



# **CITY OF CRYSTAL LAKE**

## **AGENDA**

### **CITY COUNCIL REGULAR MEETING**

**City of Crystal Lake  
100 West Woodstock Street, Crystal Lake, IL  
City Council Chambers  
November 16, 2010  
7:30 p.m.**

1. **Call to Order**
2. **Roll Call**
3. **Pledge of Allegiance**
4. **Approval of Minutes – November 2, 2010 Regular City Council Meeting**
5. **Accounts Payable**
6. **Public Presentation**  
*The public is invited to make an issue oriented comment on any matter of public concern not otherwise on the agenda. The public comment may be no longer than 5 minutes in duration. Interrogation of the city staff, Mayor or City Council will not be allowed at this time, nor will any comment from the Council. Personal invectives against city staff or elected officials are not permitted.*
7. **Mayor's Report**
8. **Council Reports**
9. **Consent Agenda**
  - a. **Metra Ridgefield Station Annexation Public Hearing Continuation**
  - b. **Resolution determining the 2010 tax levy in compliance with the Truth in Taxation Procedural Requirement.**
10. **Immanuel Lutheran Church – Request to temporarily suspend no-parking restrictions on the east side of Pathway Court and the south side of Teckler Boulevard on December 4, 2010 from 10:00 a.m. to 2:00 p.m.**
11. **Aaron's Sales and Lease, 6107 Northwest Highway – Special Use Permit for outside storage of trucks.**
12. **755 Blackthorn Drive – Simplified Residential Variation to allow an 8-foot tall fence in the rear yard, instead of the required maximum of 6 feet.**
13. **242 Ridge Avenue – Simplified Residential Variation to allow a 6-foot tall fence in a yard abutting a street instead of the maximum permitted height of 3 feet.**
14. **Colonial Café, 5689 Northwest Highway – Final Planned Unit Development Amendment for an addition and elevation changes to the existing structure, a change in the parking layout and new outdoor seating; Minor Subdivision to create 3 lots; Variation from the maximum permitted impervious surface coverage of 65% for lots in the “B-2” district; Variations to allow an approximately 23.25 sq. ft. electronic message center within a 11’ 2” tall free-standing sign and wall signage greater than the maximum permissible 150 sq. ft.; and deferral from the requirement to install sidewalks and parkway trees along Route 14 and Liberty Road.**
15. **Façade and Commercial Tenant Improvement Program grant application request – Colonial Café, 5689 Northwest Highway.**

16. **Acceptance of the Annual Audit for the Fiscal Year 2009/2010.**
17. **Bid award and resolution authorizing execution of a purchase agreement for the provision of clear southern rock salt.**
18. **Bid award and resolution authorizing execution of an agreement for the Water Treatment Plant #4 packed tower project with a 10% contingency for unforeseen expenses.**
19. **Bid award and resolution authorizing execution of an agreement for the purchase of a Heavy Duty Fire Apparatus Pumper.**
20. **Bid award, and resolution authorizing an amendment to the 2010-2011 City Budget and execution of a contract for the Fire Station #3 Lead Dust/Asbestos Cleanup Project, with a contingency for justifiable changes.**
21. **Vehicle License Ordinance Amendment.**
22. **Resolution authorizing execution of the Local Agency Agreement for State Participation with IDOT for construction of the Virginia Street traffic signal improvements.**
23. **Resolution authorizing execution of Three Oaks Recreation Area Contract Amendment Number Eleven.**
24. **Council Inquiries and Requests**
25. **Adjourn to Executive Session for the purpose of discussing matters of pending and probable litigation, the sale, purchase or lease of real property, collective bargaining, and personnel.**
26. **Reconvene to Regular Session.**
27. **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: 9a**

**City Council  
Agenda Supplement**

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**Meeting Date:** November 16, 2010

**Item:** Metra Ridgefield Station Annexation Public Hearing Continuation  
Metra, petitioner  
Country Club Road at Prairie Drive

**Recommendation:** Motion to continue the petitioner's request to the December 7, 2010, City Council meeting for the Annexation Public Hearing.

**Staff Contact:** Michelle Rentzsch, Director of Planning & Economic Development

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**Background:** The property in question is located in McHenry County, adjacent to the City's limits. Metra is proposing a commuter station and its associated parking lot to service this section of the county with commuter rail access. Metra is requesting annexation to the City, rezoning upon annexation and Preliminary PUD approval for their proposed project plan.

The petitioner respectfully requests that this matter be continued to the December 7, 2010, City Council meeting for the Annexation Public Hearing. The petitioner has been working with McHenry County to understand what road improvements will be required. Presentations and meetings have been conducted and the petitioner is working to obtain what road requirements the County Highway Department is requiring of them. Some additional time is requested to get this information before Metra proceeds to the City Council meeting.

City staff has notified Ridgefield property owners about the continuation request.

**Votes Required to Pass:** A simple majority vote.



**Agenda Item No: 9b**

**City Council  
Agenda Supplement**

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**Meeting Date:** November 16, 2010

**Item:** Truth in Taxation Compliance Procedural Requirement

**Staff Recommendation:** Motion to adopt a resolution determining the 2010 tax levy in compliance with the Truth in Taxation Procedural Requirement

**Staff Contact:** Gary J. Mayerhofer, City Manager  
Mark F. Nannini, Finance Director

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**Background:**

Adoption of this resolution is merely a procedural requirement as the actual levy ordinance will be considered during the public hearing at the December 7, 2010 City Council meeting. The process in determining the actual tax levy is challenging because the actual dollars collected from the 2010 tax levy are not received until fiscal year 2011/12, for which the City has not yet considered an annual budget. Therefore, the levy amount in the attached resolution is a maximum estimation. The actual tax levy ordinance will be placed on the December 7, 2010 City Council agenda for consideration.

**Recommendation:**

It is the recommendation of the City Manager and Finance Director to approve the attached resolution determining the maximum 2010 tax levy.

**Votes Required to Pass:**

Simple majority



**DRAFT**

## RESOLUTION

WHEREAS, the City Council of the City of Crystal Lake, McHenry County, Illinois, a home rule corporation, herein referred to as Council, wishes to comply with the Truth in Taxation Act, ILCS Chapter 35:200/18-55 and 35: 200/18-100; and

WHEREAS, this determination is made more than twenty (20) days prior to the proposed adoption of the City's aggregate levy and is in compliance with the Truth in Taxation Act, and

WHEREAS, in compliance with the Truth in Taxation Act, a notice will be published in a general circulation newspaper published in the taxing district and a public hearing will be held prior to the adoption of the tax levy ordinance.

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

The Corporate Authorities determine the amount of money estimated to be necessary to be raised by taxation for the 2010 tax levy is approximately \$14,892,803 which is less than 105% of the aggregate extensions for the 2009 tax levy, which was approximately \$14,348,912.

DATED at Crystal Lake, Illinois this day of 16<sup>th</sup> day of November 2010.

CITY OF CRYSTAL LAKE, an  
Illinois municipal corporation,

By: \_\_\_\_\_  
MAYOR

SEAL

ATTEST

\_\_\_\_\_  
CITY CLERK

PASSED: November 16, 2010

APPROVED: November 16, 2010



**Agenda Item No: 10**

**City Council  
Agenda Supplement**

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**Meeting Date:**

November 16, 2010

**Item:**

Immanuel Lutheran "Clinic" – Request to temporarily suspend no-parking restrictions

**Staff Recommendation:**

Motion to temporarily suspend no-parking restrictions on the east side of Pathway Court, and also on the south side of Teckler Boulevard (north of "Jewel" entrance to east termini), for Immanuel Lutheran's Clinic to be held on Saturday, December 4, 2010 from 10:00 a.m. to 2:00 p.m. All other applicable parking codes remain in force.

**Staff Contact:**

Brad Mitchell, Assistant to the City Manager

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**Background:**

Immanuel Lutheran Church is requesting to temporarily suspend no-parking restrictions on the east side of Pathway Court, and also on the south side of Teckler Boulevard (north of "Jewel" entrance to east termini) for a Clinic they are hosting on Saturday, December 4, 2010 from 10:00 a.m. to 2:00 p.m. The Clinic is an outreach to the McHenry County community for those in need of health and medical attention. All other applicable parking codes remain in force. A similar request was approved by the City Council on September 7, 2010.

City staff reviewed the petitioner's request and have the following comments:

- Parking is not allowed on both sides of Pathway Court and Teckler Boulevard according to Sections D103.1 and D103.6.2 of the City's Fire Code. Allowing parking on both sides would reduce the minimum required width of the fire apparatus access road and the Fire Rescue Department's ability to access the area for an emergency incident. Therefore, City staff recommends that the temporary parking restriction suspension only apply to one side of the streets.
- Support of temporarily suspending parking restrictions on Teckler Boulevard is limited to this request given that both streets are currently "dead ends" that do not serve any other businesses or occupied lots. Future requests should not be

- approved after Teckler Boulevard is extended to Main Street, as this would be a collector route leading directly to Route 14.
- Parking along the rear service drive behind “Jewel” and “Hobby Lobby” is prohibited (currently signed no parking for the fire lanes).
  - Parking should be avoided in the last 25’ on the south side of Teckler Boulevard at the east termini to leave room to access the small temporary turnaround “hammerhead” to avoid vehicles having to drive in reverse several hundred feet due to dead-end.

The letter requesting approval to suspend the no-parking restrictions and a map have been attached for City Council consideration.

**Votes Required to Pass:**

Simple majority vote of the City Council



**Agenda Item No: 11**

**City Council  
Agenda Supplement**

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**Meeting Date:** November 16, 2010

**Item:** REPORT OF THE PLANNING & ZONING COMMISSION

#2010-61 Aaron's Sales and Lease

Special Use Permit for outside storage of trucks

Casey Pristou, Aaron's Sales and Lease

6107 Northwest Highway

**PZC Recommendation:** A motion to approve the Planning and Zoning Commission recommendations approving an ordinance granting a Special Use Permit for 6107 Northwest Highway.

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

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**Background:** The property at 6107 Northwest Highway is zoned "B-2" General Commercial and is a multi-tenant building. Aaron's Sales and Lease, which offers rent-to-own financing for buyers of higher-ticket items, such as furniture, appliances, and electronics, will occupy 6,500 square feet at this location. The other tenants at this location include Sprint and Back to Bed.

The petitioner is requesting a Special Use Permit to allow vehicles to be parked overnight in the parking lot alongside the building. Outside sales, display or storage is a Limited Use in the "B-2" district. The UDO defines outside storage as "The keeping, in an unroofed area, of any goods, material, merchandise, or vehicles in the same place for more than 24 hours, except areas solely designated for garbage and trash for a specific use". The Guidelines for Outdoor Display and Sales, Storage, and Service that were adopted as part of the UDO exempts up to 2 vehicles that are used in the normal day-to-day operation of the business as being treated as storage, as long as they are not visible from the right-of-way (except local streets and alleys). This SUP is necessary because the vehicles, though used in the normal operation of the business, will be visible from Northwest Highway.

***PZC Highlights***

The petitioner originally appeared at the October 20<sup>th</sup> Planning and Zoning Commission meeting. At that meeting, the Commission asked the petitioner to explore the possibility of storing the trucks in the back parking lot for 6119 Northwest Highway (Cash for Gold building), south of



the building, thereby eliminating the need for a Special Use Permit. Accordingly, the petitioner contacted the property owner and was able to reach an agreement. However, the property at 6119 Northwest Highway is being actively marketed and when leased, depending on the tenant, Aaron's Sales & Lease may lose their ability to store vehicles at that location. Since the trucks are necessary for their business operation, the petitioner would like to pursue the SUP with the caveat, that until they lose the ability to do so, the vehicles would be stored at 6119 Northwest Highway.

At the Planning and Zoning Commission hearing on November 3<sup>rd</sup>, the Commissioners were very appreciative that the petitioner had worked out an agreement with the neighboring property owner. They had no concerns with the petitioner's request.

The Planning and Zoning Commission recommended **approval (7-0)** of the petitioner's request with the following conditions:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
  - A. Development Application, (Casey Pristou, received 10-01-10)
  - B. Site Location showing vehicle storage area (National Shopping Plaza, received 10-01-10)
2. ~~The outdoor storage is limited to Aaron's Sales and Lease for a maximum of four vehicles. No wrecked, inoperable or other vehicles not associated with the business are permitted to be stored overnight.~~ **The trucks are to be parked in the rear parking lot of 6119 Northwest Highway. If in the future the 6119 Northwest Hwy building is sold or the empty unit leased and the parking spaces in the rear of the building are needed for that use, the trucks shall be allowed to park in the 6107 Northwest Highway parking lot on the building side and towards the rear. (Amended by PZC)**
3. **If not in the rear parking lot of 6119 Northwest Highway,** the vehicles must be parked in the parking lot alongside the building in the designated locations on the site plan. Based on the length of the specific vehicles at this site, vehicles that would encroach into the drive aisle must be parked perpendicular to the parking spaces. **(Amended by PZC)**
4. The vehicles cannot block any required egress points or installed fire protection connections, such as fire hydrants or fire department connections.
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.

# DRAFT

ORDINANCE NO. \_\_\_\_\_  
FILE NO. \_\_\_\_\_

## AN ORDINANCE GRANTING A SPECIAL USE PERMIT AT 6107 NORTHWEST HIGHWAY UNIT C

WHEREAS, pursuant to the terms of a Petition (File #2010-61) before the Crystal Lake Planning and Zoning Commission, the Petitioner has requested the issuance of a Special Use Permit to allow the outside storage of trucks for the property located at 6107 Northwest Highway Unit C; and

WHEREAS, it is in the best interests of the CITY OF CRYSTAL LAKE that the Special Use Permit be issued as requested in said Petition.

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

Section I: That a Special Use Permit be issued to allow (the outside storage of trucks for the property commonly known as 6107 Northwest Highway Unit C, Crystal Lake, Illinois.

Section II: Said Special Use is issued with the following conditions:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
  - A. Development Application, (Casey Pristou, received 10-01-10)
  - B. Site Location showing vehicle storage area (National Shopping Plaza, received 10-01-10)
2. The trucks are to be parked in the rear parking lot of 6119 Northwest Highway. If in the future the 6119 Northwest Highway building is sold or the empty unit leased and the parking spaces in the rear of the building are needed for that use, the trucks shall be allowed to park in the 6107 Northwest Highway parking lot on the building side and towards the rear.
3. If not in the rear parking lot of 6119 Northwest Highway, the vehicles must be parked in the parking lot alongside the building in the designated locations on the site plan. Based on the length of the specific vehicles at this site, vehicles that would encroach into the drive aisle must be parked perpendicular to the parking spaces.
4. The vehicles cannot block any required egress points or installed fire protection connections, such as fire hydrants or fire department connections.
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

# DRAFT

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 issuance of a Special Use Permit in accordance with the provisions of this Ordinance, as provided by law.

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

DATED at Crystal Lake, Illinois, this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK

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**Agenda Item No: 12**

**City Council  
Agenda Supplement**

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**Meeting Date:** November 16, 2010

**Item:** REPORT OF THE PLANNING & ZONING COMMISSION

#2010-66 755 Blackthorn Drive (Sievertsen)

Simplified Residential Variation (Section 4-700B3) to allow an 8-foot tall fence in the rear yard, instead of the required maximum of 6 feet, a variation of 2 feet.

Larry and Arleen Sievertsen, 755 Blackthorn Drive

**PZC Recommendation:** Motion to approve the Planning and Zoning Commission recommendation and adopt an ordinance granting the variation to allow an 8-foot tall fence in the rear yard setback for 755 Blackthorn Drive.

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

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**Background:** The property in question is an existing conforming lot in the "R-1" single-family district. The property is improved with a two-story frame house with an attached garage. The petitioner is requesting a variation to allow the continuation of an 8-foot tall fence along their rear property line. Northern Illinois Tree Service is located along Crystal Lake Avenue and a 6-foot graduating to 8-foot tall fence is along the rear of NI Tree Service, to screen their operations from this residential neighborhood.

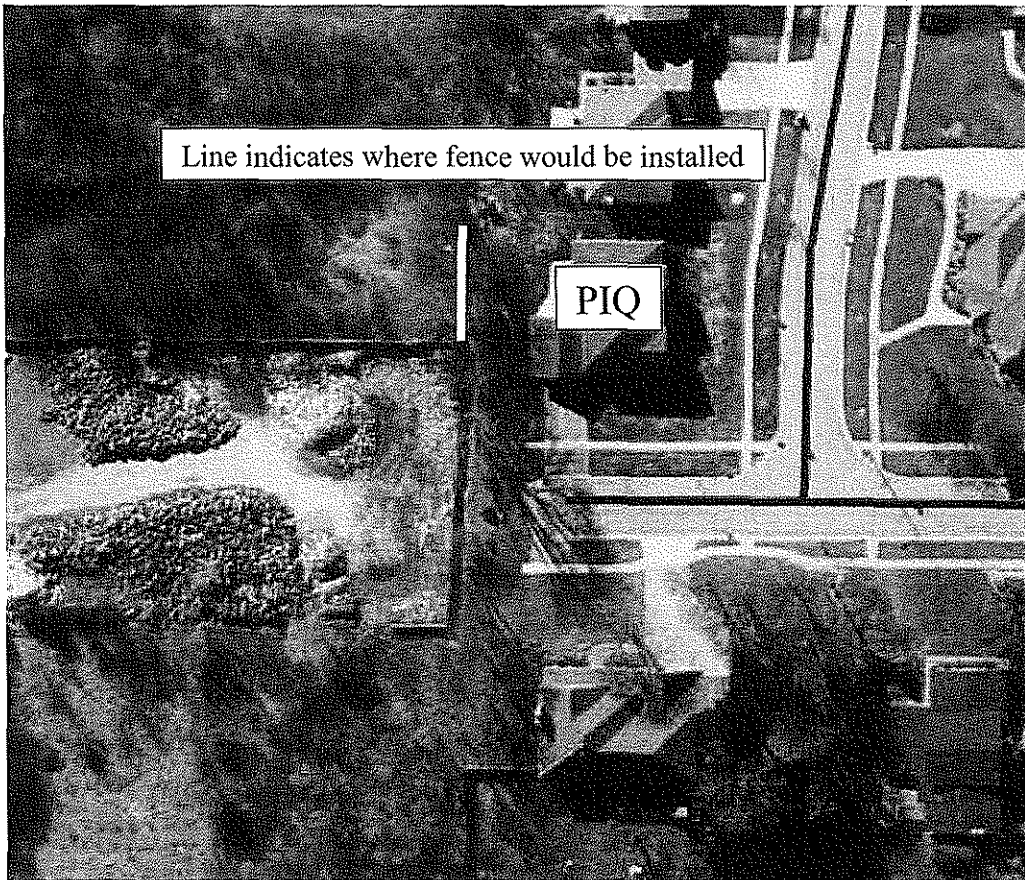
Per the requirements of the Unified Development Ordinance, fences, walls or screening in any rear yard shall not exceed 6 feet in height. The petitioner is requesting an 8-foot high fence along the rear property line, to screen the operations of Northern Illinois Tree Service from their view at their house. There previously was a fence that existed along the property line separating NI Tree Service and the neighbor to the west and that fence has been recently bulldozed and no longer provides a screen. The City is working with NI Tree Service for the replacement of a screening fence, but the petitioner is requesting a fence at this time, as they are unsure as to how and when the screening will take place. Please reference the pictures attached to this summary, as they help illustrate the request.



Existing 8' fence behind NI Tree Service



Area where 8' fence would be continued along property line.



***PZC Highlights***

The Commission felt that the petitioner did not create their situation and the hardship was the commercial operations (tree cutting, chipping, grinding, etc.) and stated that the request met the criteria and findings of fact needed for a variation.

The Planning and Zoning Commission recommended **approval (7-0)** of the petitioner's request with the following recommended conditions:

- 1) Approved plans, to reflect staff and advisory board comments, as approved by the City Council:
  - A. Application (Sievertsen, received 10-14-10)
  - B. Plat of Survey (Property Lines, Inc., received 10-14-10)
- 2) The petitioner shall address all comments of the Engineering and Building, Public Works, Fire Rescue, Police and Planning & Economic Development Departments.
- 3) The petitioner shall submit the agreement letter to connect to the neighbor's existing fence at time of permit. (Added by PZC)

**Votes Required to Pass:** A simple majority vote.

# DRAFT

ORDINANCE NO. \_\_\_\_\_  
FILE NO. \_\_\_\_\_

## AN ORDINANCE GRANTING A VARIATION AT 755 BLACKTHORN DRIVE

WHEREAS, pursuant to the terms of the Application (File #2010-66) before the Crystal Lake Planning and Zoning Commission, the Applicant has requested the granting of a Simplified Residential Variation (Section 4-700B3) to allow an 8-foot tall fence in the rear yard, instead of the required maximum of 6 feet, a variation of 2 feet at 755 Blackthorn Drive; and

WHEREAS, it is in the best interests of the City of Crystal Lake that the Variation be granted as requested in said Application.

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

SECTION I: That a Variation be granted from the Crystal Lake Unified Development Ordinance Section 4-700B3 to allow an 8-foot tall fence in the rear yard, instead of the required maximum of 6 feet, a variation of 2 feet

at the property at 755 Blackthorn Drive, Crystal Lake, Illinois.

SECTION II: That the Variation be granted with the following conditions:

1. Approved plans, to reflect staff and advisory board comments, as approved by the City Council:
  - A. Application (Sievertsen, received 10-14-10)
  - B. Plat of Survey (Property Lines, Inc., received 10-14-10)
2. The petitioner shall address all comments of the Engineering and Building, Public Works, Fire Rescue, Police and Planning & Economic Development Departments.
3. The petitioner shall submit the agreement letter to connect to the neighbor's existing fence at time of permit.

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 a Simplified Residential Variation 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.

# DRAFT

DATED at Crystal Lake, Illinois, this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

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MAYOR

ATTEST:

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CITY CLERK

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**Agenda Item No: 13**

**City Council  
Agenda Supplement**

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**Meeting Date:** November 16, 2010

**Item:** REPORT OF THE PLANNING & ZONING COMMISSION

#2010-63 242 Ridge Avenue (Soldan)

Simplified Residential Variation (Section 4-700B3) to allow a 6-foot tall fence in a yard abutting a street (8 feet from the property line along Terra Cotta Ave.) instead of the maximum permitted height of 3 feet.

Joe and Virginia Soldan, 242 Ridge Avenue

**PZC Recommendation:** Motion to approve the Planning and Zoning Commission recommendation and adopt an ordinance granting the variation to allow a 6-foot tall fence in a yard abutting a street for 242 Ridge Avenue.

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

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**Background:** The property in question is an existing non-conforming corner lot in the "R-2" single-family district, located at the southwest corner of Ridge Avenue and Terra Cotta Avenue (Route 176). The 60-foot wide lot does not meet the minimum lot width requirement of 70 feet for the "R-2" district. The property is improved with a two-story frame house with an attached garage.

For a corner lot, the front is the narrowest side edge of the lot fronting on a street. Therefore, for this property, the front is along Ridge Avenue and the side along Terra Cotta Avenue is the corner side or side abutting a street. Per the requirements of the Unified Development Ordinance, fences, walls or screening in any front yard or yard abutting a street cannot exceed 3 feet in height. A 6-foot high fence would have to be installed in line with the house, which is setback 20 feet. The petitioner is requesting a variation to allow a 6-foot tall fence approximately 8 feet from the property line along Terra Cotta Avenue.

The petitioner has indicated that they would like a taller fence along Terra Cotta Avenue in part to buffer the traffic noise, particularly from the semi-trucks and motorcycles. Also, because of the configuration of the lot, the corner side yard lies along the rear yard for this lot. The petitioner would like to maximize the use of their back yard to accommodate the various

anticipated uses. The proposed fence will be outside the sight triangle. The petitioner has also indicated that they will not be removing any trees along Terra Cotta Avenue to accommodate the fence.

***PZC Highlights***

The Commission indicated that although they had been consistent in their denial of previous fence variation requests, they believed that a hardship existed in this instance. They cited both the configuration of the lot and the location along Route 176 as a hardship and felt that the request met the criteria and findings of fact needed for a variation.

The Planning and Zoning Commission recommended **approval (7-0)** of the petitioner's request. If the petitioner's request is approved, the following conditions are recommended:

1. Approved plans, to reflect staff and advisory board comments, as approved by the City Council:
  - A. Development Application, received 10-08-10
  - B. Site Plan, Bailey, received 10-08-10
2. A building permit is required prior to the installation of a fence.
3. Any additional accessory structure, within the fenced area, such as a swimming pool must be located behind the building line unless an additional variation is obtained.
4. The petitioner shall address all comments of the Engineering and Building, Public Works, Fire Rescue, Police and Planning & Economic Development Departments.

**Votes Required to Pass:** A simple majority vote.

# DRAFT

ORDINANCE NO. \_\_\_\_\_  
FILE NO. \_\_\_\_\_

## AN ORDINANCE GRANTING A VARIATION AT 242 RIDGE AVENUE

WHEREAS, pursuant to the terms of the Application (File #2010-63) before the Crystal Lake Planning and Zoning Commission, the Applicant has requested the granting of a Simplified Residential Variation (Section 4-700B3) to allow a 6-foot tall fence in a yard abutting a street (8 feet from the property line along Terra Cotta Ave.) instead of the maximum permitted height of 3 feet at 242 Ridge Avenue; and

WHEREAS, it is in the best interests of the City of Crystal Lake that the Variation be granted as requested in said Application.

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

SECTION I: That a Variation be granted from the Crystal Lake Unified Development Ordinance Section 4-700B3 to allow a 6-foot tall fence in a yard abutting a street (8 feet from the property line along Terra Cotta Ave.) instead of the maximum permitted height of 3 feet

at the property at 242 Ridge Avenue, Crystal Lake, Illinois.

SECTION II: That the Variation be granted with the following conditions:

1. Approved plans, to reflect staff and advisory board comments, as approved by the City Council:
  - A. Development Application, received 10-08-10
  - B. Site Plan, Bailey, received 10-08-10
2. A building permit is required prior to the installation of a fence.
3. Any additional accessory structure, within the fenced area, such as a swimming pool must be located behind the building line unless an additional variation is obtained.
4. The petitioner shall address all comments of the Engineering and Building, Public Works, Fire Rescue, Police and Planning & 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 a Simplified Residential Variation in accordance with the provisions of this Ordinance, as provided by law.

# DRAFT

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 \_\_\_\_\_, \_\_\_\_\_.

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MAYOR

ATTEST:

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CITY CLERK

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**Agenda Item No: 14**

**City Council  
Agenda Supplement**

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**Meeting Date:** November 16, 2010

**Item:** REPORT OF THE PLANNING & ZONING COMMISSION

#2010-62 Colonial Cafe

- 1) Final PUD Amendment for an addition and elevation changes to the existing structure, a change in the parking layout and new outdoor seating;
- 2) Minor Subdivision to create 3 lots;
- 3) Variation (Article 3-200 B) from the maximum permitted impervious surface coverage of 65% for lots in the "B-2" district; and
- 4) Variations (Article 4-1000) to allow an approximately 23.25-square-foot electronic message center within a 11'-2" tall free-standing sign and wall signage greater than the maximum permissible 150 square feet;
- 5) Deferral from the requirement to install sidewalks and parkway trees along Route 14 and Liberty Road.

Colonial Café, 5689 Northwest Highway

**PZC Recommendation:** Motion to approve the Planning and Zoning Commission recommendation and adopt an ordinance granting a Final PUD Amendment, Minor Subdivision and variations for 5689 and 5545 Northwest Highway.

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

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**Background:** The property in question is Lot 1 of the Crystal Court Shopping Center, a 33-acre retail shopping area that was formerly anchored by WalMart and Cub Foods. The property was annexed in December of 1988 and developed and constructed during the early 1990's. Lot 1 is approximately 5.93 acres and includes the former Baker's Square Restaurant, Harris Bank and the multi-tenant building which houses Jimmy Johns and Regency Beauty. The petitioner, Colonial Café, is seeking to subdivide Lot 1 into three separate lots individually accommodating each of the above mentioned uses and with the intent of locating Colonial Café at the location of the former Baker's Square. Additionally, they are seeking a Final PUD Amendment to allow an

addition to the existing building, incorporate façade and parking layout changes, signage and outdoor seating.

*Façade Changes*

The petitioner is proposing façade changes to incorporate their identity. The most significant change would be the addition of a tiled entrance feature and the EIFS façade with awnings and sconce lights along the north side. The tiled entrance would feature red and yellow tiles reflecting the Colonial Café identity along with red awnings and green EIFS. An outdoor dining area is also proposed on the north side along the front of the building along Route 14.

*Signage*

The petitioner was originally proposing an 11'-2" tall free-standing sign along Route 14, set back 10 feet from the property line. However, at the PZC meeting they provided a sign that is 9 feet tall. A summary of the requested signage, the original Crystal Court PUD requirements and the UDO requirements follows.

	<b>Requested signage</b>	<b>Crystal Court PUD requirements</b>	<b>UDO requirements</b>
<b>Free-standing Sign</b>	9 feet tall 65.25 square feet in area 23.25-square-foot EMC	7 foot maximum 30 square feet in area n/a	9 foot maximum 80 square feet in area EMCs prohibited
<b>Wall Signs</b> 3 signs on north, east and west facade	69.5 square feet each 6'10" tall letters 208.5 total wall signage	48 square feet each 18 inch letters north & east sides only	75 square feet per sign No height limitation 150 total wall signage

*Variations as part of the PUD*

Along with the subdivision, the petitioner is requesting a **deferral** from the requirement to install sidewalks and parkway trees along Route 14 and Liberty Road. There are no sidewalks on Route 14 east of Rosenthal Drive or on Liberty Road. A **variation** will be necessary to allow the proposed Lots 1 and 3 to exceed the maximum impervious surface coverage requirement of 65 percent for lots in the "B-2" district to allow the existing configuration (with the minor site change for Lot 1).

*PZC Highlights*

The Planning and Zoning Commission was excited about the proposed improvements and generally liked the façade changes. There was a lengthy discussion regarding the proposed signage. Overall, the Commission felt that the requirements of the UDO relative to signage should be met; however, most of the Commissioners felt that an electronic message center would be acceptable. There was a concern that this request would open the door to all other restaurants requesting an electronic message center for their signs. At the meeting, the petitioner presented a revised free-standing sign that was 9-foot tall, which the PZC incorporated into their motion.

The Planning and Zoning Commission recommended **approval (6-1)** of the petitioner's request. If the petitioner's request is approved, the following conditions are recommended:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:

- A. Development Application, received 10-08-10
  - B. Minor Subdivision Application, received 10-08-10
  - C. ALTA/ACSM Plat of Survey, Condon, dated 10-07-10, received 10-08-10
  - D. Final Plat of Subdivision, Condon, dated 10-08-10, received 10-08-10
  - E. Architectural Plan Set, Larson and Darby, received 10-08-10
  - F. Sign Details, American Sign Factory, ~~received 10-08-10~~ **dated 11-3-10 for the monument sign**
  - G. Façade Color Elevation, received 10-08-10
2. As a condition of the PUD, a variation from the provision of the UDO is granted to allow:
    - A. An impervious surface coverage greater than the maximum permitted 65% for lots in the “B-2” district to allow the existing configuration with the proposed changes.
  3. Final Plat of Subdivision
    - A. The Plat shall meet all the requirements of Article 5-200 G 3 b, including but not limited to, names of owners; exact location, width and name of all streets and dedication status; and area of each lot indicated on each lot or in a key on the plat.
    - B. Provide for two subdivision property corner monuments and the remaining property corners to be set.
  4. A deferral until an area-wide program is hereby granted for the following UDO requirements:
    - A. From the requirement to install sidewalks along Route 14 and Liberty Road.
    - B. From the requirement to install parkway trees.
  5. Private utilities within the proposed subdivision traverse the lots. Provide evidence that the maintenance and repair of these utilities has been addressed.
  6. Provide details for any landscaping to be removed on-site. All removed landscaping must be replaced on-site with staff approval.
  7. Provide details of the proposed trash enclosure. Enclosure shall be constructed to match the architectural detail of the principal structure and contain a securable gate to minimize blowing refuse.
  8. No parking signs are required to maintain adequate fire apparatus access to the east and south.
  9. Provide material and color samples (including awnings) of all exterior materials to be used on the building for review and approval by the Planning and Zoning Commission and the City Council
  10. Signage
    - A. The free-standing sign as proposed is located in the water and sewer easement. A maintenance agreement is required to be executed with the City. If the City requires work on the underlying utilities and the sign has to be removed and/or is damaged, the sign owner is responsible for the repair and/or replacement of the sign.

- B. The free-standing sign shall be reduced to a 9 foot height to meet the provisions of the UDO.
  - C. Variations to allow an approximately 23.25-square-foot electronic message center **and wall signage totaling 208.5 square feet is hereby granted. within the 9 foot tall sign is granted and the wall signage is to meet the UDO.** (Changed by the PZC)
  - D. The EMC sign shall be illuminated by amber or white LED. Undue brightness is prohibited (Intensity level not to exceed: Day: 5,000 nits; Night: 1,000 nits). The EMC must have an automatic phased proportional dimmer which must be used to reduce nighttime brightness levels. Written certification from the sign manufacturer indicating that light intensity is factory preset to not exceed levels specified above is required. Messages must stay stationary for a period of no less than 5 minutes.
  - E. Any additional wall signage (To-Go sign, etc.) shall be accommodated within the ~~208.5~~ **150** sq. ft. wall signage allowance. (Changed by the PZC)
  - F. Provide details of proposed directional signage. Directional signage must meet the requirements of the UDO.
  - G. No signage is permitted on any umbrellas for the proposed patio seating **and/or awnings on the building.** (Changed by the PZC)
11. 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.

**Votes Required to Pass:**

A simple majority vote.



DRAFT

ORDINANCE NO. \_\_\_\_\_  
FILE NO. \_\_\_\_\_

AN ORDINANCE GRANTING AN AMENDMENT  
TO THE FINAL PUD, VARIATION, AND FINAL PLAT OF RESUBDIVISION  
FOR COLONIAL CAFÉ – 5545/5689 NORTHWEST HIGHWAY

WHEREAS, pursuant to the terms of the Petition (File #2010-62) before the Crystal Lake Planning and Zoning Commission, the Petitioner has requested a Final Planned Unit Development Amendment (Article 4-500) to allow an addition and elevation changes to the existing structure, a change in the parking layout and addition of new outdoor seating; Minor Subdivision to create 3 lots; Variation (Article 3-200 B) from the maximum permitted impervious surface coverage of 65% for lots in the “B-2” district; and Variations (Article 4-1000) to allow an approximately 23.25-square-foot electronic message center and wall signage greater than the maximum permissible 150 square feet; Deferral from the requirement to install sidewalks and parkway trees along Route 14 and Liberty Road for Colonial Café at 5545/5689 Northwest Highway ; 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 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 (Article 4-500) to allow an addition and elevation changes to the existing structure, a change in the parking layout and addition of new outdoor seating; Minor Subdivision to create 3 lots; Variation (Article 3-200 B) from the maximum permitted impervious surface coverage of 65% for lots in the “B-2” district; and Variations (Article 4-1000) to allow an approximately 23.25-square-foot electronic message center ; Deferral from the requirement to install sidewalks and parkway trees along Route 14 and Liberty Road for Colonial Café for the property located at 5545/5689 Northwest Highway, Crystal Lake, Illinois.

SECTION II: That the petitioner’s request be granted with the following conditions:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
  - A. Development Application, received 10-08-10
  - B. Minor Subdivision Application, received 10-08-10
  - C. ALTA/ACSM Plat of Survey, Condon, dated 10-07-10, received 10-08-10

# DRAFT

- D. Final Plat of Subdivision, Condon, dated 10-08-10, received 10-08-10
  - E. Architectural Plan Set, Larson and Darby, received 10-08-10
  - F. Sign Details, American Sign Factory, dated 11-3-10 for the monument sign
  - G. Façade Color Elevation, received 10-08-10
2. As a condition of the PUD, a variation from the provision of the UDO is granted to allow:
    - A. An impervious surface coverage greater than the maximum permitted 65% for lots in the "B-2" district to allow the existing configuration with the proposed changes
  3. Final Plat of Subdivision
    - A. The Plat shall meet all the requirements of Article 5-200 G 3 b, including but not limited to, names of owners; exact location, width and name of all streets and dedication status; and area of each lot indicated on each lot or in a key on the plat.
    - B. Provide for two subdivision property corner monuments and the remaining property corners to be set.
  4. A deferral until an area wide program is hereby granted for the following UDO requirements:
    - A. From the requirement to install sidewalks along Route 14 and Liberty Road
    - B. From the requirement to install parkway trees.
  5. Private utilities within the proposed subdivision traverse the lots. Provide evidence that the maintenance and repair of these utilities has been addressed.
  6. Provide details for any landscaping to be removed on-site. All removed landscaping must be replaced on-site with staff approval.
  7. Provide details of the proposed trash enclosure. Enclosure shall be constructed to match the architectural detail of the principal structure and contain a securable gate to minimize blowing refuse.
  8. No parking signs are required to maintain adequate fire apparatus access to the east and south.
  9. Provide material and color samples (including awnings) of all exterior materials to be used to be used on the building for review and approval by the Planning and Zoning Commission and the City Council
  10. Signage
    - A. The free-standing sign as proposed is located in the water and sewer easement. A maintenance agreement is required to be executed with the City. If the city requires work on the underlying utilities and the sign has to be removed and/or is damaged, the sign owner is responsible for the repair and/or replacement of the sign.
    - B. The free-standing sign shall be reduced to a 9 foot height to meet the provisions of the UDO.

# DRAFT

C. Variations to allow an approximately 23.25-square-foot electronic message center within the 9 feet tall sign and the wall signage is to meet the UDO.

D. The EMC sign shall be illuminated by amber or white LED. Undue brightness is prohibited (Intensity level not to exceed: Day: 5,000 nits; Night: 1,000 nits). The EMC must have an automatic phased proportional dimmer which must be used to reduce nighttime brightness levels. Written certification from the sign manufacturer indicating that light intensity is factory preset to not exceed levels specified above is required. Messages must stay stationary for a period of no less than 5 minutes.

E. Any additional wall signage (To-Go sign, etc.) shall be accommodated within the 150 wall signage allowance.

F. Provide details of proposed directional signage. Directional signage must meet the requirements of the UDO.

G. No signage is permitted on any umbrellas for the proposed patio seating and/or awnings on the building.

11. 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.

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: 15**

**City Council  
Agenda Supplement**

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**Meeting Date:** November 16, 2010

**Item:** Facade and Commercial Tenant Improvement Program grant application request: #10-32-006 Colonial Café, 5689 Northwest Highway, request for \$1,000 in matching grant funds.

Clinton Anderson (Colonial Café)

**Recommendations:** City Council's discretion:

1. Motion to approve the retailer façade and commercial tenant improvement grant agreement with Clinton Anderson and to award \$1,000 in grant funding for improvements to 5689 Northwest Highway (Colonial Café);
2. Motion to deny the grant application request.

**Staff Contact:** Michelle Rentzsch, Director of Planning and Economic Development  
James Richter II, Assistant Director of Economic Development

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**Background:** On May 4, 2010, the City Council approved the retailer façade and commercial tenant improvement program. This program provides matching grant funding for interior and exterior improvements to retail sales tax generating users. Both existing and new retail sales tax generating businesses are eligible for the grant program, each at different funding levels. Existing retailers who make qualifying improvements are eligible for up to \$1,000, while new businesses occupying vacant space are eligible for up to \$10,000 in matching grant funds.

To objectively analyze the applications for grant funding, review criteria have been established in the Ordinance approving this program. Charts have been provided for each grant application to summarize how well each request meets the review criteria.

**COLONIAL CAFE (5689 Northwest Highway)**

Clinton Anderson, the owner of Colonial Cafe, has applied for matching grant funds to assist him with the build-out expenses related to relocating his restaurant to the former Baker's Square property. Colonial Café will move from the existing space that they are leasing at the Crystal Point Shopping Center to the Bakers' Square building, which they will purchase from the Simon Property Group.

As an existing retailer in Crystal Lake, the Ordinance for the Retailer Façade and Commercial Tenant improvement program allows for a maximum award of \$1,000. The intent of the program is to aid in the attraction of new businesses to fill vacant space. However, it was decided that efforts

by our existing businesses to expand or relocate should not go unrewarded, and hence a lower amount was approved for these types of projects.

The eligible retailer façade and commercial tenant improvements for this business include interior and exterior demolition, exterior painting, interior wall framing, drywall, electrical, and plumbing improvements.

The cost of the eligible improvements for Colonial Café will be \$160,500. The total improvement costs for this project will be \$817,480. The applicant is requesting \$1,000 in matching grant funds, which is less than 1% of the total project costs. The chart below outlines the evaluation of the applicant's request in relation to our review criteria:

REVIEW CRITERIA	APPLICANT'S ABILITY TO MEET THE REVIEW CRITERIA
Improvement to appearance	Major improvements to the appearance of the subject property would be provided*
Aesthetic impact to area	Improvements would provide a significant aesthetic impact to the area*
Amount of work to be conducted	Eligible improvements total \$160,500; applicant is requesting less than 1% of the total *
Anticipated increase in EAV	An increase to the EAV is expected as a result of the improvements*
Use of property after improvements	Assists a sales-tax-generating restaurant user to occupy vacant retail space*
Contribution to economic vitality	Promotes additional traffic and consumer spending, opens former space for desirable users*
Compatibility with nearby uses	Compatible with adjacent uses*

The applicant's request has been evaluated for the value of the improvement, the extent of proposed work, and its potential impact. The current application would fulfill 7 of the 7 review criteria (marked with an asterisk\*).

***Colonial Café qualifies for the Targeted Development Zone Incentive (investment greater than \$250,000) and will receive a 50% reduction on their permit and inspection fees.***

#### ELIGIBLE IMPROVEMENTS FOR REIMBURSEMENT

There are a variety of different improvements that are eligible for reimbursement through the Retailer Façade and Commercial Tenant Improvement Program. The chart below is taken from the Ordinance approving the program. The current requests contain the improvements that are *italicized* in the chart.

#### *Retailer Façade and Commercial Tenant Improvement Program*

Exterior brick cleaning	Exterior tuck pointing	<i>Exterior painting</i>
<i>Wall façade construction, repair &amp; treatment</i>	Original exterior architectural features repair or replacement	<i>Interior drywall or feature walls</i>
Improvements for ADA accessibility compliance	Life safety improvements	<i>Electrical or plumbing repair, installation, or upgrade</i>
<i>Interior/exterior demolition</i>	Historic renovation to interior	

#### SUMMARY OF CURRENT REQUESTS

The chart on the following page provides a complete summary of the pending grant funding requests. The City has budgeted \$75,000 for reimbursements to awarded recipients. \$60,000 of the \$75,000 is available to new retailers (at a max award of \$10,000), while \$15,000 is available to *existing retailers* making improvements to their buildings (at a max award of \$1,000).

File #	Applicant Name / Business name	Address	New Retailer Improvements	Existing Retailer Improvements	Manuf. Improve.	Total Requested	Amount Approved	Status
2010-32-001	Matt Thelander Yumz Frozen Yogurt	815 Cog Circle, #350	\$10,000.00		\$0.00	\$10,000.00	\$10,000.00	Approved
2010-32-002	Ann Nevills Building owner	33-37 N Williams			\$0.00			Withdrawn
2010-32-003	Dan Calendrino Centro Properties	6340 Nw Hwy		\$1,000.00	\$0.00	\$1,000.00	\$1,000.00	Approved
2010-32-004	Zahid Hameed Mobil Oil	250 N Rte 31	\$10,000.00		\$0.00	\$10,000.00	\$10,000.00	Approved
2010-32-005	Casey Pristou Aaron's Sales/Lease	6107 Nw Hwy, B	\$10,000.00		\$0.00	\$10,000.00	\$10,000.00	Approved
2010-32-006	Clinton Anderson Colonial Café	5689 Nw Hwy		\$1,000.00	\$0.00	\$1,000.00		Proposed
2010-32-007	John Regan/G. Hayes Twisted Stem Floral	407 E Terra Cotta	\$10,000.00		\$0.00	\$10,000.00	\$10,000.00	Approved
2010-32-008	Bill Poil/Joe Billitteri Fox River Glass	1055 Nimco	\$10,000.00		\$0.00	\$10,000.00		Proposed

TOTALS

\$50,000.00	\$2,000.00	\$0.00	\$52,000.00	\$41,000.00
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**Votes Required to Pass:** A simple majority vote.



**Agenda Item No: 16**

**City Council  
Agenda Supplement**

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<b><u>Meeting Date:</u></b>	November 16, 2010
<b><u>Item:</u></b>	Annual Audit for the Fiscal Year 2009/2010
<b><u>Staff Recommendation:</u></b>	Motion to accept the Annual Audit for the Fiscal Year 2009/2010
<b><u>Staff Contact:</u></b>	Mark F. Nannini, Director of Finance

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**Background:**

Attached is the 2009/2010 Comprehensive Annual Financial Report.

State law requires that all general-purpose local governments publish within six months of the close of each fiscal year a complete set of financial statements presented in conformity with generally accepted accounting principles (GAAP) and audited in accordance with generally accepted auditing standards by a firm of licensed certified public accountants. The Council is requested, as part of standard annual procedure, to accept the City's 2009/2010 Fiscal Year annual audit report.

The report is separated into three sections - Introduction, Financial and Statistical. The Introduction section provides a letter from management on the City's economic development, long-term planning, management practices and awards with acknowledgements.

The Financial section includes a letter from the audit firm followed by detailed information for the fiscal year ended April 30, 2010. This information is presented in summary fashion in the lead schedules and then provides the detailed activity by account and fund.

The last section, Statistical, provides various statistical information on the City of Crystal Lake. This section gives the reader more insight into the revenues, expenses, outstanding debt and miscellaneous statistics.

The audit report, prepared by Selden Fox, LTD, provides a clean opinion of the City's financial operations for the fiscal year ended April 30, 2010, and for the eighteenth consecutive year, the financial report has been prepared to comply with the high standards of the Government Finance Officers Association Certificate of Conformance for Excellence in Financial Reporting Award

Program criteria. Members of our audit firm and finance staff will be present at the meeting to address any questions about these schedules. A motion is requested of the Council for acceptance of the annual audit for the Fiscal Year 2009/2010.

**Votes Required to Pass:**

Simple majority.

**Action Taken:**





**Agenda Item No: 17**

**City Council  
Agenda Supplement**

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**Meeting Date:** November 16, 2010

**Item:** Clear Southern Rock Salt Bid

**Staff Recommendation:** Motion to award the bid for the provision of clear southern rock salt to the lowest responsive and responsible bidder, Morton Salt Company, and to adopt a resolution authorizing the City Manager to execute a one-year purchase agreement with Morton Salt Company for clear southern rock salt in the amount not to exceed \$87.26 per ton.

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

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**Background:**

On November 8, 2010, the City of Crystal Lake publicly opened and read aloud the bids received for a one-year contract for the provision of clear southern rock salt. Clear southern rock salt is used daily by the Public Works Department for the City's water softening processes.

The following is a breakdown of the bids received:

<b>Bidder</b>	<b>Clear Southern Rock Salt</b>
✓ Morton Salt Chicago, IL	\$87.26 per ton
North American Salt Co. Overland Park, KS	\$87.65 per ton
Cargill Inc. St. Clair, MI	\$89.64 per ton

✓ Indicates recommended lowest responsive and responsible bidder

**Recommendation:**

The Public Works Department has reviewed all bids received for completeness and accuracy in accordance with the invitation to bid document. Morton Salt Company has provided salt to the City of Crystal Lake in past years. They have been a very responsive supplier to the City's salt requirements. It is staff's recommendation to award the contract for clear southern rock salt to the lowest responsive and responsible bidder, Morton Salt Company, and to authorize the City Manager to execute a one-year purchase agreement with Morton Salt Co. for the provision of clear southern rock salt.

**Votes Required to Pass:**

Simple Majority

DRAFT

RESOLUTION

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE that the City Manager is authorized to execute a one-year Purchase Agreement between the CITY OF CRYSTAL LAKE and Morton Salt Company for the provision of Clear Southern Rock Salt.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

CITY OF CRYSTAL LAKE, an  
Illinois municipal corporation,

By: \_\_\_\_\_  
MAYOR

SEAL

ATTEST

\_\_\_\_\_  
CITY CLERK

PASSED: \_\_\_\_\_

APPROVED: \_\_\_\_\_



**Agenda Item No: 18**

**City Council  
Agenda Supplement**

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**Meeting Date:**

November 16, 2010

**Item:**

Water Treatment Plant #4 TCE Removal Packed Tower Project.

**Staff Recommendation:**

Motion to award the bid for the Water Treatment Plant #4 packed tower project, to the lowest responsive and responsible bidder, Boller Construction Company, Inc., adopt a resolution authorizing the City Manager to execute an agreement with Boller Construction Company, Inc. in the amount of \$1,213,000.00 with a 10% contingency for unforeseen expenses, and amending the FY2011 Budget.

**Staff Contact:**

Eric R. Lecuyer, Director of Public Works

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**Background:**

The Public Works Department has been carefully monitoring the concentration of Trichloroethylene (TCE) contamination in Water Treatment Plant #4 since early in 2000. Recently, the concentration of contaminant has reached levels that require additional treatment in order to prevent the finished water from nearing Safe Drinking Water Act Standards Maximum Contaminant Level (MCL). While the City's drinking water has never exceeded safe drinking water levels, current trends on the raw water concentration of TCE require action in order to assure that our finished water remains well below safe levels. In an effort to remove TCE from the water pumped from wells at Water Treatment Plant #4, the Public Works Department and its consultant engineering firm, Trotter & Associates, Inc. (TAI), have implemented a short-term solution to reduce TCE levels to below detection limits via carbon filtration. The carbon filters are not meant to be a permanent solution due to the high operational cost making them economically unsustainable. The permanent packed tower system will require significantly less operating and maintenance costs as the media in the tower systems is not consumable and will not require replacement. The packed tower will simply become part of the treatment process at Water Treatment Plant #4.

The packed tower consists of a 45 ft. high tower mounted on top of a new intermediate pumping station for an overall height of 58.9 feet above ground level and will be constructed behind WTP#4 to the west of the water storage tanks. The height of the tower will be similar to existing

facilities at WTP#4. Treated water from WTP#4 will be pumped to the top of the tower and cascade through the internal media to remove TCE from the finished water to below detection limits.

The following table illustrates a breakdown of the bids received.

<b>Bidder</b>	<b>Total Bid Price</b>
√ Boller Construction Co. Waukegan, IL	\$ 1,213,000.00
Keno & Sons Construction Lake Bluff, IL	\$ 1,229,800.00
Maxim Construction Co. Volo, IL	\$ 1,262,700.00

√ Indicates recommended lowest responsive and responsible bidder

**Discussion:**

The quality and safety of the City's drinking water is a top priority of the Public Works Department and the City. The Public Works Department and TAI have reviewed many possible solutions to the TCE concentration at WTP#4, and have determined that the packed tower will be the most effective at removing the TCE while maintaining the water plant's capacity to produce finished water. The IEPA has approved the City's plans for TCE remediation and agree that the packed tower would be an effective solution. This work maintains the City's observance of its voluntary compliance schedule with IEPA.

It is the expectation of the City to work with the IEPA to recover costs for this project from the party responsible for the contamination. To cover this cost, staff is requesting an amendment to the fiscal year 2011 budget to include the utilization of monies from the General Fund reserve to pay for this expense.

**Recommendation:**

The Public Works Department and its consultant engineer, Trotter & Associates, Inc. have reviewed all bids in their entirety, and recommend that the contract for the construction of the packed tower system at Water Treatment Plant #4 be awarded to Boller Construction Company, Inc., and that the City Manager be authorized to execute a contract with Boller Construction Company, Inc. for the contract value of \$1,213,000.00 with a 10% construction contingency.

**Votes Required to Pass:**

Simple Majority

DRAFT

RESOLUTION

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE that the City Manager is authorized to execute a service agreement with Boller Construction Corporation, Inc., for the Water Treatment Plant #4 TCE removal packed tower project in the amount of \$1,213,000.00, with a 10% contingency for unforeseen expenses and to amend the Water Fund 2011 operating budget by \$1,334,000.00. These funds will be derived from an appropriation of funds from the General Fund reserves and to be repaid to the General Fund reserves upon payment from the responsible party.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

CITY OF CRYSTAL LAKE, an  
Illinois municipal corporation,

By: \_\_\_\_\_  
MAYOR

SEAL

ATTEST

\_\_\_\_\_  
CITY CLERK

PASSED: \_\_\_\_\_

APPROVED: \_\_\_\_\_



**Agenda Item No: 19**

**City Council  
Agenda Supplement**

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**Meeting Date:**

November 16, 2010

**Item:**

Heavy Duty Fire Apparatus Pumper Replacement

**Staff Recommendation:**

Motion to award the bid for the purchase of a Heavy Duty Fire Apparatus Pumper to the lowest responsive, responsible bidder, Emergency Management Corporation, and to adopt a resolution authorizing the City Manager to execute an agreement with Emergency Management Corporation for the purchase of a Heavy Duty Fire Apparatus Pumper in the not-to-exceed amount of \$394,411.

**Staff Contact:**

James Moore, Fire Rescue Chief

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**Background:**

The 2010-2011 fiscal year budget includes funds for the replacement of a heavy-duty fire apparatus pumper. The replacement of Engine 340 is necessary since it has 15 years of service and has reached its serviceable life span. Specifically, it has a failing vehicle infrastructure, including corrosion in the body seams and chassis, a fire pump that initially failed re-certification testing, electrical system malfunctions, and pump structure failure. Engine 340, which has 94,150 miles, has become inefficient in operational cost and fire ground reliability. Engine 340's per hour of operation cost is \$56.94, compared to the average Fire Rescue engine per hour of operation cost of \$20.16.

The Fire Rescue Department utilizes an hour of operation cost as a measure of life span along with mileage and present safety standards. The per hour of operation cost is a key factor as fire engines spend hours running at incidents when not accumulating road miles, since the engine is used to power the fire pump and electrical generation systems. This makes per hour of engine operation cost a more accurate measure of vehicle efficiency and life span.

In September 2010, the Fire Rescue Department proposed the purchase of a Fire Engine through the Joint Purchasing Program of the Northwest Municipal Conference (NWMC). While the NWMC Joint Purchasing Program provides for competitive pricing, it limits the amount of customization of features. In addition, the ability to compare like apparatus and features can be difficult due to the wide array of features.

It is the professional judgment of the Fire Rescue Department's leadership that independent front suspension is an essential structural component of a fire engine. This essential component made the "apples to apples" comparison of the NWMC Fire Engine prices impossible since not all proposers to the NWMC provided independent front suspension. Thus, after some discussion, at the September 7, 2010 City Council meeting, the City Council directed the Fire Rescue Department to bid the Fire Engine instead of acquiring the apparatus through the NWMC. The cost through the NWMC for a straight axle suspension engine is \$410,802.84 while the cost for an independent front suspension engine is \$444,585. This direction gave the Fire Rescue Department the opportunity to streamline the NWMC features that were deemed to have limited operational effect while at the same time including the independent front suspension.

The end result of this streamlined bid was reduction in purchase price. However, had the NWMC bid the exact specification that the Fire Rescue Department did, the power of the Joint Purchase Program would most likely have resulted in a lower price.

Vendor	Cost
√ Crimson Fire/ Emergency Management Corp	\$394,411
Ferrara Fire Apparatus (Alternate Bid)	\$403,564
Ferrara Fire Apparatus	\$487,995

√ Indicates lowest responsive and responsible bidder

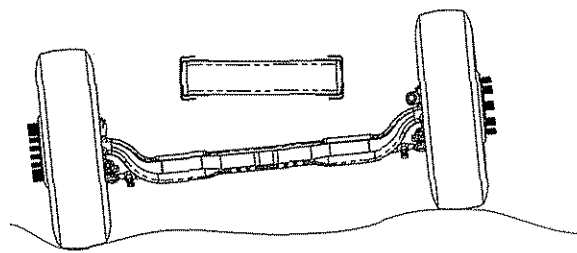
Staff reviewed the bid submitted by Emergency Management Copr. and determined the bid for the Crimson Fire Apparatus Pumper submitted is the lowest responsive and responsible bidder.

### **Independent Front Suspension**

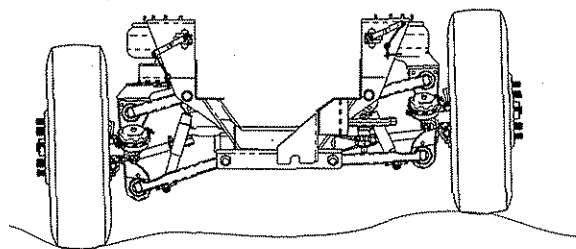
According to research done by the Transportation Research Center, an independent automotive proving ground/testing facility, located in East Liberty, Ohio, independent front suspension (IFS) improves safety in a number of ways, including:

- Increased maneuverability through thru increased tire-to-ground ratio while making turns, navigating road hazards and maneuvering past traffic obstacles.
- Stopping distance is reduced by 23%. A fire engine equipped with IFS traveling 60 MPH can stop in 200 feet, instead of 260 feet. (In traffic, this is the length of two pickup trucks and a minivan.)
- Accelerometer testing measures G-forces which in the cab quantifies:
  - IFR vehicle stability of 340 percent by the reduction of vehicle shift/tilt, which is key in avoiding vehicle rollovers.
  - Improved vehicle stability also reduces excessive vehicle torsion when compared to a straight axle vehicle. This reduction of vehicle torsion reduces stress on vehicle companies, which equates to fewer breakdowns and repairs.





Straight Axle Suspension



Independent Front Suspension

- Wheel impact:
  - Straight axle suspension impact on one wheel impacts the other wheel. In addition, a curb bump with straight axle suspension can jolt the vehicle in an undesirable direction.
  - Independent front suspension impact on one wheel will not impact the other wheels, thus offering greater vehicle controllability.
- Turning radius improved
- Improved jounce and rebound
- Improved serviceability
- Enhanced handling
- Brake life increases equals less down time, fewer brake replacements

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16. Timoney, E.P., Timoney, S.S., "New Concepts in Light Armoured Vehicles", 6th Armour and Anti-Armour Conference, London, 2003-05-15.
17. Directive 2002/44/EC of the European Parliament and of the Council of the 25th June 2002.

**Recommendation:**

The City Manager's Office, Fire Rescue Department and Fleet Services Division have reviewed all bids received for completeness and accuracy in accordance with the invitation to bid document. The Fire Rescue Department staff has verified references and has received positive recommendations.

It is staff's recommendation to award the bid to the lowest responsive and responsible bidder, Emergency Management Corporation, for the purchase of a new Crimson pumper in the not-to-exceed the amount of \$394,411. The City Attorney has reviewed this matter.

There are sufficient funds in the FY 2010/2011 Budget for the purchase of this equipment.

**Votes Required to Pass:**

Simple majority

DRAFT



## RESOLUTION

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE that the City Manager be and he is hereby authorized and directed to execute, and the City Clerk is hereby directed to attest, an agreement with Emergency Management Corporation for the purchase of a new Crimson Heavy Duty Fire Apparatus Pumper in the not to exceed amount of \$394,411.

Dated this 16<sup>th</sup> day of November, 2010.

CITY OF CRYSTAL LAKE, an  
Illinois Municipal Corporation

By: \_\_\_\_\_  
Aaron T. Shepley, Mayor

SEAL

ATTEST:

\_\_\_\_\_  
Nick Kachiroubas, City Clerk

PASSED:

APPROVED:



## Agenda Item No: 20

### City Council Agenda Supplement

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**Meeting Date:**

November 16, 2010

**Item:**

Fire Station #3 Lead Dust/Asbestos Cleanup Project

**Staff Recommendation:**

Motion awarding the bid for the lead dust/asbestos cleanup project to the lowest responsive, responsible bidder, The Luse Companies, amending the 2010-2011 City Budget, and adopting a resolution authorizing the City Manager to execute a contract with The Luse Companies, in the submitted bid amount with a 20% contingency for justifiable changes.

**Staff Contact:**

James P. Moore, Fire Rescue Chief

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In 2001, as part of the City's effort to prepare for around-the-clock staffing of Fire Station #3, the City conducted various environmental tests of Fire Station #3 and determined that because of the police firing range that was located in the basement of the building, cleanup of any lead dust was necessary. Fire Station #3 was built in the 1970's and until 2001 was used to store public safety equipment and to house the police firing range.

The 2001 lead dust cleanup project included all necessary cleaning throughout the entire building, including portions of the firing range. At the time, it was anticipated that the lead dust cleanup project would be divided into two stages. Stage 1 included whatever cleanup was necessary in order to open the fire station for around-the-clock staffing. Stage 2 was slated to include an extensive rehabilitation project strictly on the firing range in order to update the range and remove the remaining lead dust embedded in the walls and ceiling. This stage also would have included the construction of a separate entrance to the basement to avoid accessing the firing range through the fire station.

After Stage 1 was completed and around-the-clock staffing began at Fire Station #3, it was determined that in order to ensure that lead dust could not again accumulate in the fire station portion of the building, the firing range was discontinued. Instead, the Police Department has been utilizing other sites for range practice.

Recently, it was discovered that mold had accumulated in the firing range portion of the building. In order to remediate the mold from the basement, the remaining lead dust also

needs to be remediated. With the assistance of the City's environmental consultant on this project, JMS Environmental Associates, bid specifications were drafted to remediate the remaining lead dust, mold, and asbestos fittings and elbows.

On November 9, 2010, bids were publicly opened for this project. Listed below are the results of the bids received:

<b>Vendor</b>	<b>Total</b>
The Luse Companies Aurora, Illinois	\$49,950 ✓
Bay Remediation, LLC Chicago, IL	\$51,225
Colfax Corporation Chicago, IL	\$61,000
Kinsale Contracting Group Westmont, IL	\$70,576
Associated IFD Elk Grove Village, IL	\$74,260
NES, Inc. Mokena, IL	\$79,678
Midway Contracting Group Tinley Park, IL	\$91,800

✓ Indicates recommended lowest responsive and responsible bidder.

**Recommendation:**

It is the recommendation of the Fire Rescue Department and the City Manager's Office to award the bid for the lead dust cleanup project to The Luse Companies. During the course of the cleanup, December 1<sup>st</sup> through December 11<sup>th</sup>, Fire Station #3 will be taken offline. Instead, personnel and equipment will be dispatched from the other two fire stations. The 20% contingency for justifiable changes is being requested to ensure that unforeseen contract items do not delay the re-opening of the fire station. Upon the completion of this work, the basement area will be utilized for storage and the mechanical systems will be adjusted to ensure proper venting to mitigate future mold re-growth.

**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 the lead dust cleanup project at Fire Station #3 between the City of Crystal Lake and The Luse Companies in the submitted bid amount with a 20 percent contingency for justifiable additions.

BE IT ALSO RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE to amend the 2010-2011 City Budget and authorize payment of the bid amount with contingency, consultant costs and mechanical repair costs from the General Fund Reserves.

DATED this 16<sup>th</sup> day of November, 2010

CITY OF CRYSTAL LAKE, an  
Illinois municipal corporation,

By: \_\_\_\_\_  
MAYOR

SEAL

ATTEST

\_\_\_\_\_  
CITY CLERK

PASSED: November 16, 2010

APPROVED: November 16, 2010



**Agenda Item No: 21**

**City Council  
Agenda Supplement**

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<b><u>Meeting Date:</u></b>	November 16, 2010
<b><u>Item:</u></b>	Vehicle License Ordinance Amendment
<b><u>Staff Recommendation:</u></b>	Motion to adopt an ordinance amending Section 496-133 of the City Code
<b><u>Staff Contact:</u></b>	David Linder, Chief of Police Mark Nannini, Director of Finance

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**Background:**

At the March 3, 2009 City Council meeting, the City Council adopted an Ordinance establishing a Schedule of Fines for the City Code. The ordinance consolidated the various penalty provisions into one section while also updating some of the penalty provisions. The ordinance also incorporated language that those sections of the City Code not specifically associated with a penalty fall under the general penalty provisions of the City Code. The general penalty provisions provide for a minimum fine of \$50 and a maximum fine of \$1,000.

It was recently discovered that a specific penalty was not assigned for failure to display a vehicle sticker. At some point in the re-codification process, the language specifying a penalty for not displaying a vehicle sticker was removed. Since there is no specific penalty for failing to display a vehicle sticker, by default the minimum general penalty provisions of \$50 would be applicable. Instead of a \$50 ticket for this violation, the Police Department has been issuing \$15 tickets. The \$15 ticket was first introduced in 1982 when the vehicle license ordinance was first adopted.

In an attempt to reduce the ticket fine from \$50, as currently indicated in the City Code, Staff is recommending adoption of the attached ordinance amendment. The attached ordinance amendment would ensure that the fine for failure to display a vehicle sticker would be in line with the other parking violation fines which are currently at \$20 for the initial fine.

**Administrative Hearing**

Under the City's process for parking tickets, violators are afforded numerous opportunities to contest parking violations. Following the issuance of a violation, a courtesy notice is mailed 7-10 days after the initial parking or compliance violation notice has been issued. In addition to the \$20 fine amount and due date, the notice contains information on how to request an administrative hearing to contest the charged violation. The hearing can be held in person, by mail, or online. Also, the notice will indicate that a late payment penalty will be assessed if the fine is not paid within twenty-one (21) days of issuance of notice.

After the 21<sup>st</sup> day, a second notice will be mailed. In addition to the amount of fine and penalty, now \$50, the notice will contain information on how to request an administrative hearing to contest the charged violation. The hearing can be held in person, by mail, or online. Also, the notice will include information that failure to pay the initial fine and penalty or request an adjudication or hearing within twenty-one (21) days of the issuance of the late penalty will result in a final determination.

If within twenty-one (21) days of the issuance of the late penalty, the fine and penalty have not been paid, or no request has been made for adjudication by mail or online, or administrative hearing, a final determination of liability will occur. At this time all fines are doubled to \$100. If payment of the fine and penalty is not received within 35 days of the final determination, the ticket will be turned over to a collection agency for payment. The collection agency will be authorized to report the outstanding debt to credit bureaus.

The chart below provides a timeline for an unpaid single ticket.

- Day 1 Parking violation notice placed on vehicle. Notice includes fine amount and due date to avoid penalty. The notice will contain information on how to request an administrative hearing to contest the charged violation.
- Day 11 Courtesy notices mailed to owner of vehicle. Notice includes amount of fine (\$20), due date and will indicate that a late payment penalty will be assessed if the fine is not paid within twenty-one (21) days of issuance of notice.
- Day 22 Notice mailed to owner of vehicle indicating original fine and penalty (\$50) and information on how to request an administrative hearing to contest the charged violation. The notice will include information that failure to pay the initial fine and penalty or request an adjudication or hearing within twenty-one (21) days of the issuance of the late penalty will result in a final determination.
- Day 43 Since the fine and penalty have not been paid, and no request has been made for a hearing, a notice is sent indicating that a final determination of liability has occurred. The notice will indicate that the fines have been doubled (\$100) and that the responder has 21 days to request a hearing. A final determination of violation liability shall occur following failure to pay the fine and/or penalty, and the exhaustion of or failure to exhaust any administrative review procedures, including denial of a timely petition to set aside or failing to file the set aside petition within 21 days of the determination.
- Day 98 Since payment has not been received within 35 days of the final determination of violation liability; the ticket is turned over to a collection agency for payment. The collection agency will be authorized to report the outstanding debt to credit bureaus. Under the contract, the collection agency will include not less than three (3) mail efforts, a reasonable number of telephone calls and skip tracing procedures. Collection shall also make personal contact with the debtor when necessary.

As the above indicates, for a single violation, the violator is notified on four occasions that they have the ability to request a hearing for the ticket.

**Votes Required to Pass:**

A majority of the City Council



DRAFT



**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 Chapter 496, Vehicles and Traffic, shall be amended as follows:

**§ 496-133. License Required.**

It shall be unlawful for the owner or operator of any motor vehicle or vehicles hereinafter mentioned, residing within the corporate limits of the City of Crystal Lake, to use or cause or permit any of their agents or employees to use any such motor vehicle along, upon and over the public streets, avenues or alleys and public places of said City, unless the same be licensed as hereinafter provided. Any person found guilty of violating the provisions of this section shall be fined as set forth in Chapter 248, Fines.

SECTION II: The following sections of Chapter 248 are amended as follows:

496-133	License Required		
	Initial fine, per offense	\$20	\$20
	After 21 days, per offense	\$50	\$50
	Final Determination	\$100	\$100

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

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

DATED at Crystal Lake, Illinois, this 16<sup>th</sup> day of November, 2010.

APPROVED:

\_\_\_\_\_  
Aaron T. Shepley, Mayor

ATTEST:

\_\_\_\_\_  
Nick Kachiroubas, City Clerk

PASSED: November 16, 2010  
APPROVED: November 16, 2010

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



**Agenda Item No: 22**

**City Council  
Agenda Supplement**

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**Meeting Date:** November 16, 2010

**Item:** Local Agency Agreement for State Participation with IDOT for Construction of the Virginia Street Corridor Improvements

**Staff Recommendation:** Motion to adopt a resolution authorizing the City Manager to execute the Local Agency Agreement for State Participation with IDOT for construction of the Virginia Street traffic signal improvements.

**Staff Contact:** Victor C. Ramirez, Director of Engineering and Building

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**Background:**

As part of the planning for the Virginia Street Corridor improvements, the City requested participation from IDOT for resurfacing Virginia Street from Teckler Boulevard to Crystal Lake Avenue. Virginia Street is under the jurisdiction of IDOT, and they are responsible for its maintenance. On July 15, 2009, IDOT agreed to reimburse the City \$675,000 for the resurfacing work. The attached local agency agreement formalizes IDOT's agreement to reimburse the City for this amount.

This agreement is a standard agreement that is used for all State funded projects. City staff is working diligently to finalize the plans, and put the project out to bid for construction next year. Staff anticipates construction to start next spring.

**Votes Required to Pass:**

A simple majority of the City Council in attendance.

**DRAFT**



**The City of Crystal Lake Illinois**

**RESOLUTION**

**BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF  
THE CITY OF CRYSTAL LAKE** that the City Manager be authorized to execute the  
Local Agency Agreement for State Participation for the Virginia Street Improvements.

**DATED** this sixteenth day of November, 2010

CITY OF CRYSTAL LAKE, an Illinois  
Municipal Corporation

BY: \_\_\_\_\_  
Aaron T. Shepley, Mayor

SEAL

ATTEST:

\_\_\_\_\_  
Nick Kachiroubas, City Clerk

PASSED: November 16, 2010

APPROVED: November 16, 2010



**Agenda Item No: 23**

**City Council  
Agenda Supplement**

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**Meeting Date:** November 16, 2010

**Item:** Three Oaks Recreation Area Contract Amendment Number Eleven

**Staff Recommendation:** Motion to adopt a resolution authorizing the City Manager to execute Contract Amendment Number Eleven (11) in the amount of \$272,732 as presented.

**Staff Contact:** Gary J. Mayerhofer, City Manager  
Eric T. Helm, Deputy City Manager

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**Background:**

The Council previously approved contract amendments one through ten for the construction of the Three Oaks Recreation Area. Recent circumstances necessitate contract amendment number eleven. Contract Amendment number eleven is in the total amount of \$272,732.

Punch List Walk-through: In September 2010, City Staff along with members of the design team performed a final inspection of the facility and park amenities. Several items were identified that did not meet specifications and were repaired or replaced at no cost to the City. However, as part of the inspection, City Staff and the design team identified several improvements that were not in the original scope. Completing these items at this time allowed the City to improve the facility and take advantage of per unit bid labor/material rates. The cost for the items totaled \$17,068.

<i>Facility Improvements</i>	<i>Cost</i>
Out-of-scope painting of ductwork, water lines, boardwalk support preparation, and light supports	\$5,529
Out-of-scope caulking, wood trim around HVAC units, and cabinet modifications to boat house	\$6,230
Install bonding jumpers at RPZ in buildings	\$740
Add fire suppression bell and additional connections and terminations for alarm floats at wet wells	\$950
Add sealing compound for wet well wiring and provide additional conduit for wet well lift station	\$3,619
	<i>\$17,068</i>

Project Modifications and Site Enhancements: City Staff and the design team identified numerous items that either added value to the project, or resulted in a credit. Adding elements to the project at this time allowed the City to improve the facility and take advantage of per unit bid labor/material rates.

- Credit for volleyball court modifications: In contract amendment number ten, the City Council approved costs to construct three volleyball courts. During the construction process, the design team and contractors identified several savings due to value engineering. These savings resulted from the adjustment of the utilities. A credit of (\$32,174) will be applied to the construction contingency.
- Credit for elimination of boat house stair rail and kayak rails: Due to the planned operation of the facility these items were not needed. The credit was (\$2,495).
- Additional north slope revetment stone: As part of the bid price to construct the shoreline revetment of the north slope, the contractor included a specified amount of stone for the shoreline. The contractor recently notified the design team that the specified amount of stone was expended. Following this notification, the design team performed a survey of the stone in place and reviewed the stone delivery logs maintained by the design team. As a result of this investigation, the design team verified that the amount of stone supplied per the bid was used and that additional stone was needed. The cost to add the extra stone was \$13,670.
- Install additional ductile iron for north slope pipes: During the final review of the storm water pipes that extend down the north slope, it was determined that replacing one section of the specified corrugated plastic pipe with ductile iron would provide the City a more stable pipe, and allow for easier maintenance. The cost for this item was \$5,823.
- Credit from the elimination of Nortel data switches: Due to the City's review of the phone system, it was identified that two POE telephone data switches were not necessary. The credit was (\$1,051).
- Concession Area Electrical Changes: The City and the concession provider altered the location of several pieces of kitchen equipment. This improved the efficiency of the kitchen. The upgrading and movement of several outlets cost \$2,525.
- Modification of North Slope Fencing: Several property owners along Route 14 requested that the City modify several sections of fencing on the north slope. This resulted in a credit of (\$1,012).
- Additional landscape restoration along Route 14: The construction of the Route 14 turn lane entering the property required the contractor to excavate areas along the roadway that were outside the original project scope. The cost to restore these areas with seed and landscape blanket was \$3,864.
- Credit for elimination of canoe and kayak footings: The original plan called for the canoe and kayak storage racks to be fixed in concrete footings. However, after a review of operations, City staff requested that the racks be moveable and not fixed. The credit to eliminate the footings was (\$1,160).
- Credit for the replacement of landscape blanket with hydro mulch: At several areas along the hiking trails, it was more practical to use a hydro mulch method for planting, rather than using landscape blanket. The credit to use hydro seeding was (\$491).

- Add cobblestone near the boat house: The steep grade elevations near the boat house and south lake marina cause several landscape areas to erode during very heavy rainfalls. In order to remediate erosion in this area, the design team recommended that stone replace mulch. The cost to install and supply the cobblestones was \$1,900.
- Modify concrete boat ramp near south marina: City staff identified that the concrete boat ramp for the south lake was too narrow in several areas. The width of the planned ramp would make it difficult for the City to safely launch and recover watercraft. In addition, the ramp was thickened to increase the ramp durability. The cost for these items was \$3,860.
- Repair flared end section near Main Street entrance roadway: During the construction of the entrance roadway from Main Street, City Staff noticed that an existing flared end section for a large storm sewer was severely eroding. This storm sewer drains water from a large section of Main Street and Route 14. The cost to add additional stone and energy dissipaters on the flared end section was \$11,229.
- Alteration of grading for bicycle trail along Main Street entrance roadway: Several severe rain storms in the early summer caused erosion along the banks between the bicycle trail and roadway along the Main Street entrance roadway. Stormwater was draining from the bicycle trail toward the roadway. In order to limit the possibility of future erosion, the design team recommended that the area be regraded to allow the water to flow away from the trail and roadway. The cost to layout and grade the area was \$28,072.
- Furnish and install silt fence along the top of the north lake walking trail: The landscape contractor recently completed the landscaping along the north lake walking trail. In order to protect these newly landscaped areas from areas that are still being developed, it was recommended that a silt fence be installed. The cost to install the silt fence was \$3,124.
- Main Street basin drainage area: The contractor dug a drainage hole in the Main Street basin to assist in draining the area. The cost to dig this hole was \$174.
- Additional pavement lines: Following the opening of the facility, City staff requested that the contractor place additional pavement markers in the roadway to assist with the traffic flow. The cost to add these lines was \$264.
- Add infrastructure for lift station alarm: The sewer lift station at Three Oaks has a light on top of the controller to notify Three Oaks staff that the lift station is not operating. However, the alarm does not have the infrastructure to remotely inform the City's Public Works Department that the lift station is not operating. The cost to install a conduit, a phone line, and additional programming to ensure that the Public Works Department is notified of a failure was \$5,235.
- Volleyball court culvert revision: The grading that surrounds the newly created volleyball courts funnels storm water into a landscape area near the south lake marina boat house. During severe rain events, the amount of water from this area causes erosion near the south lake marina boat house. In order to re-route the water, the design team recommended that a new pipe be installed and additional stone be added to the shoreline to prevent future erosion. The cost to add the pipe, regrade the area, and perform landscaping changes was \$8,302.

Building Incursion, Playground Damage, Landscape Damage: The project experienced damage due to an unlawful building incursion and vandalism of the playground area. In addition, several patrons created vehicle tire ruts in the landscaped areas. The City did submit an insurance claim and it received payment for these items less a \$2,500 deductible. The existing contractors were used to repair the areas and the cost needs to be added to their contracts. The total cost for the damage was \$13,956.

Erosion Repair: During the construction of the facility, heavy rainfall caused periodic damage to graded areas that were exposed and not yet completed.

- Additional stone to repair parking lot bioswale areas: The landscaping contractor added cobblestone to three bioswale slope areas that were susceptible to erosion. The cost to add the stone to these areas was \$5,160.
- Repair of entrance roadways and parking lots due to heavy spring rainfall: A 4" early summer rainstorm caused damage to the parking lots and entrance roadways. The cost for contractors to perform this work was \$15,345.

Miscellaneous Items: Several miscellaneous items occurred during the construction schedule.

- Remobilization of dock installer due to strike: Despite the union work stoppage in July, the dock installer was still able to construct most of the boat docks. The dock installer was not able to connect the north lake marina dock to the abutment since additional grading was needed. This grading could not be completed when the dock installer was on-site due to the union work stoppage. The cost for the dock installer to remobilize after the strike ended and make additional minor modifications to the boat docks was \$3,590.
- Building carpenter/drywall protection charges: The City instructed the building carpenter to enclose the building during the winter, and to drywall wrap columns at the aluminum windows and FRP corner wrap at the columns. These costs were presented to the design team during the contract closeout procedures for this contractor. The cost for these two miscellaneous items was \$12,830.
- Remove fencing on City property along the north slope berm: At several areas along the north slope berm, chain link fencing was installed by the Route 14 property owners. Since the existing fencing is on City property, and the City is installing a new fence to replace the existing, the contractor is being instructed to remove the old fencing. The existing chain link fence will be replaced by an aesthetically pleasing black fence. The cost to perform the fence removal is \$8,572.
- Additional excavation to blend grades along north lake trail: Due to the steepness of grades along the north lake trail, the excavation contractor needed to perform additional grading to blend the trail grade to the landscaped area grades. The cost to perform this additional work was \$1,662.
- Remove curbs due to plan modifications: Two sections of parking lot curbs needed to be relocated due to minor plan changes. The cost to perform these modifications was \$380.
- Rework Main Street trail overlook due to revised grades: During the construction of the Main Street trail overlook, the survey team identified additional grades that needed to be added to the plan. This moved the overlook and required additional excavation. The cost for the additional excavation was \$3,908.

- Cut stone at parking gate: The cost to cut stone to accommodate a different service counter height at the parking gate building was \$83.
- Bench concrete footing modifications: Due to higher water levels, several benches along the west trail needed modified concrete footings. The cost for additional concrete and labor to alter the footings was \$1,421.

Unknown Site Conditions and Undercuts: During the construction of several amenities, the contractors uncovered existing site conditions that were unanticipated.

- Repair area near Route 14 entrance due to underground void: In late summer, the contractors completed several sections of roadway and curb at the Route 14 entrance. Several weeks after the installation, an underground void caused the soil to sink. The void may have been caused by the previous mining operations. The cost to re-grade the area, fill the hole, and re-pour the curbs was \$5,990.
- Removal of buried steel near volleyball courts and removal of buried concrete: During the excavation for the volleyball court the earthwork contractor discovered some steel elements from the previous mining operations. In addition, concrete from the previous mining operations needed to be removed near the west fishing station. The cost to remove the steel and concrete was \$2,352.
- Undercuts: During the construction of the west trail, the earthwork contractor discovered several areas of unsuitable soils. These soils needed to be removed and replaced with structural fill. The areas included the Pingree Trail, east trail/overlook and west trail. The cost to perform these undercuts was \$21,650.

Additional Construction Management Fees: The City signed an agreement with Hitchcock Design Group to provide construction management and observation services for a fifteen-month construction schedule. Any extension to the construction schedule required the City to compensate the design team for additional construction management and observation fees. In July 2010, a labor dispute suspended construction activities for about one month. In addition to this time, the project was delayed another 1 ½ - 2 weeks since the contractors needed to remobilize. Since the work stoppage is extending the construction activities past the fifteen-month construction schedule, the design team requested additional construction management and observation fees from the City. After negotiating the final fee, the City and design team agreed to an additional fee. The cost for these additional construction observation fees is \$109,106. This fee can be absorbed within the project contingency and is shown in the summary table on the following page.



<i>Summary of Change</i>	<i>Cost</i>
<b><i>Facility Improvements Identified During the Punch List Walk-through Items</i></b>	\$17,068
<b><i>Project Modifications and Site Enhancements</i></b>	
Volleyball Court Value Engineering	-\$32,174
Credit for elimination of rails and racks	-\$2,495
Additional North Slope Revetment Stone	\$13,670
Ductile Iron Pipe for North Slope Stormwater	\$5,823
Credit for elimination of phone switches	-\$1,051
Concession area electrical changes	\$2,525
Modification of North Slope Fence	-\$1,012
Additional Route 14 Landscape Restoration	\$3,864
Credit for elimination of canoe and kayak footings	-\$1,160
Credit for replacement of landscape blanket with hydro mulch	-\$491
Add cobblestone near south lake marina boat ramp	\$1,900
Modify concrete at boat ramp	\$3,860
Repair flared end section near Main Street entrance roadway	\$11,229
Alteration of grading for bicycle trail along Main Street entrance roadway	\$28,072
North lake walking trail silt fence	\$3,124
Main Street basin drainage hole	\$174
Additional pavement lines and markers	\$264
Infrastructure for lift station alarm	\$5,235
Volleyball court stormwater culvert revision	\$8,302
<b><i>Building incursion, playground damage, landscape damage</i></b>	\$13,956
<b><i>Erosion Repair</i></b>	
Repair of parking lot bioswale/BMP slopes	\$5,160
Repair of parking lot and entrance roadway due to heavy rains	\$15,345
<b><i>Miscellaneous Items</i></b>	
Dock installer remobilization and minor repair	\$3,590
Building Carpenter/drywall protection and changes	\$12,830
Remove fencing near north slope berm	\$8,572
Additional excavation to blend grades along north lake trail	\$1,662
Remove Curbs due to field modifications	\$380
Rework Main Street overlook due to revised grades	\$3,908
Cut stone at parking gate	\$83
Alter bench footings	\$1,421
<b><i>Unknown Site Conditions and Undercuts</i></b>	
Repair area near Route 14 due to underground void	\$5,990
Removal of buried steel and concrete from previous mining operations	\$2,352
Undercuts along trail areas and fishing stations	\$21,650
<b><i>Additional Construction Management and Observation Fees</i></b>	\$109,106
<b>Total Contract Amendment Number 11:</b>	<b>\$272,732</b>

**Contract Amendment Summary and Contingency Status**

The City Council previously established a contingency of 10% of the total project budget. Since the project budget is \$12,497,929, the contingency was established at \$1,249,793. The below table shows the contract amendments and contingency allowance to date, including the impact of contract amendment #11.

	<u>Summary</u>	<u>Amount</u>
Contract Amendment #1	Design plan changes based on regulatory review	\$257,289
Contract Amendment #2	Alternates from Bid Package One (Amount applied to Budget)	In Budget
Contract Amendment #3	Dewatering and eliminate water pipe loop and Main Street Signal	- \$114,670
Contract Amendment #4	Per IDOT comments, upsize water service line and revise stop signs	\$26,211
Contract Amendment #5	Beach redesign, Undercuts, Shoreline Protection and Plan Modifications	\$322,022
Contract Amendment #6	Final beach redesign fees, undercuts and plan modifications	- \$5,036
Contract Amendment #7	Minor plan modifications, undercuts	\$6,639
Contract Amendment #8	Plan Modifications and Shoreline Stone Protection	\$111,971
Contract Amendment #9	Modification of Amenity Elevations and Miscellaneous Changes	-\$285,255
Contract Amendment #10	Undercuts, Field Changes and Additional Amenities	\$598,703
Contract Amendment #11	Facility Improvements, Plan Changes and Undercuts	\$272,732
<b>Total:</b>		<b>\$1,190,606</b>
<b>Total Contingency:</b>		<b>\$1,249,793</b>
<b>Remaining Contingency:</b>		<b>\$59,187</b>

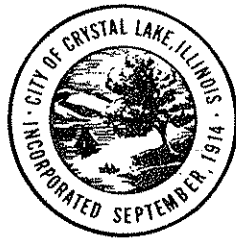
**Recommendation:**

Hitchcock Design Group (HDG), Featherstone Incorporated and City Staff recommend that contract amendment number eleven be approved by the City Council.

**Votes Required to Pass:**

A simple majority of the City Council is required for approval.

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 contract amendment number eleven related to the Three Oaks Recreation Area in the amount of \$272,732 as presented at the November 16, 2010 City Council meeting.

DATED this 16<sup>th</sup> day of November, 2010.

CITY OF CRYSTAL LAKE, an  
Illinois municipal corporation,

By: \_\_\_\_\_  
MAYOR

SEAL

ATTEST

\_\_\_\_\_  
CITY CLERK

PASSED:  
APPROVED: