



CITY OF CRYSTAL LAKE
AGENDA
CITY COUNCIL
REGULAR MEETING
City of Crystal Lake
100 West Woodstock Street, Crystal Lake, IL
City Council Chambers
January 19, 2021
7:00 p.m.

1. **Call to Order**
2. **Roll Call**
3. **Pledge of Allegiance**
4. **Approval of Minutes – January 5, 2021 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**
10. **Unified Development Ordinance (UDO) Text Amendment to Article 9-200 E 13 - Amendment to a Final Planned Unit Development (PUD) plan, to change the consent threshold as recommended by staff**
11. **Unified Development Ordinance (UDO) Text Amendment to Articles 2 & 4 for changes to Medical Cannabis Uses and to allow Cannabis Business Establishments**
12. **Bid Award – Generator Maintenance Services**
13. **Council Inquiries and Requests**
14. **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**
15. **Reconvene to Regular Session**
16. **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

<u>Meeting Date:</u>	January 19, 2021
<u>Item:</u>	REPORT OF THE PLANNING & ZONING COMMISSION
<u>Request:</u>	Unified Development Ordinance (UDO) Text Amendment to Article 9-200 E 13 Amendment to a Final (PUD) plan, to change the consent threshold as recommended by staff.
<u>PZC Recommendation:</u>	Motion to approve the PZC recommendation and adopt an Ordinance amending the UDO text.
<u>Staff Contact:</u>	Michelle Rentzsch, Director of Community Development Elizabeth Maxwell, City Planner

Background:

The Unified Development Ordinance (UDO) provides criteria for petitioners to request amendments to a Planned Unit Development (PUD). The general requirement is that all the owners of a Planned Unit Development, or their elected Association members, consent to any amendment to that PUD.

- In 2013, the UDO was updated, which required that 100% of homeowners sign off on a PUD Amendment application unless an HOA was permitted to act on their behalf.
- As we have found, this is very difficult for developers to accomplish and a developer is proposing less restrictive language, which still requires a high level of owner consent.

Over the years, a few PUD amendments have come forward with the applicant acquiring all of the signatures necessary. A current developer desires to amend a residential PUD and has been unable to obtain every owner's consent. The language contained in the proposed amendment to the UDO has been developed by both the petitioner and the City, and reviewed by the City's special legal counsel and is in an acceptable format.

The current language:

Amendment to a final PUD plan. For residential planned unit developments, when amending an approved final PUD plan, unless the homeowners' association, where one is present, is authorized to act on behalf of the entire development, every property owner within the PUD is required to consent to the amendment to the PUD.

The changes between the existing and proposed language are:

Requirement	Existing Language	Proposed Language
100% consent	Yes	Yes in cases where only 1 product type has been developed (e.g., a subdivision of single-family detached residential homes).
90% consent	No	Yes in cases where multiple housing types exists (e.g., townhomes and single family) then 90% of the owners with the same product type are required to sign off on the proposed amendment.
75% approval	No	Yes in cases where multiple housing types exists (e.g., townhomes and single family) then 75% of the owners of the different product type are required to sign off on the proposed amendment.
HOA approval	Yes	Yes if an HOA is permitted to act on behalf of its residents, the HOA can take ballot votes on the proposed amendment and if receives a majority, they can vote to sign off on the proposed amendment.

The following are the proposed amendments to the UDO.

Article 9 Section 9-200 E. 13.

Amendment to a final PUD plan. Except as provided herein, for residential planned unit developments, when amending an approved final PUD plan, unless the homeowners' association, where one is present, is authorized to act on behalf of the entire development, every property owner within the PUD is required to consent to the amendment to the PUD. The following exceptions shall apply:

Where a planned unit development consists of different categories of dwellings (single family attached, single-family detached, two-family and multifamily dwellings, or category as identified by the City) any amendment to a final PUD plan relating to one or more category of dwellings shall require the consent of:

- a. Ninety percent (90%) of every unit owner of properties within the category of dwellings located within the planned development to which the proposed amendment pertains. Where a homeowners' association is authorized to act on behalf of some or all of owners within such category, such consent by the homeowners' association shall be deemed sufficient with respect to the owners who are members of such consenting homeowners' association; and

- b. Seventy-five percent (75%) of the owners of properties within category of dwellings located within the planned development to which the proposed amendment does not pertain. Where a homeowners' association is authorized to act on behalf of some or all of owners within such category, such consent by the homeowners' association shall be deemed sufficient with respect to the owners who are members of such consenting homeowners' association.

PZC Vote:

The PZC recommended **approval (6-0)** of the UDO text amendment.

Votes Required to Pass:

A simple majority.

DRAFT

Ord. No.
File No.



**AN ORDINANCE AMENDING
CHAPTER 650: UNIFIED DEVELOPMENT ORDINANCE OF THE
CODE OF ORDINANCES OF THE CITY OF CRYSTAL LAKE, ILLINOIS**

WHEREAS, pursuant to its home rule powers, the Illinois Municipal Code, and other applicable authority, the City is authorized to regulate land uses 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 December 21, 2020 in the Northwest Herald, held a public hearing at 7:00 p.m., on January 6, 2021 at City Hall at 100 W. Woodstock Street, Crystal Lake, Illinois to consider proposed amendments to the Unified Development Ordinance regarding Article 9 Section 9-200 E 13; and

WHEREAS, on January 6, 2021, 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 amendment to the Unified Development Ordinance be approved; and

WHEREAS, the Mayor and City Council, having considered such recommendation and the findings and minutes from the Planning and Zoning Commission, have found and determined that adopting amendments to the Unified Development Ordinance regarding Article 9 Section 9-200 E 13 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 Article 9 Section 9-200 E. 13 Amendment to a final PUD plan be amended to read as follows:

Amendment to a final PUD plan. Except as provided herein, for residential planned unit developments, when amending an approved final PUD plan, unless the homeowners' association, where one is present, is authorized to act on behalf of the entire development, every property owner within the PUD is required to consent to the amendment to the PUD. The following exceptions shall apply:

Where a planned unit development consists of different categories of dwellings (single family attached, single-family detached, two-family and multifamily dwellings, or category as identified by the City) any amendment to a final PUD plan relating to one or more category of dwellings shall require the consent of:

- a. Ninety percent (90%) of every unit owner of properties within the category of dwellings located within the planned development to which the proposed amendment pertains. Where a homeowners' association is authorized to act on behalf of some or all of owners within such category, such consent by the homeowners' association shall be deemed sufficient with respect to the owners who are members of such consenting homeowners' association; and
- b. Seventy-five percent (75%) of the owners of properties within category of dwellings located within the planned development to which the proposed amendment does not pertain. Where a homeowners' association is authorized to act on behalf of some or all of owners within such category, such consent by the homeowners' association shall be deemed sufficient with respect to the owners who are members of such consenting homeowners' association.

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

DRAFT

SECTION III: 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 19th day of January, 2021.

CITY OF CRYSTAL LAKE, an Illinois Municipal Corporation

By: _____
Haig Haleblan, ACTING MAYOR

SEAL

ATTEST:

CITY CLERK

PASSED: January 19, 2021

APPROVED: January 19, 2021

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



Agenda Item No: 11

City Council Agenda Supplement

Meeting Date:

January 19, 2021

Item:

REPORT OF THE PLANNING & ZONING COMMISSION

Request:

Unified Development Ordinance (UDO) Text Amendment to Articles 2 & 4 for changes to Medical Cannabis Uses and to allow Cannabis Business Establishments.

City Council discretion:

A) Motion to adopt an Ordinance amending the UDO text for Medical Cannabis Dispensaries, Medical Cannabis Cultivation Centers and Cannabis Business Establishments with their respective criteria. **OR**

B) Motion to approve the PZC recommendation and adopt an Ordinance amending the UDO text for Medical Cannabis Dispensaries, Medical Cannabis Cultivation Centers and defer consideration of the Cannabis Business Establishments for six months.

C) Motion to recommend the prohibition of the following categories of Cannabis Business Establishments: cultivation center, craft grower, infuser, processor, and transporter.

Staff Contact:

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

Background:

On June 17, 2014, the City Council voted to approve Medical Cannabis Cultivation Center and Dispensaries following a new law adopted by the State in which municipalities were not allowed to opt out of this land use. The City allowed Medical Cannabis Dispensaries as a Special Use in the Farming zoning district and Medical Cannabis Cultivation Centers as a Special Use in the Manufacturing zoning district.

On October 1, 2019, the City Council voted to approve Adult-Use Cannabis Dispensaries as a Special Use in the B-2 zoning district, not allowing the other Cannabis Business Establishments (Craft Grower, Cultivation Center, Infuser/Processor, and Transporter). Part of the discussion in

October of 2019 was to relook at these uses in a year’s time. To date, the City has not received any applications for a dispensary.

On December 1, 2020, the City Council referred to the PZC a Text Amendment petition to review the other Cannabis Business Establishments. In reviewing these land uses, it is also a good time to reconsider the Medical Cannabis Dispensary, which was only allowed in the F Farming District, to consider placing in the B-2 Commercial district with the Adult Use Dispensary, with the same Special Use criteria.

In reviewing the other Cannabis Business Establishments (Craft Grower, Cultivation Center, Infuser/Processor, and Transporter), the communities that have these facilities, the buffers and criteria that have been established, a buffer of 500 feet from residential uses is being recommended due to their more intensive operations.

The following changes to the ordinance contemplate the revisions to the medical cannabis uses, as well as the other cannabis uses.

Proposed Changes to the Ordinance:

Article 2

Land Use Table Amendment

		F	E	RE	R-1	R-2	R-3A	R-3B	R-O	O	B-1	B-2	B-4	M-L	M	W	Use Criteria
Industrial	Cannabis Infuser/Processor														S		2-400-77
	Cannabis Transporter														S		2-400-77
Agricultural	Cannabis Cultivation Center														S	S	2-400-77
	Cannabis Craft Grower														S	S	2-400-77
Medical Facility	Medical Cannabis Cultivation Center														S	S	2-400-66
	Medical Cannabis Dispensary	S										S					2-400-67

P = Permitted Use L = Limited Use Permit S = Special Use Permit

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

a. Minimum required buffer from protected uses:

- (i) A Medical Cannabis Dispensary may not be located within 500 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 Medical Cannabis Dispensary may not be located within 500 feet of the property line of an existing religious establishment, parks and open space, library, or recovery home.
- (iii) A Medical 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 Medical 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	500 feet
Childcare	500 feet
Religious Establishment	500 feet
Residentially zoned property	250 feet
Parks and Open Space	500 feet
Library	500 feet
Recovery Home	500 feet

- b. Sale of food for on-premises consumption shall not be allowed as an accessory use or activity to a Medical Cannabis Dispensary.
- c. A Medical Cannabis Dispensary may not conduct any sales or distribution of cannabis other than as authorized by the Compassionate Use of Medical Cannabis Program Act.
- d. Exterior Display: A Medical Cannabis Dispensary shall be maintained or operated in a manner so 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 Medical Cannabis Dispensary.
- h. State Requirements: The Medical Cannabis Dispensary must comply with all applicable provisions of the Compassionate Use of Medical Cannabis Program Act, 410 ILCS 130/1 *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 Medical Cannabis Dispensary or anywhere on the site occupied by a dispensary.

2-400C-77

Other Cannabis Business Establishments. All Cannabis Business Establishments other than a cannabis dispensary must comply with the following standards:

- a. All activity must take place within an enclosed building including, but not limited to growing, harvesting, processing, storage, loading and unloading, and product packaging.
- b. 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. To the extent necessary, mechanical equipment shall be installed to eliminate odor leaving the building.
- c. Minimum required buffer from protected uses:
 - i. The Cannabis Business Establishment may not be located within 500 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. The Cannabis Business Establishment may not be located within 500 feet of the property line of an existing religious establishment, parks and open space, library, or recovery home.
 - iii. The Cannabis Business Establishment may not be located within 500 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 other Cannabis Business Establishment 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.

Summary of Buffer Requirements:

<u>Use</u>	<u>Required Buffer</u>
Schools	500 feet
Childcare	500 feet
Religious Establishment	500 feet
Residentially zoned property	500 feet
Parks and Open Space	500 feet
Library	500 feet
Recovery Home	500 feet

- d. The Cannabis Business Establishment may not conduct any production, sales, or distribution of cannabis or cannabis products other than as authorized by the Act.
- e. State Requirements: The Cannabis Business Establishment 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.
- f. 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.
- g. The Cannabis Business Establishment will comply with the off-street parking and loading requirements for “Industrial uses” as provided by Section 4-200 of this Unified Development Ordinance.

Article 4

Section 4-200 Off-Street Parking and Loading

For these uses, parking requirements would be based on the use of the site, so Industrial parking standards would be used for Cannabis Infuser/Processor, Cannabis Transporter, Cultivation Center, Craft Grower, and Medical Cannabis Cultivation Center.

A Medical Cannabis Dispensary would be located under Miscellaneous Retail with an adult-use recreational cannabis dispensary for parking requirements.

PZC Vote:

- The PZC recommended **approval (6-0)** to change the requirements for Medical Cannabis Dispensaries and Medical Cannabis Cultivation Centers only and voted to continue the other aspect of the request for six months.
- The UDO specifies that if the PZC fails to conclude the public hearing within the time allotted, the petition will be forwarded to the City Council for action. Within 45 days following the public hearing, the Planning and Zoning Commission shall forward its recommendations to the City Council. The PZC moved to defer the discussion on the Other Cannabis Business Establishments for 6 months, which is beyond the 45 days and so the recommendation is being forwarded to the City Council for consideration.

Votes Required to Pass:

A simple majority.

DRAFT

Ord. No.
File No.



**AN ORDINANCE AMENDING
CHAPTER 650: UNIFIED DEVELOPMENT ORDINANCE OF THE
CODE OF ORDINANCES OF THE CITY OF CRYSTAL LAKE, ILLINOIS**

WHEREAS, pursuant to its home rule powers, the Illinois Municipal Code, and other applicable authority, the City is authorized to regulate land uses 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 December 19, 2020 in the Northwest Herald, held a public hearing at 7:00 p.m., on January 6, 2021 at City Hall at 100 W. Woodstock Street, Crystal Lake, Illinois to consider proposed amendments to the Unified Development Ordinance regarding Articles 2, 4, and 10; and

WHEREAS, on January 6, 2021, 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; and

WHEREAS, the Mayor and City Council, having considered such recommendation and the findings and minutes from the Planning and Zoning Commission, have found and determined that adopting amendments to the Unified Development Ordinance regarding Article 2, 4, and 10 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 Article 2 Section 2-300 Table 2-300 Permitted Uses Table be amended to read as follows: (portions of table not illustrated require no changes)

		F	E	RE	R-1	R-2	R-3A	R-3B	R-O	O	B-1	B-2	B-4	M-L	M	W	Use Criteria
Industrial	Cannabis Infuser/Processor														S		2-400C-77
	Cannabis Transporter														S		2-400C-77
Agriculture	Cannabis Cultivation Center														S	S	2-400C-77
	Cannabis Craft Grower														S	S	2-400C-77
Medical Facility	Medical Cannabis Cultivation Center														S	S	2-400C-66
	Medical Cannabis Dispensary											S					2-400C-67

(Remove Medical Cannabis Dispensary as a Special Use in the Farming District)

SECTION II: That Article 2 Section 2-400 C 67 be amended to read as follows:

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

- a. Minimum required buffer from protected uses:
 - (i) A Medical Cannabis Dispensary may not be located within 500 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 Medical Cannabis Dispensary may not be located within 500 feet of the property line of an existing religious establishment, parks and open space, library, or recovery home.
 - (iii) A Medical 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 Medical 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	500 feet
Childcare	500 feet
Religious Establishment	500 feet
Residentially zoned property	250 feet
Parks and Open Space	500 feet
Library	500 feet
Recovery Home	500 feet

- b. Sale of food for on-premises consumption shall not be allowed as an accessory use or activity to a Medical Cannabis Dispensary.
- c. A Medical Cannabis Dispensary may not conduct any sales or distribution of cannabis other than as authorized by the Compassionate Use of Medical Cannabis Program Act.
- d. Exterior Display: A Medical Cannabis Dispensary shall be maintained or operated in a manner so 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 Medical Cannabis Dispensary.
- h. State Requirements: The Medical Cannabis Dispensary must comply with all applicable provisions of the Compassionate Use of Medical Cannabis Program Act, 410 ILCS 130/1 *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 Medical Cannabis Dispensary or anywhere on the site occupied by a dispensary.

SECTION III: That Article 2 Sections 2-400 C. 77 be added to read as follows:

Other Cannabis Business Establishments. All Cannabis Business Establishments other than a cannabis dispensary must comply with the following standards:

- a. All activity must take place within an enclosed building including, but not limited to growing, harvesting, processing, storage, loading and unloading, and product packaging.
- b. 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. To the extent necessary, mechanical equipment shall be installed to eliminate odor leaving the building.
- c. Minimum required buffer from protected uses:
 - i. The Cannabis Business Establishment may not be located within 500 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. The Cannabis Business Establishment may not be located within 500 feet of the property line of an existing religious establishment, parks and open space, library, or recovery home.
 - iii. The Cannabis Business Establishment may not be located within 500 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 other Cannabis Business Establishment 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.

Summary of Buffer Requirements:

<u>Use</u>	<u>Required Buffer</u>
Schools	500 feet
Childcare	500 feet
Religious Establishment	500 feet
Residentially zoned property	500 feet
Parks and Open Space	500 feet
Library	500 feet
Recovery Home	500 feet

- d. The Cannabis Business Establishment may not conduct any production, sales, or distribution of cannabis or cannabis products other than as authorized by the Act.
- e. State Requirements: The Cannabis Business Establishment 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.
- f. 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.
- g. The Cannabis Business Establishment will comply with the off-street parking and loading requirements for “Industrial uses” as provided by Section 4-200 of this Unified Development Ordinance.

SECTION IV: That Article 4 Table 4-200 D Minimum Off-Street Parking Requirements be amended as follows:

Miscellaneous Store Retailers	Used Merchandise Stores	3.5 per 1,000 GFA
	Cannabis Dispensary	5 per 1,000 GFA
	Medical Cannabis Dispensary	5 per 1,000 GFA

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

DRAFT

SECTION VI: 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 19th day of January, 2021.

CITY OF CRYSTAL LAKE, an Illinois Municipal Corporation

By: _____
Haig Haleblan, ACTING MAYOR

SEAL

ATTEST:

CITY CLERK

PASSED: January 19, 2021

APPROVED: January 19, 2021

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



Agenda Item No: 12

**City Council
Agenda Supplement**

Meeting Date: January 19, 2021

Item: Generator Maintenance Services Bid Award

Staff recommendation: Motion to award the bid for generator maintenance services to the lowest responsible and responsive bidder, Midwest Power Industry Inc., and to adopt a Resolution authorizing the City Manager to execute a one-year contract with Midwest Power Industry Inc. in the amount of \$71,617 with four optional one-year extensions in the amounts bid and approve an additional not to exceed \$35,000 annual allowance for needed repairs at the bid repair rates and parts markup.

Staff Contact: Michael Magnuson, Director of Public Works & Engineering

Background:

On December 16, 2020, the City of Crystal Lake publicly opened and read aloud the bids received for generator maintenance services. The City has a total of 32 generators (fixed and portable) to provide emergency power to critical infrastructure. The following is a breakdown of the bids received:

	√ Midwest Power Ringwood, IL	Alta Equipment South Elgin, IL	Interstate Power Carol Stream, IL	Illini Power Carol Stream, IL
Generator Maintenance Contract (Quarterly & Annual Inspections)	\$ 44,967.00	\$ 52,235.00	\$ 52,150.00	\$ 53,258.00
Generator Maintenance Contract (Load Bank Testing)	\$ 24,450.00	\$ 22,880.00	\$ 21,990.00	\$ 28,615.00
Generator Maintenance Contract (Added Option SEECOM)	\$ 2,200.00	\$ 3,125.00	\$ 4,715.00	\$ 2,808.00
General Repair Hourly Rate				
Regular Time	\$ 140.00	\$ 155.00	\$ 125.00	\$ 140.00
after 3:00pm, Weekends & Emerg Call out	\$ 210.00	\$ 232.50	\$ 175.00	\$ 210.00
Annual Percentage Increase for Hour Rate				
Optional Year 2	0%	3%	3%	0%
Optional Year 3	0%	2%	0%	3%
Optional Year 4	3%	1%	3%	3%
Optional Year 5	0%	0%	3%	3%
Parts Cost Markup Percentage	15%	8%	25%	30%
Annual Markup Percentage for Itemized Maint Option Program				
Optional Year 2	0%	3%	3%	0%
Optional Year 3	0%	2%	3%	3%
Optional Year 4	3%	1%	3%	3%
Optional Year 5	0%	0%	3%	3%
TOTAL	\$ 71,617.00	\$ 78,240.00	\$ 78,855.00	\$ 84,681.00

√ Indicates the lowest responsive and responsible bidder

Project Need:

There are over 30 generators associated with this contract. They range in size from smaller 20 kilowatts (kW) portable generators to very large (2,400 kW) stationary generators. The bid requested vendors provide a flat fee for routine maintenance and testing of generators for the Municipal Complex, Fire Stations, and Public Works. Bid specifications included an optional load bank test for each generator. A load bank test puts the generator under a full load (high demand) for a period of time to test generator strength and ensure the generator will run under a heavy electrical load.

This contract includes rates for repairs as determined by City staff or based on results of preventative maintenance inspections. The contract also includes provisions for regular and emergency service (technician on site within 2 hours of call.)

Recommendation:

The Public Works Department has reviewed all bids received for completeness and accuracy in accordance with the invitation to bid document. The Public Works Department staff has verified references provided by Midwest Power Industry Inc. and received satisfactory recommendations.

This contract is being presented pursuant to a competitive bidding process. Under such process, the contract is to be awarded to the “lowest responsive and responsible bidder.” The lowest responsive and responsible bidder is the contractor: (i) whose bid substantially conforms to the material provisions of the bid specifications, (ii) who demonstrates the financial capacity and ability to undertake and complete the project in question in accordance with bid specifications, and (iii) whose bid price is lowest among the responsive and responsible bidders. Selecting a contractor on a basis not set forth in the bid specifications can lead to challenges to the City’s award.

It is staff’s recommendation to award the generator maintenance bid to the lowest responsible and responsive bidder, Midwest Power Industry Inc., and authorize the City Manager to execute a one-year contract in the amount of \$71,617 with an option for four optional one-year extensions with Midwest Power Industry Inc. The City has annual budget funds of \$106,300 for generator maintenance and repairs.

Votes Required to Pass:

Simple majority.

DRAFT



RESOLUTION

WHEREAS, the City operates portable and stationary electrical generators to ensure critical City infrastructure can operate during electrical power outages; and

WHEREAS, the CITY OF CRYSTAL LAKE routinely contracts for Generator Maintenance and Repair Services at its various facilities to ensure these generators are ready for emergency operations; and

WHEREAS, the CITY OF CRYSTAL LAKE received and publicly opened bids for Generator Maintenance Services on December 16, 2020; and

WHEREAS, the lowest responsive and responsible bidder for Generator Maintenance Services was Midwest Power Industry Inc., Ringwood, Illinois;

NOW THEREFORE BE IT RESOLVED BY THE ACTING MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE that the foregoing recitals are repeated and incorporated as though fully set forth herein; and

BE IT FURTHER RESOLVED that the City Manager is authorized to execute a one-year base contract in the amount of \$71,617 and four optional one-year extensions between the CITY OF CRYSTAL LAKE and Midwest Power Industry Inc. for Generator Maintenance Services; and

BE IT FURTHER RESOLVED that the City Manager is authorized to approve unforeseen repairs for a not-to-exceed \$35,000 annual amount at the bid hourly rates and parts markup.

DRAFT

DATED this 19th day of January, 2021.

CITY OF CRYSTAL LAKE, an
Illinois municipal corporation,

By: _____
Haig Haleblian, ACTING MAYOR

SEAL

ATTEST

CITY CLERK

PASSED: January 19, 2021
APPROVED: January 19, 2021