition of approval was to have Carpathian Drive extended to Route 176, and be constructed by September 2020.
- Carpathian Drive will be a two-lane road with street lights and sidewalks. The access onto Route 176 will be a full-access. The construction also includes adding a right and left-turn lane on Route 176.

Request:

- The petitioner is requesting a Final PUD Amendment to allow for Carpathian Drive to be constructed by September 2021.
- Lennar stated in their request letter that an extension is needed due to multiple factors, including an uncooperative land owner, the time it took to purchase the property from the land owner, and Illinois Department of Transportation's (IDOT) shutdown due to COVID-19.

- The petitioner stated during the PZC meeting that the roadway would have been completed by the original deadline if COVID-19 had not occurred.

PZC Highlights:

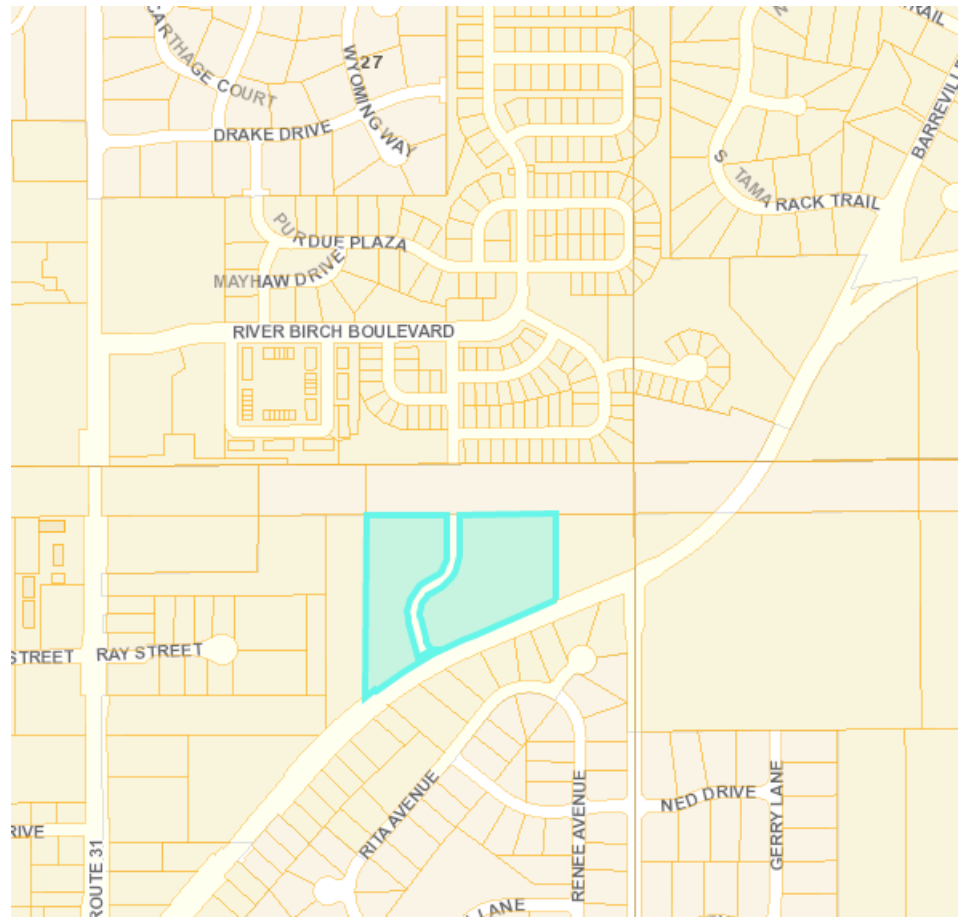
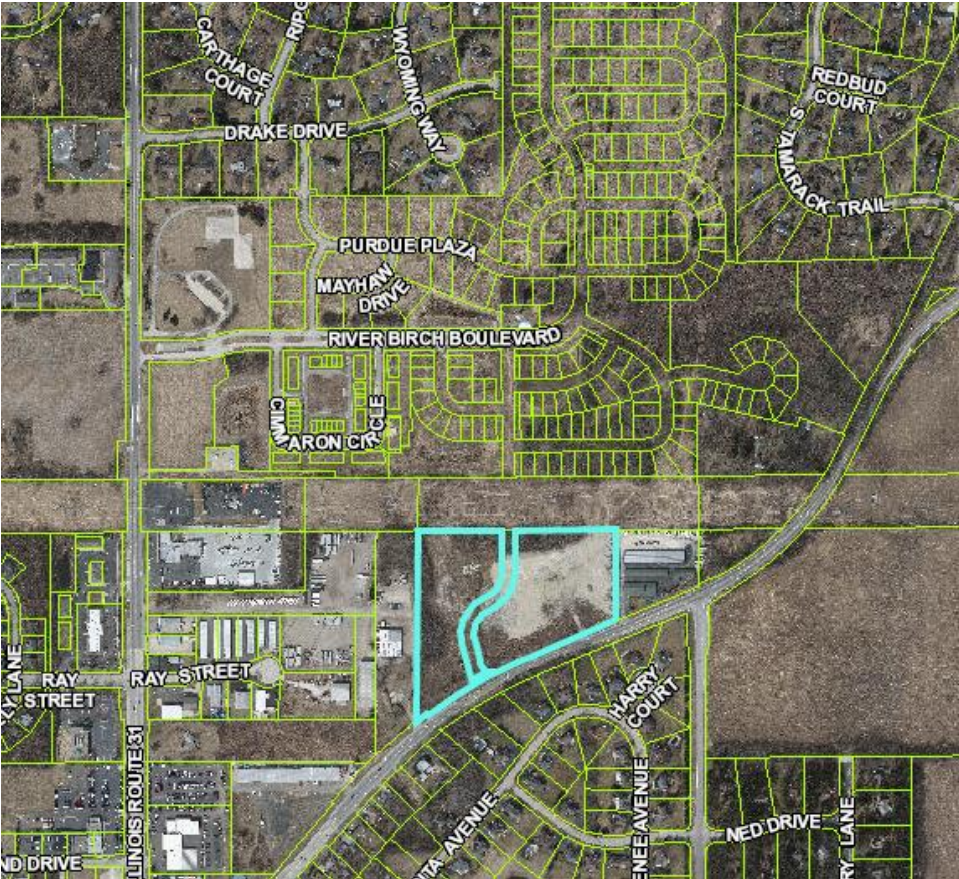
- The PZC expressed the importance of having the roadway completed as soon as possible next year. There was a discussion about if the date should be moved to sometime in the summer. The petitioners stated September was needed in case there is a wet spring.
- The PZC amended the recommended condition to require the road be constructed no later than September 10, 2021.
- The PZC stated the Findings of Fact had been met.

The PZC recommended **approval (7-0)** of the petitioner’s request with the following conditions:

1. Approved plans, to reflect staff and advisory board comments, as approved by the City Council:
 - A. Request Letter (Rick Murphy, Lennar, dated 08/17/2020, and received 08/17/2020).
2. Carpathian Drive must be constructed and open for traffic use no later than **September 10, 2021.** (Specific date added by PZC)
3. The petitioner shall comply with all of the requirements of the Community Development Department.

Votes Required to Pass: A simple majority.

PIQ MAP – WOODLORE ESTATES – CARPHTIAN DRIVE PUD AMENDMENT



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Ord. No.
File No.



The City of Crystal Lake Illinois

**AN ORDINANCE GRANTING A PLANNED UNIT DEVELOPMENT AMENDMENT
FOR WOODLORE ESTATES AT 4262 ROUTE 176**

WHEREAS, pursuant to the terms of a Petition (File #PLN-2020-00149) before the Crystal Lake Planning and Zoning Commission, the Petitioner has requested an Amendment to the Final Planned Unit Development Ordinance 7444 Condition #8 to allow Carpathian Drive to be constructed no later than September 2021 at 4262 Route 176; and

WHEREAS, the Planning and Zoning Commission of the City of Crystal Lake, pursuant to notice duly published on August 15, 2020 in the Northwest Herald, held a public hearing at 7:00 p.m., on September 2, 2020 at City Hall at 100 W. Woodstock Street, Crystal Lake, Illinois to consider the proposed PUD Amendment; and

WHEREAS, on September 2, 2020, 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 PUD Amendment be approved; and

WHEREAS, it is in the best interests of the CITY OF CRYSTAL LAKE that the Planned Unit Development Amendment be issued as requested in said Petition.

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

Section I: That an Amendment to the Final Planned Unit Development Ordinance 7444 Condition #8 to allow Carpathian Drive to be constructed no later than September 2021 be granted for the property commonly known as 4262 Route 176 (14-34-226-006), Crystal Lake, Illinois.

Section II: Said Planned Unit Development Amendment is issued with the following conditions:

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Ord. No.
File No.

1. Approved plans, to reflect staff and advisory board comments, as approved by the City Council:
 - A. Request Letter (Rick Murphy, Lennar, dated 08/17/2020, and received 08/17/2020).
2. Carpathian Drive must be constructed and open for traffic use no later than September 10, 2021.
3. The petitioner shall comply with all of the requirements of the Community Development Department.

Section III: That the City Clerk be and is hereby directed that all pertinent records of the City of Crystal Lake to show the issuance of a Planned Unit Development Amendment in accordance with the provisions of this Ordinance, as provided by law.

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

DATED at Crystal Lake, Illinois, this 15th day of September, 2020.

City of Crystal Lake, an
Illinois municipal corporation

Haig Haleblian, Acting Mayor

SEAL

ATTEST:

Nick Kachiroubas, City Clerk

Passed: September 15, 2020
Approved: September 15, 2020



Agenda Item No: 12

**City Council
Agenda Supplement**

Meeting Date:

September 15, 2020

Item:

Motor Control Center (MCC) and Pump Replacements at Wastewater Treatment Plant #3 and Lift Station #12 Project Bid Award

Staff Recommendation:

Motion to award the bid for City of Crystal Lake MCC and Pump Replacements at Wastewater Treatment Plant #3 and Lift Station #12 to the lowest responsive and responsible bidder, Independent Mechanical, and adopt a Resolution authorizing the City Manager to execute an agreement with Independent Mechanical in the amount of \$849,500.00 and approve changes in scope by 10 percent of the original price and execute warranted contract completion date change orders.

Staff Contact:

Michael Magnuson, P.E. Director of Public Works and Engineering

Background:

Several of the electrical components and pumps related to the operation of Wastewater Treatment Plant #3 and Lift Station #12 have reached the end of their service life and have been identified for replacement. This project is included in the City's budget and Capital Improvement Plan (CIP). On August 20, 2019, the City Council approved a contract with Ruckert Mielke, Inc. for engineering services for this work. Bids were opened on September 2, 2020.

Bid results are listed below:

Vendor	Total Project Cost
√ Independent Mechanical	\$849,500.00
JJ Henderson & Sons, Inc	\$888,000.00
DMI, Inc.	\$888,888.88
Keno & Sons, Construction	\$896,666.00
AMS Mechanical Systems	\$900,600.00
MAG Construction	\$999,800.00

√Indicates the lowest responsive and responsible bidder

Project Need:

Lift Station #12 takes all the sanitary sewer wastewater tributary to Wastewater Treatment Plant #3 and pumps it to the plant for treatment. Lift Station #12 was originally constructed in 1974. The motor control center (MCC) is original to that construction (46 years old). All three (3) lift station pumps are 29 years old (end of life). These pumps are large and not “off the shelf” items and require a long lead time for their manufacture. It is therefore important to keep these pumps in good working condition and replace them before failure.

The Wastewater Treatment Plant #3 main electrical MCC was installed in 1974 (46 years old) and was expanded in 1991 (newest section is now 29 years old). Three (3) of the six (6) primary effluent pumps at the Plant are also 29 years old and in need of replacement. Rebuilding the pumps is not an option at this time because parts to repair/rebuild these pumps are expensive and difficult to obtain. The remaining three pumps have been replaced/rebuilt more recently.

Recommendation:

Public Works staff has reviewed all bids received for completeness and accuracy in accordance with the invitation to bid document. Independent Mechanical has submitted the lowest responsive and responsible bid per the specifications. Therefore, it is the recommendation of staff to award the bid to the lowest responsive, responsible bidder, Independent Mechanical for the MCC and Pump Replacement at Wastewater Treatment Plant #3 and Lift Station #12. There are sufficient budget funds for this project.

Votes Required to Pass:

Simple majority of the City Council.

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RESOLUTION

WHEREAS the City opened bids on September 2, 2020 for the City of Crystal Lake Motor Control Center (MCC) and Pump Replacement at Wastewater Treatment Plant #3 and Lift Station #12; and

WHEREAS adequate funding for this project is available in the Annual Budget.

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

The foregoing recitals are incorporated as though fully set forth herein; and

BE IT RESOLVED that the City Manager is hereby authorized to execute a contract for the City of Crystal Lake MCC and Pump Replacement at Wastewater Treatment Plant #3 and Lift Station #12 with Independent Mechanical in the amounts of \$849,500.00; and

BE IT FURTHER RESOLVED that City Manager is authorized to execute appropriate and warranted change orders up to ten (10) percent of the contract amount and to review and approve necessary completion date change order relating to the contract.

DATED this 15th day of September, 2020.

CITY OF CRYSTAL LAKE, an
Illinois Municipal Corporation,

By: _____
Haig Haleblian, ACTING MAYOR

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SEAL

ATTEST

CITY CLERK

PASSED: September 15, 2020
APPROVED: September 15, 2020



Agenda Item No: 13

**City Council
Agenda Supplement**

Meeting Date: September 15, 2020

Item: Municipal Complex Fall Protection Equipment and Installation Project Bid Award

Staff Recommendation: Motion to award the bid for the Municipal Complex Fall Protection Equipment and Installation Project to the lowest responsive and responsible bidder, Sesco, LLC in the amount of \$114,934.43 and adopt a Resolution authorizing the City Manager to execute a contract with Sesco, LLC in the bid amount, execute warranted change orders for up to 10 percent of the contract amount, and execute warranted contract completion date change orders.

Staff Contact: Michael Magnuson, P.E., Director of Public Works and Engineering

Background:

On September 2, 2020, the City of Crystal Lake publicly opened and read aloud the bids received for the Municipal Complex Fall Protection Equipment and Installation Project.

The following table includes bid pricing for the project:

Bidder	Base Bid	Optional Bid	Total
√Sesco, LLC	\$107,344.59	\$7,589.84	\$114,934.43
Lighthouse Safety	\$121,955.00	\$10,695.00	\$132,650.00
Tractel Ltd.	\$128,147.00	\$6,680.00	\$134,827.00
Flexible Lifelines Systems	\$182,800.00	n/a	\$182,800.00

√Indicates the lowest responsive and responsible bidder

Project Need:

The Occupational Safety and Health Administration (OSHA) develops and enforces safety requirements in the workplace. The City retained a consultant to review fall protection on the roofs at the Municipal Complex and to identify needed improvements to comply with OSHA requirements. Based on that assessment, City staff sought bids from qualified and experienced contractors to provide and install fall protection equipment at the Municipal Complex. The equipment and installation will meet OSHA requirements to ensure staff and contracted staff are safe while working on the roof or other applicable areas in the Municipal Complex, such as the Public Works garage and Police Department second floor training space.

Recommendation:

Public Works Department staff has reviewed all bids received for completeness and accuracy in accordance with the invitation to bid document. Sesco, LLC has submitted the lowest responsive and responsible bid per the specifications. Sesco, LLC provided satisfactory references as well. Therefore, it is the recommendation of staff to award the bid to the lowest responsive, responsible bidder, Sesco LLC for the Municipal Complex Fall Protection Equipment and Installation Project.

The Fiscal Year 2020/2021 budget for this project is \$120,000.00 and the work will be completed this fiscal year.

Votes Required to Pass:

Simple Majority

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RESOLUTION

BE IT RESOLVED BY THE ACTING MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE that the City Manager is authorized to execute a contract between the CITY OF CRYSTAL LAKE and SESCO, LLC for the Municipal Complex Fall Protection Equipment and Installation Project in the amount of \$114,934.43; and

BE IT FURTHER RESOLVED that the City Manager is authorized to execute change orders for up to 10% of the contract amount and to approve necessary completion date change orders relating to the contract.

DATED this 15th day of September, 2020.

CITY OF CRYSTAL LAKE, an
Illinois municipal corporation,

By: _____
Haig Haleblian, ACTING MAYOR

SEAL

ATTEST

CITY CLERK

PASSED: September 15, 2020
APPROVED: September 15, 2020



Agenda Item No: 14

**City Council
Agenda Supplement**

Meeting Date: September 15, 2020

Item: City Hall Lobby Environmental Protection Barriers Bid Award

Staff Recommendation: Motion to award the bid for the City Hall Lobby Environmental Protection Barriers Project to the lowest responsive, responsible bidder, Hargrave Builders, Inc., in the amount of \$58,908.00 and adopt a Resolution authorizing the City Manager to execute a contract with Hargrave Builders, Inc. in the bid amount, execute warranted change orders for up to 10 percent of the contract amount, and execute warranted contract completion date change orders.

Staff Contact: Michael Magnuson, P.E., Director of Public Works and Engineering

Background:

The City Hall Lobby provides public access to the Fire Department, Police Department and all other City Departments. Access to the Police Department is controlled via doors and a barrier between the public and Police Department staff. Access to the Fire Department is controlled via an 8.6 square-foot “window” opening and a counter. Access to all of the remaining City Departments is provided via four very wide “window” openings (88 square feet total) with counters. Behind these openings there is no wall or divider to separate the counter areas from the remaining City Hall staff and offices that house Community Development (Building, Planning, Economic Development, Public Works and Engineering, Finance, Human Resources and the City Manager’s Office). City Hall provides needed and necessary services 24-hours a day and is relied upon in times of emergency. It is therefore important that City Hall facilities provide for continuous operations under all potential circumstances.

With the onset of the COVID-19 global pandemic and other events, many businesses and institutions are modifying access and managing the environment between customers/clients and the general public through installation of protective barriers and other improvements.

Project Need:

A review of the Lobby area identified the need to implement several improvements. Short-term improvements such as floor decals, line dividers and hand sanitizer stations have been implemented. Temporary, thin acrylic plastic barriers have been placed on the counters at each opening. Staff worked with Wold Architects to develop plans and specifications for a permanent

barrier between the Lobby and staff. This project will also lower the height at two of the counters (one at Community Development and one at Finance) to be ADA accessible. Pass-through trays and a window will be installed to pass documents/plans. The permanent barriers will serve a dual purpose; environmental protection (COVID-19) and security protection (ballistic level glass and wall below the counter).

On September 8, 2020, the City of Crystal Lake publicly opened and read aloud the bids received for the City Hall Lobby Environmental Protection Barriers Project.

The following table includes bid pricing for the project:

Bidder	Total Bid
√ Hargrave Builders, Inc.	\$58,908.00
Stuckey Construction	\$69,500.00
Toler Construction	\$70,700.00
Carmichael Construction	\$73,900.00
Manusos General Contractors Inc.	\$77,007.00
Bee Liner Lean Services	\$83,000.00
Orbis Construction	\$88,500.00
Efraim Carlson & Son	\$94,800.00
D Kersey Construction	\$113,969.00

√Indicates the lowest responsive and responsible bidder

The project is anticipated to be completed by the end of this year.

Recommendation:

Public Works Department staff and Wold Architects have reviewed all bids received for completeness and accuracy in accordance with the invitation to bid document. Hargrave Builders Inc. has submitted the lowest responsive and responsible bid per the bid specifications. Hargrave Builders Inc. provided satisfactory references as well. Therefore, it is the recommendation of staff to award the bid to the lowest responsive, responsible bidder, Hargrave Builders, Inc. for the City Hall Lobby Environmental Protection Barriers Project.

Staff will be seeking reimbursement from the State of Illinois Local Coronavirus Urgent Remediation Emergency (Local CURE) Support Program for this project. The Local CURE program is federally funded from the Coronavirus Relief Fund dollars allocated to Illinois. To qualify, expenses must meet several criteria, such as be connected to the COVID-19 emergency, be an unbudgeted item as of March 2020, and not reimbursed through another agency. Local CURE funds cannot be used for revenue replacement and must be expended before they can be requested from the program. All eligible expenses must be completed prior to December 30, 2020. Staff are cautiously confident the project meets the criteria for reimbursement.

Votes Required to Pass:

Simple Majority

DRAFT



RESOLUTION

BE IT RESOLVED BY THE ACTING MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE that the City Manager is authorized to execute a contract between the CITY OF CRYSTAL LAKE and Hargrave Builders, Inc. for the City Hall Environmental Protection Barriers Project in the amount of 58,908.00; and

BE IT FURTHER RESOLVED that the City Manager is authorized to execute change orders for up to 10 percent of the contract amount and to approve necessary completion date change orders relating to the contract.

DATED this 15th day of September, 2020.

CITY OF CRYSTAL LAKE, an
Illinois municipal corporation,

By: _____
Haig Haleblian, ACTING MAYOR

SEAL

ATTEST

CITY CLERK

PASSED: September 15, 2020
APPROVED: September 15, 2020



Agenda Item No: 15

City Council Agenda Supplement

<u>Meeting Date:</u>	September 15, 2020
<u>Item:</u>	City Code Amendment for Backyard Hens
<u>Recommendation:</u>	City Council discretion a) No action. b) Motion to direct staff to finalize the proposed City Code and refer this UDO Text Amendment to the PZC to allow backyard hens.
<u>Staff Contact:</u>	Michelle Rentzsch, Director of Community Development

Background:

In August 2011, the City Council considered a request to allow backyard hens. City staff was directed to research the issue and a community survey was conducted, research was undertaken, and the results provided to the Council. The City Council considered the results of a resident survey (attached) and heard from a handful of residents that were advocating to allow chickens within City limits. The motion was made to refer the matter to the PZC for further consideration but failed in a tied (3-3) vote (minutes attached). More recently, at the August 18, 2020, City Council meeting, a resident read a statement about considering to allow backyard hens in town and it was the consensus of the City Council to consider this matter at a future meeting date.

Considerations:

Key considerations, from a municipal perspective, in keeping what has been traditionally considered a farm animal as a pet, pertain to the following general areas:

- Abandonment/Animal Welfare – The number one issue for communities and states that have been pioneers in the backyard chicken movement is abandonment. Hens lay eggs consistently for approximately two years. After that, the care, cost, and labor involved in keeping hens often leads to abandonment.
- Transmission of Disease – There is a current outbreak of Salmonella in 48 states that has infected 928 people, hospitalized 151 people, and caused one death that is directly attributable to backyard chickens, according to the CDC. There are other bacterial and viral diseases that can be directly transmitted from chickens to people, such as Campylobacter and Histoplasmosis.

- Attraction of Predators or Pests – Chickens, their eggs and their feces attract predators and pests such as mice, rodents, fox, dogs, hawks, raccoons, skunks, owls, insects, etc.
- Odor – An unkempt coop can be detected up to 7 feet away. Strong winds can carry that odor up to 20 feet away. Regular maintenance of the coop is essential for the chickens' health and to reduce odor issues.
- Noise by Chickens or Neighboring Dogs – The noise created by chickens can be considered comforting or annoying based on many variables: the time of day, the duration of the noise, and the ambient noise level. According to other communities that allow chickens, another common complaint is constant barking dogs that are excited about the presence of chickens in the neighborhood.
- Sustainable Living Benefits (health and educational benefits) – As an educational experience for kids, learning about sustainable living is best done in practice, and raising backyard hens is an interactive and fun way for children to learn about the life cycle, ethical and sustainable practices, food sources, and empathetic pet care.
- Access to Fresh Eggs – Backyard hens are typically fed nutrient rich diets and produce eggs that are lower in cholesterol than store-bought eggs and are rich in Omega-3 fatty acids and Vitamin E, a powerhouse of nutrition packed in a tiny package.
- Natural Insect Control – As descendants of the dinosaurs, chickens are natural hunters and love to eat insects of all kinds, providing natural pest control for earwigs, grasshoppers, flies, ticks, termites, ants, grubs, beetles, moles, and even mosquitoes.
- Appearance of Coops and Yards – Chicken coops and runs can be architecturally very pleasing; a charming addition to a residence and neighborhood or they can be unattractive in appearance. Any proposed guidelines or ordinance requirements would ensure the minimum size, construction materials and standards for the coop and run construction but appearance is often a subjective matter.

Survey of Area and Illinois Communities:

Unfortunately, there is no single source on whether an Illinois municipality allows or prohibits chickens. In analyzing the ordinances from comparable communities in northern Illinois (similar population and density) and collecting information from newspaper articles, industry newsletters, legal bulletins, and email responses from communities, the attached charts contain the most up-to-date, readily available information on chicken regulations.

To summarize the information in the charts, there are no local municipalities in the Crystal Lake area that allow chickens, except for Prairie Grove, where they are only permitted in 5-acre lots or greater. McHenry County, in adopting its UDO, did change regulations and now allows up to 6 hens on a single-family residential lot. In comparing the regulations from communities in Illinois that do allow chickens, there is a range of setbacks, minimum lot size, maximum number of hens, and other assorted stipulations. In reviewing these other regulations in relation to how Crystal Lake generally regulates accessory structures, the following possible regulations would provide a

pilot program of 10 permits in the first year, with City Council consideration after its conclusion to modify, extend, or terminate the pilot program.

Possible Regulations, if pursuing:

The following regulations are the typical standards found in comparable communities within northern Illinois. A few of these have been tailored to meet the Crystal Lake community.

- 1) Lot must have single family residential zoning, minimum 8,400 square-foot lot area.
 - A) An R-2 Single Family zoned lot makes up the majority of single family zoning in Crystal Lake and is required to have a minimum lot area of 8,400 square feet. The other single family-zoned lots in town, R-1, RE Residential Estate, and E Estate, would have the required minimum lot area.
 - B) HOA approval required for subdivisions that have Covenants, Conditions, and Restrictions (CCRs) that routinely restrict animals other than cats, dogs, and other household pets.
 - B) No coop or run would be allowed in the front or corner side yard of the lot.
 - C) Any coop must be located a minimum of 5 feet from any property line or minimum of 20 feet from any residential structure on an adjacent lot, whichever is greater.
- 2) No more than 5 hens per lot. Suburban municipalities seem to range from 4 – 8 hens, with many landing on 5 hens. Some ordinances require at least two chickens, as they are social animals and crave the companionship of another chicken. No roosters permitted due to noise concerns.
- 3) 100% consent of adjacent neighbors required before the permit can be approved.
- 4) Slaughter, breeding, or sale of eggs is prohibited from the residential lot.
- 5) Signed acknowledgement of owner regarding care guidelines as a means to educate residents about the minimums needed for coop design and construction, sanitation, medical care, feeding, exercise, nutrition, sheltering and protection of the chickens.
- 6) The keeping of chickens is not permitted on any lot that is adjacent to *Crystal Lake*. This is intended to eliminate concerns with the nitrogen load of chicken feces creating vegetation blooms within the lake.
- 7) Limit of 10 permits the first year, creating a pilot program where the impacts of the new program could be monitored and brought back to the City Council with a report and any further recommendations for the City Council's consideration.
- 8) Permit for the coop and any associated electrical work, a yearly inspection, and yearly renewal of the permit.

Any other provisions discussed by the City Council would be incorporated into any future City Code and UDO regulations for review and consideration by the PZC and the City Council at a future meeting.

Votes Required to Pass: A simple majority vote.

Local Municipalities in the Crystal Lake area

Municipality	Status
Algonquin, IL	<i>Chickens Prohibited</i>
Barrington, IL	<i>Chickens Prohibited</i>
Cary, IL	<i>Chickens Prohibited</i>
Fox River Grove, IL	<i>Chickens Prohibited</i>
Huntley, IL	<i>Chickens Prohibited</i>
Lake in the Hills, IL	<i>Chickens Prohibited</i>
Lakewood, IL	<i>Chickens Prohibited</i>
McHenry, IL	<i>Chickens Prohibited</i>
Prairie Grove, IL	<i>Permitted in 5 acres or greater</i>
Woodstock, IL	<i>Chickens Prohibited</i>

Illinois Municipalities that Permit Chickens (not a complete list)

Municipality	Min. Setbacks	Notes	Minimum Lot Size	Max # Hens	Annual Permit?
Antioch	20 ft from house	Fenced yard req'd		Unlimited	Yes
Bartlett	10 ft	25 permits allowed/year	6,000	4	Yes
Batavia	150 ft from the street	30 ft from homes	-	8	Yes
Bensenville	10 ft	SF zoning only		4	Yes
Burr Ridge	10 ft		1 acre	4	Yes
Carpentersville	No permits yet in 2 years	Up to 25 licenses		4	Yes
Chicago	-	-	-	Unlimited	No
DesPlaines	5 feet	Up to 100 permits	R-1 lots	4	Yes
Downers Grove	7 ft, 50 ft from homes	Neighbor permission req'd	-	4	Yes
Elgin		Not visible from street		4	Yes
Evanston	3 ft (side), 3 ft (rear)	10 ft from homes	-	6 min of 2	Yes
Fox Lake			9,750 sq ft	4	Yes
Grayslake	8 ft	Rear yards only		6	Yes
Highland Park	8 ft side, 10 ft dwellings	Rear yards only		6	Yes
Lake Bluff			10 acres	5	Yes
Long Grove		Depends on lot size		4	No
McHenry County	10 ft			6	Yes
Naperville	30 ft			8	Yes

North Barrington			40,000 sq ft	6	Yes
Northbrook	150 ft dwellings		2 acres	3	-
Oak Brook	100 ft dwellings	-	2 acres	2	-
Oak Park		-	-	2	Yes
St. Charles	5 ft side	Not visible from street	-	6	-
Warrenville, IL	20 ft dwellings	-	10,000 sq ft	4	-
West Dundee, IL	10 ft, 15 ft dwellings		-	4	Yes

Illinois Municipalities that Prohibit Chickens (not a complete list)

Athens	<i>Chickens Prohibited</i>
Aurora	<i>Chickens Prohibited</i>
Beardstown	<i>Chickens Prohibited</i>
Buffalo Grove	<i>Chickens Prohibited</i>
Champaign	<i>Chickens Prohibited</i>
Cicero	<i>Chickens Prohibited</i>
Elmwood Park	<i>Chickens Prohibited</i>
Freeport	<i>Chickens Prohibited</i>
Glendale Heights	<i>Chickens Prohibited</i>
Itasca	<i>Chickens Prohibited</i>
Lake Villa	<i>Chickens Prohibited</i>
Lake Zurich	<i>Chickens Prohibited</i>
Libertyville	<i>Chickens Prohibited</i>
Lincoln	<i>Chickens Prohibited</i>
Lincolnshire	<i>Chickens Prohibited</i>
Lincolnwood	<i>Chickens Prohibited</i>
Lindenhurst	<i>Chickens Prohibited</i>
Maywood	<i>Chickens Prohibited</i>
Monmouth	<i>Chickens Prohibited</i>
Mount Prospect	<i>Chickens Prohibited</i>
Mundelein	<i>Chickens Prohibited</i>
Normal	<i>Chickens Prohibited</i>
North Chicago	<i>Chickens Prohibited</i>
Peoria	<i>Chickens Prohibited</i>
Peru	<i>Chickens Prohibited</i>
Rockford	<i>Chickens Prohibited</i>
Round Lake	<i>Chickens Prohibited</i>
Round Lake Beach	<i>Chickens Prohibited</i>
Schiller Park	<i>Chickens Prohibited</i>

Skokie	<i>Chickens Prohibited</i>
Streamwood	<i>Chickens Prohibited</i>
Vandalia	<i>Chickens Prohibited</i>
Villa Park	<i>Chickens Prohibited</i>
Waukegan	<i>Chickens Prohibited</i>
Wheeling	<i>Chickens Prohibited</i>
Wilmette	<i>Chickens Prohibited</i>
Zion	<i>Chickens Prohibited</i>



Agenda Item No: 16

**City Council
Agenda Supplement**

Meeting Date: September 15, 2020

Item: Amendments for Various City Code Provisions

Recommendation:

- 1) Motion to adopt an Ordinance amending various sections of the City Code.

- 2) Motion to adopt a Resolution adopting the International Code Council Building Valuation Data August 2017 Update, deleting footnote d, for the purposes of calculating Building Review and Permit Fees for new building construction in accordance with City Code Section 241-3A(1).

Staff Contact: Michelle Rentzsch, Director of Community Development
Michael Magnuson, Director of Public Works and Engineering

Background:

- The proposed City Code text amendments would address issues observed by staff, based on their day-to-day application of the City Code, and would simplify the requirements and procedures for businesses and residents. These are general housekeeping amendments intended to streamline a certain process, eliminate confusion amongst conflicting codes, or better explain a certain code provision.

Request:

- Changes are proposed to Chapters 11, 18, 33, 187, 241, 358, 385, 402, 422, 427, 451, 453, 515, 526, and 595. A marked-up listing of all the existing and proposed Code changes is attached as Exhibit A.
- The following chart explains the proposed text changes by providing the Code section, an explanation of what is being amended, and if there is any impact to our customers.

Chapter 11 Boards, Commissions and Committees

PROPOSED TEXT	EXPLANATION	IMPACT
Section 11-4: City Planning and Zoning Commission	The changes clean up the language to reference the UDO and include the addition of sections that were previously in Article 9 of the UDO. This change consolidates all information on the PZC to one section of the City Code.	None, clarification only.
Section 11-7C: Economic Development Committee Membership	This change clarifies how EDC members are nominated and approved, especially for representatives of the Downtown Association and the Chamber of Commerce. This process was previously ambiguous.	None, clarification only.
Section 11-7D: Economic Development Committee Membership	This change removes language about the establishment of member terms in 1998 and is no longer relevant.	None, clarification only.

Chapter 18: City Council

PROPOSED TEXT	EXPLANATION	IMPACT
Section 18-5	This change reflects the starting time of the City Council meeting moving to 7:00 p.m.	None.

Chapter 33: Health Department

PROPOSED TEXT	EXPLANATION	IMPACT
Section 33-17	This section was inadvertently created many years ago. The department was never established or certified by the Illinois Department of Public Health and would be redundant to the McHenry County Health Department.	None.

Chapter 187: Building Code

PROPOSED TEXT	EXPLANATION	IMPACT
Section 187-2	For consistency amongst codes, this change modifies requirements for the size of window openings to the Building Code. This same language is currently in the Residential Building Code and should be consistent amongst codes.	None, clarification only.

Chapter 241: Fees

PROPOSED TEXT	EXPLANATION	IMPACT
Section 241-3E through 241-3G	The addition of the words "Alteration Plan Review" to these section title which adds clarity to the section.	None, clarification only.

Section 241-3E (3)	This change adds a fee for automatic fire alarm system permits. This fee was previously in the City Code but was inadvertently omitted during a fee code revision.	Reinstates the fee for fire alarm permits for commercial projects.
Section 241-3I	This new fee covers the cost that the City incurs from a third party vendor for plan reviews on new elevators.	Additional \$100 fee for projects with elevators and covers the fee from the vendor.
Section 241-3O(2)(b)	This change increases the monthly deductions from the completion deposit to 25%. This increase provides a greater incentive for applicants to complete construction projects.	Incentive to complete work to receive refund of deposit for temporary occupancies.
Section 241-3S	The federal government has renamed the Consumer Price Index (CPI) for the Chicago area. This change reflects the name change.	None, clerical change only.
Section 241-9	Development Impact Fees are also in Chapter 650 UDO Section A-1400. Deleting the fee language in this section eliminates unnecessary duplication.	None, clarification only.
Section 241-13B	These changes further clarify when the City can recoup costs from developers for third-party services related to reviewing and inspecting new developments.	Monetary impact to developer.
Section 241-16	This change clarifies some language and adds a fee to cover costs associated with recording watershed agreements with the County Recorder.	Easements have to be recorded, city staff would do the leg work and the minor monetary fee covers the recording cost charged by the County.

Chapter 358: Noise

PROPOSED TEXT	EXPLANATION	IMPACT
Section 358-6J	The change improves clarity and readability. Additionally, it adds a provision prohibiting construction on City-observed holidays.	Assists residents, who are typically impacted by construction.

Chapter 385: Food Trucks

PROPOSED TEXT	EXPLANATION	IMPACT
Section 385-34	The change allows a food truck approval to be valid on any private property for the duration of the annual permit, based on obtaining the property owner's permission.	Streamlines the process for food truck vendors and property owners.

Chapter 402: Property Maintenance Code

PROPOSED TEXT	EXPLANATION	IMPACT
Section 402-2I	This change adds clarity and specificity to requirements for maintaining areas around private walks and driveways.	None, clarification only.

Chapter 427: Right-Of-Way, Use Of

PROPOSED TEXT	EXPLANATION	IMPACT
Chapter 427	This change splits Chapter 427 into three separate Articles. The existing provisions governing permitting utility work in the right-of-way are placed under Article I, Facility Construction Within City Right-Of-Way. The text remains unchanged.	None, clarification and reorganization.
Article II: Encroachments, Section 427-25	This new article limits the support structure of mailboxes to be constructed of wood, metal, or plastic. This will prohibit monument mailbox structures that are made of masonry or stone. Existing mailboxes of this style will be considered legal, non-conforming.	Provides protection for city vehicles, mailboxes are in the right of way.
Article III: Maintenance, Section 427-26	This new article clarifies a property owner's maintenance responsibilities of adjacent parkways. This language is also found in the Unified Development Ordinance and is placed in this section so that it applies to existing developed areas of the City.	None, clarification only.

Chapter 451: Snow Removal

PROPOSED TEXT	EXPLANATION	IMPACT
Section 451-5	This change simplifies the fees that the City charges property owners when the City removes snow and ice from sidewalks downtown. There will be a set hourly rate for removal that will be charged to the property owner.	None, simplification of how fees are calculated.

Chapter 453: Special Events

PROPOSED TEXT	EXPLANATION	IMPACT
Section 453-3	Eliminates the special event application fee.	Lessens monetary impact to applicants.
Section 453-4	This change modifies the neighbor notification for major events that must be reviewed by the City Council.	Lessens the time and effort for applicants.

Section 453-5	This streamlines the review and approval process for minor special events as long as the applicant review and verifies they will comply with the City's standards for these types of events.	Lessens the time and effort for applicants for simple routine events.
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Chapter 515: Water and Sewer

PROPOSED TEXT	EXPLANATION	IMPACT
Section 515-17	This change adds additional water service sizes to the schedule of Infrastructure Availability Charges. For extremely large water service requests, the fee will be set by the City Council. Please note these are extremely rare.	Clarifies fees is for potable water connection and lessens ambiguity for an 8" water service size.

Chapter 526: Weeds and Nuisance Greenery Control

PROPOSED TEXT	EXPLANATION	IMPACT
Section 526-5	This change simplifies the fees that the City charges property owners when the City mows private property. There will be a set hourly rate for removal that will be charged to the property owner.	None, simplification of how fees are calculated.

Chapter 595: Stormwater Management

PROPOSED TEXT	EXPLANATION	IMPACT
Section 595-9(7)(b)	This language mirrors language from other regulatory agencies and puts additional responsibility for the completion of seawalls on the permittee.	Clarification of language from other regulatory agencies to avoid future issues with seawalls.
Section 595-14B(9)	This addition specifies that a performance guarantee must be submitted to receive a standalone grading permit. This is ambiguous in the current code.	None, clarification of existing requirement.
Section 595-14B(10)	In the City's experience, grading work during winter months is more likely to lead to erosion and other grading related issues. This addition prohibits the issuance of grading permits during winter months.	May impact projects that would want to grade during winters months, but this is not desirable.
Section 595-15B	The change revises the reference to the City code chapter for stormwater fees.	None, updates code citation.
Section 595-26E(4)(e)[1]	This change takes out a sentence indicating the City will provide developers with infiltration testing requirements, which the City does not have.	None, City has never done this nor are we able to.

Resolution for Updating Building Valuation Data

As part of the City's formula for calculating building review and permit fees for construction of new buildings, which is in City Code section 241-3A(1), the City uses a document published by the International Code Council (ICC) called the Building Valuation Data (BVD). The BVD contains approximate construction costs per square foot for different types of buildings, which is then used in the formula to calculate the permit fee. The ICC updates the BVD every six months. Per the City Code, the City Council passes a resolution adopting the specific update the City will use to calculate building permit fees. When the City adopted its current method of calculating permit fees, the City also specified that the August 2017 BVD would be used, which was the current BVD at the time.

The Square Foot Construction Cost chart in the August 2017 BVD contains footnote d, which says unfinished basements for buildings in Group R-3 (single-family homes and duplexes) have a square foot construction cost of \$21.00 per square foot. This is significantly less than the per square foot costs in the table, which in turn means that the cost for the permit will be lower.

Since these areas require almost the same amount of effort in reviewing and inspecting, it is recommended that unfinished basements should be calculated at the same rate as the other areas of the building. City staff is recommending the City Council re-adopt the August 2017 BVD, deleting footnote d, via the attached resolution.

The City's special legal counsel has reviewed all of the proposed changes and they are in an acceptable format.

Votes Required to Pass:

Simple majority vote.

DRAFT



RESOLUTION

WHEREAS, City Code Section 241-3A(1) defines the method for calculating building review and permit fees for the construction of new buildings; and

WHEREAS, the method for calculating building review and permit fees uses a publication from the International Code Council called the Building Valuation Data; and

WHEREAS, the International Code Council updates the Building Valuation Data periodically; and

WHEREAS, the City Council defines which Building Valuation Data update is to be used for calculating Building Review and Permit Fees through a resolution.

BE IT RESOLVED BY THE ACTING MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE that, pursuant to City Code Section 241-3A(1), the Building Valuation Data update of August 2017, with the exception of footnote d, is adopted for the basis of calculating building review and permit fees for the construction of new buildings.

DATED this 15th day of September, 2020.

CITY OF CRYSTAL LAKE, an
Illinois Municipal Corporation,

By: _____
Haig Haleblian, Acting Mayor

SEAL

ATTEST:

City Clerk

PASSED: September 15, 2020
APPROVED: September 15, 2020

DRAFT



AN ORDINANCE AMENDING VARIOUS SECTIONS OF THE CODE OF ORDINANCES OF THE CITY OF CRYSTAL LAKE, ILLINOIS

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

SECTION I: That Section 11-4A be amended to read as follows:

- A. Appointment; membership. The Planning and Zoning Commission for the City of Crystal Lake shall consist of seven members, all of whom shall have the power to vote and all of whom shall be residents of the City of Crystal Lake. They shall be appointed by the Mayor on the basis of their particular fitness for their duty on said Planning and Zoning Commission, subject to the approval of the City Council. The Mayor shall be an ex officio member of said Planning and Zoning Commission, with no power to vote. Members who fail to attend at least 60% of regularly scheduled meetings which are conducted in a calendar year shall be subject to removal by the Mayor and City Council.

SECTION II: That Section 11-4B be amended to read as follows:

- B. Terms of office: The members of the Planning and Zoning Commission shall serve four-year terms.

SECTION III: That Section 11-4C(2) be amended to read as follows:

- (2) To review and make recommendations to the City Council, after holding a public hearing on petitions for preliminary planned unit developments (PUD), in accordance with the rules and standards prescribed by Chapter 650 of this code, the Unified Development Ordinance, and the Illinois Compiled Statutes. The Commission shall hold a public hearing on the matter. At the conclusion of the public hearing, the Commission shall make a recommendation to the City Council with regard to the petition. City staff shall review the exterior architectural aesthetics of a PUD development project, using the design guidelines proposed by the Planning and Zoning Commission and approved by the City Council as a basis for their discussion and recommendation. The City staff shall make a recommendation to the Planning and Zoning Commission for consideration at the Commission's meetings.

SECTION IV: That Sections 11-4C(3) through 11-4C(8) be amended to read as follows:

- (3) To review and recommend to the City Council, after holding a public hearing on petitions for:
 - (a) Map amendments (rezonings).
 - (b) Special use permits.
 - (c) Text amendments to the Unified Development Ordinance.
 - (d) Unified Development Ordinance variations.
 - (e) Final PUD amendments.
- (4) To review and recommend to the City Council, after holding a public meeting on applications for:
 - (a) Preliminary and final plats of subdivision.
 - (b) Chapter 650-5 Subdivision Standards variations.
 - (c) Comprehensive Plan amendments.
 - (d) Final planned unit developments.
- (5) To hear, review and comment on conceptual PUD plans, after holding a public meeting.
- (6) To hear any appeals in a public hearing as enumerated in § 650-9-200J of the Unified Development Ordinance and to render a decision thereon.
- (7) To hold public meetings and public hearings and review and make recommendations to the City Council as required by the provisions of the Unified Development Ordinance and Illinois Compiled Statutes.
- (8) To hear and make recommendations to the City Council on all matters referred to it, and to perform such functions as may be requested of it.

SECTION V: That the following be inserted as Section 11-4C(9)

- (9) To hear and make a final determination on administrative variations referred to it by the Zoning Administrator.

SECTION VI: That Section 11-4E be amended to read as follows:

- E. Quorum. The following requirement must be met to constitute a quorum: the presence of four or more voting members of the Planning and Zoning Commission.

SECTION VII: That Section 11-4F be amended to read as follows:

- F. Compensation and expenditures. The Commission shall receive \$50 for each scheduled Planning and Zoning Commission meeting at which they are in attendance. If said Planning and Zoning Commission shall deem it advisable to secure technical advice or services, it may be done upon authority from the City Council and appropriations by the City Council therefor.

SECTION VIII: That the following sections be inserted at the end of Section 11-4:

- G. Chair and Vice-Chair: The Mayor shall name one member to serve as Chair of the Commission. The Planning and Zoning Commission shall elect a Vice-Chair. The Vice-Chair shall serve as Chair of any meeting at which the Chair is absent. In the event that both the Chair and Vice-Chair are absent, the members present at the meeting shall elect an Acting Chair to chair the meeting.
- H. Rules governing procedures: The Planning and Zoning Commission shall adopt rules regulating the procedure of all meetings, provided that there shall be no time limits established by the Commission for the length of the meetings. Such rules shall be filed in the Office of the City Clerk and may be amended at any meeting, and shall be effective upon filing with the Office of the City Clerk.
- I. Meetings required; notice: The Planning and Zoning Commission shall hold regular meetings and may hold special meetings as needed. Notice of the time and place of regular and special meetings be given in accordance with the Open Meetings Act (5 ILCS 120) of the State of Illinois.
- J. Hearings: All hearings required by this section to be conducted by the Planning and Zoning Commission shall be open to the public. Any person may appear and testify at a hearing either in person or through a duly authorized agent or attorney. All testimony shall be given under oath. The Chair, or in his/her absence, the Vice-Chair or Acting Chair, shall administer oaths. The Commission shall keep minutes of its proceedings showing the vote of each member upon each question, or if absent or failing to vote, indicating such fact, and shall also keep records of its hearings and other official actions. Every rule or regulation, every amendment or repeal thereof, and every decision of the Commission shall be filed in the office of the City Clerk and shall be a matter of public record.

SECTION IX: That Section 11-7C be amended to read as follows:

- C. The Economic Development Committee shall consist of nine voting members which shall be apportioned as follows:
 - (1) One member shall be a person nominated by the Crystal Lake Chamber of Commerce for consideration for appointment by the Mayor and subject to confirmation by a majority vote of the City Council.
 - (2) One member shall be a person nominated by the Downtown Crystal Lake/Main Street organization for consideration for appointment by the Mayor and subject to confirmation by a majority vote of the City Council.
 - (3) The seven remaining members shall be at-large members appointed by the Mayor and subject to confirmation by a majority vote of the City Council.

SECTION X: That Section 11-7D(2) be amended to read as follows:

(2) The selection of the terms shall be at the first meeting of the Committee by lot of the members. All subsequent terms shall be for three-year terms.

SECTION XI: That Section 18-5A be amended to read as follows:

A. Regular meetings of the City Council shall be held on the first and third Tuesday of each month at 7:00 p.m., in the City Council chambers, 100 West Municipal Complex, Crystal Lake, Illinois, or at such other place as the Council may designate.

SECTION XII: That the following be inserted as Section 187-2X and subsequent sections be renumbered in sequential order:

- X. Section 1015.8, Window openings, is deleted and replaced with the following: Windows in Group R-2 and R-3 buildings including dwelling units, where the top of the sill of an operable window opening is located less than 20 inches above the finished floor and more than 72 inches above the finished grade or other surface below on the exterior of the building, shall comply with one of the following:
 1. Operable windows where the top of the sill of the opening is located more than 75 feet above the finished grade or other surface below and that are provided with window fall prevention devices that comply with ASTM F2006.
 2. Operable windows where the openings will not allow a 4-inch-diameter sphere to pass through the opening when the window is in its largest opened position.
 3. Operable windows where the openings are provided with window fall prevention devices that comply with ASTM F2090.
 4. Operable windows that are provided with window opening control devices that comply with Section 1015.8.1.

SECTION XIII: That Section 241-3E be amended to read as follows:

E. Electrical Alteration Plan Review. Electrical alteration plan review fees shall be as follows, per dwelling unit, or units, except that each separate office, store, or business within a building shall be considered a separate unit:

(1) Commercial (including industrial, office, church, institutional and multifamily):

Square Footage	Fee
0 to 1,000	\$50
1,001 to 3,000	\$100

Square Footage	Fee
3,001 to 20,000	\$150
20,001 to 50,000	\$200
50,001 to 100,000	\$250
Over 100,000	\$300
(2) Residential (detached single-family home, townhouse and duplex):	
Square Footage	Fee
0 to 400	\$20
401 to 1,000	\$25
1,001 to 5,000	\$30
Over 5,000	
(3) Automatic fire alarm system (per \$1,000 of valuation): \$15.	

SECTION XIV: That the introductory paragraph of Section 241-3F before Subsection 241-35F(1) be amended to read as follows:

- F. Plumbing Alteration Plan Review. Plumbing alteration plan review fees shall be as follows, per dwelling unit or units, except that each separate office, store, or business within a building shall be considered a separate unit:

SECTION XV: That the introductory paragraph of Section 241-3G before Subsection 241-35G(1) be amended to read as follows:

- G. Heating, ventilating, and air conditioning (HVAC) Alteration Plan Review. Heating, ventilating and air conditioning alteration plan review fees shall be as follows, per dwelling unit or units, except that each separate office, store, or business within a building shall be considered a separate unit:

SECTION XVI: That the following line be added to the end of the table of fees in Section 241-3I:

Elevator Plan Review	\$100
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SECTION XVII: That Section 241-3O(2)(b) be amended to read as follows:

- (b) The applicant fails or refuses to complete the work or conditions authorized by any temporary occupancy certificate in accordance with all plans and conditions approved in connection with a temporary occupancy certificate. Once it reaches the expiration, 25% of the initial deposit will be deducted monthly until the work is completed or the deposit is exhausted. Once the deposit has been depleted, the applicant will be subject to citations and fines outlined in § 248-2. The City's determination of such costs shall be based either on costs actually incurred by the City or reasonable estimates of costs to be incurred.

SECTION XVIII: That Section 241-9 be amended to read as follows:

Section 241-9: Development Impact Fees

Development impact fees are set forth in Section 650 A-1400 of the Crystal Lake Unified Development Ordinance.

SECTION XIX: That Section 241-13B be amended to read as follows:

- B. Reimbursement to the City shall be made by the developer for direct costs incurred by the City in connection with the retention of outside consultants to conduct plan reviews, inspections or to provide other services including, but not limited to:
- (1) Traffic analysis when requested by the City;
 - (2) Surveying as performed by a licensed land surveyor;
 - (3) Soils, materials testing or other geotechnical testing or consultation;
 - (4) Closed-circuit television inspection of sewers, either sanitary or storm;
 - (5) Overtime fees as stated in § 241-11 and § 241-12 incurred by City staff or consultant inspectors when a developer's contractor(s) chooses to work overtime, Saturdays or holidays.
 - (6) Review of plans.
 - (7) Stormwater management reviews or inspections.
 - (8) Inspections

SECTION XX: That Section 241-16 be amended to read as follows:**Section 241-16: Stormwater fees.**

The following fees shall be charged in connection with stormwater review and inspection when, except as otherwise provided herein, such review and inspection is not conducted by a professional service consultant:

- A. General Permit #1: \$150.
- B. General Permit #2: \$400.
- C. Minor development: \$400.
- D. Intermediate development: \$550.
- E. Major development: \$850 + \$50 per additional acre.
- F. Fees for recording of the Grant of Stormwater Management Easement for Infiltration Trench Agreement: \$55.00. This fee shall be charged regardless of whether a professional service consultant is retained.

SECTION XXI: That Section 358-6J be amended to read as follows:

- J. Construction or repair of buildings, excavation of streets and highways.
1. The construction, demolition, alteration, or repair of any building, or the excavation of streets and highways:
 - a. Before 7:00 a.m. and after 7:00 p.m. on Monday through Friday
 - b. Before 8:00 a.m. and after 6:00 p.m. on Saturday
 - c. On Sunday and City-observed Holidays
 2. In cases of emergency, construction or repair noises are exempt from this provision.
 3. In non-emergency situations, the Building Commissioner or City Manager, or designee, may grant permission, upon written request, if determined that the public health and safety will not be impaired. The permission in non-emergency cases shall be valid for a period of not more than three days, but may be renewed once for a period of three days or less.

SECTION XXII: That Section 385-34 be amended to read as follows:

385-34 Permit required.

- A. Food trucks on private property. Food trucks that request to operate on private property shall submit an application for a food truck permit from the Community Development Department. The request for a food truck permit shall be made on a form available from the Community Development Department.

(1) Each truck operating on private property within the City requires an annual permit.

SECTION XXIII: That the following be inserted as Section 402-2I and the subsequent sections be renumbered in sequential order.

- I. Section 302.3, Sidewalks and driveways: Sidewalks, walkways, stairs, driveways, parking spaces and similar areas shall be maintained so that there is no greenery, tree limbs, or other obstruction for the full width of such surface and so that there is at least seven feet of unobstructed clearance above any sidewalk.

SECTION XXIV: That Chapter 427 be divided into Articles, that Article I be created, that Article I be titled “Facility Construction Within City Right-of-Way”, and that current sections 427-1 through 427-24 be placed under said Article I.

SECTION XXV: That Article II be created in Chapter 427 and shall read as follows:

Article II Encroachments

427-25; Mailbox and Mailbox Support Structures

- A. Mailboxes and necessary mailbox support structures may be erected and maintained in the parkway adjacent to the postal patron’s property, subject to the following conditions:

- a. The mailbox and support structure must meet all United States Postal Service (USPS) regulations.
 - b. The mailbox support structure must be made of pre-treated wood, light gauge hollow metal, plastic, or any other USPS approved pre-manufactured material.
 - c. Wood support structures may not exceed 4 inches by 4 inches.
 - d. Metal support structures may not exceed 3 inches in diameter.
 - e. Above ground support structures may not be reinforced with concrete or grout.
 - f. Any other support structure material is not acceptable, including but not limited to: brick, block, stone or masonry columns, wagon wheels, or any material in excess of the dimensions in this article.
- B. Any mailbox support structure that is existing as of September 14, 2020, are considered legal-nonconforming structures and are exempt from the requirements in 427-25. The Public Works Department shall maintain a list of legal-nonconforming support structures. In the event a legal-nonconforming support structure is removed or destroyed, the same shall not be rebuilt. Any replacement shall conform to the provisions of this Chapter.
- C. The repair or replacement of mailboxes that meet the provisions of this Chapter shall not require a permit.

SECTION XXVI: That Article III be created in Chapter 427 shall read as follows:

Article III Maintenance

427-26: Parkway Maintenance: Maintenance of the parkway, as defined in 427-2, shall be the responsibility of the owner of a lot or parcel which is immediately adjacent to the parkway, notwithstanding the separation of such lot or parcel and parkway by a public sidewalk. Such maintenance shall include but not be limited to:

- A. Mowing of grass or ground cover, which must be maintained as an acceptable vegetative ground cover.
- B. Private driveway approaches.
- C. The flare from the pavement edge extended, for a private driveway approach.
- D. Tree watering to assure a healthy, well-shaped appearance and maintaining adequate roadway and sidewalk clearances.
- E. Keeping culvert opening free of debris.
- F. Mailboxes and support structures.
- G. The area around the sidewalk so that there is no greenery, tree limbs, or other obstructions for the full width of the sidewalk, and so that there is at least seven feet of clearance above the sidewalk.
- H. Maintenance and restoration of damage to grass, bushes, and trees.

427-27: Approved Parkway Planting: Planting of shrubs and trees other than those approved by the City Engineer shall be prohibited.

427-28: Standards for Driveway Approaches: For standards for acceptable private driveway approach and curb (depressed) or flare, see City Code Chapter 570.

SECTION XXVII: That Section 451-5 be amended to read as follows:

451-5: Charges.

If the City removes and/or treats snow and/or ice, or causes the removal and/or treatment of snow and/or ice through a contractor, the City shall charge the property owner the following fees:

- A. For the first hour of removal and/or treatment: \$250
- B. For each additional hour or part thereof: \$200

SECTION XXVIII: That the following definition of a Major Special Event in Section 453-1 be amended to read as follows:

MAJOR SPECIAL EVENT

A special event or film production event held on public and/or private property, including, but not limited to, parades, festivals, carnivals, circuses, and athletic events which meet at least one of the following criteria:

- A. Closure of roads, streets, or City blocks;
- B. Demarcation of temporary "No Parking, Tow Zones";
- C. Issuance of multiple permits or licenses;
- D. Provision of City services as defined herein;
- E. Use of City property;
- F. Gun Shows;
- G. Designated a major special event by the Director of Community Development.

SECTION XXIX: That Section 453-3E be deleted and subsequent sections be renumbered in sequential order.

SECTION XXX: That Section 453-4A be amended to read as follows:

- A. In addition to the requirements set forth in this Code and as set forth in the major special event permit application, events may be subject to additional conditions or restrictions deemed necessary and appropriate by the City. The requirements for issuance of each such permit shall remain as otherwise provided for in the Code.

SECTION XXXI: That Section 453-4B be amended to read as follows:

B. Notification of major special event. An applicant for a major special event permit, if potentially an impact to residential neighborhoods or various businesses, may be required, at its cost, to provide written notification of the proposed special event, including a narrative summary of the event, to residents and businesses which may be affected by such special event. The Community Development Department shall review and approve the narrative and the scope of notice proposed by the applicant and shall inform the applicant of the date the application shall be considered by the City Council so that such date may be included in the notification. Such notice shall be provided in a timely manner prior to City Council consideration of the application.

SECTION XXXII: That Section 453-4B be deleted and subsequent sections be renumbered in sequential order.

SECTION XXXIII: That Section 453-5C be amended to read as follows:

C. Approval of minor special event permit. Upon review of a minor special event application, as set forth herein, the Director of Community Development shall issue the minor special event permit. The minor special event may take place after the applicant has verified that the applicant has reviewed the minor special event standards and has further verified that the minor special event standards will be met. If any of the standards cannot be met, the minor special event application shall be processed for City Departments’ review and to provide conditions of approval.

SECTION XXXIV: That the Infrastructure Availability Charge table in Section 515-17E be amended as follows:

E. Infrastructure availability charges for service connections. The charge for each water service connection and for each sewer service connection shall be as herein set forth. The charge for each water service connection shall be based upon the diameter of the water service pipe **that would be required to serve the domestic water demand per the International Building Code and Illinois State Plumbing Code**. The charge for each sewer service connection shall be based upon the diameter of the water service connection serving the same premises, regardless of the diameter of the sewer service connection tile or pipe.

1. That the last line of the table, which begins with “More than 6,” be deleted.
2. That the following two lines be inserted at the end of the table.

8	\$36,570.00	\$50,488.00
More Than 8	Determined by City Council	Determined by City Council

SECTION XXXV: That Section 526-5 be amended to read as follows:

Section 526-5: Charges.

If the City removes, or causes to be removed through a contractor, nuisance greenery, the City shall charge the property owner the following fees pursuant to 65 ILCS 5/11-20-7(a):

- A. For the first hour of removal activities: \$250
- B. For each additional hour or part thereof: \$200

For the purposes of this section, any right-of-way adjacent to the property that is also mowed shall be considered part of the property.

SECTION XXXVI: That Section 595-9C(7)(b) be amended to read as follows:

(b) The seawall shall be properly anchored to resist anticipated forces of current and wave action. The applicant acknowledges upon submittal of the permit application that the requirement will be met.

SECTION XXXVII: That the following be inserted at the end of Section 595-14B:

- (9) A performance guarantee of 120% of the estimated cost of the earth change work and restoration is required prior to permit issuance.
- (10) No earth change permits shall be issued between November 1 and March 1.

SECTION XXXVIII: That Section 595-15B be amended to read as follows:

- B. Stormwater fees are outlined in §241-16

SECTION XL: That Section 595-26E(4)(e)[1] be amended to read as follows:

- [1] The underlying soils shall have an infiltration rate of at least 0.5 inches per hour. The development-site-specific infiltration rate shall be determined by a qualified professional and approved by the enforcement officer. Column drains may be used to access a more permeable substrate, at the discretion of the enforcement officer, if designed by a geotechnical engineer in a sealed opinion.

SECTION XLI: That Section 33-17 Health Department be deleted.

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

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

DATED at Crystal Lake, Illinois, this 15th day of September, 2020.

CITY OF CRYSTAL LAKE, an Illinois Municipal Corporation

By: _____
Haig Haleblian, Acting Mayor

SEAL

ATTEST:

City Clerk

PASSED: September 15, 2020

APPROVED: September 15, 2020

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