



CITY OF CRYSTAL LAKE

AGENDA

CITY COUNCIL REGULAR MEETING

**City of Crystal Lake
100 West Woodstock Street, Crystal Lake, IL
City Council Chambers
February 1, 2011
7:30 p.m.**

1. **Call to Order**
2. **Roll Call**
3. **Pledge of Allegiance**
4. **Approval of Minutes – January 18, 2011 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. **13th Annual Woods Creek Feet Meet street closure request.**
 - b. **Glacier Ridge Elementary School “Paws for the Pantry” Run street closure request.**
 - c. **Resolution supporting the appointment of Erik D. Morimoto as an Alternate Member of the McHenry County Stormwater Management Commission.**
10. **St. Thomas the Apostle Church Temporary Liquor License Request.**
11. **Gas Depot, 471 Virginia Street – Unified Development Ordinance Sign Variation request to change the face of the existing freestanding sign and to add signage to the canopy at 471 Virginia Street.**
12. **794 Dover Court - Temporary Use Permit request to allow an ice rink in the front yard of the property and waive the Temporary Use Permit fee.**
13. **Bid award and resolution authorizing execution of a contract for the installation of new electrical service laterals for the Virginia Street Corridor and allowing for a 10 percent contingency.**
14. **Resolution authorizing execution of an agreement for the purchase of seven Police Pursuit Cars.**
15. **Resolution authorizing execution of the Union Pacific Railroad Grade Crossing Improvement Agreement for Pingree Road.**
16. **Resolution authorizing execution of an intergovernmental agreement between McHenry County and the City of Crystal Lake enabling payments for Dial-A-Ride services from the Senior Services Grant Fund.**

17. **Resolution authorizing execution of an Intergovernmental Agreement with the U. S. Drug Enforcement Administration enabling the Crystal Lake Police Department to become a member of the Provisional State and Local Government Task Force.**
18. **Resolution authorizing execution of a Memorandum of Understanding with U.S. Immigration and Customs Enforcement enabling the Crystal Lake Police Department to become a member of the Cyber Crimes Investigation Group federal task force and for reimbursement of joint operations expenses from the Treasury Forfeiture Fund.**
19. **Ordinance amending Chapter 33-18 of the City Code to be in compliance with the National Incident Management System (NIMS) terminology and the City's Emergency Operation Plan.**
20. **Resolution authorizing execution of an Intergovernmental Agreement between the City of Crystal Lake and the Illinois Emergency Management Mutual-Aid System to provide assistance with emergency management support functions.**
21. **Council Inquiries and Requests**
22. **Adjourn to Executive Session for the purpose of discussing matters of pending and probable litigation, the sale, purchase or lease of real property, collective bargaining, and personnel.**
23. **Reconvene to Regular Session.**
24. **Adjourn**

If special assistance is needed in order to participate in a City of Crystal Lake public meeting, please contact 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**

<u>Meeting Date:</u>	February 1, 2011
<u>Item:</u>	Woods Creek Feet Meet
<u>Staff Recommendation:</u>	Motion authorizing the closure of Alexandra Boulevard from an area west of Dogwood Drive to an area east of Driftwood Lane for the start of the 13 th Annual Woods Creek Feet Meet.
<u>Staff Contact:</u>	Brad Mitchell, Assistant to the City Manager

Background:

The Woods Creek Feet Meet Committee is requesting the closure of Alexandra Boulevard from an area west of Dogwood Drive to an area east of Driftwood Lane for the start of the 13th Annual Woods Creek Feet Meet 1M/5K Event to be held on Sunday, May 1, 2011. The 1-Mile Walk/Run begins at 8:00 a.m. and the 5K Walk/Run begins at 8:30 a.m. The City Council approved a similar request last year.

City staff has reviewed the petitioner's request and does not have concerns regarding the street closure of Alexandra Boulevard, providing the following conditions are met:

- 1) The volunteers for both races carry cellular phones or radios to contact 911 in case of an emergency. Volunteers are not to direct traffic.
- 2) The Woods Creek Feet Meet Committee shall coordinate with the Crystal Lake Police Department regarding assistance during the event.
- 3) "Race In Progress" signs must be posted a minimum of two days prior to the event.
- 4) City-owned barricades must be used to block off the street closure sections. The petitioner must complete and submit a Barricade Borrowing Application.
- 5) The petitioner must send a notice to all affected property owners along Alexandra Boulevard.
- 6) Emergency vehicle access must be maintained throughout the event. Items should not be placed on the roadway to prohibit access, and volunteers should

be available to remove barricades to allow emergency vehicles on the roadway, if necessary.

- 7) Local traffic access to Alexandra Boulevard must be maintained throughout the event. Volunteers should be available to remove barricades to allow property owners on the roadway, if necessary.
- 8) All debris created by the event shall be cleaned up during and after the event.
- 9) Petitioner must adhere to the required City insurance provisions for the use of City-owned property by providing a certificate of insurance naming the City as additional insured, and sign the required Indemnity/Hold Harmless agreement.
- 10) Any additional permits or requests for signage shall be made through the Engineering and Building Department.
- 11) In the case of inclement weather, an alternate date can be approved by the City Manager.

It should be noted that in past years, the City Council has approved the closure of this portion of Alexandra Boulevard for the start of the event and has not required the school to pay for the police officers assisting with the race.

The petitioner has agreed to meet these conditions. The letter requesting approval for the closure of Alexandra Boulevard, information regarding the courses and safety precautions, maps of both courses, and a map indicating the portion of the street to be closed, have been attached for City Council consideration.

Votes Required to Pass:

Simple majority vote of the City Council



Agenda Item No: 9b

**City Council
Agenda Supplement**

<u>Meeting Date:</u>	February 1, 2011
<u>Item:</u>	Glacier Ridge Elementary School "Paws for the Pantry" Run
<u>Staff Recommendation:</u>	Motion authorizing the closure of Village Road between Moorland Drive and Driftwood Lane, as well as Kingsgate Lane at Village Road for the "Paws for the Pantry" Run.
<u>Staff Contact:</u>	Brad Mitchell, Assistant to the City Manager

Background:

The PTA of Glacier Ridge Elementary School is requesting to hold the "Paws for the Pantry" Run on Sunday, May 15, 2011. The event includes a 1-mile walk/run, which is scheduled to begin at 8:00 a.m. and a 5K run, which is scheduled to begin at 8:30 a.m. As part of the request, the PTA is asking that a portion of Village Road between Moorland Drive and Driftwood Lane (in front of Glacier Ridge School), as well as Kingsgate Lane at Village Road be closed during the event. The City Council approved a similar request in 2010. The proceeds from the race will benefit the Crystal Lake Food Pantry and the PTA of Glacier Ridge Elementary School.

City staff has reviewed the petitioner's request and does not have concerns regarding the street closure of Village Road between Moorland Drive and Driftwood Lane, as well as Kingsgate Lane at Village Road, providing the following conditions are met:

- 1) The volunteers for both races carry cellular phones or radios to contact 911 in case of an emergency. Volunteers are not to direct traffic.
- 2) The Committee Race coordinators shall coordinate with the Crystal Lake Police Department regarding assistance during the event.
- 3) "Race In Progress" signs must be posted a minimum of two days prior to the event at the following intersections: Village/Moorland; Village/Driftwood; Village/Golf Course; Golf Course/Alexandra; Driftwood/Alexandra; Alexandra/Dogwood; and Driftwood/Dogwood.

- 4) Participants should use the sidewalk at the intersection of Golf Course Road and Village Road.
- 5) City-owned barricades must be used to block off the street closure sections. The petitioner must complete and submit a Barricade Borrowing Application.
- 6) A "Local Traffic Only" sign must temporarily be placed at the intersections of Moorland Drive and Village Road, Kingsgate and Village Road, and Driftwood Lane and Village Road. Also, signs will be placed along the race course ahead of the event to notify motorists of the upcoming race.
- 7) The petitioner must send a notice to all affected property owners along Village Road.
- 8) Emergency vehicle access must be maintained throughout the event. Items should not be placed on the roadway to prohibit access, and volunteers should be available to remove barricades to allow emergency vehicles on the roadway if necessary.
- 9) Local traffic access to Village Road must be maintained throughout the event. Volunteers should be available to remove barricades to allow property owners on the roadway, if necessary.
- 10) All debris created by the event shall be cleaned up during and after the event.
- 11) Petitioner must adhere to the required City insurance provisions for the use of City-owned property by providing a certificate of insurance naming the City as additional insured, and sign the required Indemnity/Hold Harmless agreement. All participants of the race must complete a Participant Waiver of Liability and Hold Harmless Agreement.
- 12) Any additional permits or requests for signage shall be made through the Engineering and Building Department.
- 13) In the case of inclement weather, an alternate date can be approved by the City Manager.

It should be noted that in past years, the City Council has approved the closure of this portion of Village Road for the start of the event and has not required the school to pay for the police officers assisting with the race.

The petitioner has agreed to meet these conditions. The letter requesting approval for the closure of Village Road between Moorland Drive and Driftwood Lane, as well as Kingsgate Lane at Village Road, information regarding the courses and safety precautions, maps of both courses, and a map indicating the portion of the street to be closed, have been attached for City Council consideration.

Votes Required to Pass:

Simple majority vote of the City Council



Agenda Item No: 9c

**City Council
Agenda Supplement**

Meeting Date:

February 1, 2011

Item:

Resolution Supporting the Appointment of Erik D. Morimoto as an Alternate Member of the McHenry County Stormwater Management Commission

Staff Recommendation:

Motion to approve a resolution supporting Erik D. Morimoto as an alternate member of the McHenry County Stormwater Management Commission.

Staff Contact:

Erik D. Morimoto, Director of Engineering and Building

Background:

The McHenry County Stormwater Management Commission is a body of representatives from McHenry County that oversees stormwater management issues on a Countywide basis and coordinates stormwater management with neighboring counties. The Commission is made up of twelve members. The Chairman of the County Board appoints six of the members, and the other six are representatives of municipalities in the six County Board districts. Mayor Aaron Shepley was appointed as a member to the Commission in 2006, when the Commission was first formed.

According to the Commission's by-laws, alternate members can also be appointed. Alternate members must be approved by a majority vote of the Commission, and are non-voting members, unless authorized to be a voting member by unanimous consent of the Commission.

The staff would like the City to petition the Commission to have Crystal Lake's new City Engineer, Erik Morimoto, appointed as an alternate member of the Commission, and petition the Commission to approve him as a voting member. Previously, Victor Ramirez was the appointed alternate for the City. However, with Victor's move to Director of Public Works, and Erik's promotion to City Engineer, naming Erik as the alternate keeps this function with the City Engineer. The City Council is asked to approve the resolution supporting the appointment of Erik Morimoto as an alternate member to the Commission.

Votes Required to Pass:

Simple majority of City Council present.

DRAFT



The City of Crystal Lake Illinois

A RESOLUTION TO SUPPORT THE APPOINTMENT OF ERIK D. MORIMOTO AS AN ALTERNATE MEMBER TO THE McHENRY COUNTY STORMWATER MANAGEMENT COMMISSION

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE that they fully support the appointment of Erik D. Morimoto as an alternate member of the McHenry County Stormwater Commission

BE IT FUTHER RESOLVED that upon appointment, Erik D. Morimoto be granted full voting rights.

DATED this first day of February, 2011.

CITY OF CRYSTAL LAKE, an Illinois
Municipal Corporation

BY: _____
Aaron T. Shepley, Mayor

SEAL

ATTEST:

Nick Kachiroubas, City Clerk

PASSED: February 1, 2011

APPROVED: February 1, 2011



Agenda Item No: 10

City Council Agenda Supplement

Meeting Date: February 1, 2011

Item: Temporary Liquor License – St. Thomas the Apostle Church

Staff Recommendation: Motion to approve issuance of a Class “16” Temporary Liquor License to St. Thomas the Apostle Church

Staff Contact: George Koczwara, Deputy City Manager

Background:

The City has received a request from St. Thomas the Apostle Church for the issuance of a Class “16” Temporary Liquor License in order to operate a cash bar during their “Night of Comedy” social event for members on February 5, 2011 from 6:00 p.m. to 9:00 p.m. The event will take place at the St. Thomas the Apostle Church Community Center, located at 451 W. Terra Cotta Avenue.

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

Attached for City Council review is a copy of all support documentation regarding this request.

Votes Required to Pass:

Simple majority



Agenda Item No: 11

City Council Agenda Supplement

Meeting Date:

February 1, 2011

Item:

Unified Development Ordinance sign variation request to change the face of the existing freestanding sign and to add signage to the canopy at 471 Virginia Street (Gas Depot).

Staff Recommendation:

City Council Discretion:

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

Staff Contact:

Erik Morimoto, Director of Engineering and Building
Rick Paulson, Building Commissioner

Background:

As was discussed at the January 18, 2011, City Council meeting, gas station signage is typically approved through a Special Use Permit and in some cases the stripes/lighting were counted towards the total signage allowed and in other cases they weren't considered signage. The City Council provided direction that to enforce a consistent standard, stripes and lighting would be considered as part of the total signage. This would only affect new gas stations and any existing gas station that is rebranding their image, which is the situation with Gas Depot. This would provide an opportunity for the City Council to review these stations on a case by case basis.

Gas Depot, which was the Clark Gas Station at 471 Virginia Street, is requesting a variation to allow an electronic price sign on the freestanding sign, and to exceed the total allowable wall signage. The change in signage is due to rebranding the station from Clark Gas to Gas Depot. The signs were installed without the required permits and variations. Citations have been issued and the parties have been found liable.

The electronic pricing portion of the sign consists of one-half of the face of the sign. The overall size of the sign is 5 feet by 10 feet for a total of approximately 50 square feet per face. Please note that the UDO Special Use Criteria for new gas stations allows electronic pricing signs to be requested as part of the Special Use Permit. This location was granted a blanket Special Use Permit in 1978 as part of a comprehensive rezoning of the City associated with the 1978 update of the Zoning Ordinance.

The building and canopy and stripe signage consists of the following:

Location	Type	Square Footage	Total
Canopy	"Gas Depot" Text	16 square feet each – 4 signs	64
Canopy	Yellow Stripe	60 square feet on each canopy – 2 canopies	120
Building	Yellow stripe	45 square feet	45
Dispenser	Valance	16 square feet each – 4 dispensers	64
Dispenser	Skirt stripe and logo	8 square feet each – 4 dispensers	32
Total			325

The owner has requested a variation from requirements located in UDO Section J Prohibited signs (7) and Table 4-1000 F: Commercial Signs. The variations are detailed in the following table.

Item	UDO Requirement	Proposed Sign	Sign Meets Ordinance Requirement?
Animated Signs	Any sign that changes it copy by electronic means	Electronic pricing sign	No
Wall Signs	75 square feet for any one sign; 150 total for all signage	325 total square feet	No

Attached is a sign variation application, a permit application from Gas Depot, and a sign plan.

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

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

D. Granting of the variation would not be contrary to the general objectives of this Section.

Vijay Gupta of Gas Depot has made the request on behalf of Gas Depot, and will be in attendance at the meeting to discuss this request with the City Council.

Votes Required to Pass:

Simple majority of City Council present.



Agenda Item No: 12

**City Council
Agenda Supplement**

Meeting Date:

February 1, 2011

Item:

Atella Temporary Use Permit request to allow an ice rink in the front yard.

Recommendation:

Council's discretion:

- A. Motion to approve the Temporary Use Permit pursuant to the recommendations below and waive the Temporary Use Permit fee.
- B. Motion to deny the applicant's request.

Staff Contact:

Michelle Rentzsch, Director of Planning & Economic Development

Background:

Bill Atella is requesting a Temporary Use Permit to allow an ice rink in their front yard at 794 Dover Court. Previously, the City Council approved a similar request for an ice rink in the front yard of another resident as a Temporary Use Permit. When that request was before the City Council as a Zoning Variation, it was suggested that the applicant apply for a Temporary Use Permit since the ice rink would not be up year-round, with the requirement that surrounding property owners be notified of the proposed use and City Council meeting date. That same procedure was followed for this request.

The rink is currently in place (please see attached photos). City staff was in contact with Mr. Atella to remove the spikes that were sticking up past the wood frame. The hazard has been removed. The petitioner is requesting the TUP from January 13, 2011 (the day the rink was tagged by staff) to April 10, 2011. The previously approved TUP was from November 1, 2010 to March 31, 2011. Since March has an average low temperature of 28 degrees and an average high temperature of 37 degrees, it is suggested that the rink be removed by March 15, 2011.

The applicant is also requesting a waiver from the \$75.00 Temporary Use Permit application fee.

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

1. The Temporary Use Permit shall be valid from January 13, 2011 to March 15, 2011.
2. The rink shall not block the sidewalk nor be within the Municipal Utility Easement (MUE).
3. Since the rink is located within feet of the public sidewalk, the rink must be maintained in a safe condition at all times, such as not creating additional ice on the sidewalk.
4. Any lighting used to illuminate the rink shall be directed downwards and be consistent with the requirements listed in the City's Unified Development Ordinance, Article 4-800.

The applicant has been made aware of these recommended conditions and will be attending the February 1, 2011 City Council meeting to answer any questions.

Votes Required to Pass: Simple majority vote.



Agenda Item No: 13

**City Council
Agenda Supplement**

Meeting Date: February 1, 2011

Item: Bid Award for Installation of New Electrical Service Laterals for the Virginia Street Corridor

Staff Recommendation: Motion to award the installation of new electrical service laterals for the Virginia Street Corridor bid to the lowest responsible and responsive bidder, Associated Electrical Contractors, Inc., in the bid amount \$88,775.00, and adopt a resolution authorizing the City Manager to execute the contract with Associated Electrical Contractors, Inc., allowing for a 10 percent contingency.

Staff Contact: Erik D. Morimoto, Director of Engineering and Building

Background:

The City has been working with ComEd, AT&T, and Comcast to relocate the overhead utilities as part of the Virginia Street Corridor improvements. This work is currently in progress. In order to complete this project, each existing service must be disconnected from the overhead utility and then reconnected to the relocated utility. While AT&T and Comcast reconnect their own service connections as part of their franchise agreements, ComEd does not reconnect services that require modification to the existing customer service facilities. The scope of the project outlined in the bid is to reconnect nine commercial services.

On January 21, 2011, bids that had been received were opened and publicly read. Three bids were received and the results are tabulated below.

<i>Firm</i>	<i>Amount of Bid</i>
Associated Electrical Contractors, Inc. ¹ Woodstock, IL	\$88,775.00
Carey Electrical Contractors, Inc. McHenry, IL	\$107,000.00
Home Towne Electric, Inc. Lake Villa, IL	\$119,645.00

¹ Indicates Recommended Lowest Responsible and Responsive Bidder

In this bid, the City included an alternate for aluminum wiring for the service connections. It was later determined that all customers' wiring should be replaced in-kind from the weather head to the meter socket since that will be each customer's maintenance responsibility. The City will work with the contractor to realize additional savings where possible by using aluminum wiring from the weather head to the new relocated ComEd facilities.

Staff recommends that the project be awarded to the lowest bidder, Associated Electrical Contractors, Inc. Associated Electrical has performed other electrical contract work in the past for the City without major issues. They were the contractor for the secondary electrical reconnections along East Crystal Lake Avenue in 2008. This project will be funded through the Virginia Street TIF Fund increment.

Votes Required to Pass:

Simple majority of City Council present.



DRAFT

The City of Crystal Lake Illinois

RESOLUTION

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE that the City Manager is authorized to execute a contract with Associated Electrical Contractors, Inc. for the installation of new electrical service laterals along Virginia Street in the amount of \$88,775.00. The City Manager is additionally authorized to approve up to 10 percent in justifiable contract amendments from a contingency allowance.

DATED this first day of February, 2011.

CITY OF CRYSTAL LAKE, an Illinois
Municipal Corporation

BY: _____
Aaron T. Shepley, Mayor

SEAL

ATTEST:

Nick Kachiroubas, City Clerk

PASSED: February 1, 2011

APPROVED: February 1, 2011



Agenda Item No: 14

**City Council
Agenda Supplement**

Meeting Date: February 1, 2011

Item: Squad Car Purchase

Staff Recommendation: Motion to adopt a resolution authorizing the City Manager to execute an agreement with Landmark Ford in Springfield, IL for the purchase of a seven (7) Police Pursuit Cars in the amount of \$154,623.00, for the 2011/2012 Budget Year.

Staff Contact: Dave Linder, Chief of Police
Victor Ramirez, Director of Public Works

Background:

The Ford Crown Victoria Police Interceptor is being discontinued after the 2011 model year. Any orders for the Crown Victoria must be placed by March 1, 2011. All seven 2008 Ford Crown Victoria's currently used by the Police Department are due for replacement. Replacement of these cars has already been previously deferred by one (1) year. The cars now scheduled to be replaced have been in service since July, 2007 and have logged 83,240 miles on average (Exhibit A). It will take approximately 18 weeks to receive delivery of the new vehicles and perform the necessary change over process. It is estimated that by this time, the existing vehicles will have an additional 10,000 miles, on average. This will place several of the existing squad cars at over 100,000 miles.

By ordering Ford Crown Victoria vehicles prior to them being discontinued, the City can reduce equipment installation costs. The current equipment can be transferred into the new Crown Victoria's since they are the same configuration as previous model years as opposed to purchasing new equipment to retrofit another make and model of vehicle. If the cars are not ordered by March 1, 2011, City Staff will have to order a different model of vehicle later during the 2011/2012 fiscal year which will lead to higher change over costs, as some of the equipment will not fit the future replacement squad car.

Funds will be included in the forthcoming 2011/2012 draft budget for the purchase of seven (7) squad cars. Staff is requesting that this order be placed prior to the adoption of the 2011/2012 Budget to ensure that the order is fulfilled.

As a participant in the State of Illinois Joint Purchase Program, the City is able to take advantage of the joint purchase program offered by the State. This program allows for combined purchasing power, which enables for significant cost reductions on a number of items, including

vehicles. All items that are bid follow the same State public procurements statues that the City follows for a competitive, sealed bidding process.

Recommendation:

It is the recommendation of the Police Department, the Public Works Department, and the City Manager's Office to purchase seven (7) Police Pursuit Cars in the amount of \$154,623.00 from Landmark Ford in Springfield, IL through the State Joint Purchase Program.

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 Purchase Agreement between the CITY OF CRYSTAL LAKE and Landmark Ford for the provision of seven (7) 2011 Ford Crown Victoria Police Interceptors. The funds to purchase these vehicles will be from the Fiscal Year 2011/2012 Budget.

DATED this 1st day of February, 2011

CITY OF CRYSTAL LAKE, an
Illinois municipal corporation,

By: _____
MAYOR

SEAL

ATTEST

CITY CLERK

PASSED: February 1, 2011
APPROVED: February 1, 2011



Agenda Item No: 15

**City Council
Agenda Supplement**

Meeting Date: February 1, 2011

Item: Union Pacific Railroad Grade Crossing Improvement Agreement for Pingree Road

Staff Recommendation: Motion to adopt a resolution authorizing the City Manager to execute the Agreement for the Pingree Road Grade Crossing Improvement.

Staff Contact: Erik D. Morimoto, Director of Engineering and Building
Victor C. Ramirez, Director of Public Works

Background:

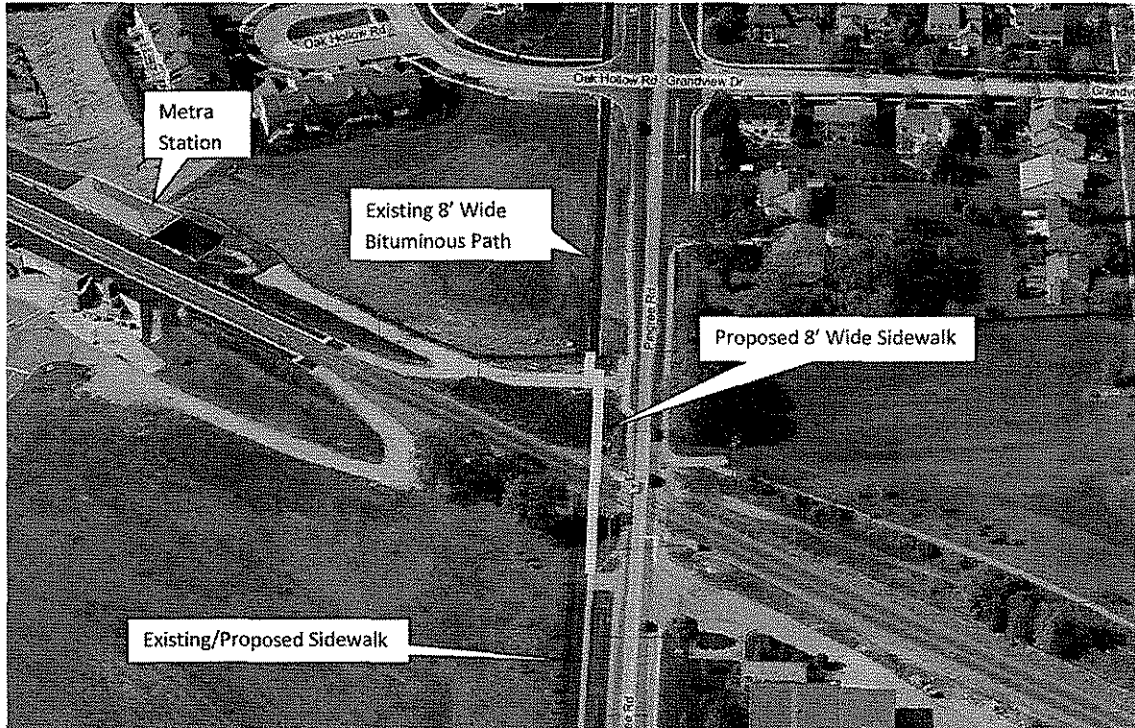
The City is currently in the process of preparing the Pingree Road Segment 2 improvement, which is the area between Cog Circle and the Union Pacific Railroad tracks project, for construction. This segment is being improved to include additional turn lanes at the Congress Parkway intersection and is being completed with participation from Metra because of the Pingree Road station. The improvements, as approved by IDOT as part of the Phase I Project Development Report, include an extension of the current sidewalk network along Pingree Road across the tracks to connect the existing shared-use path to the north.

In order to accommodate the eight-foot wide sidewalk extension across the tracks, it was determined at a field meeting between City staff, the Union Pacific Railroad, and the Illinois Commerce Commission, who has regulatory authority over modifications to existing highway-railroad grade crossings, that pedestrian gates are needed to address safety concerns with the sightlines at the crossing. In addition, the existing track pads must be extended to the west approximately 25 feet to accommodate the new pedestrian crossing.



PINGREE ROAD WIDENING

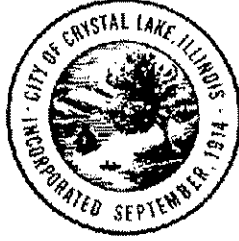
UPRR EXHIBIT FOR PEDESTRIAN GATE CONSTRUCTION



This agreement initiates the labor and material costs for the installation of the necessary grade crossing improvements, which will cost \$189,738.00. This cost is included in the overall construction cost, which is being funded through Metra contributions and Federal Surface Transportation Program funding. In addition, the City will be responsible for the annual maintenance fee of \$2,720.00 per year for the two pedestrian warning gates.

Votes Required to Pass:

Simple majority of City Council present.



DRAFT

The City of Crystal Lake Illinois

RESOLUTION

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE that the City Manager be authorized to execute the agreement for the Pingree Road Grade Crossing Improvement with the Union Pacific Railroad.

DATED this first day of February, 2011

CITY OF CRYSTAL LAKE, an Illinois
Municipal Corporation

BY: _____
Aaron T. Shepley, Mayor

SEAL

ATTEST:

Nick Kachiroubas, City Clerk

PASSED: February 1, 2011

APPROVED: February 1, 2011



Agenda Item No: 16

**City Council
Agenda Supplement**

<u>Meeting Date:</u>	February 1, 2011
<u>Item:</u>	An Intergovernmental Agreement Enabling Payments for Dial-A-Ride Services from the Senior Services Grant Fund.
<u>Staff Recommendation:</u>	Motion to approve a Resolution authorizing the City Manager to execute an intergovernmental agreement between McHenry County and the City of Crystal Lake enabling payments for Dial-A-Ride services from the Senior Services Grant Fund.
<u>Staff Contact:</u>	George Koczvara, Deputy City Manager Brad Mitchell, Assistant to the City Manager

Background:

The attached agreement provides funds for the City's Dial-A-Ride program from the County Senior Services Grant Fund. The attached agreement makes no changes to the City Dial-A-Ride program or the City's participation in the County Pilot Transit Program. The attached agreement will allow the County to reimburse the City for rides the City provides as part of the City's Dial-A-Ride program to seniors that have registered with the County as part of the County's Pilot Transit Program.

In 2007, the McHenry County Division of Transportation applied for and was awarded funding from the McHenry County Board and the County's Senior Services Grant Commission to implement a pilot program to coordinate existing transportation services for eligible seniors. In 2009, a Memorandum of Understanding was signed between McHenry County and the municipalities of Crystal Lake, McHenry and Woodstock, Door Township and the Pioneer Center to establish the County Pilot Transit Program, to provide coordinated Pace Dial-A-Ride services. This new service began on February 13, 2010. The City's participation in the Pilot Transit Program enhances Pace Dial-A-Ride services to residents at no additional costs to the City.

Per the attached memo from Assistant County Engineer Jeff Young, the proposed Intergovernmental Agreement will enable the City of Crystal Lake to accept payments from McHenry County to reimburse the City for rides it provides within its Pace Dial-A-Ride service area to seniors that have registered with the County's Pilot Program.

Each month, the City will be responsible for providing the County with a copy of the City's Pace Dial-A-Ride invoice. The County will use this invoice to make payments to the City as long as Senior Grant monies are available. It is anticipated that for the one-year of this agreement, the City would be reimbursed approximately \$5,550.00 for the number of eligible trips for seniors registered with the County's Pilot Program. However, if the City can encourage more seniors to register with the County's Pilot Program, than each time a registered senior uses the City Dial-A-ride Program, the City would be eligible for a greater reimbursement from the County. At no time will the reimbursement exceed \$30,000 during the County's fiscal year.

The City Attorney has reviewed this agreement.

Votes Required to Pass:

Simple majority vote of the City Council.



DRAFT

RESOLUTION

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE, of McHenry County, Illinois, that the City Manager be and he is hereby authorized and directed to execute an intergovernmental agreement between McHenry County and the City of Crystal Lake enabling payments for Dial-A-Ride services from the Senior Services Grant Fund.

DATED this 1st day of February, 2011

CITY OF CRYSTAL LAKE, an
Illinois municipal corporation,

By: _____
MAYOR

SEAL

ATTEST

CITY CLERK

PASSED: February 1, 2011
APPROVED: February 1, 2011



Agenda Item No: 17

**City Council
Agenda Supplement**

Meeting Date: February 1, 2011

Item: Intergovernmental Agreement between the Crystal Lake Police Department and the U.S. Drug Enforcement Administration.

Staff Recommendation: Motion to adopt a resolution authorizing the Police Chief to execute an Intergovernmental Agreement with the U. S. Drug Enforcement Administration enabling the Crystal Lake Police Department to become a member of the Provisional State and Local Government Task Force.

Staff Contact: David Linder, Chief of Police

Background:

The Drug Enforcement Administration (DEA) has over 2,000 state and local police officers assigned to DEA task forces nationwide. The Crystal Lake Police Department is seeking to enter into an intergovernmental agreement with the DEA to assign one of our police officers to the local DEA task force on a part-time basis to assist in combating the drug trade in the McHenry County area. The local DEA office is located in Rockford, IL. DEA Task Force Officers continue to function as local investigators, working for and meeting the needs of the Crystal Lake Police Department's mission, but with the following added benefits:

- Federal drug agent deputization
- Available office space and materials
- Larger community impact
- Complex criminal investigations
- Shared manpower force-multiplier
- Multiple prosecution venues
- Combined intelligence resources
- Utilization of DEA's global resources
- No cost DEA training and travel
- Quarterly firearms training
- Overtime reimbursement
- Equitable sharing of asset seizures

The City Attorney and the City's risk pool have reviewed the agreement.

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 Chief of Police be and he is hereby authorized and directed to execute an Intergovernmental Agreement with the U.S. Drug Enforcement Administration for participation in the Provisional State and Local Government Task Force.

DATED this 1st day of February, 2011

CITY OF CRYSTAL LAKE, an
Illinois municipal corporation,

By: _____
MAYOR

SEAL

ATTEST

CITY CLERK

PASSED: February 1, 2011
APPROVED: February 1, 2011



Agenda Item No: 18

**City Council
Agenda Supplement**

Meeting Date: February 1, 2011

Item: Memorandum of Understanding between the Crystal Lake Police and U.S. Immigration and Customs Enforcement.

Staff Recommendation: Motion to adopt a resolution authorizing the Police Chief to execute a Memorandum of Understanding with U.S. Immigration and Customs Enforcement enabling the Crystal Lake Police Department to become a member of the Cyber Crimes Investigation Group federal task force and for reimbursement of joint operations expenses from the Treasury Forfeiture Fund.

Staff Contact: David Linder, Chief of Police

Background:

U.S. Immigration and Customs Enforcement (ICE), the largest investigative agency in the Department of Homeland Security, places a high priority on enforcing laws against child pornography, sexual exploitation, child sex tourism and other crimes against children. As a part of a force multiplier approach, ICE is authorized under Title 19 of U.S. Code 1404 to cross-designate other federal, state and local law enforcement officers to investigate and enforce customs laws.

The Crystal Lake Police Department is seeking a Memorandum of Understanding that would allow membership with a federal task force headed by ICE. This federal task force is known as the Cyber Crimes Investigation Group. As a member of the task force, the Crystal Lake Police Department will continue to actively investigate cyber crimes, especially those that victimize children, but now with the added assistance and support of the ICE task force. Resources that will be available to the Crystal Lake Police Department will include recognized experts in the field of computer forensics and fugitive tracking. In addition, a portion of seized funds, as part of joint operations with ICE, would be made available to the City. The City Attorney and the City's risk pool have reviewed the agreement.

Votes Required to Pass: A simple majority

DRAFT



RESOLUTION

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE that the Chief of Police be and he is hereby authorized and directed to execute a Memorandum of Understanding with U.S. Immigration and Customs Enforcement for participation in the Cyber Crimes Investigation Group federal task force and for reimbursement of joint operations expenses from the Treasury Forfeiture Fund.

DATED this 1st day of February, 2011

CITY OF CRYSTAL LAKE, an
Illinois municipal corporation,

By: _____
MAYOR

SEAL

ATTEST

CITY CLERK

PASSED: February 1, 2011

APPROVED: February 1, 2011



Agenda Item No: 19

**City Council
Agenda Supplement**

Meeting Date: February 1, 2011

Item: City Code Amendment to Chapter 33-18 Emergency Services and Disaster Agency

Staff Recommendation: Motion to adopt an ordinance amending Chapter 33-18 of the City Code to be in compliance with the National Incident Management System (NIMS) terminology and the City's Emergency Operation Plan.

Staff Contact: James P. Moore, Fire Rescue Chief

Background:

In an effort to remain in compliance with the National Incident Management System (NIMS) and the City's Emergency Operation Plan, it is recommended that the City update Chapter 33-18 of the City Code to reflect changes in certain terminology. The "Emergency Service and Disaster Agency" shall be replaced with "Emergency Management Agency" and "Coordinator" shall be replaced with "Emergency Manager".

In 2003, the Secretary of Homeland Security was directed to develop and administer The National Incident Management System (NIMS). The National Incident Management System (NIMS) provides a systematic, proactive approach for departments and agencies at all levels of government, nongovernmental organizations, and the private sector to work seamlessly to prevent, protect against, respond to, recover from, and mitigate the effects of incidents, regardless of cause, size, location or complexity, in order to reduce the loss of life and property and harm to the environment. City staff has since taken the necessary actions to be in compliance with the NIMS, through training and procedural requirements. Being in compliance with NIMS allows the City to be eligible for certain Federal and State funding in regards to emergency management.

In addition, the Illinois Emergency Management Act requires each emergency management agency to prepare an emergency operations plan for its geographic boundaries that complies with planning, review, and approval standards promulgated by the Illinois Emergency Management Agency.

The proposed terminology changes to the City Code are a procedural requirement for the City to

remain in compliance with the requirements set forth by NIMS and the Illinois Emergency Management Act.

Votes Required to Pass: A simple majority vote.

DRAFT

Ordinance No. _____

**AN ORDINANCE AMENDING CHAPTER 33-18
Emergency Services and Disaster Agency**

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

SECTION 1: The Code of Ordinances, City of Crystal Lake, Illinois, is hereby amended by replacing Chapter 33-18 as follows:

Title: ~~Emergency Services and Disaster Agency~~ Emergency Management Agency

Establishment.

(1)

There is hereby created the Crystal Lake ~~Emergency Service and Disaster Agency~~ Emergency Management Agency to prevent, minimize, repair, and alleviate injury or damage resulting from disaster caused by enemy attack, sabotage, or other hostile action, or from natural or man-made disaster, in accordance with 20 ILCS 3305/1 et seq.

(2)

This emergency service and disaster agency shall consist of the ~~Coordinator~~ Emergency Manager and such additional members as may be selected by the ~~Coordinator~~ the Emergency Manager.

B.

~~Coordinator. Emergency Manager.~~ The ~~Coordinator~~ Emergency Manager of the City ~~Emergency Service and Disaster Agency~~ Emergency Management Agency shall be appointed by the City Manager and shall serve until removed by same.

(1)

The ~~Coordinator~~ Emergency Manager shall have direct responsibility for the organization, administration, training, and operation of the City ~~Emergency Service and Disaster~~ Emergency Management Agency, subject to the direction and control of the City Manager as provided by statute.

(2)

In the event of the absence, resignation, death or inability to serve as the ~~Coordinator~~ Emergency Manager, the City Manager or any person designated by him/her, shall be and act as ~~Coordinator~~ Emergency Manager until a new appointment is made as provided in this article.

C.

Functions. The City ~~Emergency Service and Disaster Agency~~ Emergency shall Management Agency shall perform such ~~Emergency Service and Disaster Agency~~

Emergency Management Agency functions within the City as shall be prescribed in and by the State ~~Emergency Service and Disaster Agency~~ Emergency Management Plan and Program prepared by the Governor, and such orders, rules and regulations as may be promulgated by the Governor, and in addition shall perform such duties outside the corporate limits as may be required pursuant to any mutual aid agreement with any other political subdivision, municipality, or quasi-municipality entered into as provided in 20 ILCS 3305/1 et seq.

D.

Service as mobile support team. All or any members of the City ~~Emergency Service and Disaster Agency~~ Emergency Management Agency organization may be designated as members of a Mobile Support created by the Emergency Management Agency ~~Director~~ Manager, as provided by law.

(1)

The leader of such Mobile Support Team shall be designated by the ~~Coordinator~~ Manager of the City ~~Emergency Service and Disaster Agency~~ Emergency Management Agency organization.

(2)

Any member of a Mobile Support Team, who is a City employee or officer while serving on call to duty by the Governor, or the State Director, shall receive the compensation and have the powers, duties, rights, and immunities incident to such employment or office.

(3)

Any such member who is not a paid officer or employee of the City, while so serving, shall receive from the state reasonable compensation as provided by law.

E.

Agreements with other political subdivisions. The ~~Coordinator~~ Manager of ~~Emergency Service and Disaster Agency~~ Emergency Management Agency may negotiate mutual aid agreements with other cities or political subdivisions of the state, but no such agreement shall be effective until it has been approved by the Mayor and City Council and by the State Emergency Management Agency Director.

F.

Emergency action. If the Governor proclaims that a disaster emergency exists in the event of actual enemy attack upon the United States or the occurrence within the State of Illinois of a major disaster resulting from enemy sabotage or other hostile action, or from man-made or natural disaster, it shall be the duty of the ~~City Emergency Service and Disaster Agency~~ Emergency Management Agency to cooperate fully with the State Emergency Management Agency and with the Governor in the exercise of emergency powers as provided by law.

G.

Compensation. Members of the ~~Emergency Service and Disaster Agency~~ Emergency Management Agency who are paid employees or officers of the City, if called for

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training by the State Emergency Management Agency Director, shall receive for the time spent in such training the same rate of pay as is attached to the position held; members who are not such City employees or officers shall receive for such training time such compensation as may be established by the Mayor and City Council.

H.

Reimbursement by state. The State Treasurer may receive and allocate to the appropriate fund, any reimbursement by the state to the City for expenses incident to training members of the ~~Emergency Service and Disaster Agency~~ Emergency Management Agency as prescribed by the State Emergency Management Agency Director, compensation for services and expenses of members of a Mobile Support Team while serving outside the City in response to a call by the Governor or State Emergency Management Agency Director, as provided by law, and any other reimbursement made by the state incident to ~~Emergency Service and Disaster Agency~~ Emergency Management Agency activities as provided by law.

I.

Purchases and expenditures.

(1)

The Mayor and City Council may, on recommendation of the City ~~Coordinator~~ Emergency Manager of the ~~Emergency Service and Disaster Agency~~ the Emergency Management Agency, authorize any purchase of contracts necessary to place the City in a position to combat effectively any disaster resulting from the explosion of any nuclear or other bomb or missile, and to protect the public health and safety, protect property, and provide emergency assistance to victims in the case of such disaster, or from man-made or natural disaster.

(2)

In the event of enemy caused or other disaster, the City ~~Coordinator~~ Emergency Manager of the ~~Emergency Service and Disaster Agency~~ Emergency Management Agency is authorized, on behalf of the City, to procure such services, supplies, equipment or material as may be necessary for such purposes, in view of the exigency without regard to the statutory procedures or formalities normally prescribed by law pertaining to City contracts or obligations, as authorized by 20 ILCS 3305/1 et seq., provided that if the Mayor and City Council meets at such time they shall act subject to the directions and restrictions imposed by that body.

J.

Oath. Every person appointed to serve in any capacity in the City ~~Emergency Disaster~~ Emergency Management Agency organization shall, before entering upon his/her duties, subscribe to the following oath, which shall be filed with the ~~Coordinator~~ Emergency Manager:

"I, _____, do solemnly swear (or affirm) that I will support and defend and bear true faith and allegiance to the Constitution of the United States and the Constitution of the State of Illinois, and the territory, institutions, and facilities thereof, both public and private, against all enemies, foreign and domestic; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties upon which I am about to enter. And I do further swear (or affirm) that I do not advocate, nor am I nor have I been a member of any political party or organization that advocates the overthrow of the government of the United States or of this state by force or violence; and that during such time as I am affiliated with the City ~~Emergency Service and Disaster Agency~~ Emergency Management Agency organization, I will not advocate nor become a member of any political party or organization that advocates the overthrow of the government of the United States or of this state by force or violence."

K.

Office. The City Manager is authorized to designate space in a City building or elsewhere, as may be provided for by the City Manager for the City ~~Emergency Service and Disaster Agency~~ Emergency Management Agency as its office.

L.

Appropriation; levy of taxes. The Mayor and City Council may make an appropriation for ~~Emergency Service and Disaster Agency~~ Emergency Management Agency purposes in the manner provided by law, and may levy, in addition for ~~Emergency Service and Disaster Agency~~ Emergency Management Agency purposes only, a tax not to exceed \$0.05 per \$100 of the assessed value of all taxable property in addition to all other taxes, as provided by 20 ILCS 3305/1 et seq.; however, that amount collectable under such levy shall in no event exceed \$0.25 per capita.

M.

Declaration of emergency. A local disaster emergency may be declared only by the Mayor. It shall not be continued or renewed for a period in excess of seven days except by or with the consent of the City Council. Any order or proclamation shall be given prompt and general publicity and shall be filed promptly with the City Clerk.

SECTION 2. This Ordinance shall be in full force and effect upon its passage, approval and publication in pamphlet form as provided by law.

SECTION 3. This Ordinance shall be printed and published in pamphlet form by order of the City Council of the City of Crystal Lake.

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YEAS:

NAYS:

ABSENT:

Passed and Approved this 1st day of February 2011.

CITY OF CRYSTAL LAKE, an Illinois Municipal
Corporation

BY: _____
Aaron T. Shepley, Mayor

SEAL

ATTEST:

Nick Kachiroubas, City Clerk



Agenda Item No: 20

**City Council
Agenda Supplement**

Meeting Date: February 1, 2011

Item: Intergovernmental Agreement between the City of Crystal Lake and the Illinois Emergency Management Mutual-Aid System (IEMMAS)

Staff Recommendation: Motion adopting a resolution authorizing the City Manager to execute an Intergovernmental Agreement between the City of Crystal Lake and the Illinois Emergency Management Mutual-Aid System (IEMMAS) to provide assistance with emergency management support functions.

Staff Contact: James P. Moore, Fire Rescue Chief

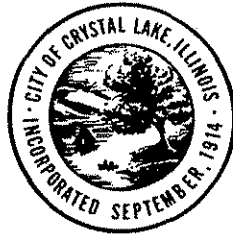
Background:

Following the recent evaluation of the City's emergency preparedness program, the City identified the need to establish a mutual-aid agreement with the Illinois Emergency Management Mutual Aid System (IEMMAS), for the emergency management support function required by the National Incident Management System. Emergency management support functions include resource tracking, strategic support, State liaison and administrative staffing.

The Illinois Emergency Management Mutual Aid System would provide a defined and prearranged response and assistance in the event of an emergency. This assistance will be provided upon request of the City's Emergency Manager. This agreement allows the City to take the necessary and proper action to render and/or request mutual aid from other member units of IEMMAS in the event of an emergency situation. In addition, it allows the City to assist a nearby member by assigning, as appropriate, some of its personnel, equipment or material resources to the requesting member municipality. It should be noted that, similar to other mutual aid agreements, the City is not obligated to respond to another municipality's request for assistance if it creates a hardship for the City, and the determination as to what, if any, personnel and equipment are available is within the sole discretion of the City's Emergency Manager. The aid provided to member communities is without cost, except to the extent that expenses may be recoverable from a third party. Finally, the State Statute authorizing this Agreement provides immunities for any participating municipality for claims arising out of mutual aid rendered to another community.

Votes Required to Pass:

Simple majority vote of the City Council.



DRAFT

RESOLUTION

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CRYSTAL LAKE, ILLINOIS,
AUTHORIZING PARTICIPATION AS A MEMBER IN THE ILLINOIS EMERGENCY
MANAGEMENT MUTUAL AID SYSTEM RESPONSE PURSUANT TO AN
INTERGOVERNMENTAL AGREEMENT BY AND BETWEEN THE CITY OF CRYSTAL LAKE
AND THE ILLINOIS EMERGENCY SERVICES MANAGEMENT ASSOCIATION FOR THE
ESTABLISHMENT OF A MUTUAL AID INTERGOVERNMENTAL SERVICE AGREEMENT**

WHEREAS, the City of Crystal Lake, pursuant to Ordinance, established an Emergency Management Agency/Emergency Services and Disaster Agency pertaining to appropriate functions in the case of an emergency; and

WHEREAS, it is recognized that at any given time emergency situations may occur that are beyond the capacities of the City of Crystal Lake Emergency Management Agency/ Emergency Services and Disaster Agency to deal effectively with in terms of personnel, equipment and material resources; and

WHEREAS, in adopting the Illinois Emergency Management Mutual Aid System Intergovernmental Service Agreement (the "Service Agreement"), the City of Crystal Lake, as one of the members thereof, hereby expresses its intent to assist a nearby member jurisdiction by assigning as appropriate some of its personnel equipment or material resources to the requesting member municipality as situations allow and to receive such mutual aid from member municipalities as may be required; and

WHEREAS, said Service Agreement is authorized by the Illinois Emergency Management Act, Section 20 ILCS 3305/13 and pursuant to the Ordinances of the City of Crystal Lake allowing for the participation in various mutual aid agreements; and

WHEREAS, it is in the best interests of the City of Crystal Lake to enter into this agreement to provide for assistance to the residents of the City of Crystal Lake and other Members of said Mutual Aid Service Agreement.

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

DRAFT

- Section 1:** That the above and foregoing recitals are incorporated as findings of fact in this Resolution.
- Section 2:** That the City of Crystal Lake, a body politic, may participate as a Member of the Illinois Emergency Management Mutual Aid System pursuant to that certain Mutual Aid Intergovernmental Service Agreement which is attached to this Resolution hereto and incorporated herein and identified as "Exhibit A".
- Section 3:** That the City Manager be and is hereby authorized to execute, on behalf of the City of Crystal lake, said Agreement and that the City of Crystal Lake Clerk is authorized to attest to said Agreement.

DATED this 1st day of February, 2011

CITY OF CRYSTAL LAKE, an
Illinois municipal corporation,

By: _____
Aaron T. Shepley, Mayor

SEAL

ATTEST

Nick Kachiroubas, City Clerk

PASSED: February 1, 2011
APPROVED: February 1, 2011