



CITY OF CRYSTAL LAKE

AGENDA

CITY COUNCIL REGULAR MEETING

**City of Crystal Lake
100 West Woodstock Street, Crystal Lake, IL
City Council Chambers
June 1, 2010
7:30 p.m.**

1. **Call to Order**
2. **Roll Call**
3. **Pledge of Allegiance**
4. **Proclamation – Crystal Lake Public Library “Ticket to Read” Summer Reading Program**
5. **Approval of Minutes – May 18, 2010 Regular City Council Meeting**
6. **Accounts Payable**
7. **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.
8. **Mayor's Report**
9. **Council Reports**
10. **Consent Agenda**
11. **Evangelical Free Church, 575 East Crystal Lake Avenue – Unified Development Ordinance Sign Variation request to install an illuminated freestanding sign.**
12. **Hobby Town, 15 Crystal Lake Plaza – Temporary Use Permit request to allow a Special Promotion for radio control car racing.**
13. **Cody’s Farm – Temporary Use Permit request to allow the seasonal sale of produce at 130 Virginia Street.**
14. **Buy Buy Baby, 5540 Northwest Highway – Planned Unit Development bonus sign area for a wall sign.**
15. **Crystal Lake Senior Housing Project, Congress Parkway – Preliminary Planned Unit Development with height variation for a senior independent living development; and Land Use Variation to allow this use in the “B-2 PUD” district.**
16. **Regional Sports Center, 1310 Ridgefield Road – Final Planned Unit Development Amendment to allow various events such as celebrations and gatherings at this location; Special Use Permit Amendment for a previously granted Special Use Permit for commercial recreation to allow dog agility shows, soccer and lacrosse tournaments and associated vendors; and Special Use Permit to allow off-street parking facilities in another zoning district not located in the same block.**

17. **8307 Ridgefield Road – Annexation Public Hearing; Variation to allow a new private well to be constructed in the City; variation to allow a new septic system in the Crystal Lake Watershed; rezoning upon annexation to the “W” Watershed District; minor subdivision to create one additional one-acre lot; deferral of the requirement to install sidewalks, the requirement for street lighting and the requirement to bury aerial utilities until an area-wide program is established; and ordinances authorizing annexation and rezoning of the property and execution of the annexation agreement.**
18. **Crystal Creek, northwest corner of Randall and Miller Roads – Rezoning from B-1 to B-2 PUD; and Final Planned Unit Development/Final Plat of Subdivision for a townhome development.**
19. **Bid award and resolution authorizing execution of a contract for watercraft and accessories for the Three Oaks Recreation Area.**
20. **Bid award and resolution authorizing execution of a contract for canoes and kayaks for the Three Oaks Recreation Area.**
21. **Bid award and resolution authorizing execution of a contract for paddle boats for the Three Oaks Recreation Area.**
22. **Proposal award and resolution authorizing execution of a service agreement for repair work on Well #8 at Water Treatment Plant #3.**
23. **Termination of current agreement for landscape services, re-award of bid and resolution authorizing execution of a service agreement for landscape services.**
24. **Resolution authorizing reimbursement to Nunda Township for the City of Crystal Lake’s share of the Hillside Road improvements.**
25. **Resolution approving an Honorary Street Name Program.**
26. **Ordinance implementing stop control on Williams Street at the intersection with Brink Street.**
27. **Discussion of request for permissive left-turn movement on Main Street at the signalized intersection with Crystal Lake Avenue.**
28. **Discussion of a potential Crystal Lake Stormwater Ordinance amendment requiring a four (4) foot separation between the estimated average seasonal high groundwater elevation and any proposed excavation on-site.**
29. **Ordinance amending Section 515-15 of the City Code to increase the monthly water service fee and monthly sewer service fee, and increase the water volumetric rate and the sewer volumetric rate.**
30. **Council Inquiries and Requests**
31. **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, Executive Session minutes, and personnel.**
32. **Reconvene to Regular Session.**
33. **Adjourn**

If special assistance is needed in order to participate in a City of Crystal Lake public meeting, please contact Eric Helm, Deputy City Manager, at 815-459-2020, at least 24 hours prior to the meeting, if possible, to make arrangements.



Agenda Item No: 11

**City Council
Agenda Supplement**

Meeting Date:

June 1, 2010

Item:

Unified Development Ordinance Sign Variation Request to Install an Illuminated Freestanding Sign at 575 East Crystal Lake Avenue (Evangelical Free Church)

Staff Recommendation:

City Council Discretion:

- A. Motion to approve the variation as requested.
- B. Motion to approve the request with any conditions.
- C. Motion to deny the variation request.

Staff Contact:

Victor C. Ramirez, Director of Engineering and Building
Rick Paulson, Building Commissioner

Background:

Evangelical Free Church is requesting to alter their existing freestanding sign at 575 East Crystal Lake Avenue. The sign will be altered to remove the existing wing walls, which contain the existing externally illuminated sign, and add a four-foot by eight-foot, one-inch internally illuminated sign with changeable copy to the front of the masonry pylon. Evangelical Free Church is proposing to install the sign on the property line.

The proposed sign will be 32.6 square feet, and will include a changeable copy section, with an overall height of 6 feet.

Evangelical Free Church is requesting the variations at this time because the wing walls need to be repaired or removed because of damage caused by a vehicle last winter.

The owner has requested a variation from requirements located in UDO Section 4-1000 C 5, Table 4-1000 G: Civic Signs, and Section 4-1000 L. The variations are detailed in the following table.

Item	UDO Requirement	Proposed	Sign Meets Ordinance Requirement?
Location	Permanent signs must be setback a minimum of 10 feet from any property line, except in the Downtown District or the Virginia Street Corridor Overlay District.	The sign is proposed to be located on the property line and is not in the Downtown District or the Virginia Street Corridor Overlay District.	No
Quantity of Freestanding Signs	1	1	Yes
Size	32 square feet	32.6 square feet	No
Height (feet)	8	6	Yes
Base	A minimum of 80% of the sign width and contain architectural elements or materials from the building.	100% of the sign width; does contain architectural elements or materials from the building.	Yes
Illumination	Internally illuminated signs across from or adjacent to a residential district shall only be illuminated during the hours of business, but in no instance between the hours of 11:00 pm and 7:00 am.	The sign will be illuminated from 7:00 am until 11:00 pm.	Yes
Background	Internally illuminated signs across from or adjacent to a residential district shall permit light to shine fully through only the lettering and graphic elements of the signs. The background for such lettering and graphics shall be opaque.	The background for the graphics and lettering will be opaque; the background for the changeable copy section will not be opaque.	No

Attached is a sign variation application and permit application from Evangelical Free Church, a sign plan, a digital rendering of the proposed sign and a site plan.

The Sign Ordinance provides that a variation may be granted by the City Council where the literal application of the Code would create a particular hardship for the sign user and the following criteria are met:

- A. A literal application of the Code would not allow the most appropriate type of sign for the property.
- B. The granting of the requested variation would not be materially detrimental to the property owners in the vicinity.
- C. Hardship caused the sign user under a literal interpretation of the Code is due to conditions unique to that property and does not apply generally to the City.
- D. Granting of the variation would not be contrary to the general objectives of this Section.

Penny Hughes of Hughes and Son Signs has made the request on behalf of Evangelical Free Church, and will be in attendance at the meeting to discuss this request with the City Council.

Votes Required to Pass:

Simple majority of City Council present.



Agenda Item No: 12

**City Council
Agenda Supplement**

<u>Meeting Date:</u>	June 1, 2010
<u>Item:</u>	Hobby Town Temporary Use Permit to allow a Special Promotion for radio control car racing.
<u>Recommendation:</u>	Motion to approve the Temporary Use Permit for Hobby Town for a Special Promotion (radio control car racing) pursuant to the recommendations listed below
<u>Staff Contact:</u>	Michelle Rentzsch, Director of Planning & Economic Development

Background: Hobby Town has applied for a Temporary Use Permit to allow a Special Promotion for radio control car racing to be held in the Crystal Lake Plaza parking lot between the Fannie May store and the Associated Bank (please see attached site plan) on twelve (12) Sundays for this year.

Hobby Town has scheduled their race days (weather permitting) from 9:00 a.m. to approximately 6:00 p.m. on the following Sundays: June 6, June 13, June 20, June 27, July 11, July 18, July 25, August 1, August 8, August 15, August 22, and August 29, 2010.

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

1. The Temporary Use Permit shall be valid on June 6, 13, 20, and 27; July 11, 18, and 25; and August 1, 8, 15, 22, and 29, 2010 from 9:00 a.m. *to no later than* 6:00 p.m. due to noise generated from this use and the residential area behind the center.
2. If signage is proposed, a separate permit for temporary signage must be submitted for approval. One application can be submitted for all of the proposed dates.
3. All electrical connections and cords must meet the requirements of the 2005 National Electrical Code. If electric extension cords are used, they must be listed for exterior use, properly grounded, and covered by an approved means to eliminate any trip hazards.
4. If tents are to be used, they are required to be properly anchored and egress pathways exiting the tent must be maintained. A fire retardant certificate must be provided and no cooking is permitted within 20 feet of the tent. No smoking signs must be posted on the tent. Please contact the Fire Prevention Bureau prior to the event to schedule an inspection.
5. Barrier protection must be provided for vehicle traffic and participants such as traffic cones and barrier tape.
6. Fire Department access must be maintained to area out buildings near the event location.
7. A minimum 2A10BC fire extinguisher must be kept at the site.

8. If a generator is used for electric, it must be protected from the participants and the use follows manufacturer recommendations.
9. All trash and other debris must be removed from the site when the event is completed.

The applicant has been made aware of these recommended conditions and advised to attend the June 1, 2010, City Council meeting to answer any questions.

Votes Required to Pass: A simple majority vote.



Agenda Item No: 13

**City Council
Agenda Supplement**

<u>Meeting Date:</u>	June 1, 2010
<u>Item:</u>	Cody's Farm Temporary Use Permit to allow Seasonal Sale of Produce.
<u>Recommendation:</u>	Motion to approve the Temporary Use Permit for Cody's Farm to allow Seasonal Sale of Produce pursuant to the recommendations listed below.
<u>Staff Contact:</u>	Michelle Rentzsch, Director of Planning & Economic Development

Background: Cody's Farm has applied for a Temporary Use Permit to allow the Seasonal Sale of Produce to be held at the site of the former "train" McDonald's (130 Virginia Street). This is the second year for this request. The stand would be open from July 18, 2010 to September 30, 2010 from 10:00 a.m. to 6:00 p.m. daily. The applicant currently has three other locations – at their farm in Marengo, Wayne's Country Meat Market in Marengo, and Ace Hardware in Woodstock.

The applicant is requesting to use the same display setup that they used last year without any incidents or complaints received. This year they are adding a sign to the canopy that they used last year.

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

1. The Temporary Use Permit shall be valid on July 18, 2010 to September 30, 2010 from 10:00 a.m. to 6:00 p.m.
2. Provide documentation of the size of any tents/canopies and the uses that will occur under the tents/canopies. Special requirements may be needed for tents/canopies that have cooking or heat producing equipment.
4. All tents/canopies shall be properly anchored.
5. The signage on the side of the canopy as shown in the photo provided is hereby approved. Any additional signs will require a sign permit.
6. Contact McHenry County Health Department regarding their requirements, if any.
7. The point of sale shall be noted as Crystal Lake for sales tax.

The applicant has been made aware of these recommended conditions and advised to attend the June 1, 2010, City Council meeting to answer any questions.

Votes Required to Pass: A simple majority vote.



Agenda Item No: 14

**City Council
Agenda Supplement**

Meeting Date:

June 1, 2010

Item:

REPORT OF THE PLANNING & ZONING COMMISSION

#2010-34 buybuy Baby

Planned Unit Development bonus sign area for a wall sign.

Dean Lev, Inland Commercial Property, petitioner
5540 Northwest Highway

PZC Recommendation:

Motion to approve the Planning and Zoning Commission recommendations, approving the bonus sign area for buybuy Baby.

Staff Contact:

Michelle Rentzsch, Director of Planning and Economic Development

Background: A Final Planned Unit Development approval was granted for the Bohl Farm Marketplace in 1998 that provided a row of anchor tenants in the main northern building and five outlot buildings closer to Route 14. The main anchor tenants are Dominick's, Kohls, Dress Barn, Target, and the former Linens 'n Things. buybuy Baby will be occupying the former Linens 'n Things location, a tenant space of 33,235 square feet that is located on a lot that is 3.9 acres in area. The original PUD approval granted 150 square feet of wall signage to the former Linens 'n Things tenant space. buybuy Baby is seeking bonus sign area to allow a wall sign that would be 211.58 square feet.

buybuy Baby is a store that caters to young children and those wanting to find a wide range of products for young people. buybuy Baby offers a complete range of nursery and children's furniture, car seats, strollers, and supplies. buy buy Baby was founded in 1996, and had eight stores in just four states (New York, New Jersey, Maryland and Virginia) when it was purchased by the home furnishings retailer Bed Bath and Beyond, Inc. in 2007. Bed Bath and Beyond has since built this chain to encompass 26 locations in 13 states.

buybuy Baby is one of the few big box retailers that is currently in an expansion mode. They have chosen the former Linens 'n Things space for an expansion site within Crystal Lake.

PZC Highlights

The PZC has no concerns with this request and felt that the distance from the roadway justified the bonus sign area.

The PZC recommended **approval (5-0)** with the following conditions:

1. Approved plans, to reflect staff and advisory board comments, as approved by the City Council:
 - A. Application (Inland, received 5/11/10).
 - B. Sign information (received 5/12/10).

2. Signage
 - A. Due to this anchor tenant's distance from the roadway and the length of the business name, the buybuy Baby business is permitted 211.58 square feet of wall signage. All other provisions shall meet the requirements of the Sign Code.

Votes Required to Pass: A simple majority vote.



Agenda Item No: 15

**City Council
Agenda Supplement**

Meeting Date:

June 1, 2010

Item:

REPORT OF THE PLANNING & ZONING COMMISSION

#2010-24 Crystal Lake Senior Housing Project on Congress Parkway

Requests:

- 1) Preliminary Planned Unit Development with height variation for a senior independent living development; and
- 2) Land Use Variation to allow this use in the "B-2 PUD" district.

Tom Monico, Petitioner
727 Pleasant Lane, Glenview, IL

PZC Recommendation:

Motion to approve the Planning and Zoning Commission recommendation and adopt an ordinance granting the Preliminary Planned Unit Development with height variation and the Use Variation for senior independent living for the Crystal Lake Senior Housing Project on Congress Parkway.

Staff Contact:

Michelle Rentzsch, Director of Planning and Economic Development

Background: Crystal Lake Senior Housing is a proposed 100-unit affordable housing project for persons 55 and up. It would be an independent living opportunity for seniors who are still active and want to remain or relocate to Crystal Lake. The project is an approximately \$22 million investment in this site and would accommodate approximately 180 residents.

The property is currently zoned B-2. Recently, Camelot Schools requested a use variation to allow an educational use on a portion of this property. Crystal Lake Senior Housing is requesting a use variation to allow the senior independent living development. These uses are able to take advantage of the existing medical office, retail and recreation uses in the area.

The petitioners are also requesting a Preliminary Planned Unit Development approval which includes a variation to the maximum permitted height. The building would be four stories above grade reaching a maximum height of 56'-6".

PZC Highlights

The item was first heard at the April 21st PZC meeting for the introduction for the Preliminary PUD request. There were three issues raised at this meeting:

- Congress Parkway is too busy to handle additional traffic from a residential use,
- There should be more brick added to the building, possibly up the HVAC closets, and
- The aisles in the interior parking garage seem too narrow for seniors to maneuver vehicles.

The item was continued to the May 5th PZC meeting for the public hearing.

During the May 5, 2010 PZC hearing, the petitioners made their presentation regarding the site layout, the building elevations, the height variation and the use variation. The Commission members raised several concerns at this meeting:

- The lack of design on the building did not equate to the density that was being requested,
- The aisles in the interior parking garage seem too narrow for seniors to maneuver vehicles,
- Congress Parkway is too busy to handle additional traffic from a residential use, and
- The building appears too tall and too massive.

All of the Commission members agreed that the use was appropriate for this location. **They made a motion to approve the use variation, which passed (6-0).** The Commission requested the petitioners to look at the height, massing and architectural details of the building and continued the Preliminary PUD request to the May 19, 2010 PZC meeting.

The petitioners shifted one wing of the building back, creating articulation in the building massing. They also installed planters which step up along the outside of the building, reducing the appearance of the height. The PZC was very happy the petitioner had worked so hard to address the Commission's concerns.

The Planning and Zoning Commission recommended **approval (5-0)** of the petitioner's requests for a Preliminary PUD with height variation and Use Variation to allow a senior independent living development with the following conditions:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
 - A. Application (Thomas Crystal Lake, LLC, received 04/13/10).
 - B. Site Plan (FitzGerald Associates Architects, dated 04/30/10, received 04/13/10)
 - C. Floor Plans (FitzGerald Associates Architects, dated 04/30/10, received 04/13/10).
 - D. Landscape Plan (FitzGerald Associates Architects, dated 04/13/10, received 04/13/10)
 - E. Building Elevations (FitzGerald Associates Architects, dated 04/13/10, received 04/13/10)
2. A complete landscape plan shall be submitted with the Final PUD submittal which illustrates the following:
 - A. The species, size and quantity of all selected plant types and a planting detail.
 - B. The plan shall provide for foundation base landscape around the buildings, parking lot landscape and perimeter landscape areas.
 - C. The petitioner shall provide a tree inventory, protection plan and removal calculations which meet Article 4-300 of the Unified Development Ordinance.

- D. The plan shall provide the required number of trees necessary to meet the tree replacement calculations.
- 3. Site Plan
 - A. Cross access agreements need to be provided for the parcels to the east and west along the front access drive.
 - B. Provide a sidewalk access to Congress Parkway.
- 4. The following Variation is hereby granted as part of the PUD:
 - A. A variation from Article 3 Section 3 Density and Dimensional Standards to allow a building at 56 feet 6 inches exceeding the maximum height of 28 feet, a variation of 28 feet 6 inches.
- 5. The petitioner shall address all of the review comments and requirements of the Engineering and Building, Fire Rescue, Police, Public Works, and Planning and Economic Development Departments.

Votes Required to Pass: A simple majority vote.

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ORDINANCE NO. _____

FILE NO. _____

AN ORDINANCE GRANTING A PRELIMINARY PLANNED UNIT DEVELOPMENT, USE VARIATION, AND HEIGHT VARIATION FOR CRYSTAL LAKE SENIOR HOUSING PROJECT

WHEREAS, pursuant to the terms of the Petition (File #2010-24) before the Crystal Lake Planning and Zoning Commission, the Petitioner has requested a Preliminary Planned Unit Development for a senior independent living development; and Use Variation from Article 2, Land Use of the Unified Development Ordinance, and height variation to allow a continuing care retirement community without nursing facilities (senior independent living development), in the "B-2PUD" zoning district; and

WHEREAS, the required hearings were held on the petition of the property owners in the manner and the form required by the Unified Development Ordinance of the City of Crystal Lake and the statutes of the State of Illinois; and

WHEREAS, it is in the best interests of the City of Crystal Lake that the Preliminary Planned Unit Development and Variations be granted as requested in said Petition,

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

SECTION I: That a Preliminary Planned Unit Development and height variation be granted to permit a senior independent living development; and Use Variation from Article 2, Land Use of the Unified Development Ordinance, to allow a continuing care retirement community without nursing facilities, in the "B-2PUD" zoning district for the property located east of Commonwealth Drive and south of Congress Parkway at 201-299 Congress Parkway, Crystal Lake, Illinois.

SECTION II: That the Preliminary Planned Unit Development be granted with the following conditions:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
 - A. Application (Thomas Crystal Lake, LLC, received 04/13/10).
 - B. Site Plan (FitzGerald Associates Architects, dated 04/30/10, received 04/13/10)
 - C. Floor Plans (FitzGerald Associates Architects, dated 04/30/10, received 04/13/10).
 - D. Landscape Plan (FitzGerald Associates Architects, dated 04/13/10, received 04/13/10)
 - E. Building Elevations (FitzGerald Associates Architects, dated 04/13/10, received 04/13/10)

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2. A complete landscape plan shall be submitted with the Final PUD submittal which illustrates the following:

- A. The species, size and quantity of all selected plant types and a planting detail.
- B. The plan shall provide for foundation base landscape around the buildings, parking lot landscape and perimeter landscape areas.
- C. The petitioner shall provide a tree inventory, protection plan and removal calculations which meet Article 4-300 of the Unified Development Ordinance.
- D. The plan shall provide the required number of trees necessary to meet the tree replacement calculations.

3. Site Plan

- A. Cross access agreements need to be provided for the parcels to the east and west along the front access drive.
- B. Provide a sidewalk access to Congress Parkway.

4. The following Variation is hereby granted as part of the PUD:

- A. A variation from Article 3 Section 3 Density and Dimensional Standards to allow a building at 56 feet 6 inches exceeding the maximum height of 28 feet, a variation of 28 feet 6 inches.

5. The petitioner shall address all of the review comments and requirements of the Engineering and Building, Fire Rescue, Police, Public Works, and Planning and Economic Development Departments.

SECTION III: That the City Clerk be and is hereby directed to amend the official zoning map of the City of Crystal Lake and all pertinent records of the City of Crystal Lake to show the granting of Variations in accordance with the provisions of this Ordinance, as provided by law.

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

DATED at Crystal Lake, Illinois, this _____ day of _____, _____.

MAYOR

ATTEST:

CITY CLERK

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



Agenda Item No: 16

**City Council
Agenda Supplement**

Meeting Date: June 1, 2010

Item: REPORT OF THE PLANNING & ZONING COMMISSION

#2010-33 Regional Sports Center

- 1) Final PUD Amendment to allow various events such as celebrations and gatherings at this location;
- 2) Special Use Permit Amendment for a previously granted SUP for commercial recreation to allow dog agility shows, soccer and lacrosse tournaments and associated vendors; and
- 3) Special Use Permit to allow off-street parking facilities in another zoning district not located in the same block.

Regional Sports Center, petitioner
1310 Ridgefield Road, Crystal Lake

PZC Recommendation: Motion to approve the Planning and Zoning Commission recommendation and approve an ordinance granting a Final PUD/SUP amendment and a SUP for the Regional Sports Center at 1310 Ridgefield Road.

Staff Contact: Michelle Rentzsch, Director of Planning and Economic Development

Background: The subject property was annexed to the City in 1989 as part of a larger tract of land. In 2002, the City Council granted a Final Planned Unit Development and Special Use Permit amendment to allow an outdoor soccer field and an approximately 64,500-square-foot building that would house indoor soccer fields along with a pro-shop, concessions area, restrooms, team locker rooms, and storage areas.

In 2009, the City responded to a complaint regarding parking in the Ridgefield Road right-of-way. Upon inspection, it was learned that dog agility competitions were being held at this location. Since dog shows were not approved as part of the original SUP ordinance and several shows were being proposed through the year, Regional Sports Center (RSC) was directed to seek a Temporary Use Permit (TUP). The City Council approved the TUP, but directed the applicant to seek a

permanent solution by amending their PUD/SUP to allow these shows. Accordingly, the petitioner has now applied for a Final PUD/SUP Amendment.

Through the PUD and SUP amendment, the petitioner is requesting that dog agility shows, soccer and lacrosse tournaments and associated vendors, as well as various events such as celebrations and gatherings, be permitted at this location. The applicant has not provided details of the proposed gatherings, but indicated that an example could be a celebration centered around the Soccer World Cup. It should be noted that the building is only partially sprinklered and an exception to the code was used to eliminate the sprinkler system over the sports fields. Since the exception was used for the sports area and the entire building is not sprinklered, it restricts the use of the building and where the vendors or the celebrations can be located.

The petitioner has been directed to contact McHenry County to obtain any necessary approvals from the County.

PZC Highlights

At the PZC meeting, the Commissioners expressed concern with patrons crossing Ridgefield Road to access the RSC and included conditions to address this concern.

The Planning and Zoning Commission recommended **approval (5-0)** of the petitioner's request with the following conditions of approval:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
 - A. Application, received 4-29-10
 - B. Location and Plat Map, received 4-29-10
 - C. Dog Agility Show Description and Schedule, received 4-29-10
2. The Special Use Permit Amendment to the previously granted SUP for commercial recreation will only allow dog agility shows, soccer and lacrosse tournaments and associated vendors in addition to the existing sports activities (soccer, T-ball, football, basketball, lacrosse, fencing and wrestling).
3. The Planned Unit Development Amendment will permit celebrations, gatherings and events, only as it meets the conditions of approval. This approval does not include approval of any future trade shows, garage sales, or other similar events, without first meeting all the departmental requirements including but not limited to sprinkler protection. Submit a space plan prior to each event showing the layout and indicating the use of each area, egress aisle width between tables/booths, etc.
4. The Special Use Permit to allow off-street parking facilities in another zoning district not located in the same block is for overflow parking only. This SUP only acknowledges the off-site location of overflow parking. It is the petitioner's responsibility to contact McHenry County to address any requirements.
5. The maximum occupant load for participants and spectators is limited to 300 occupants.
6. The current sprinkler protection does not cover the areas used for sporting events. Only sporting events can occur in those areas unless the sprinkler system is properly modified as required in NFPA 13, IFC 903.2.1.4. Vendors can only be located within the portion of

the building that has sprinkler protection or outside of the building. If tents are used, a TUP will be necessary.

7. Overflow parking along Ridgefield Road or Eiger Road is prohibited. McHenry County Division of Transportation (MCDOT) has jurisdiction on Ridgefield Road.
8. All drive aisles and fire lanes, not designated as parking stalls, must remain open and accessible to traffic. Maintain 24-foot drive aisles.
9. If on-site overflow parking arrangements are proposed for an event, they must be reviewed and approved by the City.
10. All off-site overflow parking arrangements must be reviewed and approved by MCDOT and/or McHenry County, per their Ordinances.
11. Any limited duration or temporary signs must meet the requirements of the UDO and may require a separate sign permit.
12. The petitioner shall address all of the review comments and requirements of the Engineering & Building, Fire Rescue, Police, Public Works, and Planning & Economic Development Departments.
13. **Approval of this request is subject to approval of the County regarding off-site parking. If the County does not approve the request, the petitioner shall come back before the City. (Added by PZC)**
14. **NO PARKING signs are to be posted along Ridgefield Road. (Added by PZC)**
15. **The petitioner shall provide a safe means to cross Ridgefield Road whether it is off-duty police officers or a valet parking service. (Added by PZC)**

Votes Required to Pass: A simple majority vote.

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ORDINANCE NO. _____

FILE NO. _____

AN ORDINANCE GRANTING AN AMENDMENT TO THE FINAL PUD AND SPECIAL USE PERMITS FOR 1310 RIDGEFIELD ROAD

WHEREAS, pursuant to the terms of the Petition (File #2010-33) before the Crystal Lake Planning and Zoning Commission, the Petitioner has requested for a Final Planned Unit Development Amendment to allow various events such as celebrations and gatherings at this location; a Special Use Permit Amendment for a previously granted SUP for commercial recreation to allow dog agility shows, soccer and lacrosse tournaments and associated vendors; and a Special Use Permit to allow off-street parking facilities in another zoning district not located in the same block; and

WHEREAS, the required hearings were held on the petition of the property owners in the manner and the form required by the Unified Development Ordinance of the City of Crystal Lake and the statutes of the State of Illinois; and

WHEREAS, it is in the best interests of the City of Crystal Lake that the Amendment to the Final Planned Unit Development and Special Use Permits be granted as requested in said Petition,

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

SECTION I: That a Final Planned Unit Development Amendment to allow various events such as celebrations and gatherings at this location; a Special Use Permit Amendment for a previously granted SUP for commercial recreation to allow dog agility shows, soccer and lacrosse tournaments and associated vendors; and a Special Use Permit to allow off-street parking facilities in another zoning district not located in the same block be granted for the property located at 1310 Ridgefield Road, Crystal Lake, Illinois.

SECTION II: That the Amendment to the Final Planned Unit Development and Special Use Permits be granted with the following conditions:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
 - A. Application, received 4-29-10
 - B. Location and Plat Map, received 4-29-10
 - C. Dog Agility Show Description and Schedule, received 4-29-10
2. The Special Use Permit Amendment to the previously granted SUP for commercial recreation will only allow dog agility shows, soccer and lacrosse tournaments and associated vendors in

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addition to the existing sports activities (soccer, T-ball, football, basketball, lacrosse, fencing and wrestling).

3. The Planned Unit Development Amendment will permit celebrations, gatherings and events, only as it meets the conditions of approval. This approval does not include approval of any future trade shows, garage sales, or other similar events, without first meeting all the departmental requirements including but not limited to sprinkler protection. Submit a space plan prior to each event showing the layout and indicating the use of each area, egress aisle width between tables/booths, etc.
4. The Special Use Permit to allow off-street parking facilities in another zoning district not located in the same block is for overflow parking only. This SUP only acknowledges the off-site location of overflow parking. It is the petitioner's responsibility to contact McHenry County to address any requirements.
5. The maximum occupant load for participants and spectators is limited to 300 occupants.
6. The current sprinkler protection does not cover the areas used for sporting events. Only sporting events can occur in those areas unless the sprinkler system is properly modified as required in NFPA 13, IFC 903.2.1.4. Vendors can only be located within the portion of the building that has sprinkler protection or outside of the building. If tents are used, a TUP will be necessary.
7. Overflow parking along Ridgefield Road or Eiger Road is prohibited. McHenry County Division of Transportation (MCDOT) has jurisdiction on Ridgefield Road.
8. All drive aisles and fire lanes, not designated as parking stalls, must remain open and accessible to traffic. Maintain 24-foot drive aisles.
9. If on-site overflow parking arrangements are proposed for an event, they must be reviewed and approved by the City.
10. All off-site overflow parking arrangements must be reviewed and approved by MCDOT and/or McHenry County, per their Ordinances.
11. Any limited duration or temporary signs must meet the requirements of the UDO and may require a separate sign permit.
12. The petitioner shall address all of the review comments and requirements of the Engineering & Building, Fire Rescue, Police, Public Works, and Planning & Economic Development Departments.

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13. Approval of this request is subject to approval of the County regarding off-site parking. If the County does not approve the request, the petitioner shall come back before the City.

14. NO PARKING signs are to be posted along Ridgefield Road.

15. The petitioner shall provide a safe means to cross Ridgefield Road whether it is off-duty police officers or a valet parking service.

SECTION III: That the City Clerk be and is hereby directed to amend the official zoning map of the City of Crystal Lake and all pertinent records of the City of Crystal Lake to show the granting of Variations in accordance with the provisions of this Ordinance, as provided by law.

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

DATED at Crystal Lake, Illinois, this _____ day of _____, _____.

MAYOR

ATTEST:

CITY CLERK

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



Agenda Item No: 17

**City Council
Agenda Supplement**

Meeting Date:

June 1, 2010

Item:

REPORT OF THE PLANNING & ZONING COMMISSION

#2010-21 Gramme/Topps

ANNEXATION PUBLIC HEARING

CITY CODE VARIATION REQUEST

- 1) Variation from Section 515-50 of the City Code to allow a new private well to be constructed in the City.
- 2) Variation from Section 630-6H of the City Code to allow a new septic system in the Crystal Lake Watershed.

ZONING REQUEST

- 1) Rezoning upon annexation to the "W" Watershed District.
- 2) Minor Subdivision to create one additional one-acre lot.
- 3) A deferral until an area-wide program is hereby granted for the following UDO requirements:
 - A. From the requirement to install sidewalks.
 - B. From the requirement for street lighting
 - C. From the requirement to bury aerial utilities.

Heidi Gramme and Anthony Topps, petitioners
8307 Ridgefield Road, Crystal Lake

Recommendation:

- 1) Motion to adopt ordinances authorizing the annexation of the parcel totaling 3.49 acres and the execution of the annexation agreement.
- 2) Motion to approve the Planning and Zoning Commission recommendations and to adopt an ordinance approving the rezoning upon annexation and minor subdivision and deferrals to create one additional lot for the 3.49 acres located at 8307 Ridgefield Road.
- 3) Motion to approve variations to Sections 515-50 and 630-6H of the City Code and allow a new private well and a new septic system.

Staff Contact:

Michelle Rentzsch, Director of Planning & Economic Development

Background: The property in question is approximately 3.49 acres in area, located on Ridgefield Road, just south of Tartan Drive. The property is surrounded by the McHenry County College property on three sides. It is located in unincorporated McHenry County and zoned "A-1" under the County's Zoning Ordinance. Currently, the property is improved with a two-story residence, a number of accessory structures (including a garage, an outbuilding and several sheds) and an in-ground swimming pool.

The petitioner is requesting rezoning upon annexation to the "W" Watershed district and minor subdivision approval to create one additional lot. It is their intent to build a single-family residence on that lot.

There is no sanitary sewer or water service available to this site. The existing water main is located approximately one mile from this property and there is no sanitary sewer in the vicinity of this site. Variations must be granted by the City Council to allow a new well and a septic field to service the proposed home.

Minor Subdivision:

The Minor Subdivision process was introduced through the Unified Development Ordinance specifically for subdivisions creating ten lots or less that do not require any public improvements (except installation of sidewalks, underground placement of public utilities and street trees), such as construction of new roads. The petitioner is requesting a deferral from the requirement to install sidewalk along Ridgefield Road, the requirement to bury aerial utilities as well as to install street lighting. There are no sidewalks or street lighting along Ridgefield Road at this time. It appears that there are several trees along Ridgefield Road that would satisfy the requirement for parkway trees.

PZC Highlights

The Planning and Zoning Commission had little discussion and no concerns regarding this request.

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

- 1) Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
 - A. Petition for Initial Zoning (received 4-1-10)
 - B. Application (Gramme, received 4-1-10)
 - C. Plat of Annexation, Plat of Survey, Final Plat of Minor Subdivision (Luco, received 4-19-10)
- 2) The requirements of the *Crystal Lake Watershed Stormwater Management Design Manual* shall apply to any future development in this subdivision.

- 3) Lots 1 and 2 shall be subject to the density and dimensional standards of the "E" Estate Residential district.
- 4) Work with City Staff to determine individual impervious coverage limits for each lot and include as plat restrictions on the Final Plat of Subdivision.
- 5) Include plat restrictions for pollutant source control measures that minimize the opportunity for pollutants to reach the lake, including but not limited to: fertilizer management (no phosphorous used), herbicide/pesticide management (minimize use), and no bulk chemical storage.
- 6) An access permit from the McHenry County Division of Transportation is required for any new driveway to Ridgefield Road from Lot 2.
- 7) Provide an easement along the outside of the existing or proposed right-of-way for Ridgefield Road for the purpose of future pedestrian/bicycle facilities along this arterial route.
- 8) Final Plat of Minor Subdivision:
 - A. The Plat shall meet all the requirements of Article 5-200 G 3 b, including but not limited to, names of owners and certification by licensed surveyor; exact location, width and name of all streets and dedication status; purpose of easements; building setback lines; school districts in which each lot is located; certification indicating all taxes and assessments are paid in full; and proper form for City Council and PZC approval.
 - B. Include a signature block for the County Engineer's signature.
- 9) A deferral until an area-wide program is hereby granted for the following UDO requirements:
 - A. From the requirement to install sidewalks.
 - B. From the requirement for street lighting
 - C. From the requirement to bury aerial utilities.
- 10) The petitioner shall address all the comments of the Engineering and Building Division, Fire Rescue, Police, Public Works and the Planning and Economic Development Departments.

The attached annexation agreement has been reviewed by an attorney and City staff and is in an acceptable format.

Votes Required to Pass: A super majority of 5 votes is needed to approve the annexation agreement. A simple majority vote is required to approve the other requests.

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ORDINANCE NO. _____
FILE NO. _____

**AN ORDINANCE ANNEXING CERTAIN TERRITORY TO
THE CITY OF CRYSTAL LAKE, McHENRY COUNTY, ILLINOIS**

WHEREAS, a written Petition, signed by all of the legal owners and all of the electors of record of all land within the territory hereinafter described, has been filed with the City Clerk of the City of Crystal Lake, McHenry County, Illinois, requesting that said territory be annexed to the City of Crystal Lake; and

WHEREAS, the said territory is not within the corporate limits of any municipality but is contiguous to the City of Crystal Lake; and

WHEREAS, said territory is not part of any public library district; and

WHEREAS, legal notices regarding the intention of the City to annex said territory have been sent to all public bodies required to receive such notice by State statute; and

WHEREAS, HEIDI GRAMMES AND ANTHONY TOPPS, have entered into a valid and binding Annexation Agreement relating to said territory; and

WHEREAS, all Petitions, documents and other necessary legal requirements are in full compliance with the requirements of said Annexation Agreement and with the Statutes of the State of Illinois, specifically 65 ILCS 5/7-1-8; and

WHEREAS, it is in the best interests of the City of Crystal Lake that said territory be annexed thereto.

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

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SECTION I: That the following described territory:

A parcel of land in the South half of the Northeast Quarter of Section 25, Township 44 North, Range 7 East of the Third Principal Meridian, described as follows: Commencing on the East line of the Northeast Quarter at a point 271.3 feet North from the East Quarter corner of said Section 25; thence Westerly on a line forming an angle of 95 degrees 42 minutes to the left, with a prolongation of the last described line, for a distance of 492.3 feet to an intersection with the centerline of the County Highway, as now constructed; thence Northwesterly along the centerline of said highway, being on a line forming an angle of 65 degrees 28 minutes to the right, with a prolongation of the last described line, a distance of 793.07 feet to a point for a point of beginning; thence Southwesterly at right angles to the last described line, for a distance of 465 feet; thence northwesterly at right angles to the last described line, 330 feet; thence Northeasterly at right angles to the last described line, for a distance of 446.95 feet to an intersection with the center line of the aforesaid highway; thence Southeasterly along the center line of said highway; being on a curved line to the right, (radius of 2387.50 feet) for a distance of 293.75 feet to the point of tangent; thence Southeasterly along the centerline of said highway, being on a line tangent to said curve, for a distance of 36.95 feet to the point of beginning, in McHenry County, Illinois.

be and the same is hereby annexed to the City of Crystal Lake, McHenry County, Illinois.

SECTION II: That the City Clerk of the City of Crystal Lake is hereby directed to record in the Office of the Recorder of Deeds of McHenry County, Illinois, being the County in which the aforesaid annexed territory is situated, a certified copy of this Ordinance together with an accurate map of the territory hereby annexed, said map being attached hereto and made a part hereof and labeled Exhibit "I".

SECTION III: That this Ordinance shall be in full force and effect from the after its passage and approval, and when a certified copy thereof, together with an accurate map is recorded in the Office of the Recorder of Deeds of McHenry County, Illinois, and filed in the Office of the County Clerk of McHenry County, Illinois; and thereupon said territory shall be subject to the jurisdiction of the City of Crystal Lake.

AYES:

NAYS:

ABSENT:

DRAFT

PASSED this ____ day of _____, 20__.

APPROVED by me this ____ day of _____, 20__.

MAYOR

ATTEST:

CITY CLERK

DRAFT

ORDINANCE NO. _____
FILE NO. _____

**AN ORDINANCE AUTHORIZING THE EXECUTION
OF AN ANNEXATION AGREEMENT**

WHEREAS, it is in the best interests of the City of Crystal Lake, McHenry County, Illinois, that a certain Annexation Agreement, a copy of which is attached hereto and incorporated herein, be entered into; and

WHEREAS, HEIDI GRAMME AND ANTHONY TOPPS, Owners, are ready, willing and able to enter into said Agreement and to perform the obligations as required thereunder; and

WHEREAS, the statutory procedures provided in Division 15.1 of Article 11 of the Illinois Municipal Code, as amended, for the execution of said Annexation Agreement have been fully complied with.

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

SECTION I: That the Mayor be and he is hereby authorized and directed to execute, and the City Clerk is directed to attest, the Annexation Agreement, a copy of which is attached hereto and made a part hereof.

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

AYES:

NAYS:

DRAFT

ABSENT:

PASSED this ____ day of _____, 20__.

APPROVED by me this ____ day of _____, 20__.

MAYOR

ATTEST:

CITY CLERK

DRAFT

ORDINANCE NO. _____
FILE NO. _____

**AN ORDINANCE ZONING CERTAIN PROPERTY
“W” WATERSHED ZONING DISTRICT, MINOR SUBDIVISION,
AND DEFERRALS**

WHEREAS, certain territory is the subject of a certain Annexation Agreement; and

WHEREAS, said territory has been duly annexed by ordinance to the City of Crystal Lake;

and

WHEREAS, by the terms of said Annexation Agreement, said territory is to be zoned “W”

Watershed zoning district; and

WHEREAS, it is in the best interests of the City of Crystal Lake that the property legally described hereinbelow be classified and zoned as indicated.

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

SECTION I: That the following described property be and the same is hereby zoned and classified “W” Watershed zoning district:

A parcel of land in the South half of the Northeast Quarter of Section 25, Township 44 North, Range 7 East of the Third Principal Meridian, described as follows: Commencing on the East line of the Northeast Quarter at a point 271.3 feet North from the East Quarter corner of said Section 25; thence Westerly on a line forming an angle of 95 degrees 42 minutes to the left, with a prolongation of the last described line, for a distance of 492.3 feet to an intersection with the centerline of the County Highway, as now constructed; thence Northwesterly along the centerline of said highway, being on a line forming an angle of 65 degrees 28 minutes to the right, with a prolongation of the last described line, a distance of 793.07 feet to a point for a point of beginning; thence Southwesterly at right angles to the last described line, for a distance of 465 feet; thence northwesterly at right angles to the last described line,

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330 feet; thence Northeasterly at right angles to the last described line, for a distance of 446.95 feet to an intersection with the center line of the aforesaid highway; thence Southeasterly along the center line of said highway; being on a curved line to the right, (radius of 2387.50 feet) for a distance of 293.75 feet to the point of tangent; thence Southeasterly along the centerline of said highway, being on a line tangent to said curve, for a distance of 36.95 feet to the point of beginning, in McHenry County, Illinois.

That the City agrees to grant a Minor Subdivision and deferrals with the following conditions:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
 - A. Petition for Initial Zoning (received 4-1-10)
 - B. Application (Gramme, received 4-1-10)
 - C. Plat of Annexation, Plat of Survey, Final Plat of Minor Subdivision (Luco, received 4-19-10)
2. The requirements of the *Crystal Lake Watershed Stormwater Management Design Manual* shall apply to any future development in this subdivision.
3. Lots 1 and 2 shall be subject to the density and dimensional standards of the "E" Estate Residential district.
4. Work with City Staff to determine individual impervious coverage limits for each lot and include as plat restrictions on the Final Plat of Subdivision.
5. Include plat restrictions for pollutant source control measures that minimize the opportunity for pollutants to reach the lake, including but not limited to: fertilizer management (no phosphorous used), herbicide/pesticide management (minimize use), and no bulk chemical storage.
6. An access permit from the McHenry County Division of Transportation is required for any new driveway to Ridgefield Road from Lot 2.
7. Provide an easement along the outside of the existing or proposed right-of-way for Ridgefield Road for the purpose of future pedestrian/bicycle facilities along this arterial route.
8. Final Plat of Minor Subdivision:
 - A. The Plat shall meet all the requirements of Article 5-200 G 3 b, including but not limited to, names of owners and certification by licensed surveyor; exact location, width and name of all streets and dedication status; purpose of easements; building setback lines; school districts in which each lot is located; certification indicating all taxes and assessments are paid in full; and proper form for City Council and PZC approval.

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B. Include a signature block for the County Engineer's signature.

9. A deferral until an area wide program is hereby granted for the following UDO requirements:

- A. From the requirement to install sidewalks.
- B. From the requirement for street lighting
- C. From the requirement to bury aerial utilities.

10. The petitioner shall address all the comments of the Engineering and Building Division, Fire Rescue, Police, Public Works and the Planning and Economic Development Departments.

SECTION II: That the City Clerk be and he is hereby directed to amend the official zoning map of the City of Crystal Lake and all pertinent records of the City of Crystal Lake to show the zoning and classification of the above-described property in accordance with the provisions of this Ordinance, as provided by law.

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

AYES:

NAYS:

ABSENT:

PASSED this ____ day of _____, 20__.

APPROVED by me this ____ day of _____, 20__.

MAYOR

ATTEST:

CITY CLERK



Agenda Item No: 18

**City Council
Agenda Supplement**

Meeting Date: June 1, 2010

Item: REPORT OF THE PLANNING & ZONING COMMISSION

#2010-26 Crystal Creek

- 1) Rezoning from B-1 to B-2 PUD.
- 2) Final PUD/Final Plat of Subdivision for a townhome development.

Lexington Homes, petitioner
NWC Randall and Miller Roads

PZC Recommendation*: Motion to approve the Planning and Zoning Commission recommendations and to adopt an ordinance for rezoning, Final PUD and Final Plat of Subdivision for the Crystal Creek townhome development.

Staff Contact: Michelle Rentzsch, Director of Planning and Economic Development

Background: In August of 1987, the City Council approved the Annexation and Preliminary Planned Unit Development for the entire Villages Residential and Commercial Development, which included the subject property. The Annexation Agreement was amended and extended twice since the original Annexation, first in 1997 and then again in 2002, and authorized the development of the property for commercial uses, even though it is classified on the Zoning Map as "R-1" Single-family. In 2004, a shopping center developer presented a retail project for preliminary zoning approval. Based on the objections of the neighbors, concerns of the PZC members and the onerous requirements of the McHenry County Highway Department, the petitioner never proceeded with that project. In 2009, the property owner was granted a rezoning to R-3bPUD and B-1PUD and preliminary PUD approval for a townhome development.

Currently, the property owner is seeking Final PUD/Final Plat approval. In addition, a request to rezone to the B-2 PUD district has been filed, to have access to additional uses, with the understanding that some land uses may be restricted via the PUD. **The petitioner has addressed the vast majority of the conditions from the Preliminary PUD review with very well prepared Final PUD submittals. Whatever minimal comments remain have been incorporated into the recommended Final PUD conditions.**

PZC Highlights

The PZC mainly discussed that they would like the petitioner to work with staff to present a modified list of B-2 uses at the City Council meeting. They agreed that B-1 was rather limiting but didn't like the full range of uses that are permitted in B-2. The modified list is attached to this supplement.

As this is a Final PUD request, the determination is whether the petitioner has met the conditions of the Preliminary PUD approval. The PZC's consideration went outside of this discussion, and focused on matters that had been brought up at the Preliminary PUD review. Ultimately, their vote reflected the concerns they had with this project from Preliminary and not if the petitioner has satisfied the Preliminary PUD conditions.

*The Planning and Zoning Commission recommended approval, but the vote **did not pass (with a 2-3 vote)** of the petitioner's request with the following conditions:

Miller Road and Randall Road with the following conditions:

1. Approved plans, reflecting PZC recommendations, as approved by the City Council:
 - A. Application (Lexington, received 4/9/10)
 - B. Engineering plans (Pearson Brown, dated 2/8/10)
 - C. Final Plat of Subdivision (TFW, dated 3/30/10)
 - D. Site plan (BSB, dated 3/15/10)
 - E. Architectural elevations and floor plans (BSB, dated 9/3/09)
 - F. Landscape plan (Puglsey & LaHaie, dated 3/12/10)
2. The following uses are not permitted in this Planned Unit Development: liquor stores and bars.
3. General
 - A. While the berm has been moved to the west, a portion still remains within the ROW. Per McDOT requirements, all of the berm must be located outside of the ROW.
 - B. All necessary permits and approvals must be received from ACOE, Illinois Department of Natural Resources and McHenry County prior to permit issuance. Approval of the Plat of Subdivision from the McHenry County Division of Transportation per their ordinances.
 - C. Access improvements – left turn lane striping along Miller Road needs to be provided per the Traffic Impact Study.
 - D. All comments outlined in the Stormwater Review dated 4/28/10 must be addressed. A formal wetland submittal should be included during the permit review.
4. The petitioner shall address all of the review comments and requirements of the Engineering & Building, Fire Rescue, Police, Public Works, and Planning & Economic Development Departments, as well as the recommendations contained within the traffic study by Gewalt Hamilton and the stormwater review by Christopher Burke.
5. Work with staff on a list of allowable uses in the "B-2" zoning district for this development. (Added by PZC)

Votes Required to Pass: A simple majority vote.

ORDINANCE NO. _____
FILE NO. _____

AN ORDINANCE GRANTING REZONING, A FINAL PLANNED UNIT
DEVELOPMENT, FINAL PLAT OF SUBDIVISION
FOR CRYSTAL CREEK

WHEREAS, pursuant to the terms of the Petition (File #2010-26) before the Crystal Lake Planning and Zoning Commission, the Petitioner has requested Rezoning from B-1 to B-2 PUD, a Final PUD and Final Plat of Subdivision for a townhome development; and

WHEREAS, the required hearings were held on the petition of the property owners in the manner and the form required by the Unified Development Ordinance of the City of Crystal Lake and the statutes of the State of Illinois; and

WHEREAS, it is in the best interests of the City of Crystal Lake that the Rezoning, Final Planned Unit Development, and Final Plat of Subdivision be granted as requested in said Petition,

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

SECTION I: That Rezoning from B-1 to B-2 PUD with the property legally described below, a Final PUD and Final Plat of Subdivision for a townhome development for the entire property located at the Northwest corner of Miller and Randall Roads, Crystal Lake, Illinois:

Northern Parcels (Lots 22 & 23 on Final Plat)

That part of the Northeast Quarter of Section 19, Township 43 North, Range 8 East of the Third Principal Meridian bounded and described as follows: Beginning at the intersection of the southerly right of way line of Village Road as dedicated by the Villages Unit 1, recorded March 9, 1989, as Document Number 89R006867 and the Westerly right of way line of Randall Road, recorded as Document Number 526645; thence South 00 degrees 04 minutes 59 seconds East, along said last described West right of way line of Randall Road, 195.42 feet; thence South 89 degrees 55 minutes 01 seconds West, being perpendicular to said last described West line, 234.83 feet; thence North 00 degrees 00 minutes 00 seconds East, 193.51 feet to an intersection with the South right of way line of Village Road aforesaid, also being a point of curvature; thence Easterly along said last described South line, being a non-tangent curved line, concave South having a radius of 432.96 feet, an arc length of 40.61 feet (the chord to said curved line bears North 87 degrees 13 minutes 47 seconds East, 40.60 feet); thence North 89 degrees 55 minutes 01 seconds East, continuing along said South right of way line, 194.00 feet to the point of beginning, in McHenry County, Illinois.

Southern Parcels (Lots 24 & 25 on Final Plat)

That part of the Northeast Quarter of Section 19, Township 43 North, Range 8 East of the Third

Principal Meridian bounded and described as follows: Beginning at the intersection of the Southerly right of way line of Village Road as dedicated by the Villages Unit 1, recorded March 9, 1989, as Document Number 89R006867 and the Westerly right of way line of Randall Road, recorded as Document Number 526645; thence South 00 degrees 04 minutes 59 seconds East, along said last described West right of way line of Randall Road 1148.02 feet to the point of beginning; thence South 00 degrees 04 minutes 59 seconds East, continuing along said West line of Randall Road, 136.61 feet; thence South 89 degrees 55 minutes 01 seconds West, being perpendicular to said last described West line, 268.46 feet; thence North 00 degrees 04 minutes 59 seconds West, along a line being parallel with said West line of Randall Road, 66.28 feet; thence North 37 degrees 07 minutes 48 seconds West, 38.81 feet; thence North 52 degrees 52 minutes 12 seconds East, 21.35 feet to a point of curvature; thence Northeasterly along a curved line, concave Northwest, having a radius of 180.00 feet, an arc length of 38.75 feet (the chord to said curved line bears North 46 degrees 42 minutes 10 seconds East, 38.68 feet); thence North 89 degrees 55 minutes 01 seconds East, along a line being perpendicular with the aforementioned West line of Randall Road, 246.61 feet to the point of beginning, in McHenry County, Illinois.

SECTION II: That the Rezoning from B-1 to B-2 PUD, a Final PUD and Final Plat of Subdivision for a townhome development be granted with the following conditions:

1. Approved plans, reflecting PZC recommendations, as approved by the City Council:
 - A. Application (Lexington, received 4/9/10)
 - B. Engineering plans (Pearson Brown, dated 2/8/10)
 - C. Final Plat of Subdivision (TFW, dated 3/30/10)
 - D. Site plan (BSB, dated 3/15/10)
 - E. Architectural elevations and floor plans (BSB, dated 9/3/09)
 - F. Landscape plan (Puglsey & LaHaie, dated 3/12/10)
2. The following uses are not permitted in this Planned Unit Development: liquor stores and bars.
3. General
 - A. While the berm has been moved to the west, a portion still remains within the ROW. Per McDOT requirements, all of the berm must be located outside of the ROW.
 - B. All necessary permits and approvals must be received from ACOE, Illinois Department of Natural Resources and McHenry County prior to permit issuance. Approval of the Plat of Subdivision from the McHenry County Division of Transportation per their ordinances.
 - C. Access improvements – left turn lane striping along Miller Road needs to be provided per the Traffic Impact Study.
 - D. All comments outlined in the Stormwater Review dated 4/28/10 must be addressed. A formal wetland submittal should be included during the permit review.
4. The petitioner shall address all of the review comments and requirements of the Engineering & Building, Fire Rescue, Police, Public Works, and Planning & Economic Development

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Departments, as well as the recommendations contained within the traffic study by Gewalt Hamilton and the stormwater review by Christopher Burke.

5. Work with staff on a list of allowable uses in the "B-2" zoning district for this development.

SECTION III: That the City Clerk be and is hereby directed to amend the official zoning map of the City of Crystal Lake and all pertinent records of the City of Crystal Lake to show the granting of Variations in accordance with the provisions of this Ordinance, as provided by law.

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

DATED at Crystal Lake, Illinois, this _____ day of _____, _____.

MAYOR

ATTEST:

CITY CLERK

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



Agenda Item No: 19

**City Council
Agenda Supplement**

Meeting Date:

June 1, 2010

Item:

Watercraft and Accessories

Staff Recommendation:

Motion awarding the bid for watercraft and accessories and adopting a resolution authorizing the City Manager to execute a contract with the lowest responsive and responsible bidder, C. Haling & Son, for watercraft and accessories in the amount of \$70,665.06.

Staff Contact:

Eric T. Helm, Deputy City Manager

Background:

On Tuesday, April 20, 2010, the City of Crystal Lake publicly opened and read aloud the bids received for watercraft and accessories for the Three Oaks Recreation Area. The watercraft and equipment will be used for the rental fleet at the north lake marina and south lake marina. In order to identify the marina needs of future patrons, City Staff consulted with the Crystal Lake Anglers group regarding the specifications. In addition, the president of the Crystal Lake Anglers viewed the boats during a demo of the equipment.

The specifications are summarized below:

1. Ten (10) 12' row boats with a load capacity of 680 lbs.
2. Eighteen (18) 14' row boats with a load capacity of 950 lbs.
3. Boat accessories including decals, oars, anchors and rope.
4. Transom mounted 12-volt trolling motor with 55 lbs. of thrust.
5. Fish locator / depth finder.
6. Life jackets for adults, youth, children and infants.
7. Provide labor to install circuit breakers to marine batteries and install "quick connects" for easy connection and disconnection of batteries.
8. All delivery and installation costs.

Below is a breakdown of the bids received:

	√ C Haling & Sons Antioch, IL	Fox Lake Harbor Fox Lake, IL	Hustler Sports McHenry, IL	Basa's Marine Bolingbrook, IL	Cabela's Hoffman Estate, IL
Boat Brand	Mirrocraft	Lund	Mirrocraft	Lund	Alumacraft
(Ten) 12' boat	\$11,000.00	\$12,800.00	\$13,533.41	\$16,350.00	\$16,400.00
(Eighteen) 14' boat	\$25,884.00	\$34,596.00	\$37,247.29	\$35,910.00	\$35,820.00
30 Trolling Motors	\$7,521.00	\$6,795.00	\$7,636.59	\$7,409.70	\$6,900.00
Oars	\$860.38	\$736.96	\$2,311.81	\$2,175.68	\$2,240.00
Cleats / Eye Hole	\$770.56	\$598.08	\$412.42	\$1,231.44	\$840.00
Circuit breaker	\$1,150.00	Included	Included	Included	Included
Oar Locks	\$450.80	\$413.84	\$552.75	\$316.40	\$839.44
Battery	\$6,746.25	\$5,443.50	\$7,319.12	\$11,250.00	\$6,450.00
Battery Box	\$337.50	\$178.94	\$355.55	\$551.54	\$1,058.00
Boat Decals	\$1,610.00	\$1,008.00	\$4,480.00	\$1,680.00	\$336.00
Labor for boat modifications	\$6,383.44	\$8,512.00	\$4,200.00	\$2,800.00	\$22,026.35
15 Fish Locators	\$1,853.34	\$1,587.75	\$1,896.00	\$1,799.85	\$1,799.85
Anchor/Line	\$1,300.03	\$1,020.04	\$1,851.96	\$3,270.40	\$1,567.16
Dock Line	\$501.67	\$200.48	\$213.46	\$372.40	\$671.44
Boating Whistle	\$43.68	\$28.00	\$41.18	\$66.92	\$47.32
Life Jacket / Unv.	\$770.40	\$588.00	\$625.41	\$719.60	\$599.60
Life Jacket / XL	\$288.90	\$220.50	\$234.53	\$359.85	\$224.85
Life Jacket / Yth.	\$361.44	\$352.80	\$375.25	\$359.76	\$359.76
Life Jacket/Child	\$126.50	\$147.00	\$156.35	\$129.90	\$199.90
Life Jacket / Infnt.	\$139.10	\$147.00	\$156.35	\$159.90	\$199.90
Cushion	\$566.07	\$472.64	\$444.71	\$783.44	\$559.44
Delivery	\$2,000.00	\$1,400.00	\$4,117.65	\$9,800.00	\$5,684.00
	\$70,665.06	\$77,246.53	\$88,161.79	\$97,496.78	\$104,823.01

√ - Indicates lowest responsive and responsible bidder

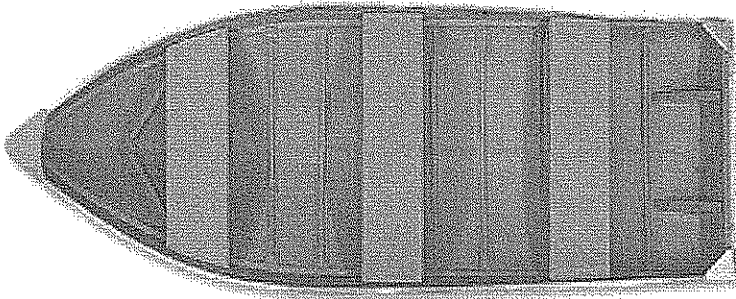
Recommendation:

The City Manager's Office has reviewed all bids received for completeness and accuracy in accordance with the Invitation to Bid document and has checked references. C. Haling & Sons has sold boats to the Lake County Forest Preserve, for Independence Grove, and various other Lake County rental outfitters. Watercraft and equipment purchases are budgeted in the FY 2010/2011 Three Oaks Recreation Area Capital Fund budget. Funding is provided from Series 2009 bond proceeds. It is staff's recommendation to award the contract for watercraft and accessories to C. Haling & Sons, in the total bid amount of \$70,665.06. The major equipment items are depicted on the following pages of this supplement.

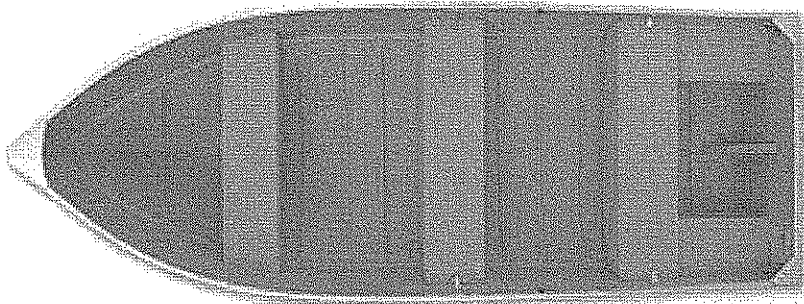
12' and 14' Row Boats – Mirrocraft Brand

Mirrocraft has the following company introduction on its website:

“Mirro Aluminum Company of Manitowoc, Wisconsin first began production of aluminum boats in 1956. Marketed under the name of MirroCraft, the original line offered a series of quality boats for recreational fishing and pleasure. Gradually, as demand grew, the boat line was expanded to include boats from 10-19 feet in length with varying inside configurations and features. The MirroCraft name has become and continues to be synonymous with boat innovation, safety and quality.”



4602
12 Ft. Resorter

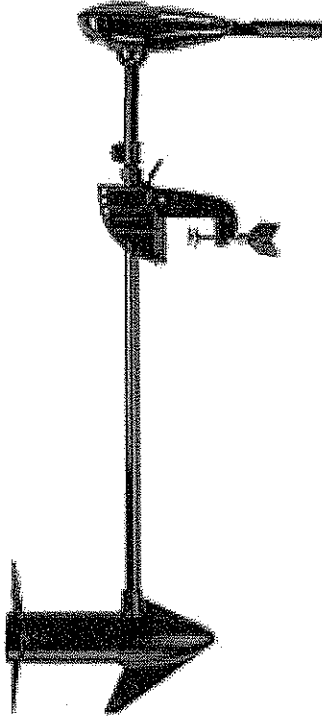


4650
14 Ft. Deep Fisherman

	4650	4602
Length	14' 2"	12' 2"
Beam	64"	58"
Transom Height	20"	15"
BIA Capacity/Persons	950#/5	680#/3
Approx. Weight	195#	145#

Trolling Motors – Minnkota Brand / Endura Model

The Minnkota Endura is a trolling motor that will be mounted to the transom (back) of each boat. Due to the heavy wind and wave action on the lake, the City specified a trolling motor with 55 lbs. of thrust. This amount of thrust is at the upper end of the power level for a 12 volt trolling motor system.



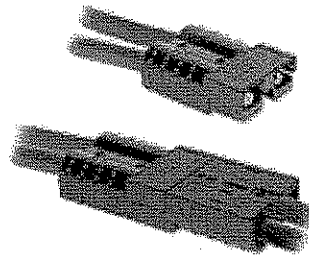
Batteries and Connections – Deka Brand Battery / Minnkota Brand Connectors

The City is purchasing batteries that will give patrons about 2 hours of non-stop propulsion per battery. Patrons will have the option to rent a second battery, which could be connected to the trolling motor through a “quick connect”. This will allow the patrons to safely change batteries without having to touch the battery. Circuit breakers will also be tied to each battery to prevent damage to the motor. All batteries will be completely enclosed within a battery box, per State boating regulations.

27 Group Battery – 12 Volt



Quick Connect: Connects battery to trolling motor.



Fish Locator – Hummingbird Brand / Fishin’ Buddy 110 Model

The City is purchasing fish locators / depth finders that will be available to patrons for a rental fee. The “Fishin’ Buddy 110” is a basic fish location/depth finder model and utilizes AA batteries. It can be secured to the transom or side of the boat with a clamp.



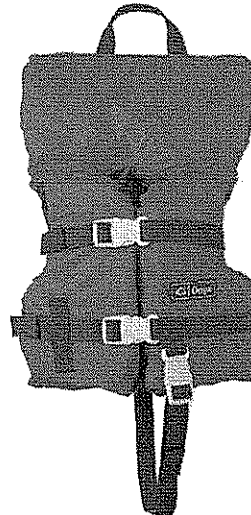
Life Vests – Onyx Brand

The City will be purchasing life vests for every age population that will utilize the marina: adults, youth (50-90 lbs), children (30-50 lbs) and infants (less than 30 lbs). Two vests, the adult and infant vest, are depicted below. The life vests are U.S. Coast Guard Approved and UL Listed for general boating.

Adult – One Size Fits All



Infant



Votes Required to Pass:

Simple majority vote of the City Council.



DRAFT

RESOLUTION

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE that the City Manager be and he is hereby authorized and directed to execute a contract for watercraft and accessories between the City of Crystal Lake and C. Haling & Sons in the amount of \$70,665.06.

DATED this 1st day of June, 2010

CITY OF CRYSTAL LAKE, an
Illinois municipal corporation,

By: _____
MAYOR

SEAL

ATTEST

CITY CLERK

PASSED:
APPROVED:



Agenda Item No: 20

**City Council
Agenda Supplement**

Meeting Date: June 1, 2010

Item: Canoes and Kayaks

Staff Recommendation: A motion awarding the bid for canoes and kayaks and adopting a resolution authorizing the City Manager to execute a contract with the lowest responsive and responsible bidder, Offshore Marina, for Canoes and Kayaks in the amount of \$17,372.

Staff Contact: Eric T. Helm, Deputy City Manager

Background:

On Tuesday, May 6, 2010, the City of Crystal Lake publicly opened and read aloud the bids received for canoes and kayaks for the Three Oaks Recreation Area. The canoes and kayaks will be used for the rental fleet at the facility's north lake marina and south lake marina. In order to identify the needs of future patrons, City Staff consulted with similar rental facilities in northern Illinois and numerous manufacturers. The specifications are summarized below:

1. Twelve (12) canoes with a load capacity of 1100 lbs.
2. Eight (8) single person kayaks with a load capacity of 300 lbs.
3. Eight (8) tandem kayaks with a load capacity of 500 lbs.
4. Boat accessories including kayak seat backs and paddles.
5. All delivery and installation costs

The breakdown of the bids received is depicted on the next page:

	<i>√</i> Offshore Vernon Hills, IL	2K Adventure Gear Richmond, IL	Paddle and Trail Rockford, IL	Geneva Kayak Geneva, IL
Canoe Brand	<i>Mad River</i>	Old Town	Old Town	Mad River
Kayak Brand	<i>Perception</i>	Ocean Kayak	Ocean Kayak	Perception
Canoe	<i>\$8,160.00</i>	\$8,664.00	\$9,067.80	\$9,720.00
Single Kayak	<i>\$3,120.00</i>	\$2,968.00	\$3,053.20	\$3,240.00
Double Kayak	<i>\$4,280.00</i>	\$4,144.00	\$4,413.20	\$5,004.00
Kayak Seat	<i>\$792.00</i>	\$600.00	\$815.32	\$1,151.81
Canoe Paddle	<i>\$420.00</i>	\$450.00	\$522.75	\$492.00
Kayak Paddle	<i>\$600.00</i>	\$720.00	\$969.00	\$1,035.84
Delivery	<i>Included</i>	Included	Included	Included
	<i>\$17,372.00</i>	\$17,546.00	\$18,841.27	\$20,643.65

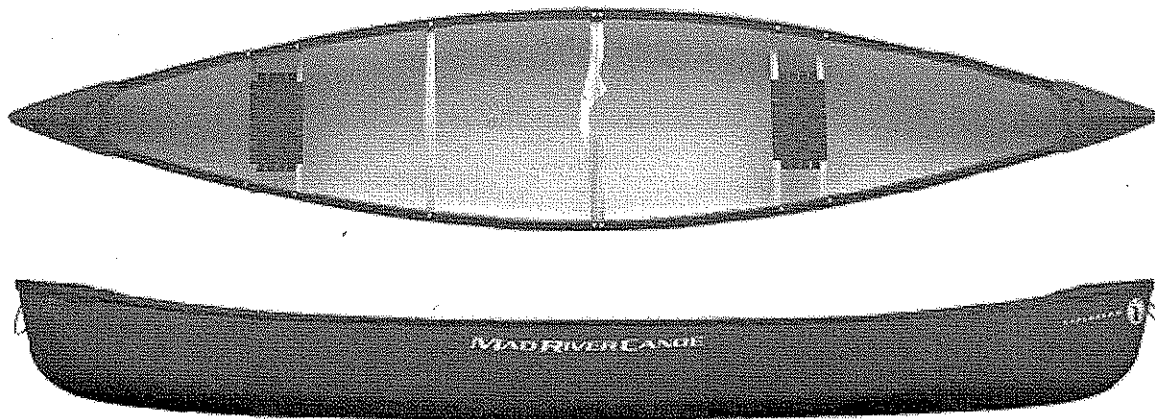
√ - Indicates lowest responsive and responsible bidder

Recommendation:

The City Manager's Office has reviewed all bids received for completeness and accuracy in accordance with the Invitation to Bid document and has checked references. Canoe and kayak purchases are budgeted in the FY 2010/2011 Three Oaks Recreation Area Capital Fund budget. Funding is provided from Series 2009 bond proceeds. It is staff's recommendation to award the contract for canoes and kayaks to Offshore Marine, in the total bid amount of \$17,372. Offshore Marine is a dealer that has delivered watercraft to the Lake County Forest Preserve and Village of Grayslake Fire Department. Offshore Marine submitted a bid for the following equipment:

Canoe – Mad River Brand / Explorer 16 TT Model

The explorer 16TT is a stable canoe that is made from three layers of polyethylene. This canoe was selected since it will be stable in rough water conditions and durable for the rental operation.



Specifications

Length: 16' / 486 cm	Width: 36" / 91 cm
Max Capacity: 1100 lbs. / 499 kg	Weight: 82 lbs. / 38 kg

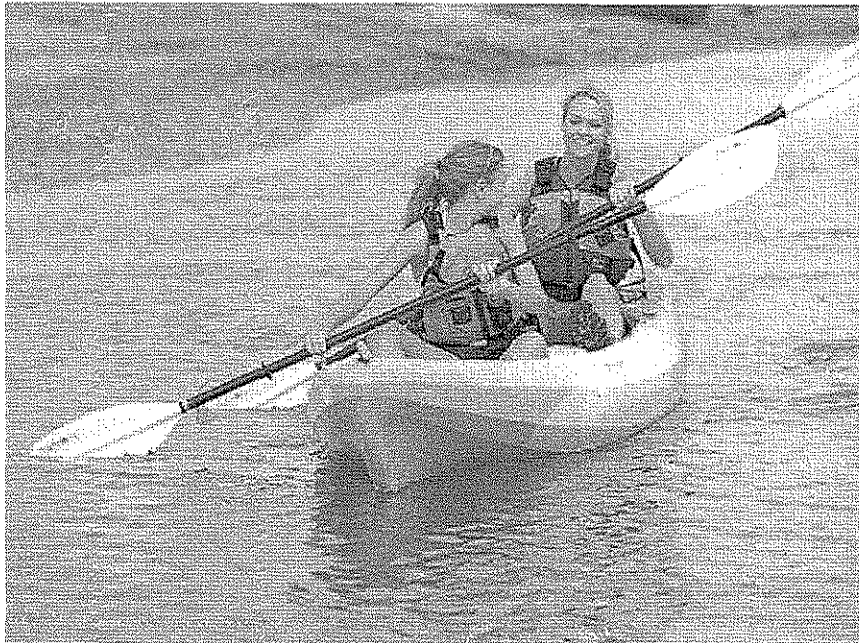
Single and Tandem Kayak – Perception Brand / Tribe 9.5 and Tribe 13.5 Model

The Perception Tribe is a sit-on-top kayak that is durable for rental operations. It is considered a family-recreational canoe that will not fill with water or sink due to normal recreational use.

Tribe 9.5 - Single



Tribe 13.5 – Tandem



Votes Required to Pass:

Simple majority vote of the City Council.



DRAFT

RESOLUTION

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE that the City Manager be and he is hereby authorized and directed to execute a contract for canoes and kayaks between the City of Crystal Lake and Offshore Marine in the amount of \$17,372.

DATED this 1st day of June, 2010

CITY OF CRYSTAL LAKE, an
Illinois municipal corporation,

By: _____
MAYOR

SEAL

ATTEST

CITY CLERK

PASSED:
APPROVED:



Agenda Item No: 21

**City Council
Agenda Supplement**

Meeting Date: June 1, 2010

Item: Paddle Boats

Staff Recommendation: A motion awarding the bid for paddle boats and adopting a resolution authorizing the City Manager to execute a contract with the lowest responsive and responsible bidder, DMM Industries, for paddle boats in the amount of \$23,143.40.

Staff Contact: Eric T. Helm, Deputy City Manager

Background:

On Tuesday, May 25, 2010, the City of Crystal Lake publicly opened and read aloud the bids received for paddle boats for the Three Oaks Recreation Area. The paddle boats will be used for the rental fleet at the south lake marina. The specifications are summarized below:

1. Seven (7) two-seat paddle boats with a load capacity of 735 lbs.
2. Seven (7) four-seat paddle boats with a load capacity of 955 lbs.
3. The body of the boat is constructed of heavy-duty fiberglass.
4. All metal parts are aluminum or stainless steel.
5. The boat shall have self-draining seats and a non-skid surface.
6. All delivery and installation costs.

Below is a breakdown of the bids received:

	√DMM Industries Owosso, MI	Adventureglass North Webster, IN	Kay Park-Rec. Janesville, IA	Hustler Sports McHenry, IL
Two Passenger	\$10,090.50	\$12,733	\$13,560.05	\$11,871.18
Four Passenger	\$11,652.90	\$12,733	\$14,220.50	\$13,709.29
Delivery	\$1,400	\$1,470	\$700	\$3,500
Total:	\$23,143.40	\$26,936	\$28,480.55	\$29,080.47

√ - Indicates lowest responsive and responsible bidder

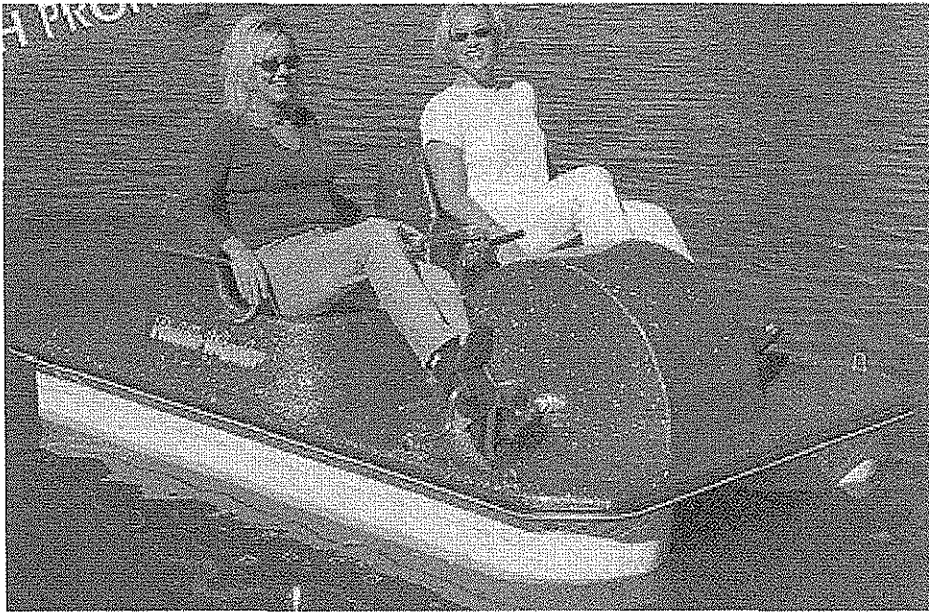
Recommendation:

The City Manager's Office has reviewed all bids received for completeness and accuracy in accordance with the Invitation to Bid document and has checked references. Paddle boat purchases are budgeted in the FY 2010/2011 Three Oaks Recreation Area Capital Fund budget. Funding is provided from Series 2009 bond proceeds. It is staff's recommendation to award the contract for paddle boats to DMM Industries, in the total bid amount of \$23,143.40.

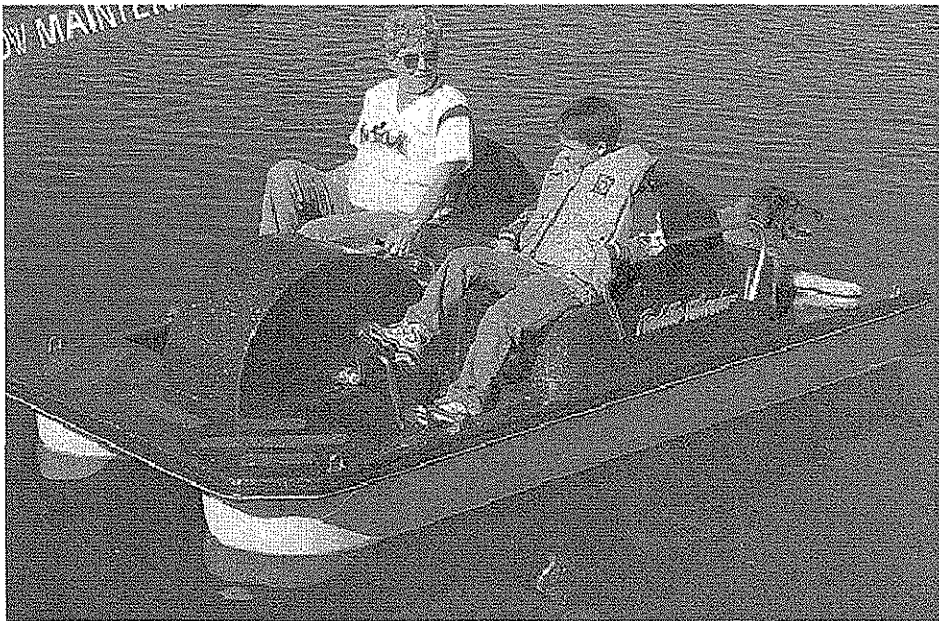
The trade name for DMM Industries is Paddle Wheeler. These boats have been purchased by both the Crystal Lake Park District and Lake County Forest Preserve, for Independence Grove.

Pictures of the boats are depicted below:

The PWR – Two Passenger



The PWIR – Four Passenger



Votes Required to Pass:

Simple majority vote of the City Council.



DRAFT

RESOLUTION

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE that the City Manager be and he is hereby authorized and directed to execute a contract for paddle boats between the City of Crystal Lake and DMM Industries Incorporated in the amount of \$23,143.40.

DATED this 1st day of June, 2010

CITY OF CRYSTAL LAKE, an
Illinois municipal corporation,

By: _____
MAYOR

SEAL

ATTEST

CITY CLERK

PASSED:
APPROVED:



Agenda Item No: 22

**City Council
Agenda Supplement**

Meeting Date: June 1, 2010

Item: Well #8 Repair Work

Staff Recommendation: Motion to accept the proposal for repair work on Well #8 at Water Treatment Plant #3 by the lowest responsible and responsive proposer, Water Well Solutions, and adopt a Resolution authorizing the City Manager to execute a service agreement with Water Well Solutions for the not-to-exceed amount of \$88,594.00

Staff Contact: Eric R. Lecuyer, Director of Public Works

Background:

On May 21, 2010, the City opened and publicly read aloud proposals for repair work to Well #8. A tabulation of the proposals received can be found on the attached spreadsheet. The exact total cost of the repair work will not be known until an inspection is performed on the well and pump.

Well #8, at Water Treatment Plant #3 (located at Pyott and Virginia), is the City's largest producing deep well. The City relies on this well to meet our summer water system demands. On May 8, 2010, Well #8 tripped and would not restart. The City hired Water Well Solutions to pull the well pump and motor to determine the extent of the failure. The inspection concluded that the motor was damaged and needs to be replaced. An analysis will be performed on the motor to determine the exact cause of the motor failure.

In addition to the motor replacement work, we will have the well video inspected and the pump disassembled for inspection. Maintenance and repairs will be completed, if required.

The well was last serviced in 2007 with the installation of a new remanufactured motor, pump repairs and column pipe service, and rehabilitation of the well completed.

Recommendation:

All three companies that have submitted proposals are qualified to repair and reinstall the mechanical equipment within the well. Staff has reviewed the bids received and recommends awarding the work to Water Well Solutions.

The maximum cost for repair work to Well #8 is estimated to be \$88,594.00, should all items listed be needed. The repair of this well will ensure that the well is restored to service and is in optimal condition for our peak pumping demands this summer.

There are sufficient funds in the FY 2009/2010 Budget for this expense.

Votes Required to Pass:

Simple Majority

RESOLUTION

DRAFT

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE that the City Manager is authorized to execute a service agreement with Water Well Solutions, Inc. for the inspection, repair and installation of critical components of Well #8 at Water Treatment Plant #3.

DATED this _____ day of _____, 2010.

CITY OF CRYSTAL LAKE, an
Illinois municipal corporation,

By: _____
MAYOR

SEAL

ATTEST

CITY CLERK

PASSED: _____

APPROVED: _____



Agenda Item No: 23

City Council Agenda Supplement

Meeting Date: June 1, 2010

Item: Landscape Care

Staff Recommendation: Motion to terminate the agreement for landscape services with Specialized Grounds Care and re-award the bid for the landscape care on City properties to the next lowest responsive and responsible bidder, Landscape Concepts Management, and adopt a resolution authorizing the City Manager to execute a one-year service agreement with Landscape Concepts Management with the option to extend the contract for up to two additional years.

Staff Contact: Eric Lecuyer, Director of Public Works

Background:

At the April 6, 2010 City Council meeting, the bid for landscape care on City properties was awarded to Specialized Grounds Care. Outsourcing these services eliminates seasonal staff and better utilizes skilled staff for other Public Works functions.

Since the award of the bid, Specialized Grounds Care has demonstrated that they cannot complete the work in a timely manner, and when work is completed, it has been done poorly with an unprofessional result. In addition, Specialized Grounds Care's management has not effectively communicated with City staff to the level expected, and their overall customer service has been unacceptable. Despite repeated attempts to bring issues to their attention and correct issues, Specialized Grounds Care has not been able to effectively produce the desired outcome, resulting in blighted public properties throughout the City.

The next lowest bidder, Seasons Maintenance, could not provide sufficient references to reasonably meet the City's standards. The reference that was confirmed did not offer positive feedback.

The third bidder, Landscape Concepts Management, was the City's landscape contractor for the 2009 season. They have proven through this past interaction with the City that they have the equipment and personnel necessary to complete the work at hand in a timely and professional manner, and have confirmed their readiness to serve this year.

	Base Bid 2010	Optional Extension 2011	Optional Extension 2012
*Specialized Grounds Care Roscoe, IL	\$ 35,775.58	\$ 44,295.58	\$ 44,295.85
**Seasons Maintenance Spring Grove, IL	\$ 44,547.01	\$ 67,392.01	\$ 71,170.03
✓Landscape Concepts Mgt. Grayslake, IL	\$ 52,685.61	\$ 78,126.34	\$ 78,326.34
Crescent Valley Woodstock, IL	\$ 69,099.00	\$ 126,159.00	\$ 129,433.00

✓ Indicates lowest responsive and responsible bidder

* Subject of terminated contract

** Unable to provide acceptable references/work history

xOriginal Landscaping Crystal Lake, IL	\$ 66,830.00	\$ 81,812.00	\$ 82,160.00
xADV Enterprises Rockford, IL	\$ 39,311.00	\$ 39,311.00	\$ 39,311.00
xCountryside Crystal Lake, IL	\$ 2,362.50	\$ 26,950.00	\$ 27,950.00

x Indicates non-responsive partial bids, or bids for only specific alternates

In addition to mowing and trimming, the bid document includes watering of the downtown hanging flower baskets and late season mowing and landscape maintenance functions at the new Three Oaks Recreation facility, once the facility opens. Bids for mowing were priced per mow. The seasonal cost, as listed in the table above, illustrates the City's projection based on last year's mowing instances combined with all options exercised. Additional services were included in prices beginning in 2011 for landscape maintenance work to the Three Oaks Recreation Area. This includes additional mowing, watering of hanging flower baskets, beach sand maintenance, turf aeration, fertilization, weed and pest control, and tree/plant bed ring management.

Recommendation

The Public Works Department and the City Manager's Office have reviewed the performance of Specialized Grounds Care and determined that they are not fulfilling their contractual obligation to the satisfaction of the City. Remaining bids received were critically analyzed for completeness and accuracy in accordance with the invitation to bid document, and an analysis of the landscape care bids was tabulated. It is the recommendation of the Public Works Department to terminate the contract for landscape services with Specialized Grounds Care and re-award the bid for the landscape care on City properties to the next lowest responsive and responsible bidder, Landscape Concepts Management for the remainder of the 2010 season with an option for the City Manager to execute contract extensions of up to two additional years. Funds are available for the landscape services contract.

Votes Required to Pass:

Super majority

DRAFT

RESOLUTION

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE that the contract for landscape services with Specialized Grounds Care is hereby terminated for nonperformance and that the bid for the landscape care on City properties be re-awarded to the next lowest responsive and responsible bidder, Landscape Concepts Management.

BE IT FURTHER RESOLVED that the City Manager be and he is hereby authorized and directed to execute, and the City Clerk is hereby directed to attest, the one-year contract between the City of Crystal Lake and Landscape Concepts Management with the option to extend the contract for up to two additional years.

Dated this 1st day of June 2010.

CITY OF CRYSTAL LAKE, an
Illinois Municipal Corporation

By: _____
Mayor

SEAL

ATTEST:

City Clerk

PASSED: June 1, 2010

APPROVED: June 1, 2010



Agenda Item No: 24

**City Council
Agenda Supplement**

Meeting Date:

June 1, 2010

Item:

Nunda Township request to the City of Crystal Lake to fund the resurfacing of the City-portion of Hillside Road.

Staff Recommendation:

Motion to adopt a resolution authorizing reimbursement to Nunda Township, in an amount not to exceed \$35,000 for the City of Crystal Lake's share of Hillside Road improvements.

Staff Contact:

Victor C. Ramirez, Director of Engineering and Building

Background:

Nunda Township has received bids for its annual road maintenance program, and Geske and Sons was the low bidder, with a bid of \$546,833.70. Included in this program is the resurfacing of Hillside Road. Approximately 1,015 lineal feet of this roadway is within the corporate boundaries of Crystal Lake and under the jurisdiction of the City. The estimated cost of the improvements within this section is \$33,725.40 and Nunda Township has asked that the City fund this portion. Final as-built quantities may vary slightly.

The Engineering Division has reviewed the request and recommends that the City authorize reimbursement to Nunda Township once the work is complete, since this section of road is within our corporate limits. The reasons are as follows:

- The maintenance is cost effective. The Township is using appropriate pavement preservation practices to keep the road in good condition. In addition, delaying the work would result in increased costs due to rapidly increasing asphalt prices.
- If the City did not participate, there would be new pavement with a significant gap of old pavement.
- The City will incur no engineering costs, as they have contracted with McHenry County for this service.

In 2009, Nunda Township requested the City's participation for the resurfacing of Terra Cotta Road. The City Council approved this participation on September 1, 2009. The City has budgeted funds for this work in the FY 2010-2011 budget.

The request is reasonable and consistent with City practices of participating in township resurfacing programs for portions of roadways that have short segments under City jurisdiction. The City has participated in similar resurfacing agreements in the past. The City did not include this project in its FY 2010-2011 budget; therefore, City staff is seeking authorization to participate in this project and include the funds for it in the FY 2011-2012 budget. Nunda Township is amenable to conducting the work now, and receiving the City's contribution for Hillside Road next year.

Votes Required to Pass:

Simple majority of City Council present.



DRAFT

The City of Crystal Lake Illinois

RESOLUTION

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE that the City is hereby authorized to participate in the Nunda Township 2010 Road Maintenance Program for the maintenance of Hillside Road.

BE IT FURTHER RESOLVED that the City is authorized to reimburse Nunda Township in the not-to-exceed amount of \$35,000.00 for the City's portion of the maintenance of Hillside Road.

DATED this first day of June, 2010.

CITY OF CRYSTAL LAKE, an Illinois
Municipal Corporation

BY: _____
Aaron T. Shepley, Mayor

SEAL

ATTEST:

Nick Kachiroubas, City Clerk

PASSED: June 1, 2010

APPROVED: June 1, 2010



Agenda Item No: 25

**City Council
Agenda Supplement**

<u>Meeting Date:</u>	June 1, 2010
<u>Item:</u>	Honorary Street Name Program
<u>Staff Recommendation:</u>	Motion to adopt a resolution approving an Honorary Street Name Program.
<u>Staff Contact:</u>	Eric Lecuyer, Director of Public Works

Background:

Recently, the City received a request for designation of an honorary street name. While researching the request, it was determined that the City currently does not have parameters in place for dealing with such requests. As a result, staff drafted the attached resolution and program parameters based on existing programs in other communities.

The proposed Honorary Street Name Program would allow residents the opportunity to honor people that have made significant contributions to the community. Honorary street name designations would be determined by the City Council on a case-by-case basis and would be administered by the City Manager's Office and Public Works Department. Supplementary street name signs would be displayed for a one-year period, or a time frame as approved by the City Council, after which the sign would then be turned over to the honoree or their family. Below are recommended parameters of the proposed program.

1. REQUIRED SUBMITTALS:

A completed application would be submitted along with the following:

- A written request stating the honoree and preferred location. The statement would indicate why the particular section of street is been requested for the honorary designation including:
 - Honoree's history of contributions and/or historical significance to the City of Crystal Lake;
 - Honoree's history of residence or employment in the City, including duration and location; and
 - Existing name/location of the street proposed for honorary designation.

- Honorary street name designation locations shall be limited to individual intersections of one-block segments, with sign(s) posted at the intersection(s).
- Payment for each installation is to be made to the City of Crystal Lake prior to fabrication and installation of sign(s):
 - \$300 fee, Single Intersection (one 2-faced sign)
- The City will issue notification letters to the residents and businesses in the vicinity of the honorary street name designation in question and forward the request to the City Council for their consideration if less than 50% of the property owners disagree (in writing) to the proposal.

2. DESCRIPTION:

- Legend shall be white lettering on a brown background meeting the City's standard requirements for street name signs.
- Sign(s) will be created, installed, and maintained by Public Works Department crews and shall remain in place for a period of twelve (12) months.
- Upon removal by City crews, the sign(s) will be donated to the honoree or their family.

Votes Required to Pass:

Simple majority



DRAFT

The City of Crystal Lake

RESOLUTION

WHEREAS, a citizen may wish to honor an individual or organization that has made significant contributions to the Community; and

WHEREAS, the designation of certain streets in honor of this individual would highlight the positive impact that honoree has made on the Community; and

WHEREAS, the honoree resided in the City of Crystal Lake at least five continuous or non-continuous years during his/her lifetime; and

WHEREAS, the installation of honorary street name signs shall not have the effect of changing platted street names or official addresses; and

WHEREAS, the honorary street name sign(s) shall be created and installed by the Public Works Department, displayed for a period of twelve (12) months, and donated to the honoree or their family upon removal; and

WHEREAS, the City Manager's Office shall cause letters to be sent to residents and/or businesses in the vicinity of the proposed honorary street in advance of the City Council meeting for consideration of the honorary designation, notifying them of the proposal and that they should continue using the regular street name in all correspondence; and

WHEREAS, less than 50% of the property owners along the roadway segment in question disagree with the honorary street naming proposal; and

DRAFT

WHEREAS, the cost for creating, installing, and maintaining the sign(s) shall be the responsibility of the donator/applicant.

NOW, THEREFORE, THE MAYOR AND THE CITY COUNCIL OF THE CITY OF CRYSTAL LAKE shall administer an Honorary Street Name Sign Program through the City Manager's Office and Public Works Department to facilitate the designation of certain segments of roadway in honor of various individuals. Each request would be reviewed on a case-by-case basis by the City Council.

DATED this first day of June, 2010.

CITY OF CRYSTAL LAKE, an Illinois Municipal Corporation

BY: _____
Aaron T. Shepley, Mayor

SEAL

ATTEST:

Nick Kachiroubas, City Clerk



Agenda Item No: 26

**City Council
Agenda Supplement**

Meeting Date: June 1, 2010

Item: Ordinance implementing stop control on Williams Street at the intersection with Brink Street.

Staff Recommendation: Motion to adopt an Ordinance to implement stop control on Williams Street at the intersection with Brink Street.

Staff Contact: Victor Ramirez, Director of Engineering and Building

Background:

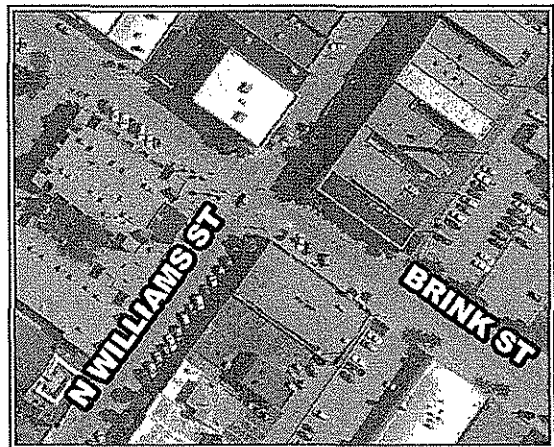
Based on observations by City Staff of the traffic operations at the Williams Street and Brink Street intersection in the historic downtown area, the City's Traffic Safety Committee initiated an investigation of the potential need for new stop control on Williams Street at this location.

This intersection is located in the center of the historic downtown area and is utilized by not only vehicular traffic travelling through the downtown business district or parking, but also a significant volume of pedestrians. Visually impaired pedestrians walking between the Horizons Center for the Blind and the Downtown Metra Depot also utilize the Williams Street corridor.

Existing Conditions:

Staff reviewed the existing field conditions, traffic counts, available crash reports, and comments from the downtown businesses related to the intersection of Williams Street and Brink Street.

Currently, stop signs are located on Brink Street at the Williams Street intersection for both directions of traffic. There are no stop signs for traffic on Williams Street, which is a one-way street that heads southwest.



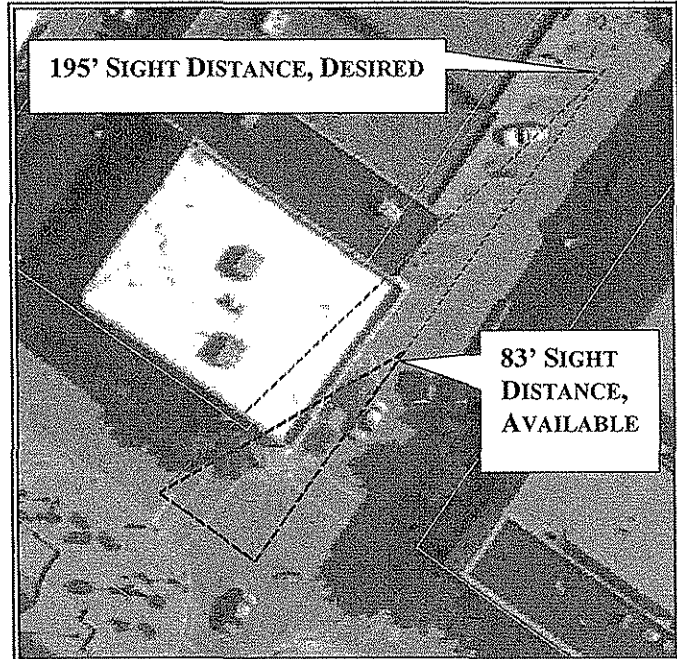
Public Input:

Staff requested input from the Downtown Crystal Lake/Main Street Association and received several responses from local business owners. Of the thirteen comments received, over 69 percent were supportive of this change, based on their observations of near misses, poor visibility, and concerns over safety for visually impaired pedestrians. Only three business owners were not in favor of the new stop sign along Williams Street, based on concerns with slowing down the traffic further and their opinion that other intersections in downtown are in greater need of improvement.

Engineering Study:

Sight Distance

Per the American Association of State Highway and Transportation Officials (AASHTO), the desired intersection sight distance (ISD) for a vehicle turning right or crossing a street without stop control and a 20-mph design speed is 195 feet. Due to the angled on-street parking along Williams Street, approximately 83 feet of intersection sight distance is currently available. This does not meet the typical engineering standards for an intersection without multi-way stop control.



Accident History

There were not enough crashes in a single 12-month period (5 or more) correctable by multi-way stop control to automatically warrant the stop sign based on accident history alone. However, there appear to be several crash types that occur at this location that could benefit from a multi-way stop control. Five crashes related to the intersection control at Williams Street and Brink Street were recorded between 2005 and 2008:

No. of Crashes	Crash Type	Comments
1	Pedestrian	Accident with injury to pedestrian crossing street
2	Rear-End	Vehicles on Brink Street creep forward to see around parked cars on Williams Street and are struck from behind
2	Turning/Angle	Vehicles on Brink Street fail to yield to traffic on Williams Street, which does not have stop control

Recommendation:

If the standard traffic volume or crash history warrants from the Manual on Uniform Traffic Control Devices (MUTCD) are not met, stop control for both streets at an intersection may still be considered per the MUTCD if:

- There is a need to control vehicle/pedestrian conflicts near locations that generate high pedestrian volumes.
- There is a location where a road user, after stopping, cannot see conflicting traffic and is not able to negotiate the intersection unless conflicting cross traffic is also required to stop.

Based on the available sight distance that results from the on-street parking and the high volume of pedestrian activity at this intersection, the Traffic Safety Committee recommends that stop control be added to southbound Williams Street at Brink Street.

If approved, the Traffic Safety Committee would closely monitor the intersection following the installation of the stop sign for any issues with traffic congestion or unintended safety consequences. A blinking LED stop sign and temporary flags would also be added to help inform motorists of this new traffic control configuration.

Votes Required to Pass:

Simple majority of City Council present



DRAFT

The City of Crystal Lake Illinois

ORDINANCE

WHEREAS, the Crystal Lake Traffic Safety Committee has reviewed the existing geometry, traffic counts, and available crash reports for traffic concerns related to the intersection of Williams Street and Brink Street; and

WHEREAS, the one-way traffic in a southwesterly direction on Williams Street is not currently under stop control at the intersection with Brink Street; and

WHEREAS, multi-way stop control should be considered if there is a need to control vehicle/pedestrian conflicts near locations that generate high pedestrian volumes; and

WHEREAS, multi-way stop control should be considered if there is a location where a road user, after stopping, cannot see conflicting traffic and is not able to negotiate the intersection unless conflicting cross traffic is also required to stop; and

WHEREAS, on-street parking on Williams Street restricts the sight distance for vehicles at the intersection with Brink Street; and

WHEREAS, as a result of said study, the Mayor and City Council of the City of Crystal Lake have determined to implement stop control for all approaches at the intersection of Williams Street and Brink Street.

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

SECTION I: All traffic proceeding in a southwesterly direction on Williams Street shall stop at the intersection of Williams Street and Brink Street before continuing.

SECTION II: All traffic proceeding in a northwesterly direction on Brink Street shall stop at the intersection of Williams Street and Brink Street before continuing.

DRAFT

SECTION III: All traffic proceeding in a southeasterly direction on Brink Street shall stop at the intersection of Williams Street and Brink Street before continuing.

SECTION IV: That suitable signs and markers shall be erected.

SECTION V: That any person, firm, or corporation violating any provision of this Ordinance shall be fined in accordance with Chapter 1, Article II providing for General Penalty Provision in the Code of Ordinances of the City of Crystal Lake, Illinois.

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

SECTION VII: All ordinances and parts of ordinances in conflict herewith are hereby repealed.

DATED at Crystal Lake, Illinois, this first day of June, 2010.

CITY OF CRYSTAL LAKE, an Illinois Municipal Corporation

BY: _____
Aaron T. Shepley, Mayor

SEAL

ATTEST:

Nick Kachiroubas, City Clerk

PASSED: June 1, 2010

APPROVED: June 1, 2010

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



Agenda Item No: 27

**City Council
Agenda Supplement**

Meeting Date:

June 1, 2010

Item:

Request for Permissive Left-Turn Movement on Main Street at the Signalized Intersection with Crystal Lake Avenue.

Staff Recommendation:

Discussion Only.

Staff Contact:

Victor C. Ramirez, Director of Engineering and Building
Erik D. Morimoto, Assistant City Engineer

Background:

At the April 20, 2010 City Council meeting, the Council asked Staff to consider changes to the traffic signal timing allowing a left-turn movement for northbound Main Street without a green arrow, due to concerns that traffic is unnecessarily inconvenienced by the existing turn restriction.

Traffic Signal Guidelines:

City staff has reviewed the operations at the Main Street and Crystal Lake Avenue intersection as well as the technical guidelines and requirements from the Federal Highway Administration (FHWA) and the Illinois Department of Transportation (IDOT).

According to the FHWA and IDOT guidelines, a protected left-turn movement (left-turn on green arrow only) is necessary for the following conditions:

CONDITIONS WHERE PROTECTED LEFT-TURN IS REQUIRED	SOURCE	CONDITION PRESENT AT CL AVE. / MAIN ST. INTERSECTION?
Left-turn movement from a dual left-turn lane	IDOT/FHWA	NO
Wide, skewed, and/or unusual geometry	IDOT/FHWA	NO
High volume of left-turn movements	IDOT/FHWA	NO
Recent crash history with left-turn collisions	IDOT/FHWA	YES
Insufficient sight distances to oncoming traffic	FHWA	YES
Turning movement crosses 3 or more lanes	FHWA	NO
Posted speed of opposing traffic exceeds 45 mph	FHWA	NO
Opposing approach meets one or more of the criteria in this table.	FHWA	NO

Sight Distance Analysis:

Based on the FHWA guidelines, a protected-only left-turn movement, which is currently utilized at this intersection, needs to be considered if sight distances to oncoming traffic are insufficient. The table below summarizes the existing conditions and the federal requirements for intersection sight distance:

LEFT-TURN MOVEMENT	SPEED LIMIT FOR OPPOSING LANE GROUP	REQUIRED SIGHT DISTANCE	EXISTING SIGHT DISTANCE <i>(if vehicles queued in opposing turn lane)</i>
NB Main St to WB Crystal Lake Ave	35 mph (design) 30 mph (posted)	285 feet	~205 feet

Until the City is able to remove the adjacent railroad crossings, there is an offset present between the north and south legs of the intersection. This results in a reduced sight distance for northbound Main Street when a vehicle is queued in the southbound left-turn lane that does not meet the FHWA guidelines for permissive left-turn movements.

Crash History Analysis:

Based on a review of the crash data for this intersection between 2005 and 2008, when a permissive left-turn movement was present, there were 15 turning crashes. Two years during this period met the FHWA and IDOT criteria of four or more left-turn crashes per year for considering a protected-only left-turn phase.

	2008	2007	2006	2005
Number of Turning Crashes	3	2	5	5

Recommendation:

The Engineering Division understands that there is significant traffic volume at this intersection, particularly during the evening rush hour. When the temporary traffic signals were installed, staff directed the contractor to program additional green time for the northbound protected-only left-turn movement during peak periods. Staff observations indicate that this generally clears the queue in one phase. The left-turn on green arrow only also helps prevent additional traffic from stopping in the Main Street intersection due to the backup along westbound Crystal Lake Avenue in the afternoon peak period.

City staff recommends to maintain the protected-only left-turn movement (turn on green arrow only) due to the lack of sufficient sight distance resulting from the offset turn lanes in the interim intersection configuration. The City's professional traffic operations engineers on staff feel that the minor delay experienced during certain hours does not outweigh the safety concerns and increased risk for left-turn collisions that could result from the combination of a permissive left-turn movement and the offset turn lanes.

However, upon removal of the nearby railroad crossings and the completion of the intersection improvements that eliminate the offset lanes, a combination protected-permissive signal phase (turn on green arrow and then on the green ball if traffic is clear) will be reinstated for Main Street.



Agenda Item No: 28

City Council Agenda Supplement

Meeting Date: June 1, 2010

Item: Potential Crystal Lake Stormwater Ordinance amendment requiring a four foot separation between the estimated average seasonal high groundwater elevation and any proposed excavation on-site.

Staff Recommendation: Discussion Only

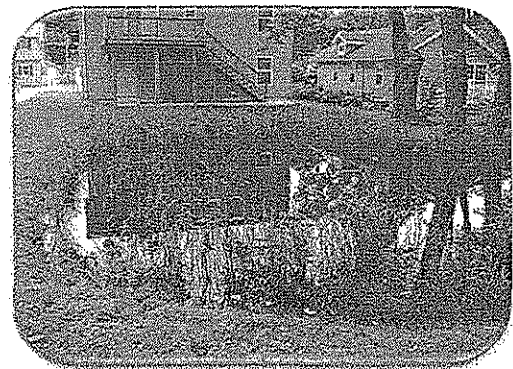
Staff Contact: Victor C. Ramirez, Director of Engineering and Building
Erik D. Morimoto, Assistant City Engineer

Background:

On May 19, 2009, the Engineering Division presented a proposal to modify the Crystal Lake Stormwater Ordinance to address concerns regarding new single-lot residential development in flood prone areas that is currently allowable under existing City and County codes. One of the concerns relates to new and recently constructed homes utilizing compensatory storage basins in rear yards that now have standing water problems. Following extensive research, coordination with McHenry County's Chief Stormwater Engineer, and the City's stormwater consultant, Staff would like to discuss a possible amendment to the Stormwater Ordinance to address this complex issue. It should be noted that this solution utilizes design standards that, while potentially challenging for certain properties to achieve at a low cost, are necessary to reduce the possibility of the prolonged standing water in compensatory storage basins associated with future new development.

The Problem:

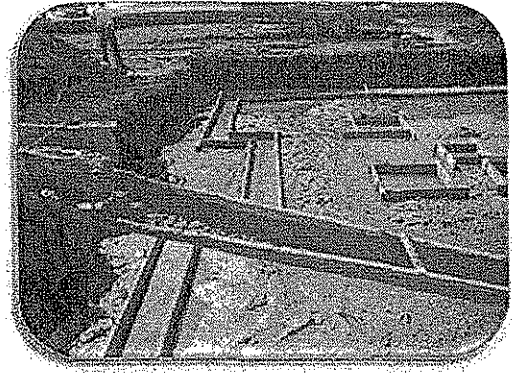
During the past few years, the City experienced several rain events that resulted in drainage issues for certain neighborhoods surrounding the lake. Standing water issues resulting from intense storm events, as well as a high water table relative to past years, also lead to concerns over safety and the usability of rear yards.



*Effect of Seasonal Rise in
Groundwater Elevation on
Compensatory Storage Areas*

Compensatory storage basins are required under City and County Ordinances for fill in the floodplain for any development, including fill to elevate single-family homes in the floodplain. The lack of separation requirements between the lowest excavated point and the seasonal high groundwater elevation leads to other issues that homes constructed in this manner might face, including:

- Wet conditions that promote mosquito breeding;
- Difficulties with mowing due to moist soils;
- Dead grass due to frequent or continuously wet conditions; and
- Safety concerns for children around standing water that does not recede within a reasonable time following a rain event.



*Effect of High Groundwater
Conditions on Typical
Foundation Construction*

Determination:

It is the determination of Staff that modifications to the stormwater ordinance could prevent many of the standing water issues present at previously approved residential lots that meet current codes. Ordinance modifications could include:

- Specific parameters and qualifications for determining estimated average seasonal high groundwater elevation; and
- Requirement for a four foot separation between this seasonal high groundwater elevation and the bottom of any excavations for detention or compensatory storage.

Separation requirements for new basements could also be considered, but the ramifications of this additional application would require further study by Staff.

While potentially restrictive on certain lots, it is one of the only ways to ensure that new standing water issues can be prevented for properties with fluctuating groundwater conditions near the surface that are not always identified by soil borings taken at the time of permit application.

This ordinance modification would apply to new residential construction (or additions greater than 50 percent of the assessed value and new homes) in the floodplain, in flood prone areas, and in depressional areas.

Seasonal High Groundwater Elevation

In order to properly identify the estimated average seasonal high water table for a property, and not just the current conditions at the time of the soil boring sample, residential properties requiring the use of on-site compensatory storage could utilize techniques similar to those used in designing septic systems.

This technique involves the review of a site's soil morphology, which is the field observable attributes of the soil within its various layers. This method identifies the layers of soil in a backhoe pit or soil boring that are sometimes exposed to groundwater by their unique physical characteristics, including color and composition.

Other local water table monitoring data, including information from the Public Works Department's lake monitoring program and the Crystal Lake Park District's Clean Lakes Study, can also be utilized by the soils scientist to calibrate the field observations.

The proposed stormwater ordinance revision could require that a Certified Professional Soil Scientist/Classifier¹ or Certified Soil Classifier² provide the estimated average seasonal high water table elevation used in the design and seal their findings on a standard form. The ordinance revision would also include a detailed definition of Seasonal High Groundwater Elevation and the parameters for accurately assessing this elevation using specific soil morphology techniques.

Potential Impact to Development

The Council previously expressed concerns that new restrictions to eliminate standing water in compensatory storage could be perceived by property owners as a "regulatory taking". Discussions with the City Attorney indicate that the variance process would be used to manage these issues on a case-by-case basis, and treated in a similar manner to the recently approved restriction on the use of flow-through foundation techniques. Note that these proposed requirements would be more restrictive than the McHenry County Storm Water Ordinance and a variance to the previous standards might be reasonable under certain circumstances.

In order to identify the seasonal high groundwater elevation, property owners would be required to hire a qualified soils consultant with specific training in soil morphology. This work would be of similar scale and cost as the borings already required for residential foundation construction, and relatively affordable for an individual homeowner. Availability of service is also not an issue, as Staff quickly identified a number of local certified professional soil scientists and certified soil classifiers through a search of professional society websites³.

The consequences of not implementing this type of ordinance modification would be the continued risk for new residential development to experience standing water issues despite meeting all applicable City Codes at the time of construction.

Votes Required to Pass:

Discussion Only.

City staff requests direction from the City Council on whether to continue pursuing the proposed ordinance modifications.

¹ Certified by the Soil Science Society of America

² Registered with the Illinois Soils Classifiers Association

³ <https://www.soils.org/certifications/cpss-cpsc> and <http://www.illinoissoils.org/certprof.htm>



Agenda Item No: 29

**City Council
Agenda Supplement**

Meeting Date: June 1, 2010

Item: Water and Sewer Rate Adjustment

Staff Recommendation: Motion to adopt an ordinance amending Section 515-15 of the City Code to increase the monthly water service fee to \$3.14 per month and monthly sewer service fee to \$4.30 per month, and increase the water volumetric rate to \$2.45 per 1,000 gallons and the sewer volumetric rate to \$2.50 per 1,000 gallons, as proposed in the Reukert-Mielke Study and previously approved with the adoption of the 2009/2010 Budget.

Staff Contact: Eric R. Lecuyer, Director of Public Works
Mark F. Nannini, Director of Finance

Background:

A modern, efficient, reliable water and sewer system is an important foundation of Crystal Lake's quality of life. Residents count on the City to deliver safe drinking water to protect public health, fight fires, and supply the water needs of business and industry. Investments in the utility system ensure that residents of Crystal Lake have adequate supplies of high quality water 365 days a year. The City's water and sewer infrastructure is also an important asset that supports economic growth. Sustainable water and sewer utility services encourage the location of new companies and the development of business – growth that benefits both taxpayers and consumers.

At the direction of the City Council, a comprehensive water and sewer rate study was completed in 2009, with the assistance of the City's consultant, Ruekert-Mielke, to ensure that the City continues to provide modern, efficient, and reliable water and sewer utility service. The results of that study were initially presented at the City's Budget Workshop in March 2009 and subsequently the first year rate increase was adopted. An outcome of the study was to separate the water and sewer accounts into two stand-alone rates in order to analyze each on their own merits. The study provided for a multi-year sewer and water rate increase to continue the activities of the Public Works Department's Water, Sewer and Lift, and Wastewater Treatment

Divisions, while incorporating escalating costs of energy and commodities needed for the pumping and treatment of water and wastewater. Funding as part of the proposed increase also provides for the replacement of aged water/sewer infrastructure in order to maintain the current service levels our residents receive.

Water and Sewer as an Enterprise Fund

Under governmental Generally Accepted Accounting Principles (GAAP), there are three categories of fund types: governmental, proprietary (i.e. enterprise funds), and fiduciary. The City's Water and Sewer Fund operates as a proprietary or enterprise fund. GAAP requires state and local governments to use the enterprise fund type to account for "business-type activities" – activities similar to those found in the private sector. Business-type activities include services primarily funded through user charges.

The National Council on Governmental Accounting Statement No. 1 defines the purpose of enterprise funds as:

"...to account for operations (a) that are financed and operated in a manner similar to private business enterprises —where the intent of the governing body is that the costs (expenses, including depreciation) of providing goods or services to the general public on a continuing basis be financed or recovered primarily through users charges; or (b) where the governing body has decided that periodic determination of revenues earned, expenses incurred, and/or net income is appropriate for capital maintenance, public policy, management control, accountability, or other purposes."

Local governments use an enterprise fund to account for their activities when the criteria of either (a) or (b) are met.

Additionally, Illinois Compiled Statutes mirrors these "business-type activity" requirements in two respects. First, under Section 11-117-12, the charges fixed by a municipal utility "for the product supplied or the service rendered by any municipality shall be sufficient at least to bear all cost of maintenance and operation, to meet interest charges on the bonds and certificates issued on accounts thereof, and to permit the accumulation of a surplus or sinking fund to meet all unpaid bonds or certificates at maturity."

Further, Section 11-117-13 requires that "any municipality, owning a public utility, shall keep the accounts for each public utility distinct from other municipal accounts and in such a manner as to show that true and complete financial results of municipal ownership or ownership and operation."

The proposed rate increase ensures that the Water and Sewer Fund continues as a self-sustained operation able to meet all of its short and long-term obligations in compliance with GAAP and Illinois State Statute.

2010/2011 Proposed Increase

The proposed ordinance provides for the increases in the rates for water and sewer utility services. This also impacts the water and sewer rate for bulk water sales not covered by

contractual agreements. The following table compares current rates and monthly service fees with the proposed fees:

	Monthly Service Fee	Rate/1,000 gallons	Total Cost for 6,000 gal/mo
Water Current	\$2.93	\$2.29	\$16.67
Water Proposed	\$3.14	\$2.45	\$17.84
Sewer Current	\$4.07	\$2.36	\$18.23
Sewer Proposed	\$4.30	\$2.50	\$19.30
Current W&S Combined	\$7.00	\$4.65	\$34.90
Proposed W&S Combined	\$7.44	\$4.95	\$37.14

As part of the study completed by Ruekert-Mielke, the following comparison of surrounding communities' water and sewer rates was compiled on a monthly basis for the usage of 6,000 gallons. The table was updated in March 2010 to reflect rate adjustments as follows:

Municipality	Water Rate/1,000 Gals	Sewer Rate/1,000 Gals	Minimum Monthly Charge (W&S Combined)	Monthly Bill @ 6,000 gals (800 cu. ft.) per Month
Sleepy Hollow	\$ 6.33	\$ 6.49	\$ 31.00	\$ 107.92
Lakewood	\$ 3.30	\$ 2.50	\$ 59.40	\$ 94.20
Johnsburg	\$ 3.14	\$ 3.61	\$ 18.14	\$ 58.64
Rnd Lk Beach	\$ 5.48	\$ 3.51	\$ 2.50	\$ 56.44
FRG	\$ 2.40	\$ 3.48	\$ 20.61	\$ 55.89
Carpentersville	\$ 2.90	\$ 3.22	\$ 14.53	\$ 51.25
Harvard*	\$ 2.60	\$ 2.60	\$ 6.25	\$ 47.85
LITH***	\$ 2.80	\$ 19.33	\$ 12.02	\$ 46.30
Woodstock*	\$ 2.12	\$ 2.44	\$ 6.83	\$ 43.31
Cary	\$ 3.77	\$ 2.60	\$ 2.00	\$ 40.22
Algonquin	\$ 3.27	\$ 3.11	\$ 0.00	\$ 38.28
McHenry	\$ 2.75	\$ 3.10	\$ 3.00	\$ 38.10
<i>C.L. Proposed</i>	\$ 2.45	\$ 2.50	\$ 7.44	\$ 37.14
Huntley**	\$ 2.57	\$ 3.41	\$ 12.33	\$ 36.25
<i>C.L. Current</i>	\$ 2.29	\$ 2.36	\$ 7.00	\$ 34.90

* Municipalities that sell water in increments of 100 cubic feet rather than per 1,000 gallons, rates in chart reflect 100 cubic feet (6,000 gallons is equal to 800 cubic feet)

** Monthly Charge includes 2,000 gallons of water/sewer use

*** Water billed per 100 cubic feet and includes the equivalent of 2,000 gallons of water/sewer use in minimum monthly charge

The Water and Sewer Rates in Crystal Lake are discounted for qualified senior citizens, wherein residents over the age of 65 who register for the discount will continue to receive a 15% discount for the first four thousand gallons used each month. This is not reflected in the chart above.

The Water/Sewer rate increases are critical to the continued operation of the City's water and sewer utility services. As revenue policy in the budget states, the City must "charge fees that reflect the full cost of providing services for general operations and Enterprise Funds (Water, Sewer, & Wastewater)". This is further identified to mean the following:

- Utility fees for water, sewer, and wastewater are matched to the cost of providing these services.
- Water and Sewer rates approximately equal operating expenses.
- Water and Sewer revenues are first used to defray the cost of effective and efficient operation of the utility systems; monies accumulated in excess of operations costs are to be used for replacement and repair of those systems as needed.

For some time now, the Water & Sewer Enterprise fund has not been following this policy. Cash reserves for this fund have been diminished. In response to the funding shortage, costs have been cut across the board in the Public Works Department. The Public Works Department has reduced its staffing levels through attrition to a point that could reasonably be considered the minimum level to maintain core service. Any further cuts would reduce the level of service that the department is able to provide to residents.

In addition, the rate increases are needed to complete capital projects, otherwise they must be further deferred. The City's infrastructure is aging, and equipment and infrastructure must be replaced or rehabilitated to continue to function at a level necessary to sustain operations.

Perhaps the most pressing issue surrounding the financial state of the water and sewer operations is the ability to pay debt obligations and leverage future funds for capital projects as needed. Wastewater Treatment Plant #2 was expanded in 2003 with funds obtained through an IEPA revolving loan. At the time, it was reasonably believed that connection fees from 200 new homes per year would pay the annual principal and interest payment of \$1,000,065/year for the loan. In calendar year 2009, there were 13 new home connection fees collected by the City. This shortfall has to be made up through operating funds and reserves. Without these actions, the City runs the risk of defaulting on the loan and losing its strong bond rating, which would impact the entire City.

In order to eliminate spikes in the annual water and sewer rate adjustments provided for in the five-year plan, bonds were sold to generate revenues for several critical infrastructure projects totaling \$2,200,000. These bond revenues are dedicated for the purpose of funding specific capital projects, and cannot be redirected to cover operational costs. Bond fund projects include the maintenance of two water towers, rehabilitation of wells, replacement of critical water mains and rehabilitation of sanitary sewer to reduce inflow and infiltration. Aside from these projects, there are very few capital projects funded from water and sewer general revenues that can be cut to make up a shortfall created should a rate increase not be provided.

Critical capital projects funded by water and sewer rates that would need to be abandoned should a rate increase not be provided include the following:

WTP #5 Softener Rehab	\$75,000
WTP #2 Well Rehab	\$25,000
Relining of 8" sanitary sewer	\$75,000
Submersible Pumps - Lift 23	\$36,000
Submersible Pumps - Lift 24, 25	\$31,000
Total	\$242,000

The abandonment of these projects would significantly increase the potential of system failures that would result in flooded basements, impact our ability to ensure the delivery of safe drinking water and result in costly violations of our National Pollution Discharge Elimination System (NPDES) permits and drinking water standards.

Other projects identified for funding include required compliance projects for the reduction of chlorides in the discharge of Wastewater Treatment Plant #3 and the ongoing maintenance for the new infrastructure requirements for the removal of trichloroethylene (TCE) from drinking water at Water Treatment Plant #4.

The remaining shortfall of revenues would require a further reduction of staff in the Water, Wastewater and Sewer and Lift Divisions. Approximately four full-time equivalents (FTE) would need to be eliminated, which would result in delays in restoring service in the event of a system failure and reduced services at all levels. Further impacted would be our snow-fighting capabilities, as these four FTEs would cover four snow routes, resulting in the need to expand routes. With an expanded snow route, the time required to make one pass would double, resulting in an increase in the hazards to the motoring public. This risk must also be carefully weighed when considering further reductions of staff.

While the City is not profit driven, water and sewer operations must be run like a business. Without revenues sufficient enough to cover expenses, any business will fail.

Recommendation:

The Public Works Department has conducted an analysis of operations, and made adjustments where practical to cut costs. In addition, a comprehensive staffing plan was conducted to determine minimum staffing levels to maintain core services. At this time, the staffing level is at the minimum level to sustain operations and costs have been reduced where possible. It is the recommendation of the Public Works Department and Finance Department to follow the Reukert-Mielke plan and adopt an ordinance to amend Section 515-15 of the City Code by increasing it 6.42%, and adjust the water rate to \$2.45 per 1,000 gallons and the sewer rate to \$2.50 per 1,000 gallons, and the fixed monthly service fee for these services to \$3.14 for water and \$4.30 for sewer.

The City Attorney has reviewed the proposed ordinances.

Votes Required to Pass:

Simple Majority



ORDINANCE AMENDING THE CODE
OF THE CITY OF CRYSTAL LAKE, ILLINOIS

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

SECTION I: That ARTICLE III COMMUNITY DEVELOPMENT, CHAPTER III
PUBLIC UTILITIES Section B. Water and Sewer Rates Section 515-15 shall be amended as
follows:

515-15 Rates.

That the consumer or user on all property or premises upon which any building or structure has
been or may hereafter be erected having connection with any mains or pipes which exist or may
hereafter be constructed and used in connection with the water and sewage or water or sewage
systems of the City of Crystal Lake shall pay the following rates according to the following
schedule:

A. Water Rate: Beginning July 1, 2010, the following rates shall apply:

- | | | |
|-----|------------------------|--------------------------|
| (1) | Monthly service charge | \$3.14 |
| (2) | Each 1,000 gallons | \$2.45 per 1,000 gallons |

B. Sewer Rate: Beginning July 1, 2010, the following rates shall apply:

- | | | |
|-----|------------------------|--------------------------|
| (1) | Monthly service charge | \$4.30 |
| (2) | Each 1,000 gallons | \$2.50 per 1,000 gallons |

C. The rates and charges herein established shall be collected from owners, occupants,
consumers and users of the premises for all such use from and after each scheduled rate
adjustment. The minimum rate for water and sewer monthly billing shall be equal to the
combined water and sewer monthly service charge for the rate period covered. The fee
paid for sewer use shall be determined by the water meter reading. No discounts shall be
allowed for any difference between the water meter reading and actual sewer use.

D. Senior citizens may qualify for a water and sewer rate discount of 15% for the first 4,000
gallons billed each month by requesting the discount and registering with the Finance
Department. To receive the discount a senior citizen must be 65 years of age as of June 1
of the current year, must reside at the address and the account must be in his/her name.

E. Water users outside the corporate limits of the City of Crystal Lake shall pay 1-1/3 times the fee charged for the same services within the City (except those users covered by contractual agreements).

F. Bulk water sales made by metered connections to secondary community water supplies or via metered hydrant for onsite use or via metered hydrant to a tanker for transport to an end user (except those users covered by contractual agreements) shall be billed monthly and pay the following rates according to the following schedule:

(1) Bulk Water Rate: (Except those users covered by contractual agreements) Beginning July 1, 2010 and continuing until further adjusted by the Mayor and City Council of the City of Crystal Lake:

- | | | |
|-----|------------------------|--------------------------|
| (a) | Monthly service charge | \$19.60 |
| (b) | Each 1,000 gallons | \$7.31 per 1,000 gallons |

G. Water Used During Construction of New Buildings: Beginning July 1, 2010 and continuing until further adjusted by the Mayor and City Council of the City of Crystal Lake:

- | | | |
|-----|--|---------|
| (1) | One and Two Family Residences: | \$46.09 |
| (2) | Multi-family, Commercial, Industrial | |
| (a) | Under 2,000 square feet minimum fee: | \$46.09 |
| (b) | Each additional square foot over 2,000 to 10,000: | \$ 0.03 |
| (c) | Each additional square foot over 10,000 to 50,000: | \$0.010 |
| (d) | Each additional square foot over 50,000: | \$0.005 |

H. Surcharge for Industrial Users: When the average concentrations of B.O.D. and/or suspended solids exceeds 300 mg/l or 350 mg/l respectively, a surcharge shall be \$0.36 per pound of B.O.D., and \$0.18 per pound of S.S. All measurements, tests, and analysis of the characteristics of water and wastes to determine the industrial user surcharge factors shall be conducted in conformance of Section 435 of the City Code. All Commercial and Institutional users shall be reclassified Industrial as per Office Management and Budgets Standard Industrial Classification Manual, 1972 edition under the category Division D Manufacturing when any of their wastes exceed the concentration of Section 435-8 of the Ordinance Regulating the Use of Public and Private Sewers.

SECTION II: That any person, firm or corporation that draws water from the public water supply through an unauthorized connection shall be fined not less than \$100.00 and not more than \$500.00 per offense.

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

DRAFT

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

DATED at Crystal Lake, Illinois, this 2nd day of June 2009.

APPROVED:

MAYOR

ATTEST:

CITY CLERK

PASSED:

APPROVED:

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