



CITY OF CRYSTAL LAKE
AGENDA

CITY COUNCIL
REGULAR MEETING

City of Crystal Lake
100 West Woodstock Street, Crystal Lake, IL
City Council Chambers
April 5, 2011
7:30 p.m.

1. **Call to Order**
2. **Roll Call**
3. **Pledge of Allegiance**
4. **Administration of Oaths of Office**
 - a. **Fire Rescue Bureau Chief Christopher Olsen**
 - b. **Fire Rescue Lieutenant Heidi Olsen**
5. **Approval of Minutes – March 15, 2011 Regular City Council Meeting**
6. **Accounts Payable**
7. **Public Presentation**

The public is invited to make an issue oriented comment on any matter of public concern not otherwise on the agenda. The public comment may be no longer than 5 minutes in duration. Interrogation of the city staff, Mayor or City Council will not be allowed at this time, nor will any comment from the Council. Personal invectives against city staff or elected officials are not permitted.
8. **Mayor's Report**
 - a. **Recognition of Crystal Lake South High School and Crystal Lake Central High School Pom Squads**
9. **Council Reports**
10. **Consent Agenda**
 - a. **Resolution placing the Annual Budget on public display and setting the Public Hearing date for the proposed Annual Budget for Fiscal Year 2011/2012 for the April 19, 2011 Regular City Council meeting.**
 - b. **St. Thomas the Apostle Church request to close Lake Street between Washington Street and the eastern portion of the St. Thomas the Apostle Church property on April 22, 2011 during their reenactment of the Stations of the Cross.**
11. **Lake in the Hills request to rezone five parcels to “AD-1” Airport District 1.**
12. **Resolution concerning cell tower siting in McHenry County.**
13. **Ordinance to implement “No Parking” restrictions on both sides of Dole Avenue between Oriole Trail and Woodstock Street, and allow the Police Department to issue temporary waivers upon written application and review.**
14. **Crystal Lake Park District request for the issuance of eighteen Class “16” Temporary Liquor Licenses for the Park District’s 2011 Spring/Summer/Fall and March 2012 Events.**
15. **Downtown Crystal Lake/Main Street – Temporary Use Permit request for a Special Promotion (Farmers’ Market) and request for waiver of the Temporary Use Permit application fee.**

16. **Downtown Crystal Lake/Main Street – Temporary Use Permit request for a Special Promotion to allow Lunch-Dinner in the Park events in the Gazebo and Depot Park and request for waiver of the Temporary Use Permit application fee.**
17. **Crystal Lake Chevrolet, 5220 Northwest Highway – Unified Development Ordinance Sign Variation request for flag signs.**
18. **Home Depot, 4447 U.S. Route 14 – Temporary Use Permit request for the Seasonal Sale of garden plants, bagged items, pumpkins, straw, corn stalks, wreaths, ropes, and Christmas trees.**
19. **The Freeze, 140 S. Virginia Street – Unified Development Ordinance Sign Variation request for a roof sign.**
20. **Contagious Customs, 5114 E. Terra Cotta Avenue – Unified Development Ordinance Sign Variation request for a wall sign.**
21. **Shell Gas Station Circle K Convenience Store, 230 North Route 31 – Special Use Permit Amendment to allow changes in signage from Shell to Circle K for the convenience store and car wash.**
22. **Commons of Crystal Lake, 6130 Northwest Highway – Final Planned Unit Development Amendment for the addition of a monument sign.**
23. **BuyBuy Baby, 5540 Northwest Highway – Final Planned Unit Development Amendment to allow elevation changes to cover the faux windows with graphic panels.**
24. **Wyndmuir Subdivision request to dedicate private roads to the City of Crystal Lake – Discussion Only.**
25. **Resolution authorizing execution of a contract amendment for Well #7 repair work and approval of changes in scope by 10 percent of the contract amendment price.**
26. **Bid award and resolution authorizing execution of a service agreement for sanitary sewer pipe joint grouting services.**
27. **Bid award and resolution authorizing execution of a service agreement for tree removal services.**
28. **Bid award and resolution authorizing execution of a purchase agreement for leak locating equipment.**
29. **Bid award and resolution authorizing execution of a service agreement for an arc flash study at the Municipal Complex.**
30. **Bid award and resolution authorizing execution of the contract for the 2011 Spring Sidewalk Replacement Program, and allowing for a 10 percent contingency.**
31. **Ordinance reserving the State of Illinois volume cap for private activity bonds.**
32. **Ordinance authorizing participation in the Intergovernmental Personnel Benefits Cooperative.**
33. **Council Inquiries and Requests**
34. **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.**
35. **Reconvene to Regular Session.**
36. **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: 4

**City Council
Agenda Supplement**

Meeting Date: April 5, 2011

Item: Swearing In Ceremony for Newly Promoted Fire Rescue Bureau Chief Christopher Olsen and for New Fire Rescue Lieutenant Heidi Olsen

Staff Contact: Ann Everhart, Director of Human Resources
James P. Moore, Chief of Fire Rescue

Background:

Mayor Shepley will be swearing in our newest Fire Rescue Bureau Chief, Chris Olsen and our new Fire Rescue Lieutenant, Heidi Olsen.

Bureau Chief Chris Olsen has become the new Bureau Chief of Training for the Fire Rescue Department. A proud member of the department since 1992, Bureau Chief Olsen looks forward to the many challenges of his new position.

Now promoting to the rank of Lieutenant, Heidi Olsen has served the City of Crystal Lake as a Firefighter Paramedic since 2003. Lt. Olsen looks forward to her new role as company officer.

We are so pleased to have these fine individuals serve in our Fire Rescue Department. Congratulations!



Agenda Item No. 10a

**City Council
Agenda Supplement**

Meeting Date:

April 5, 2011

Item:

Public Display and Setting of Public Hearing Date for the Proposed Annual Budget for the Fiscal Year 2011/2012

Staff Recommendation:

Motion to adopt a resolution placing the Annual Budget on public display and setting the Public Hearing date for the Proposed Annual Budget for FY2011/2012 for the April 19, 2011 Regular City Council meeting.

Staff Contact:

Mark F. Nannini, Director of Finance

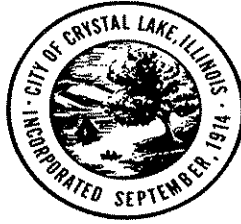
Background:

The adoption of this resolution would have the effect of placing the Proposed Fiscal Year 2011/2012 Budget document on public display at the Office of the City Manager. This resolution also sets the date for the Public Hearing on the proposed budget for Tuesday, April 19, 2011.

Votes Required to Pass:

Simple majority.

DRAFT



The City of Crystal Lake

RESOLUTION

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

SECTION 1: That the proposed annual budget for the City of Crystal Lake for the fiscal year May 1, 2011 through April 30, 2012 is now available for public inspection at the Office of the City Manager from April 6, 2011 through the date of its adoption by the Crystal Lake City Council.

SECTION 2: A public hearing on the proposed Fiscal Year 2011/2012 Budget will be held on Tuesday, April 19, 2011 at 7:30 p.m., during the regular City Council meeting, held in the City Council Chambers of the Crystal Lake City Hall, 100 W. Woodstock Street, Crystal Lake, Illinois.

DATED this 5th day of April, 2011.

CITY OF CRYSTAL LAKE, an Illinois Municipal Corporation

BY: _____
Aaron T. Shepley, Mayor

ATTEST:

Nick Kachiroubas, City Clerk



Agenda Item No: 10b

**City Council
Agenda Supplement**

Meeting Date: April 5, 2011

Item: St. Thomas the Apostle Church Street Closure Request

Staff Recommendation: Motion to approve the closure of Lake Street between Washington Street and the eastern portion of the St. Thomas the Apostle Church property on Friday, April 22, 2011, from 3:00 p.m. to 7:00 p.m. during the reenactment of the Stations of the Cross.

Staff Contact: Brad Mitchell, Assistant to the City Manager

Background:

The City has received a request from St. Thomas the Apostle Church for the closure of Lake Street between Washington Street and the eastern portion of the St. Thomas the Apostle Church property on Friday, April 22, 2011, from 3:00 p.m. until 7:00 p.m. for the safety of those attending the reenactment of the Stations of the Cross on Good Friday. This reenactment will take place from 5:00 p.m. to 7:00 p.m. on the Church grounds only. The performers will begin set-up around 3:00 p.m. Approximately 250 persons are expected to watch this performance. St. Thomas the Apostle Church has sent letters to all affected property owners along Lake Street regarding the closure. The City Council approved a similar request in 2010.

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

- 1) City-owned barricades must be used to block off the street closure sections. In addition, a "Local Traffic Only" sign must be temporarily placed at the entrance to Lake Street from Dole Avenue. The petitioner must complete and submit a Barricade Borrowing Application.
- 2) The petitioner must send a notice to all affected property owners along Lake Street.

- 3) The petitioner must contact the school districts in the area in case there are any bus routes that may utilize Lake Street.
- 4) 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.
- 5) Emergency access to the Church must be maintained throughout the event. The petitioner must provide a plan of the Stations of the Cross layout on the Church grounds for the event.
- 6) Local traffic access to Lake Street must be maintained throughout the event. Volunteers should be available to remove barricades to allow property owners on the roadway, if necessary.
- 7) All debris created by the event shall be cleaned up during and after the event.
- 8) 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.
- 9) If tents or canopies will be used, the petitioner shall contact the Fire Rescue Department for further review.
- 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.

The petitioner has agreed to meet these conditions. The letter requesting approval for the closure of Lake Street and a map indicating the portion of the roadway to be closed 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**

Meeting Date: April 5, 2011

Item: Lake in the Hills Zoning Request
Village of Lake in the Hills, petitioner

Recommendation: City Council discretion.

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

Background: As is required per the City's Intergovernmental Agreement with the Village of Lake in the Hills, commonly referred to as the Airport Agreement, any zoning request for any parcel of land within 300 feet of the other party's boundary, is required to send notice of said zoning request to the other party. Comments, consideration, and input may pertain to, but shall not be restricted to site access, storm water management, building materials, landscaping, buffering, signage, lighting, limitations regarding direct street access where the boundary line coincides with street right-of-way setbacks, design criteria and similar site specific features.

The five parcels consist of a total of 64.64 acres. The parcels are located around the Lake in the Hills Airport, as shown on the attached parcels map.

The petitioner is requesting to rezone the parcels to Lake in the Hill's "AD-1" Airport District 1, which allows a range of uses by right and via conditional use permit (a detailed list is attached).

Any comments, concerns or input would be forwarded to the Village of Lake in the Hills to be considered at the scheduled April 18, 2011, public hearing for this petition.

The proposed zoning request is not in conflict with any provisions of the Airport Agreement. Any development/improvements would be required to meet any and all provisions of that agreement.

Votes Required to Pass: A simple majority vote.



Agenda Item No: 12

**City Council
Agenda Supplement**

Meeting Date: April 5, 2011

Item: Resolution concerning cell tower siting in McHenry County

Recommendation: Motion to approve the resolution.

Contact: Aaron T. Shepley, Mayor
Brett Hopkins, Councilmember

Background: As the Council may be aware, the erection of a cell tower within a predominantly unincorporated residential area has elicited a number of concerns. After initial research, it appears that the County, although restricted in how they can regulate telecommunication towers, does have some room to enforce additional criteria for the location of telecommunication towers.

The Federal Telecommunications Act of 1996 severely limited the zoning authority of many municipalities and counties with the following provisions: 1) local regulations that unreasonably discriminate among providers are forbidden, 2) local regulations may not expressly prohibit towers, 3) local authorities must act within a reasonable time frame on applications, 4) decisions must be in writing and supported by substantial evidence, and 5) local authorities may not regulate towers based on environmental impacts of radio frequency emissions, as long the towers comply with federal standards.

The attached resolution would communicate our concerns and interest on this topic to the McHenry County Board with the intent they pass an immediate moratorium to halt any cell towers that are in the process as they work to augment their existing cell tower regulations.

Votes Required to Pass: A simple majority vote.

DRAFT

RESOLUTION

WHEREAS, one of the basic tenets of zoning regulations is to provide for the preservation of the character of a neighborhood, institute regulations to help avoid aesthetic blight, and protect property values; and

WHEREAS, property values can be affected by unsightly, aesthetically displeasing commercial projects; and

WHEREAS, the Illinois Telecommunications Act of 1985 provides specific regulations for Counties, allowing towers in unincorporated areas to reach up to 150 feet in residential zones and up to 200 feet in nonresidential zones; and

WHEREAS, under the Illinois State Statutes, 55 ILCS 5/5-12001.1, telecommunications towers are exempt from county zoning regulations with the exception of height and setbacks, provided certain criteria as determined by the County's ordinances are met; and

WHEREAS, recent case law has supported a County's decision to deny a cell tower on agriculturally zoned property that was not compatible with the appearance, character, and harmony of the agricultural area; and

WHEREAS, McHenry County has adopted a Telecommunications Carrier Ordinance, a document that contains many standards and criteria to encourage best practices to reduce potential negative impacts in the placement and location of telecommunication carrier towers; and

WHEREAS, in the spirit of cooperation between governmental entities in coordinating regional planning and creating the best protection possible for our County's residents.

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

DRAFT

SECTION I: That the Mayor and City Council request that the County Board issue an immediate moratorium on all applications until an amended ordinance can be drafted by the Planning and Development Committee and approved by the County Board.

SECTION II: That the Mayor and City Council request the McHenry County Board direct the Planning and Development Committee to provide further deliberation on the ordinance and move forward an amendment or amendments to the Telecommunications Carrier Ordinance to provide further guidelines, standards, criteria or other such regulation necessary to provide further protection for McHenry County residents.

SECTION III: That the City Clerk is directed to file a copy of this Resolution to McHenry County Board for appropriate consideration and hearing.

Dated at Crystal Lake, Illinois, this 5th day of April, 2011.

CITY OF CRYSTAL LAKE, an
Illinois municipal corporation,

By: _____

MAYOR

SEAL

ATTEST

DRAFT

CITY CLERK

PASSED: _____

APPROVED: _____



Agenda Item No: 13

**City Council
Agenda Supplement**

Meeting Date: April 5, 2011

Item: Dole Avenue Bike Lane Improvement Parking Ordinance

Staff Recommendation: Motion to adopt an Ordinance to implement “No Parking” restrictions on both sides of Dole Avenue between Oriole Trail and Woodstock Street as part of the Dole Avenue Bike Lane Improvements, and allow the Police Department to issue temporary waivers upon written application and review.

Staff Contact: Erik D. Morimoto, Director of Engineering and Building
Dave Linder, Chief of Police

Background:

The Engineering and Building Department is preparing for the installation of the proposed on-street bike lane project on Dole Avenue between Woodstock Street and Lake Shore Drive, near Main Beach. This project would include the installation of pavement markings and signage to delineate a five-foot wide bike lane on each side of the street. The project is viewed as a positive safety enhancement for the numerous cyclists that travel along this corridor to Main Beach, Dole Mansion, Downtown, the Downtown Metra Station, the Crystal Lake Public Library, and the various schools along this corridor.

In order to accomplish the goals of this safety project and accommodate the bike lanes, a new on-street parking restriction is needed along both sides of Dole Avenue between Oriole Trail and Woodstock Street (see Figure A). There is currently 30 feet of pavement between the face of the curbs, which is sufficient for both bike lanes and two travel lanes for vehicles. An on-street parking restriction currently exists for the remaining portions of the bikeway corridor between Oriole Trail and Lake Shore Drive and signage would only need to be updated to reflect the addition of the new bike lanes. The existing parking restriction is in place due to the proximity of Main Beach, and to keep sufficient room on this primary collector route for traffic and emergency vehicles.

Notification of this project, along with details of the plan, was sent to residents on March 21, 2011 and some of their feedback is being utilized in the final plan preparation before the contractor begins the installation in late April. Staff received phone calls or emails from six Dole Avenue residents. All the comments were supportive of the project and three residents inquired about consideration for on-

street parking during special events, such as Fourth of July parties, which are common in this neighborhood due to the parade route. One of the residents noted that most homes along this stretch of Dole Avenue have long driveways and cars are rarely parked on the street, except during special events. This observation is also consistent with staff observations from the past several years.

Staff recommends that residents affected by the new parking ordinance be permitted to request temporary waivers from the parking restriction from the Police Department as part of this approval. This temporary waiver for on-street parking during special events would be administered in a similar manner to the overnight on-street parking requests currently issued by the Police Department, and would result in the conditions currently present before the bike lane installation. The Traffic Safety Committee has reviewed this request and concurred with the proposed parking restrictions.

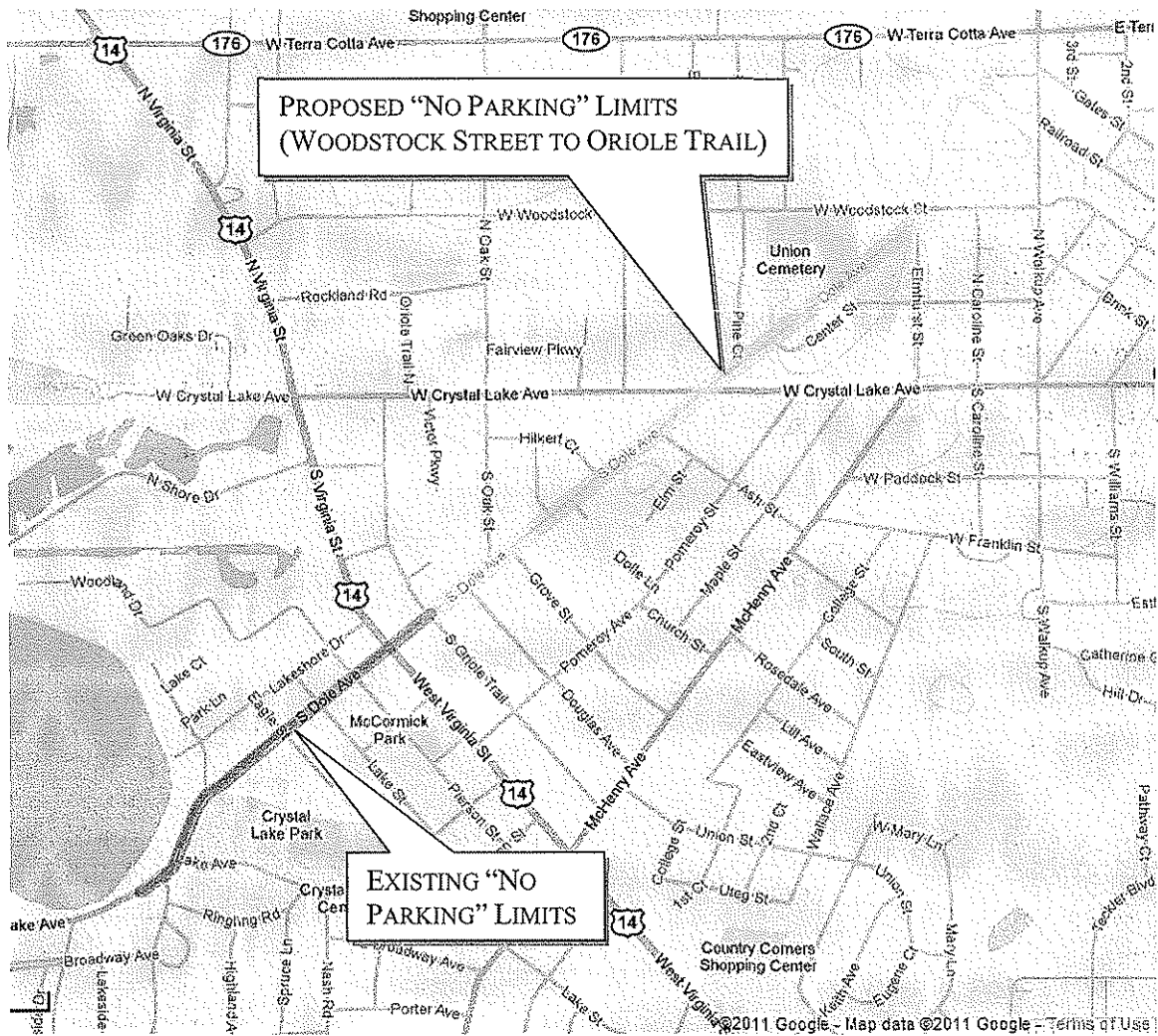


FIGURE A (LOCATION MAP)

Votes Required to Pass:

Simple majority of City Council present.



DRAFT

ORDINANCE

WHEREAS, the Engineering and Building Department has identified the Dole Avenue corridor between Downtown Crystal Lake and Main Beach as a potential bikeway to facilitate non-motorized modes of transportation between these two destinations; and

WHEREAS, the Dole Avenue Bike Lane Improvement is planned between Woodstock Street and Lake Shore Drive to facilitate on-street bike lanes; and

WHEREAS, parked vehicles on either side of Dole Avenue does not allow enough space for the installation of two five-foot on-street bike lanes; and

WHEREAS, parked vehicles on both sides of Dole Avenue do not allow enough space for two-way traffic or emergency vehicles to access the road during an emergency.

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

SECTION I: That it shall be unlawful to park any vehicle on both sides of Dole Avenue from Woodstock Street to Oriole Trail.

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

SECTION III: That residents along Dole Avenue between Woodstock Street and Oriole Trail shall be able to request temporary waivers from the on-street parking restrictions in this ordinance upon written request, review, and approval by the Crystal Lake Police Department.

DRAFT

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

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

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

DATED at Crystal Lake, Illinois, this fifth day of April, 2011.

CITY OF CRYSTAL LAKE, an Illinois Municipal Corporation

BY: _____
Aaron T. Shepley, Mayor

ATTEST:

Nick Kachiroubas, City Clerk

PASSED: April 5, 2011

APPROVED: April 5, 2011

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



Agenda Item No: 14

**City Council
Agenda Supplement**

Meeting Date:

April 5, 2011

Item:

Class "16" Temporary Liquor License Requests – Crystal Lake Park District 2011 Spring/Summer/Fall and March 2012 Events

Staff Recommendation:

Motion to approve issuance of eighteen (18) Class "16" Temporary Liquor Licenses to the Crystal Lake Park District for the Park District's 2011 Spring/Summer/Fall and March 2012 Events.

Staff Contact:

George Koczwar, Deputy City Manager

Background:

The City has received a request from the Crystal Lake Park District for issuance of Temporary Liquor Licenses for the Park District's 2011 spring/summer/fall and March 2012 events. The Park District is requesting eighteen (18) Class "16" Temporary Liquor Licenses for the scheduled events. These events include softball tournaments at Lippold Park on April 15-17, April 29-May 1, May 13-15, May 20-22, June 3-5, June 10-12, June 25-26, July 8-10, July 22-24, August 12-14, August 19-21, August 26-28, September 2-4, September 9-11, September 23-25, and October 7-9, as well as the Blast on the Beach at Main Beach event on August 27th, and the ISA Qualifier on March 24-25, 2012.

Section 329-5-P of the City Code - Class "16" Temporary Liquor License - authorizes the retail sale of beer and wine for consumption upon the premises specified in the license where sold for a period not to exceed three (3) days for special events sponsored by a not-for-profit organization.

The Park District has submitted the fees required for eighteen (18) Class "16" Temporary Liquor Licenses and the required applications.

Votes Required to Pass:

Simple majority



Agenda Item No: 15

**City Council
Agenda Supplement**

Meeting Date: April 5, 2011

Item: Downtown Crystal Lake/Main Street Temporary Use Permit request for a Special Promotion (Farmers' Market)

Recommendation: Motion to approve the Temporary Use Permit for Downtown Crystal Lake/Main Street for a Special Promotion (Farmers' Market), pursuant to the recommendations listed below and a waiver of the Temporary Use Permit application fee.

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

Background: The applicant has applied for a Temporary Use Permit to allow the Farmers' Market to be held in Downtown Crystal Lake. The event would be held every Saturday morning from June 4, 2011 through October 22, 2011.

Downtown Crystal Lake/Main Street is requesting to again this year use the space on both the east and west sides of the drive, as well as the drive itself, near the Veterans' Memorial (see attached map) due to an increased demand for vendors and the recent improvements to the park. They have received a verbal approval from the Union Pacific Railroad, owner of the depot property, for the use of the lot for the Farmers' Market on Saturdays. The official letter is forthcoming.

The applicant is also requesting a waiver of the \$40.00 Temporary Use Permit application fee.

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

1. The Temporary Use Permit is valid on Saturday mornings from June 4, 2011 through October 22, 2011.
2. Purveyors shall be responsible for site clean-up, with all garbage removed at the end of each market day.
3. Adequate trash receptacles shall be supplied.
4. Signs shall not obstruct the view of traffic or be attached to utility poles.
5. Pedestrian ways or fire lanes shall not be obstructed.
6. A certificate of insurance shall be obtained from every vendor or organization participating in the Farmers' Market.

7. Any other permits or requests for signs should be made through the Building Division.
8. Vendors shall be responsible to obtain all necessary permits from the McHenry County Health Department.
9. Access
 - a) During the Farmers' Market events, the closure of the depot driveway is approved.
 - b) Barricades can be borrowed from Public Works to block the drive aisle during the Farmers' Market. Emergency vehicle access shall be maintained on the drive aisle.
 - c) A restriction should be placed which allows only handicap vehicles and buses to enter the drive aisle from Grant Street. Pedestrian drop-off and taxicab standing shall be located in the "horseshoe" area just south of the one-way drive aisle (see attached aerial photo).
 - d) Signs shall be placed along Grant Street and Woodstock Street, which direct vehicles to the temporary drop-off area. Placement of signage and content of signs must be approved by the City.
 - e) Barricades shall be placed as shown in aerial photo to ensure adequate turning space for a bus if all handicap spaces are in use.
 - f) Access both in and out of all handicap spaces must be maintained at all times.
 - g) Structures shall not be located in the sight line triangles where the driveway intersects with Woodstock Street. The sight line triangle is determined by the two intersecting street center lines and a third line connecting a point located on each of the street center lines at points one hundred feet from the junction of the street center lines.
10. Tents/Canopies
 - a) No smoking is permitted in or under any tents or canopies.
 - b) Tents shall be of a flame-resistant material, or treated as such.
 - c) Tents shall be 20 feet from all buildings and other tents/canopies unless open on all sides. Then they are required to be 12 feet away from any structure.
 - d) The tents shall be properly anchored.
 - e) No open flame, fire or heat, or any flammable or combustible liquids, gas, charcoal, or other cooking devices are permitted inside of or within 20 feet of any tent or canopy.
 - f) A portable fire extinguisher shall be present.
11. A minimum of two (2) inspections shall be completed during the use period by the Fire Prevention Bureau.
12. The approval letter from the Union Pacific Railroad shall be provided.

The applicant has been made aware of these recommended conditions and advised to attend the April 5, 2011 City Council meeting to answer any questions.

Votes Required to Pass: A simple majority vote.



Agenda Item No: 16

**City Council
Agenda Supplement**

Meeting Date: April 5, 2011

Item: Downtown Crystal Lake/Main Street Temporary Use Permit request for a Special Promotion (Lunch-Dinner in the Park)

Recommendation: Motion to approve the Temporary Use Permit for Downtown Crystal Lake/Main Street for a Special Promotion (Lunch-Dinner in the Park), pursuant to the recommendations listed below and a waiver of the Temporary Use Permit application fee.

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

Background: The applicant has applied for a Temporary Use Permit for a Special Promotion to allow Lunch-Dinner in the Park events to be held in the Gazebo and Depot Park. Last year was the first year for this event and it was very well received by the community. It was so popular that they are requesting to add dinner times to each of the event's dates. The lunch and dinner events would be held on Friday, June 24, 2011, Friday, July 29, 2011 and Friday, August 26, 2011 from 11:00 a.m. to 2:00 p.m. and from 5:00 p.m. to 8:00 p.m.

The Downtown Crystal Lake/Main Street organization is requesting to use the gazebo for live entertainment while the public is invited to bring their meal or purchase a meal from one of the downtown restaurants and enjoy the park.

The applicant is also requesting a waiver of the \$40.00 Temporary Use Permit application fee.

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

1. The Temporary Use Permit is valid on Friday, June 24, 2011, Friday, July 29, 2011 and Friday, August 26, 2011 from 11:00 a.m. to 2:00 p.m. and from 5:00 p.m. to 8:00 p.m.
2. Purveyors shall be responsible for site clean-up, with all garbage removed at the end of each event.
3. Adequate trash receptacles shall be supplied.
4. Signs shall be outside of the roadway right-of-way, and shall not obstruct the view of traffic or be attached to utility poles.
5. Pedestrian ways or fire lanes shall not be obstructed.
6. A certificate of insurance shall be obtained from every vendor or organization participating

in the Lunch-Dinner in the Park events.

7. Any other permits or requests for signs should be made through the Building Division.
8. Vendors shall be responsible to obtain all necessary permits from the McHenry County Health Department.

9. Tents/Canopies

- A. No smoking is permitted in or under any tents or canopies.
 - B. Tents shall be of a flame-resistant material, or treated as such.
 - C. A 12-foot separation from other tents, canopies, and parked cars is required.
 - D. The tents shall be properly anchored.
 - E. No open flame, fire or heat, or any flammable or combustible liquids, gas, charcoal, or other cooking devices are permitted inside of or within 20 feet of any tent or canopy.
 - F. A portable fire extinguisher shall be present.
10. The vendors' tents will be subject to inspection by the Fire Rescue Department and Building Division.
 11. Electrical connections and equipment shall comply with the requirements of the 2005 National Electrical Code.
 12. Provide 20-foot access for emergency vehicles to gain access to the building, Fire Rescue Department connection, and the event site.
 13. The event organizer shall schedule a meeting with the Fire Prevention Bureau at least one week prior to the event.

The applicant has been made aware of these recommended conditions and advised to attend the April 5, 2011, City Council meeting to answer any questions.

Votes Required to Pass: A simple majority vote.



Agenda Item No: 17

**City Council
Agenda Supplement**

Meeting Date:

April 5, 2011

Item:

Unified Development Ordinance Sign Variation Request for Flag Signs at 5220 Northwest Highway (Crystal Lake Chevrolet)

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 D. Morimoto, Director of Engineering and Building
Rick Paulson, Building Commissioner

Background:

Crystal Lake Chevrolet is requesting to install light pole flags on nine parking light poles at 5220 Northwest Highway to improve visual recognition for the business. Each light pole flag is 2.5 feet by 6 feet and is 15 square feet in area.

The Unified Development Ordinance permits one 20 square foot flag to be displayed in Location B only. Location B consists of the Downtown District and the Virginia Street Corridor. Crystal Lake Chevy is not located in Location B; it is located in Location A, which includes all of Route 14 excluding the Virginia Street Corridor Area.

The owner has requested a variation from requirements located in UDO Table 4-1000 F: Commercial Signs. The variations are detailed in the following table.

Item	UDO Requirement	Proposed Sign	Sign Meets Ordinance Requirement?
Allowed Number of Flags	1	9	No
Allowed Sign Area	20 square feet	15 square feet each; 135 square feet total	No
Location	Permitted in Location B only	Business is located in Location A	No

Attached is a sign variation application and permit application from Crystal Lake Chevrolet, a sign plan, and a site plan showing the location of the light pole flags.

The Unified Development 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.

Keith Johnson has made the request on behalf of Crystal Lake Chevrolet 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: 18

**City Council
Agenda Supplement**

Meeting Date:

April 5, 2011

Item:

Home Depot Temporary Use Permit request for the Seasonal Sale of garden plants, bagged items, pumpkins, straw, corn stalks, wreaths, ropes, and Christmas tree sales.

Recommendation:

Council's discretion:

- A. Motion to approve the Temporary Use Permit, pursuant to the recommendations listed below.
- B. Motion to deny the applicant's request.

Staff Contact:

Michelle Rentzsch, Director of Planning & Economic Development

Background: Home Depot is requesting a Temporary Use Permit to allow the Seasonal Sale of plants, garden supplies, Christmas wreaths, ropes, and trees as well as allowing areas to the east of the garden center and behind the building for the storage of crated tractors, roofing shingles, fencing, concrete, lumber, cardboard bales, and Quikrete pallets as listed below:

(1 & 2) In the parking lot – large fenced in area for plants, bushes, etc.; with a drive-through lane to pick up mulch, bagged goods, etc. along Sands Road between the two entrances. This area will be used from April 1 to July 30, 2011.

(XX Area) Along the front of the building between the entrances on the east side of the building – to use the area (150 feet x 10 feet) for plants. This area will be used from April 1 to April 15, 2011 and then it will be used for the previously approved Limited Use Permit (10-1107) for equipment, etc.

(3) Along the front of the building from the main entrance to the Garden Center – carts for hanging baskets on each side of the entrance and towards the Garden Center nine (9) tables 8 feet long which will allow 4 feet between the end of the tables and the Fire Lane (not to be used as a walkway). Also pumpkins, straw, corn stalks, wreaths and Christmas trees from March 31, 2011 to January 1, 2012 (determined by the season).

(4 & 5) Along the east side of the Garden Center – two areas – the northern most to be 16 feet wide and 60 feet long and the other south of the doorway 16 feet wide and 100 feet long. This area is to contain living goods, mulch, bagged items, crated tractors, empty plant

racks. All items in this area are to be moved within 48 hours of receiving items except for the crated tractors. This area will be used from March 1 to August 1, 2011.

(6) Along the rear of the building – they are requesting one large area – 12 feet wide by 220 feet long. This area is to contain shingles, fencing, concrete, lumber, cardboard bales, and Quikrete pallets. This area will be used from April 1 to August 1.

Due to the continuing large volume of products and materials that are shipped to the Crystal Lake store, trees and shrubs have been displayed prior to applying for the Temporary Use Permit.

The Unified Development Ordinance (UDO) allows special promotions for the Seasonal Sale of Farm and Garden produce for not more than 4 months per calendar year and other promotions for not more than 72 hours (3 days) per calendar month, with no more than 4 promotions, events or other temporary uses allowed in each calendar year.

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

1. The Temporary Use Permit shall be valid from April 1, 2011 to January 1, 2012. The items to be displayed are as follows:

Parking lot with drive-through area (within fenced area only) – bagged goods, trees, shrubs - from April 1, 2011 to July 30, 2011.

Area between the front entrances – plants – from April 1, 2011 to April 15, 2011.

Front of the Garden Center area – hanging baskets, pumpkins, straw, corn stalks, wreaths, ropes and Christmas trees (depending on the season)– from March 31, 2011 to January 1, 2012.

East of the Garden Center area – staging area for plants, mulch, bagged items, empty plant racks ONLY and are to be moved within 48 hours of receiving – from March 1, 2011 to August 1, 2011.

Rear of the building – shingles, fencing, concrete, lumber, cardboard bales, and Quikrete pallets – from April 1, 2011 to August 1, 2011.

2. Fenced area in parking lot:

A. All items stored/displayed in the parking lot area shall have some type of barrier around the entire perimeter. The barrier shall not be permanently fixed to the parking lot pavement but must be removable in nature.

B. Ensure 19-foot long parking stalls are maintained along the west side of the closed off area. (Exhibit A)

C. The drive-through lane for mulch, stone, etc. pickup shall be one-way with patrons entering from the south (entrance closest to the building). Two “NO ENTRY” signs shall be temporarily placed. (Exhibit A)

D. Signs shall be posted alerting drivers of pedestrians crossing the drive aisle to get to and from the building and fenced-in display area in parking lot.

E. The fenced area in the parking lot shall contain trees, bushes, and bagged goods only. The smaller items such as annuals, perennials, and hanging baskets shall be displayed in the garden center or in the area against the garden center wall. No displays are permitted outside of the fenced area in the drive aisles or landscape areas.

F. Inventory cannot be displayed or stored in landscape areas or buffers, in the public right of way or on private access roads, in parking spaces, or on elevated pads, ramps and similar structures.

3. Front of building between main entrances and garden center:
 - A. Tables, carts and other display items may not be placed directly adjacent to the parking/fire lane. Adequate space (3 feet to 5 feet must be provided) for pedestrians to view the items on display.
4. East side of garden center:
 - A. The proposed storage at the northeast corner of the garden center (west side of the drive aisle) shall be moved farther south on the east side of the drive aisle to ensure adequate room for trucks to turn into the drive aisle. (Exhibit B)
 - B. Storage along the side of the garden center shall be limited to live goods, mulch, bagged items, and empty plant racks only.
5. The site shall remain clear of debris at all times and final clean up of the site shall be completed no later than January 5, 2012.
6. Access to the fire department connections and any fire hydrants cannot be blocked.
7. Displays cannot block any required egress doors from the building.
8. If any of the above conditions are not met, the Temporary Use Permit will become null and void and all items shall be removed immediately.

The applicant has been made aware of these recommended conditions and will be attending the April 5, 2011 City Council meeting to answer any questions.

Votes Required to Pass: A simple majority vote.



Agenda Item No: 19

**City Council
Agenda Supplement**

Meeting Date:

April 5, 2011

Item:

Unified Development Ordinance Sign Variation Request for a roof sign at 140 S. Virginia Street (The Freeze)

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 D. Morimoto, Director of Engineering and Building
Rick Paulson, Building Commissioner

Background:

The Freeze, at 140 S. Virginia Street, is requesting to replace the existing roof sign with a new internally illuminated roof sign. The existing sign consists of two sections: a non-illuminated picture of an ice cream cone, which is 4 feet by 7 feet, 1 inch, and an internally illuminated portion that consists of the words "The Freeze" on a white background, with a white changeable copy portion, which is 7 feet 1 inch by 7 feet 1 inch. The overall area of the existing sign is 78.5 square feet. The proposed sign will consist of an internally illuminated sign that incorporates the ice cream cone, business name, and changeable copy area in one sign. The overall area of the sign will be reduced to 57.61 square feet.

Roof-mounted signs are not permitted signs in the Unified Development Ordinance. The Freeze is requesting a variation to allow the replacement of the roof sign with an updated sign that will provide a retro look. The new sign will also eliminate the guy wires, support chains, and the overhanging portion of the existing sign.

The owner has requested a variation from requirements located in UDO Article 4-1000 Signs. Due to the existing site layout, there is insufficient space to install the freestanding sign without impacting the customer service area. Installation of a freestanding sign in front of the building would likely require a variation from the setback requirements and may impair visibility for customers leaving the site.

Attached is a sign variation application, sign permit application from The Freeze, a sign plan, and a photo of the existing sign.

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

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

Penny Hughes from Hughes & Son Sign has made the request on behalf of The Freeze 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: 20

**City Council
Agenda Supplement**

Meeting Date:

April 5, 2011

Item:

Unified Development Ordinance Sign Variation Request for a wall sign at 5114 E. Terra Cotta Avenue (Contagious Customs)

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 D. Morimoto, Director of Engineering and Building
Rick Paulson, Building Commissioner

Background:

Contagious Customs, a corner tenant at 5114 E. Terra Cotta Avenue, is requesting to install a 69 square foot wall sign on the front façade of this multi-tenant building. Contagious Customs already owns the sign cabinet that they will use for their proposed sign. The sign cabinet has not been installed on the façade yet. Hughes and Son Signs will be making the sign panel and installing the sign on the wall of the building.

The Unified Development Ordinance allows tenants in multi-tenant buildings to install a maximum of 75 square feet of signage with no one sign to exceed 50 square feet. Tenants in corner suites may split the 75 square feet among three signs on different façades. The sign cabinet they already own is 69 square feet. This is larger than the 50 square feet allowed for each sign, so they have requested a variation so they can use the sign cabinet they own.

The owner has requested a variation from requirements located in UDO Table 4-1000 F: Commercial Signs. The variation is detailed in the following table.

Item	UDO Requirement	Proposed Sign	Sign Meets Ordinance Requirement?
Allowed Sign Area	75 square feet total; may be split between 3 signs with a maximum of 50 square feet for any one sign	69 square feet	No

Attached is a sign variation application and permit application from Contagious Customs, a sign plan, and an elevation of the building showing the location of the wall signs.

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

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

Penny Hughes from Hughes and Son Signs has made the request on behalf of Contagious Customs 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: 21

**City Council
Agenda Supplement**

Meeting Date: April 5, 2011

Item: REPORT OF THE PLANNING & ZONING COMMISSION

#2011-08 Shell Gas Station Circle K Convenience Store

Special Use Permit Amendment to allow changes in signage from Shell to Circle K for the convenience store and car wash.

Auna Foote, Corporate ID Solutions, petitioner
230 North Route 31

PZC Recommendation: Motion to approve the recommendation of the Planning and Zoning Commission and to adopt an ordinance granting a Special Use Permit Amendment to allow changes in the signage for 230 N. Route 31 Shell Gas/Circle K Convenience.

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

Background: The petitioner represents Circle K, which has merged ownership with Shell Gas. The new ownership requires that some existing Shell signs be changed to Circle K signs. Circle K will own and maintain the convenience store and the car wash. Shell Gas will still supply the fuel to the station. The new signage will reflect the joint ownership of the two entities.

The existing free-standing pole sign is 14 feet high and 42.67 square feet. It would be altered with a new sign panel which includes the Circle K logo and an electronic message for the pricing. Along with the new sign panel, the petitioner would also plant new landscape bushes and ground cover around the base of the sign. Current UDO requirements stipulate that free-standing signs along Route 31 are permitted to be no higher than 9 feet, but can be up to 80 square feet. The current sign is a legal, non-conforming sign that was approved via the 1994 SUP approval. Improvements to this intersection are proposed by IDOT (please see attached exhibit). The improvements will be significant with new right-of-way acquisition necessary.

The attached exhibit details the right-of-way acquisition that is proposed to occur at this site, including a portion of the gas pumps and canopy. The discussion was raised by the Planning and Zoning Commission that the sign should be replaced with a monument sign that meets the current UDO requirements. The petitioner feels this is not appropriate, at this time, because the future loss of property in this area would preclude them from having a free-standing sign. The red line illustrates the future proposed property line. The area between the red and green lines would be State right-of-way and no signage would be permitted.

The other main concern that was raised during the PZC meetings was the amount of signage proposed. Since the City considers striping as signage, the red banding originally proposed around the convenience store and car wash buildings was included in the overall calculations. The original proposal for the signage was calculated at 1,199 square feet. Circle K was able to work with staff to greatly reduce their request. The revised plans showed the elimination of the red stripes around the tops of the buildings as well as a reduction in the size of the signs themselves. The new proposal is for 406 square feet of signage.

The PZC recommended **approval (8-0)** with the following conditions:

1. Approved plan, to reflect staff and advisory board comments, as approved by the City Council:
 - A. Application (Corporate ID Solutions, received 02/23/11).
 - B. Plat of Survey (First American Professional Land Services, dated 11/16/2009, received 2/23/11)
 - C. Monument sign elevation (Corporate ID Solutions, dated 03/07/11, received 03/09/11).
 - D. Wall Signage exhibit (Corporate ID Solutions, dated 03/7/11, received 03/09/11).
 - E. Car Wash Wall signage exhibit (Corporate ID Solutions, dated 03/7/11, received 03/09/11).
2. Future changes to the signage, which meet all requirements of the Unified Development Ordinance, shall not be required to amend the Special Use Permit.
3. If the free-standing sign is required to be removed or relocated due to roadway improvements, or within 10 years, whichever occurs first, it shall meet all requirements of the UDO including the maximum height of 9 feet, maximum square footage of 80 square feet and utilize materials or architectural elements from the building.
4. Any dead or missing landscape shall be replaced per the approved landscape plan dated 09/09/01 by Warren Johnson Architects.
5. The petitioner shall comply with all of the requirements of the Planning and Economic Development, Engineering and Building, Public Works, Fire Rescue and Police Departments.
6. **The parking lot and drive aisles on the north side of the site are deteriorating and need repair.** (Added by PZC)

Votes Required to Pass: A simple majority vote.

ORDINANCE NO. _____
FILE NO. _____

AN ORDINANCE GRANTING AN AMENDMENT TO A SPECIAL USE PERMIT
AT 280 N. ROUTE 31

WHEREAS, pursuant to the terms of a Petition (File #2011-08) before the Crystal Lake Planning and Zoning Commission, the Petitioner has requested the issuance of an Amendment to a Special Use Permit to allow changes in signage from Shell to Circle K and the addition of an electronic message center sign for the property located at 280 N. Route 31, Crystal Lake, Illinois; 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 an Amendment to the Special Use Permit be issued to allow changes in signage from Shell to Circle K and the addition of an electronic message center sign for the property commonly known as 280 N. Route 31, Crystal Lake, Illinois.

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

1. Approved plan, to reflect staff and advisory board comments, as approved by the City Council:
 - A. Application (Corporate ID Solutions, received 02/23/11).
 - B. Plat of Survey (First American Professional Land Services, dated 11/16/2009, received 2/23/11)
 - C. Monument sign elevation (Corporate ID Solutions, dated 03/07/11, received 03/09/11).
 - D. Wall Signage exhibit (Corporate ID Solutions, dated 03/7/11, received 03/09/11).
 - E. Car Wash Wall signage exhibit (Corporate ID Solutions, dated 03/7/11, received 03/09/11).
2. Future changes to the signage, which meet all requirements of the Unified Development Ordinance, shall not be required to amend the Special Use Permit.
3. If the free-standing sign is required to be removed or relocated due to roadway improvements or within 10 years whichever occurs first, it shall meet all requirements of the UDO including the maximum height of 9 feet, maximum square footage of 80 square feet and utilize materials or architectural elements from the building.
4. Any dead or missing landscape shall be replaced per the approved landscape plan dated 09/09/01 by Warren Johnson Architects.

DRAFT

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

6. The parking lot and drive aisles on the north side of the site are deteriorating and need repair.

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

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**

Meeting Date: April 5, 2011

Item: REPORT OF THE PLANNING & ZONING COMMISSION
#2011-09 Commons of Crystal Lake
Final PUD Amendment for the addition of a monument sign
Site Enhancement Services on behalf of Advance Auto Parts
6130 Northwest Highway, Crystal Lake

PZC Recommendation: Denial of the petitioners' request.

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

Background: Advance Auto Parts appeared before the City Council on March 1st with a Final PUD Amendment request for additional wall signage and the addition of a monument sign. Since the request for a monument sign had previously been withdrawn at the Planning and Zoning Commission meeting, this portion of the request was referred back to the PZC. The request for additional wall signage was approved by the Council.

The petitioner is requesting the addition of a 7-foot high and 35-sq. ft. in area monument sign in front of the former Blockbuster Video Store on Northwest Highway that is part of the Commons Shopping Center. The Commons through their PUD approval was granted 6 free-standing signs for the overall PUD. Amongst the outlots, KFC and Helzberg Diamonds have individual monument signs. The rest of the signs are shared by the other tenants.

PZC Highlights

At the initial Planning and Zoning Commission meeting, most of Commission had felt that the store would be a destination and the proposed wall signage would be adequate for locating the store. A few Commissioners also indicated that the monument sign could be enhanced to better match the other free-standing signs in this development. In response to these comments, the petitioners have revised the design of the proposed sign to include brick columns and caps fully enclosing the sign cabinet. The Commission felt that the sign, as proposed was attractive; however, they still felt that the wall signs would be adequate to identify this location. The petitioners have indicated that the lease is contingent upon the approval of a monument sign.

The Planning and Zoning Commission recommended **denial (6-2)** 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 2-1-11
 - B. Sign Plans, received 3-16-11
2. The monument sign must be set back at least 10 feet from the property line.
3. Landscaping must be planted around the base of the monument sign equaling 1 square foot of landscape area per 1 one square foot of sign area. The landscaping shall be located in an area radiating from the base of the sign. Submit a landscape plan for staff approval.
4. Any landscaping to be removed to install the monument sign must be replaced on-site.
5. 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 super majority vote (5 votes) is required to overturn the Planning and Zoning Commission's recommendation, to approve the petition. A simple majority vote is required to deny the petitioner's request.



Agenda Item No: 23

**City Council
Agenda Supplement**

Meeting Date: April 5, 2011

Item: REPORT OF THE PLANNING & ZONING COMMISSION

#2011-12 buybuy Baby

Final PUD Amendment to allow elevation changes to cover the faux windows with graphic panels.

buybuy Baby
5540 Northwest Highway, Crystal Lake

PZC Recommendation: Denial of the petitioners' request.

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

Background: Bohl Farm Marketplace received a Final Planned Unit Development approval in 1998. The main anchor tenants in this center are Dominick's, Kohl's, Dress Barn, Target, and buybuy Baby that occupied the former Linens 'n Things location, a tenant space of 33,235 square feet. An administrative PUD amendment was previously approved for buybuy Baby to allow changes to the façade. These changes included replacing the red awnings over the two faux windows on the façade with arched blue awnings; the addition of a new arched peak and sign band and repainting of the canopy and pillars. The original PUD approval granted 150 square feet of wall signage to the former Linens 'n Things tenant space. buybuy Baby requested and was granted a bonus sign area to allow 211.58 square feet of wall signage.

Earlier this year, the Building Division noticed that graphic panels were attached to the two faux windows on the façade. The petitioners were informed that these graphic panels were not approved through the PUD approvals. The petitioner indicated that these graphic panels were part of their standard storefront design and would like to retain them. Consequently, the petitioner has applied for a Final PUD amendment to allow these graphic panels.

PZC Highlights

At the Planning and Zoning Commission meeting, the Commission overall did not have an issue with the appearance of the panels. However, they felt that the panels were, in effect, signage and did not want to set a precedent by approving this request. The Planning and Zoning Commission

recommended **denial (8-0)** 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 2-24-11
 - B. Elevation Graphics, received 2-24-11
2. The graphic panels cannot be internally or externally illuminated at any time.
3. The approval is for the graphic panels as presented. The panels cannot be replaced without staff approval.
4. The petitioner shall address all of the review comments and requirements of the Engineering & Building, Fire Rescue, Police, Public Works, and Planning & Economic Development Departments.

Votes Required to Pass: A super majority vote (5 votes) is required to overturn the Planning and Zoning Commission's recommendation, to approve the petition. A simple majority vote is required to deny the petitioner's request.



Agenda Item No: 24

**City Council
Agenda Supplement**

Meeting Date: April 5, 2011

DISCUSSION ONLY ITEM: Discussion of Wyndmuir Subdivision request to dedicate private roads to the City of Crystal Lake

Staff Contact: Victor Ramirez, Director of Public Works

Background:

The Wyndmuir Property Owners' Association has submitted an application for an amendment to the Wyndmuir Subdivision PUD. Specifically, they are requesting an amendment to their PUD to dedicate their private cul-de-sac roads to the City as public streets, and for the City to accept the dedication (please see attached map exhibit).

There are a number of reasons why developers request to build subdivisions with private roads. In the case of Wyndmuir Subdivision, because the roads did not meet the construction and design standards as established by the City at the time of approval for public roadways, the developer was able to build at a higher density. Additionally, the Wyndmuir Subdivision was built with the zero-lot line concept, allowing the houses to have a 0-foot front yard setback.

The City occasionally receives a request to convert a development's private streets to public ownership. In doing so, the City would take responsibility for on-going maintenance of these streets. Since this request would create a significant precedent, staff is soliciting feedback from the City Council as to the direction of this request and, inevitably, other similar requests that would follow. In addition to Wyndmuir Subdivision, there are at least 30 other developments in the City with similar private roads.

Categories of Private Streets

There are generally three types of private streets:

Category 1 - Private streets created prior to any formal subdivision or regulatory process. These are primarily located in older areas of the community and were developed in the County.

Category 2 - Private access ways that are located in condominiums and apartment projects, and typically provide internal circulation only. Maintenance is the responsibility of the private property owners (through HOAs or other maintenance agreements).

Category 3 - Private Streets created in the Subdivision or Planned Unit Development process, allowing for creative lot layout, higher densities, preservation of natural resources, etc.

- ❖ City code states that all lots must abut a public street; therefore, private streets are typically only created when the developer of a Planned Unit Development needs to create a street within the development that does not meet the standards to be considered a public

street.

- ❖ Requests for transfer of ownership from these types of private streets typically come because the Homeowners Association does not wish to continue paying to maintain the street.

If the City accepts the dedication of Wyndmuir's private roads and outlots, the City would then be responsible for:

- Maintenance of the roads
- Snowplowing with snow hauling, as there is no room for snow in the zero-lot line cul-de-sacs
- Maintenance of their storm water system
- Leaf and brush pick-up

These services currently are not provided by the City along the private roadways of this subdivision and would have a financial impact to the City. Another topic to be discussed, if the Council is interested in entertaining this request, is how to pay for the increased service demand to the City.

Financing Mechanisms

City staff has researched the possibility of establishing a Special Service Area (SSA) to defray the costs associated with upgrading the streets and storm sewers prior to acceptance, with an annual levy assessed to all properties within the SSA for the upgrading and perpetual maintenance.

Preliminary estimates by staff indicate that if the City were to accept the dedication of the private roads and outlots, then the impact to a property owner in the Wyndmuir Subdivision would be at least \$80 per month. This cost includes a rebuild of the streets, storm sewer cleaning, and perpetual snowplowing and snow removal, and leaf and brush pickup. These services would be conducted by contractors.

Currently, there are two Special Service Areas in the City that cover subdivision-type areas: North Shore and Crystal Heights. In these cases, in lieu of SSA payments through property tax bills, the City bills the individual property owners directly. Nonpayment, whether through delinquencies or foreclosures, are followed-up through property liens as opposed to having these outstanding amounts placed on property tax bills. Because of the challenges in collecting outstanding amounts in these Special Service Areas, if an additional SSA is created for Wyndmuir, City Staff recommends that the costs be levied on property tax bills and not billed directly as is currently done.

Concerns

The following are City staff concerns regarding such a proposal.

1. Current conditions do not meet standards

The private roads within the Outlots (A through F) do not meet the construction standards as established by the City Code for public roadways. Therefore, the following preliminary variations have been identified:

- a. From the minimum required right-of-way width of 60 feet to allow as little as 40 feet.

- b. From the minimum required width of 28 feet back of curb to back of curb for public roads to allow a 25-foot back of curb to back of curb width. Please note that this narrower width may restrict the ability to park on the street.
- c. From the typical public roadways M-6.12 curb section, to allow an M-3.12 curb section. Please note that this section tends to allow for more parkway damage by snow plow operations.
- d. From the requirement to provide a public road typical structure of 10 inches of CA6 grade 9 for the base course instead of the 8 inches of CA6 grade 9 that the private roads were constructed with.
- e. From the requirement to install public sidewalks and parkway trees.

In addition it should be noted that:

- a. The water mains are under pavement and not in the parkway (as is the City Standard) since there was no consistent parkway to allow installation.
 - b. The cul-de-sac layouts are not conducive to snow plowing operations and are not per the City Standard Details. Snow will need to be hauled from the cul-de-sacs.
 - c. The existing homes will not meet setback requirements for public roads.
2. If the roadways become public, then the State's Accessibility Code requires that at least one accessible parking space is required for off-street parking areas that are designated as visitor parking; however, designated parking is not typically allowed on residential public streets. Therefore, guest parking spaces should be restricted to match the hour restrictions found on streets throughout the City.
 3. There is limited vehicle and equipment access to the storm sewer along the southern development line and other rear property areas.

2. Funding

Current City staffing levels have been established based on current conditions. Even with the contracting of most services to this subdivision, there would be administrative and oversight staff requirements. Because of economic conditions, during the past few years, ten and one-half City staff positions have become vacant. These positions are not anticipated to be filled.

3. Precedent

If this request is approved, inevitably, other similar requests would follow. In addition to Wyndmuir Subdivision, there are at least 29 other developments in the City with similar private roads. The following is a list of known developments with private roads:

- Walnut Glen, Bard Road
- Wedgewood, Huntley Road
- Tall Oaks, Huntley Road
- Park Place, Alexandra Boulevard
- Regency Park, Golf Course Road
- Colony Square, Golf Course Road
- Camelot, Golf Course Road
- Chasefield Cross, Golf Course Road
- Four Colonies Townhomes, Creek Lane
- Parkview, Barlina Road
- Pine Meadows, Dartmoor Drive

- Westwood Park, Eletson Drive
- Pingry Place, Woodstock Street
- Crystal Chateau, Berkshire Drive
- Brandywine, McHenry Avenue
- Berkshire Place, Berkshire Drive
- Towns at Three Oaks Square, Three Oaks Road
- Preston Pines, River Birch Boulevard
- Lakeside Pointe, Pingree Road
- Wyndmuir, Terra Cotta Road
- The Villager, Williams Street
- Dole Crossings, Dole Avenue
- Uteg Street Condos, Uteg Street
- Coventry Club Condo, Coventry Lane
- Commonwealth Drive (S of Congress Pkwy)
- Abbey Ridge Condos, Golf Course Road
- Oak Brook Estates, Sands Road
- Hampton Court Condos, Uteg Street
- Essex Village Condos, Village Road

Because of these challenges, City staff does not recommend accepting private roads. However, if any kind of policy were adopted, it is suggested the following elements should be included:

Policy Elements

Any adopted policy would not guarantee that the City would take over a street. It would merely outline a process and criteria that details how the City could review a request, so that all requests are treated equitably. Key elements of the proposed policy could be:

1. In order for the street to be considered for public ownership:
 - Underground utilities must meet City standards;
 - The street surface must meet current City standards or an acceptable degree of compliance;
 - The street must have at least 18 feet of clear paved width (not including parking);
 - The grade of the street must meet current City street grade standards; and
 - Deteriorated private property features abutting the street are removed, repaired, or replaced by the property owner(s) to ensure public safety.

2. Private Streets in a platted subdivision (Category 3) will not be considered for public ownership unless there is a compelling public interest.

3. The City will consider the dedication of a private street only if it is demonstrated that the street dedication achieves at least one of the following:
 - The street currently provides, or can provide with improvements:
 - a. Access to open space, public facilities/uses or other public amenities
 - b. Mid-block pedestrian access
 - c. An improvement to the surrounding pedestrian or vehicular circulation pattern
 - d. An identified planning goal as noted in the adopted Comprehensive Land Use Plan
 - Dedicating the private street will encourage reinvestment in the community
 - Dedication of the street will improve the public health, safety, and general welfare.

4. Crystal Lake will not pay for required street improvements. Property owners may pursue funding through a Special Service Area (SSA) program. The policy would state that City funds will not be used to fund improvements to streets created in a platted subdivision.
5. The City may repair water and sewer lines in an emergency on the basis that the utility owners will reimburse the City.
6. The City will not “split” the ownership of utilities and streets unless there is a compelling public benefit.
7. In order to accept a private street created in a planned development, the planned development must be amended. The City will not share the cost of improving a private street created in a planned development.
8. 100% of the property owners abutting the private street must sign a petition for the City to consider dedicating the private street.
9. The City will not take ownership of a street that does not allow public access.
10. The City will not take ownership of a street that is targeted for potential redevelopment.
11. The City must be able to safely and efficiently provide services along the street.
12. No specific rights or guarantees for use of the street, such as on-street parking, are conveyed to the property owners when a private street is dedicated.
13. Private alleys are excluded from the policy.

Discussion

Based on past precedent and following a discussion with the City Attorney, all the property owners within this PUD would be required to sign the Final PUD Amendment application. Prior to having the Wyndmuir HOA undertake this process:

1. Feedback is being requested from the City Council as to the viability of this request, and
2. Feedback is being requested as to interest in pursuing an SSA to finance the improvements and maintenance for this request.

Votes Required to Pass: None – Discussion Only Item



Agenda Item No: 25

**City Council
Agenda Supplement**

Meeting Date: April 5, 2011

Item: Well #7 Repair Work

Staff Recommendation: Motion to amend the contract with Midwest Well Services Inc., dba Municipal Well and Pump, for Well #7 Repair Work in the amount of \$28,220.00 to include well borehole work and adopt a Resolution authorizing the City Manager to execute a contract amendment with Municipal Well and Pump to complete repair work based on the proposal provided on March 30, 2011 and approve changes in scope by 10 percent of the contract amendment price.

Staff Contact: Victor Ramirez, Director of Public Works

Background:

Well #7, at Water Treatment Plant #1 (located at 365 Poplar St.), is the only raw water supply for WTP#1. The City relies on this well to meet our water system demands. In October 2010, bronze particles, typically a sign of extensive pump wear, were found in the well. As a result, the well was taken out of service.

On December 21, 2010, the City Council awarded the contract to Municipal Well & Pump for repairs to Well #7. The City solicited prices for common maintenance and repair work for the well with the actual cost not being fully known until the well was pulled and thoroughly inspected, which was included as part of the base price.

While bailing, the contractor's equipment was caught on a bridged ledge in the well. Once the equipment was freed, the contractor televised the well, and determined that the formation of the well wall was not secure and would not do any additional sand bailing due to fear of the well walls collapsing. The City has reviewed the televising footage and confirmed Municipal Well's findings that there is an obstruction on the well wall. If the additional work is not completed, the well can bridge and significantly reduce water flow, which will damage all pumping equipment. Therefore, the formation needs to be removed and stabilized and the debris cleared and bailed to ensure the long-term integrity of the well and the preservation of the maximum capacity of the well.

The following is a summary of work to be performed. The thirty hours allocated for drilling and bailing is an estimate, with the full scope of the project not able to be realized until the work commences.

Description	Quantity	Unit Price	Total
Mobilize Drill Rig	1	\$7,500.00	\$7,500.00
Drill & Bail	30 (hours)	\$272.00	\$8,160.00
Televise	2	\$2,530.00	\$5,060.00
Demobilize	1	\$7,500.00	\$7,500.00
TOTAL			\$28,220.00

The well was last serviced in 2006 with pump repairs completed.

The total cost for the project can be summarized as follows:

December 21, 2010 City Council Approval	Removal, inspection and reinstatement of well components; refurbish motor, new pump	\$111,842.00
Change Order #1 Approved by City Council on February 15, 2011 Total Difference from Original: \$51,959.70	Electrical Cable	\$43,500.00
	Difference to replace the motor as opposed to refurbish	\$7,164.00
	20 additional feet of new column pipe	\$940.00
	Sandblast and recoat existing column pipe	\$6,843.20
	<i>Reduction:</i> Replace bowl housing	(\$1,830.00)
	<i>Reduction:</i> Service motor	(\$877.50)
	<i>Reduction:</i> Cut/Rethread column pipe	(\$656.00)
	<i>Reduction:</i> Replacement of top/bottom case bearings	(\$480.00)
	<i>Reduction:</i> Replacement of bowl bearings	(\$890.00)
	<i>Reduction:</i> Replace impeller	(\$920.00)
<i>Reduction:</i> Replace impeller shaft	(\$690.00)	
<i>Reduction:</i> New coupling	(\$144.00)	
Sub-total	<i>Original + Change Order #1</i>	\$163,801.70
Change Order # 2 Request (see chart above)	<i>Addition:</i> Mobilize and Demobilize cable tool drill rig, drill and bail, and re-televise well	\$28,220.00
Total Revised Contract		\$192,021.70

Recommendation:

Staff has reviewed the proposed work submitted, and witnessed the televising footage of the well walls. It is, therefore, the recommendation of the Public Works Department to expand the scope of the initial contract with Municipal Well and Pump to include work to the well walls and

additional bailing. The repair of this well will ensure that the well is in optimal condition prior to Water Treatment Plant #1 going online.

There are sufficient funds in the FY 2010/2011 Budget for this expense.

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 contract amendment with Municipal Well & Pump to include well borehole work in the amount of \$28,220.00 based on the proposal provided on March 30, 2011 and approve changes in scope by 10 percent of the contract amendment price.

DATED this _____ day of _____, 2011.

CITY OF CRYSTAL LAKE, an
Illinois municipal corporation,

By: _____
MAYOR

SEAL

ATTEST

CITY CLERK

PASSED: _____

APPROVED: _____



Agenda Item No: 26

**City Council
Agenda Supplement**

Meeting Date:

April 5, 2011

Item:

Sanitary Sewer Joint Grouting Services

Staff Recommendation:

Motion to award the bid for sanitary sewer pipe joint grouting services of City infrastructure to the lowest responsive and responsible bidder, National Power Rodding Corporation, and to adopt a resolution authorizing the City Manager to execute a service agreement with National Power Rodding Corporation in the not-to-exceed amount of \$42,601.00.

Staff Contact:

Victor Ramirez, Director of Public Works

Background:

On March 25, 2011, the City of Crystal Lake publicly opened and read aloud the bids received for sanitary sewer joint grouting for City infrastructure. The completion of this project will eliminate documented sources of heavy inflow and infiltration (I&I) to the City's wastewater collections and treatment systems. I&I puts a great burden on the City's wastewater treatment plants during heavy rain events. By grouting these critical sections of sewer, the volume of I&I within the sanitary sewer system will be reduced, which will ultimately reduce the operating costs and restore capacity to the collections system and wastewater plant.

The City will be utilizing a sewer pipe joint grouting process, which costs one-third the amount of the common cured in place pipe lining processes, but will be just as effective and permanent at removing I&I. The contract identifies five total areas to be grouted, three in the base bid with two additional areas listed as options:

1. Rockland Road (1,030 feet) – *Base Bid*
2. Oriole Trail (2,367 feet) – *Base Bid*
3. Crystal Lake Avenue (1,094 feet) – *Base Bid*
4. Victor Parkway (773 feet) – *City Option*
5. Pine Street (493 feet) – *City Option*

The lowest responsive and responsible, bidder has been determined by a combined calculation of the base bid and the cumulative unit bid price for options A and B. The total contract cost will be the combined cost of the base bid and the cost of the optional work quantities needed as determined in the field. Due to the specialized nature of the grouting process, there are not many

area vendors capable of performing this type of work. As a result, the City received only two bids for this project.

The following is a breakdown of the bids received with options based on single unit pricing:

Bidder	Base Bid <i>(Rockland Rd, Oriole Tr., CL Ave.)</i>	Option A <i>(Victor Pkwy)</i>	Option B <i>(Pine St.)</i>	Total Base Bid & Option Pricing
✓ National Power Rodding Corporation Chicago, IL	\$32,559.75	\$5,604.25	\$4,437.00	\$42,601.00
Visu-Sewer, Inc. Pewaukee, WI	\$47,154.50	\$8,116.50	\$5,176.50	\$60,447.50

✓ *Indicates 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. The City has worked with National Power Rodding Corporation in the past with very favorable results. The Public Works Department recommends that award of Sanitary Sewer Joint Grouting services be awarded to the lowest responsive and responsible bidder, National Power Rodding Corporation. The rehabilitation of this sewer line is a FY 10/11 Budget Goal, and funds are available from general obligation bond revenues in the FY 10/11 budget for this project.

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 National Power Rodding Corporation for sanitary sewer pipe joint grouting services of City infrastructure.

DATED this _____ day of _____, 2011.

CITY OF CRYSTAL LAKE, an
Illinois municipal corporation,

By: _____
MAYOR

SEAL

ATTEST

CITY CLERK

PASSED: _____

APPROVED: _____



Agenda Item No: 27

**City Council
Agenda Supplement**

Meeting Date:

April 5, 2011

Item:

Tree Removal Services Bid

Staff Recommendation:

Motion to award the bid for Tree Removal Services to the lowest responsive and responsible bidder, Trees 'R' Us, Inc., and adopt a resolution authorizing the City Manager to execute a one-year Tree Removal service agreement with Trees 'R' Us, Inc.

Staff Contact:

Victor Ramirez, Director of Public Works

Background:

On March 16, 2011, the City of Crystal Lake publicly opened and read aloud the bids received for the services relating to the removal and disposal of trees. Tree removal services are generally used on large trees that exceed the Public Works Department's tree removal capabilities or City trees that have suffered significant storm damage.

The following table represents a breakdown of the bids received, calculated to the number of instances that an outside contractor has been utilized for each category over the last year. A table of the complete bid prices can be found on the attached document.

Bidder	6" – 12" (1 Instance)	12" – 18" (2 Instances)	18" – 24" (8 Instances)	24" – 30" (3 Instances)	30" – 36" (6 Instances)	36"+ (7 Instances)	TOTAL (27 Instances)
√Trees 'R' Us, Inc. Wauconda, IL	200.00	1,000.00	5,680.00	2,970.00	7,200.00	9,170.00	\$26,220.00
Landscape Concepts Grayslake, IL	100.00	1,140.00	5,680.00	3,132.90	7,185.00	9,873.50	\$27,111.40
Homer Tree Care, Inc. Lockport, IL	220.00	840.00	6,560.00	4,260.00	10,920.00	15,540.00	\$38,340.00
Joe Meyer Tree Service Fox Lake, IL	436.00	2,036.00	13,968.00	6,384.00	15,714.00	24,444.00	\$62,982.00

√ Indicates recommended lowest responsive and responsive bidder

Recommendation:

The Public Works Department has reviewed all bids received for completeness and accuracy in accordance with the invitation to bid document. It is staff's recommendation to award the one-year Tree Removal Service agreement to the lowest responsive and responsible bidder, Trees 'R' Us, Inc. Trees 'R' Us, Inc. received admirable reviews from their references from similar jurisdictions.

Votes Required to Pass:

Simple Majority

RESOLUTION

DRAFT

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE that the City Manager is authorized to execute a one-year Service Agreement between the CITY OF CRYSTAL LAKE and Trees R' Us, Inc. for tree removal services.

DATED this _____ day of _____, 2011.

CITY OF CRYSTAL LAKE, an
Illinois municipal corporation,

By: _____
MAYOR

SEAL

ATTEST

CITY CLERK

PASSED: _____

APPROVED: _____



Agenda Item No: 28

**City Council
Agenda Supplement**

Meeting Date: April 5, 2011

Item: Leak Locating Equipment Bid

Staff recommendation: Motion to award the bid for leak locating equipment to the lowest responsive and responsible bidder, Edenbros, LLC, and adopt a resolution authorizing the City Manager to execute a purchase agreement with Edenbros, LLC in the amount of \$24,490.00.

Staff Contact: Victor Ramirez, Director of Public Works

Background:

On March 22, 2011, the City of Crystal Lake opened and publicly read aloud the bids received for leak locating equipment. This equipment is used to determine the exact location of a water main break or service leak, which will greatly help to expedite the excavation and repair of such breaks. As a result, the Public Works Department will realize a cost savings in restoration and personnel costs from such work. The following is a breakdown of bids received:

Company:	<i>√Edenbros, LLC St. James, MO</i>	<i>ADS, LLC Huntsville, AL</i>	<i>Echologics Eng. Toronto, Canada</i>
Digital Correlation System	\$19,995.00	\$20,000.00	\$19,760.00
Electronic Leak Sounder and Ground Microphone Kit	\$4,495.00	\$4,500.00	\$4,370.00
Set up, training and Technical Support	N/C	N/C	\$4,000.00
PROJECT TOTAL:	\$24,490.00	\$24,500.00	\$28,130.00

√ Indicates recommended lowest responsive and responsible bidder

The City currently uses a third party to pin-point the location of a water main break. This service costs the City roughly \$600.00 per instance. It also takes two to three hours for the third party to respond, which adds additional costs in crew downtime. Given the prevalence of water main breaks, the ability to locate leaks in-house will save the City time and money over the life of the equipment.

In addition, the Public Works Department will be able to conduct an ongoing leak survey on all City water mains. Unaccounted for water losses can become costly if not found and repaired in a timely manner. It will take approximately three years to do a complete leak audit of the water system. The last leak survey was conducted by a contractor in 2007 for a cost of \$26,100.00.

Recommendation:

Staff has reviewed all bids received and has worked with this vendor in the past. It is the recommendation of staff that the bid for leak locating equipment be awarded to the lowest responsive and responsible bidder, Edenbros, LLC, in the amount of \$24,490.00. Sufficient funds are available in the FY10-11 budget for this purchase.

Votes Required to Pass:

Simple majority

RESOLUTION

DRAFT

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE that the City Manager is authorized to execute a Purchase Agreement between the CITY OF CRYSTAL LAKE and Edenbros, LLC for the purchase of Leak Locating Equipment.

DATED this _____ day of _____, 2011.

CITY OF CRYSTAL LAKE, an
Illinois municipal corporation,

By: _____
MAYOR

SEAL

ATTEST

CITY CLERK

PASSED: _____

APPROVED: _____



Agenda Item No: 29

**City Council
Agenda Supplement**

Meeting Date: April 5, 2011

Item: Arc Flash Survey Bid

Staff recommendation: Motion to award the bid for an arc flash study at the Municipal Complex to the lowest responsive and responsible bidder, the FLOLO Corporation, and adopt a resolution authorizing the City Manager to execute a service agreement with the FLOLO Corporation in the amount of \$10,844.00.

Staff Contact: Victor Ramirez, Director of Public Works

Background:

On March 28, 2011, the City of Crystal Lake opened and publicly read aloud the bids received for arc flash survey services at the Municipal Complex. Arc flash surveys are being required by OSHA to prevent electrical hazards and to ensure safety precautions are taken when working on high voltage. Arc flash is a situation that can occur from the build-up plasma gasses. Some other electrical component circuitry can also become hazardous depending on the way it is handled and accessed and the study would address these conditions. The survey also includes a short circuit study to calculate the fault levels throughout the systems. The successful bidder will review the electrical schematics of the facility and prescribe the proper safety equipment to wear while working within the electrical boxes. In addition, the contractor will make adjustments to the electrical circuits to ensure that the equipment is operating in the most efficient and safest way possible.

	<i>Total Service as Recommended</i>
√ The Flolo Corp. Bensenville, IL	\$10,844.00
Dreisilker Electric Glen Ellyn, IL	\$18,350.00

√ Indicates recommended lowest responsive and responsible bidder

Recommendation:

Staff has reviewed all bids received and verified necessary references. It is the recommendation of staff that the arc flash survey at the Municipal Complex be awarded to the lowest responsive and responsible bidder, the FLOLO Corporation, in the amount of \$10,844.00. Sufficient funds are allocated in the FY 10-11 budget for this work.

Votes Required to Pass:

Simple majority

RESOLUTION

DRAFT

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE that the City Manager is authorized to execute a Service Agreement between the CITY OF CRYSTAL LAKE and the FLOLO Corporation for arc flash studies at the City's Municipal Complex located at 100 W. Woodstock Street, Crystal Lake, Illinois.

DATED this _____ day of _____, 2011

CITY OF CRYSTAL LAKE, an
Illinois municipal corporation,

By: _____
MAYOR

SEAL

ATTEST

CITY CLERK

PASSED: _____

APPROVED: _____



Agenda Item No: 30

**City Council
Agenda Supplement**

Meeting Date: April 5, 2011

Item: 2011 Spring Sidewalk Replacement Program

Staff Recommendation: Motion to award the 2011 Spring Sidewalk Replacement Program bid to the lowest responsive and responsible bidder, M&A Cement Work, Inc., in the bid amount of \$24,772.00, and adopt a resolution authorizing the City Manager to execute the contract with M&A Cement Work, Inc., allowing for a 10 percent contingency.

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

Background:

On March 28, 2011, bids for the 2011 Spring Sidewalk Replacement Program were opened and publicly read. The City received 11 bids, and the results are tabulated below.

<i>Firm</i>	<i>Amount of Bid</i>
M&A Cement Work Inc. ¹ Bensenville, IL	\$24,772.00
Globe Construction, Inc. Addison, IL	\$29,613.72
Strada Construction Company Addison, IL	\$30,395.20
Schroeder & Schroeder, Inc. Skokie, IL	\$36,612.00
Copenhaver Construction, Inc. Gilberts, IL	\$44,148.00
D'Land Construction, LLC Bensenville, IL	\$47,593.80
Landmark Contractors, Inc. Huntley, IL	\$48,904.60
Bergquist and Zimmerman Construction, Inc. Crystal Lake, IL	\$58,693.20
Greg Greenhill Construction Co., Inc. Ringwood, IL	\$59,651.40
Alliance Contractors, Inc. Woodstock, IL	\$64,784.40
Continental Construction Co., Inc. Evanston, IL	\$68,062.00

¹ Indicates Recommended Lowest Responsive and Responsible Bidder

Every year, the Engineering Division surveys one quarter of the City, and evaluates all of the sidewalks in that section of the City. In addition, Engineering routinely responds to reports of damaged sidewalks received from residents. The annual sidewalk repair program is comprised of both the Engineering Division survey and resident reports.

The spring 2011 program is the result of several observed and reported heaved and damaged sidewalks in the Coventry Subdivision. The low bidder, M&A Cement Work, has been the contractor on several past sidewalk replacement programs. Specifications were mailed to various contractors and standard bid advertisement procedures were followed. Funds are available for this project in the Fiscal Year 2010-2011 budget.

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 contract with Suburban Concrete, Inc. for the 2011 Spring Sidewalk Replacement Program in the amount of \$24,772.00. The City Manager is additionally authorized to approve up to 10 percent in justifiable contract amendments from a contingency allowance.

DATED this fifth day of April, 2011.

CITY OF CRYSTAL LAKE, an Illinois Municipal Corporation

BY: _____
AARON T. SHEPLEY, MAYOR

SEAL

ATTEST:

NICK KACHIROUBAS, CITY CLERK

PASSED: April 5, 2011

APPROVED: April 5, 2011

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



Agenda Item No: 31

**City Council
Agenda Supplement**

- Meeting Date:** April 5, 2011
- Item:** Private activity bond volume cap reservation.
- Recommendation:** Motion to adopt an ordinance reserving the State of Illinois volume cap for private activity bonds.
- Staff Contact:** Michelle Rentzsch, Director of Planning & Economic Development
James Richter II, Assistant Director of Economic Development
-

Background: The City of Crystal Lake received notification from the Governor's office regarding the reservation of Crystal Lake's volume cap. Private activity bonds can be issued as Industrial Revenue Bonds using the volume cap allocation. The State requires that all eligible municipalities pass an Ordinance to reserve their volume cap for the fiscal year and to notify the Governor's office by May 1, 2011.

For 2011, each home rule municipality is authorized a volume cap amount equal to \$95 per capita. Using this formula, Crystal Lake's allocation equals \$4,007,100, based upon the State's assigned population of 42,180.

At this time, there have been no official applications from private businesses for the City to allocate our volume cap in the form of Industrial Revenue Bonds. However, staff has had discussions with several businesses recently regarding the issuance of Industrial Revenue Bonds for pending or prospective developments. According to the State Office of Management and Budget, after the volume cap has been reserved, the municipality is supposed to allocate the amount allocated for private activity bonds by December 31 of that year. If the City does not allocate our volume cap by December 31, we can request to carry-over our allocation for up to three years for a variety of different projects, but not for qualified small issue bonds, including Industrial Revenue Bonds. The attached ordinance reserves the City's allocation for possible future use.

There is no obligation to the municipality in issuing Industrial Revenue Bonds. All the payment responsibility rests with the private party. The lien is on the property, secured by the Industrial Revenue Bonds. Under Federal law, the City can utilize the authorized volume cap as additional incentive for industrial firms to relocate or expand facilities within its jurisdiction. Industrial Revenue Bonds can be attractive to industrial firms because of the difference to the bond buyers between the tax-free interest rates and the prevailing taxable interest rates.

Votes Required to Pass: A simple majority vote.

DRAFT

ORDINANCE NO. _____

FILE NO. _____



AN ORDINANCE RESERVING VOLUME CAP IN CONNECTION WITH
PRIVATE ACTIVITY BOND ISSUES, AND RELATED MATTERS.

WHEREAS, the City of Crystal Lake, McHenry County, Illinois (*the "Municipality"*), is a Municipality and a home rule unit of government under Section 6 of Article VII of the 1970 Constitution of the State of Illinois; and

WHEREAS, Section 146 of the Internal Revenue Code of 1986, as amended (*the "Code"*), provides that the Municipality has volume cap equal to \$95.00 per resident of the Municipality in each calendar year, which volume cap may be reserved and allocated to certain tax-exempt private activity bonds; and

WHEREAS, the Illinois Private Activity Bond Allocation Act, *30 Illinois Compiled Statutes 1998, 345/1 et seq.*, as supplemented and amended (*the "Act"*), provides that a home rule unit of government may transfer its allocation of volume cap to any other home rule unit of government, the State of Illinois or any agency thereof or any non-home rule unit of government; and

WHEREAS, it is now deemed necessary and desirable by the Municipality to reserve all of its volume cap allocation for calendar year 2011 to be applied toward the issuance of private activity bonds (*the "Bonds"*), for unidentified projects, as provided in this Ordinance, or to be transferred, as permitted by this Ordinance.

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

SECTION I: That, pursuant to Section 146 of the Code and the Act, the entire volume cap of the Municipality for calendar year 2011, in the amount of \$4,007,100, based upon the State of Illinois assigned population of 42,180, is hereby reserved by the Municipality, which shall issue Bonds using such volume cap, or shall transfer such cap, without further action required on the part of the Municipality; and the adoption of this Ordinance shall be deemed to be an allocation of such volume cap to the issuance of the Bonds or such other bonds, provided that any such transfer shall be evidenced by a written instrument executed by the Mayor or any

other proper officer or employee of the Municipality.

SECTION II: That the City of Crystal Lake shall maintain a written record of this Ordinance in its records during the term that the Bonds or any other such bonds to which such volume cap is allocated remain outstanding.

SECTION III: That the Mayor, the City Clerk and all other proper officers, officials, agents and employees of the Municipality are hereby authorized, empowered and directed to do all such acts and things and to execute all such documents and certificates as may be necessary to further the purposes and intent of this Ordinance.

SECTION IV: That the provisions of this Ordinance are hereby declared to be separable, and if any section, phrase, or provision of this Ordinance shall for any reason be declared to be invalid, such declaration shall not affect the remainder of the sections, phrases, and provisions of this Ordinance.

SECTION V: 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 5th day of April, 2011.

MAYOR

ATTEST:

CITY CLERK

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



Agenda Item No: 32

**City Council
Agenda Supplement**

Meeting Date:

April 5, 2011

Item:

Motion to adopt an ordinance authorizing participation in the Intergovernmental Personnel Benefits Cooperative

Staff Contact:

Ann Everhart, Human Resources Director
Laura Herrig, Assistant Finance Director

Background:

In our continuing effort to better control health care costs, the City has conducted an analysis of the benefits of joining a benefits pool versus maintaining an independent status when it comes to purchasing insurance coverage.

As a result of this analysis, we recommend that the City pursue membership in the Intergovernmental Personnel Benefit Cooperative (IPBC). The IPBC is an entity created under Illinois State laws, which allows municipal groups to band together for the purposes of health insurance. This arrangement provides economies of scale and risk pooling that allows members more buying power than that offered as an individual entity in the commercial insurance market. The IPBC was established in 1979 and currently includes over 60 municipalities or municipal entities as members.

Discussion:

The City currently hires a Third Party Administrator (TPA) for medical, dental and vision claims administration, Flex spending administration, COBRA and HIPAA compliance administration and we access a PPO network to gain discounts that provide cost effectiveness for medical and vision claims. We currently offer employees only two tiers of coverage, single or family. Our benefit plans are self-insured and involve cost sharing with employees in the areas of premiums, deductibles, co-pays and out of pocket maximum expenses.

The City purchases individual stop loss coverage for all claims over \$75,000 under our self-insured PPO plans. We additionally have aggregate stop loss with an attachment point of 125% of claims. Aggregate stop loss coverage applies to medical, dental, vision and prescription drug

coverage and individual stop loss coverage applies to medical claims and outpatient prescription drug claims experienced under the PPO plans.

Analysis:

In an effort to see where we might save more on our insurance costs, the City began exploring the benefits of enrolling in an insurance pool like the Intergovernmental Personnel Benefits Cooperative (IPBC). The IPBC allows the City access to greater buying power through pooling with other municipal entities.

As an independent entity, the City has done a good job of consistently reviewing and modifying our plans for ways to improve cost-saving measures, share costs with employees and reduce claims costs where possible. We have competitively bid our plans every two to three years since 2005.

However, with all of our efforts, when we go to bid for networks and services, providers respond to our 752 lives. In contrast to this, the IPBC offers the City the ability to benefit from the buying power of over 90,000 lives. This allows us greater access to medical networks that may have been cost prohibitive to us in the past as an individual entity.

Although the IPBC allows this greater access to networks, it does not dictate what members' individual plans look like. Members are able to choose among different networks and to model plans in ways that are cost effective and most appropriate for their employees. With our membership in the IPBC, we can maintain the many cost-saving aspects of our plans that we have put into place over the years and we maintain autonomy to make plan design changes in the future that will best fit our organizational needs.

In regards to claims costs, with our individual status, the City paid up to the first \$75,000 in claims per covered individual. Involvement in the IPBC allows for a pool-sharing level of claims - those claims that range between \$30,000 to \$125,000 and stop loss coverage is only engaged for claims of \$125,000 or more. This lowers the coverage cost for stop loss coverage overall (coverage kicks in at \$125,000 versus \$75,000 as the City had) and the pooling arrangement limits the City's full exposure to the first \$30,000 versus \$75,000. The offset here is that the City must supply a reserve for the pool in order to address those pooled claims of \$30,000 to \$125,000.

The increase presented in the budget document reflects the funding of this reserve at IPBC. This reserve requirement protects the pool and the City from severe financial expenses from one-time large claims. Once this reserve requirement is met, the savings will flow directly to the City in future operating years. However, even with the reserve requirement, we found in our analysis of costs for our current plans, had they been part of the IPBC pool for the past plan year, the City could have achieved a savings of over \$232,000, through the benefit of sharing claims costs above \$30,000 with the members of the pool.

Recommendation:

City Staff is recommending participation in the Intergovernmental Personnel Benefits Cooperative in a strategic effort to control benefit costs while maintaining appropriate coverage for employees. Although the City has worked diligently over the years to keep benefits competitive both in level of coverage and cost, membership in the cooperative allows us to have better economies of scale and buying power for employee health and life benefits.

The proposed FY2011/2012 budget reflects the need to fund a new reserve at the IPBC pool. Had the City been a member of IPBC in the previous year, and met its reserve requirement, the City would have seen a significant savings.

Votes Required to Pass:

Simple majority vote of the City Council.

DRAFT



**AN ORDINANCE AUTHORIZING
PARTICIPATION IN THE INTERGOVERNMENTAL
PERSONNEL BENEFIT COOPERATIVE**

WHEREAS, it is authorized for the City of Crystal Lake (City) to become a Member of the Intergovernmental Personnel Benefit Cooperative, ("IPBC"), which is an intergovernmental entity providing employee benefits; and

WHEREAS, through its membership in the IPBC, the City gains the ability to achieve economies of scale in the administration of the benefit claims of its requisite Members and the other benefits of membership provided for in the Contract and By-Laws of the IPBC; and

WHEREAS, the Contract and By-Laws of the IPBC provide that the IPBC shall operate in three (3) year cycles with the governing board of each Member, including the governing board of municipal corporation Members, being required to pass an ordinance or resolution agreeing to continue as a Member for each new three-year cycle.

WHEREAS, the City desires to express, through the passage of this Ordinance, its desire to become a Member of the Cooperative commencing on May 1, 2011 and continuing through July 1, 2014, and its acceptance of the by-laws, policies and procedures of the Cooperative. The City has been granted approval for membership by a unanimous vote of other Members of the Cooperative, as is set forth within the Contract and By-Laws document, to participate as Members for the next three-year cycle; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF CRYSTAL LAKE, IN MCHENRY COUNTY, AN ILLINOIS MUNICIPAL CORPORATION, as follows:

DRAFT

SECTION 1: The City shall participate as a member of the Intergovernmental Personnel Benefit Cooperative commencing on May 1, 2011 and ending on July 1, 2014, in accordance with the Contract and By-Laws of that entity as it currently exists or as it may be validly amended in the future.

SECTION 2: The obligation of the City to be a Member of the Intergovernmental Personnel Benefit Cooperative shall obligate this municipal corporation to make financial contributions to the Intergovernmental Personnel Benefit Cooperative only to the extent required from time-to-time by the Contract and By-Laws of the IPBC and authorized therewith by the Board of Directors or the Executive Committee.

SECTION 3: The City Manager is authorized and directed to execute any agreements required as part of the City's participation in the Intergovernmental Personnel Benefit Cooperative.

SECTION 4: This Ordinance shall take effect immediately upon its passage and approval as provided by law.

Passed and approved this 5th day of April 2011

CITY OF CRYSTAL LAKE, an Illinois Municipal Corporation

BY: _____
Aaron T. Shepley, Mayor

ATTEST:

Nick Kachiroubas, City Clerk

(SEAL)