



CITY OF CRYSTAL LAKE

AGENDA

CITY COUNCIL REGULAR MEETING

**City of Crystal Lake
100 West Woodstock Street, Crystal Lake, IL
City Council Chambers
May 17, 2011
7:30 p.m.**

1. **Call to Order**
2. **Roll Call**
3. **Pledge of Allegiance**
4. **Approval of Minutes – May 3, 2011 Regular City Council Meeting**
5. **Accounts Payable**
6. **Public Presentation**

The public is invited to make an issue oriented comment on any matter of public concern not otherwise on the agenda. The public comment may be no longer than 5 minutes in duration. Interrogation of the city staff, Mayor or City Council will not be allowed at this time, nor will any comment from the Council. Personal invectives against city staff or elected officials are not permitted.

 - a. **Watershed Presentation**
7. **Mayor's Report**
8. **Council Reports**
9. **Consent Agenda**
 - a. **Citgo Gas Station and Convenience Store/McDonalds Restaurant – Annexation Referral**
10. **Colonial Café and Ice Cream, 5689 Northwest Highway – City Code Amendment increasing the number of Class 24 liquor licenses.**
11. **The Village Squire, 4818 Northwest Highway – City Code Amendment increasing the number of Class 8 liquor licenses and decreasing the number of Class 2 liquor licenses.**
12. **Moe-B-Dick’s North Shore Pub, 1050 North Shore Drive – Temporary Use Permit request to allow a washer tournament.**
13. **Japanese Culture Institute, 1095 Pingree Road – Land Use Variation from Article 2 of the Unified Development Ordinance to allow a Japanese Culture Institute, including an Aikido Martial Arts Studio, within the “M” Manufacturing zoning district.**
14. **9607 Lucas Road – Minor Subdivision to create a lot; and deferral from the requirement to install sidewalks, parkway trees, and street lighting.**
15. **Crystal Point Outbuilding, 6000 Northwest Highway – Final Planned Unit Development Amendment to allow for a redeveloped multi-tenant building with a drive-through lane.**
16. **Willow Creek McHenry County request to hold a special event at Three Oaks Recreation Area.**
17. **Ordinance establishing the Rain Barrel Incentive Program.**

18. **Ordinance implementing no stopping, standing, or parking from 3:00 p.m. to 4:00 p.m. on school days from the north circle drive entrance to the south circle drive entrance on the east side of Canterbury Drive in front of Canterbury Elementary School.**
19. **Ordinance implementing no stopping, standing, or parking at anytime, except buses, on the east side of Kennsington Lane from Village Road to the south entrance of the circle drive.**
20. **Ordinance renaming Skyridge Drive, north of Ackman Road, to Piper Court.**
21. **Ordinance amending Chapter 329-12 of the City Code to allow for the proration of liquor license fees.**
22. **Ordinance amending Chapter 238 of the City Code, which establishes the general rules for the Three Oaks Recreation Area, and resolution establishing rules and regulations for the operation of the Three Oaks Recreation Area.**
23. **Resolution authorizing execution of an agreement between the City of Crystal Lake and the Village of Algonquin for the completion of the Woods Creek watershed study.**
24. **Resolution authorizing the City's participation in the 2011 Northwest Municipal Conference/IDOT Pavement Marking Joint Purchasing Program and the purchase of thermoplastic pavement marking through the Northwest Municipal Conference/IDOT 2011 Pavement Marking Joint Purchasing Program.**
25. **Bid award and resolution authorizing execution of a service agreement for drinking water laboratory services.**
26. **Resolution rescinding the bid award for tree removal services, re-awarding the bid, and authorizing execution of a service agreement for tree removal services.**
27. **Proposal award and resolution authorizing execution of an agreement for lift station and force main engineering design, and construction engineering, with a 10% contingency for unforeseen changes to the scope.**
28. **Resolution authorizing execution of an agreement with the Illinois Law Enforcement Alarm System for the FY 2010 Emergency Operations Center Technology Grant award.**
29. **Resolutions authorizing allocation of MFT funds for various projects.**
30. **Resolution referring a proposed Unified Development Ordinance text amendment regarding Electronic Message Center Signs to the Planning and Zoning Commission for a public hearing.**
31. **Council Inquiries and Requests**
32. **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.**
33. **Reconvene to Regular Session.**
34. **Appointments to the Ad Hoc Clean Air Counts Advisory Committee.**
35. **Adjourn**

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



Agenda Item No: 9a

**City Council
Agenda Supplement**

Meeting Date: May 17, 2011

Item: #2011-25 Gas Station and McDonalds Annexation Referral

Donald Hemmesch, Jr., petitioner
7615 W. Route 176

Recommendation: Motion to refer the petitioner's request to the June 1, 2011, Planning & Zoning Commission meeting for zoning consideration and to the June 21, 2011, City Council meeting for the annexation public hearing.

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

Background:

The petitioner is requesting annexation of a single parcel that totals 1.36 acres, located at the northwest corner of Routes 176 and 14. This site is currently developed with a CITGO Gas Station and convenience store/McDonalds Restaurant building. The petitioner is seeking annexation of this property to connect to the existing City utilities. The petitioner respectfully requests that this matter be referred to the June 1, 2011, Planning & Zoning Commission meeting for zoning consideration and the June 21, 2011, City Council meeting for the annexation public hearing.

Votes Required to Pass: A simple majority vote.



Agenda Item No: 10

**City Council
Agenda Supplement**

Meeting Date:

May 17, 2011

Item:

City Code Amendment to Increase the Number of Class "24" Liquor Licenses– Applicant: Colonial Café and Ice Cream, 5689 Northwest Highway

Staff Recommendation:

Motion to adopt an ordinance increasing the number of Class "24" Liquor Licenses from the current permitted 1 license to 2 licenses.

Staff Contact:

George Koczwar, Deputy City Manager

Background:

The City has received a request from Colonial Café and Ice Cream, 5689 Northwest Highway, for the Council to consider the adoption of an ordinance providing for an amendment to the liquor license restriction provisions of the City Code, increasing the number of Class "24" liquor licenses from the current 1 license to 2 licenses.

Section 329-5-X of the City Code permits the issuance of a Class "24" liquor license, which authorizes the retail sale, on the premises specified, of alcoholic liquor for consumption on the premises between the hours of 7:00 a.m. and 12:00 midnight Sunday, Monday, Tuesday, Wednesday, Thursday, Friday and Saturday. For the purposes of this license, premises shall include not only the interior of any building or structure but also an open unroofed area immediately contiguous to the building or structure where alcoholic beverages are served or consumed. A rendering of the proposed outdoor patio area is attached for Council's review.

Votes Required to Pass:

Simple majority



Agenda Item No: 11

**City Council
Agenda Supplement**

Meeting Date:

May 17, 2011

Item:

City Code Amendment to Increase the Number of Class "8" Liquor Licenses— Applicant: The Village Squire, 4818 Northwest Highway

Staff Recommendation:

Motion to adopt an ordinance increasing the number of Class "8" Liquor Licenses from 3 licenses to 4 licenses and decreasing the number of Class "2" liquor licenses from 7 licenses to 6 licenses.

Staff Contact:

George Koczvara, Deputy City Manager

Background:

The City has received a request from The Village Squire, 4818 Northwest Highway, for the Council to consider the adoption of an ordinance providing for an amendment to the liquor license restriction provisions of the City Code, increasing the number of Class "8" liquor licenses from the current 3 licenses to 4 licenses. The Village Squire currently holds a Class "2" liquor license, which allows the retail sale of alcoholic liquor for consumption on the premises in the interior of the building only; however, due to their plans to install an outdoor patio area, The Village Squire is now requesting the creation of a Class "8" liquor license for their use, which would allow the retail sale of alcoholic liquor for consumption on the premises, including not only the interior of the building but also an open unroofed area immediately contiguous to the building or structure where alcoholic beverages are served or consumed.

Section 329-5-H of the City Code permits the issuance of a Class "8" liquor license, which authorizes the retail sale, on the premises specified, of alcoholic liquor for consumption on the premises between the hours of 11:00 a.m. and 1:00 a.m. Monday, Tuesday, Wednesday, Thursday; 11:00 a.m. and 2:00 a.m. Friday and Saturday; and 10:00 a.m. on Sunday and 1:00 a.m. on Monday. A rendering of the proposed outdoor patio area is attached for Council's review.

Votes Required to Pass:

Simple majority



Agenda Item No: 12

**City Council
Agenda Supplement**

Meeting Date: May 17, 2011

Item: Moe-B-Dick's North Shore Pub Temporary Use Permit request to allow a washer tournament.

Recommendation: Motion to approve issuance of the Temporary Use Permit, for Moe-B-Dick's North Shore Pub for a Special Promotion to allow a Washer Tournament pursuant to the recommended conditions below.

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

Background: Moe-B-Dick's (1050 North Shore Drive) has applied for a Temporary Use Permit for a Special Promotion to allow a washer tournament to take place in the backyard of the subject property. This event has been approved yearly since 2004.

The applicant is requesting permission to allow a washer tournament, which is an outdoor game similar to horseshoes, in the backyard of the Moe-B-Dick's property. The applicant would like permission to have the tournaments take place on Saturday, June 11, 2011, Saturday, August 6, 2011, and Saturday, September 24, 2011, from noon until 8:00 p.m.

Section 2-500.7 of the Unified Development Ordinance allows Special Promotions for a time period not to exceed 3 days in any calendar month, with no more than 4 promotions allowed per year. This request does not exceed the time period allowed by Ordinance.

In addition, the applicant is requesting permission to allow the tournament players to purchase alcohol inside of the bar and bring the beverages outside of the building to the backyard during the washer games. Please note the following information relative to the applicant's liquor license:

- Moe-B-Dick's Class "1" liquor license allows the retail sale of alcoholic liquor for consumption on the premises, interior only, as well as the retail sale of alcoholic liquor in the original package. Their license does not permit alcohol to be sold or served in an outside area.
- Moe-B-Dick's is located in a residential area. As this bar pre-existed the current liquor code, it is allowed to sell and serve alcohol in a predominantly residential section of the City.

If approved, the following conditions are recommended:

1. The Temporary Use Permit shall be valid from noon to 8:00 p.m. on Saturday, June 11, 2011, Saturday, August 6, 2011, and Saturday, September 24, 2011.
2. This event shall remain within the confines of the subject property only. No alcoholic beverages shall be allowed in any other area than the subject property.
3. Area roads allow a minimum of 20 feet of access for fire apparatus. Parking shall be allowed on one side of the street only and signs shall be posted near the event. Work with the Police Department to determine the location of the no parking zones.
4. Fire hydrants in the area shall not be blocked by parking and signs posted.
5. Any junk or debris that may be created by the event shall be cleaned up on a continuing basis.
6. Any other permits or requests for signs shall be made through the Building Division.
7. The outdoor portion of the event in the backyard of the property shall be separated from the adjacent lots by a temporary fence in order to maintain separation between patrons and the surrounding residential neighborhood.
8. The event and its associated customer parking shall not interfere with any accessible parking spaces, emergency access (fire lanes), fire hydrants, or privately owned driveways.

The applicant has been made aware of these recommended conditions and advised to attend the May 17, 2011, City Council meeting to answer any questions.

Votes Required to Pass: A simple majority vote.



Agenda Item No: 13

**City Council
Agenda Supplement**

Meeting Date: May 17, 2011

Item: REPORT OF THE PLANNING & ZONING COMMISSION
#2011-21 Japanese Culture Institute

Land Use Variation from Article 2 of the UDO to allow a Japanese Culture Institute (including an Aikido Martial Arts Studio) within the "M" Manufacturing zoning district.

Lisa Tomoleoni, 1095 Pingree Road, Crystal Lake

PZC Recommendation: Motion to approve the Planning and Zoning Commission recommendation and adopt an ordinance granting a use variation for 1095 Pingree Road.

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

Background: The property in question is an approximately 4,300-square-foot tenant space in a multi-tenant center located at 1095 Pingree Road. The property is zoned "M" Manufacturing. The petitioner is requesting a use variation to allow a Japanese Culture Institute at this location that will include classes in traditional studies such as tea ceremony, calligraphy, and martial arts, such as Aikido and Iaido, as well as Japanese language classes and Zen meditation studies. Other tenants at this location include the Animal Emergency Clinic, Cheer Fusion, Pump It Up, and Marshall Salon Services, as well as medical offices.

Per the Unified Development Ordinance (UDO), the Manufacturing district is intended to provide for heavy industrial uses with high nuisance potential; consequently, language schools or physical fitness studios are not a permitted use in the district. Therefore, a use variation is being requested to allow this use at this location, which has a mix of non-manufacturing uses.

The petitioner has indicated that, typically classes will be held for up to 15 participants, primarily on weekends and weekday evenings. No competitions or other large-scale events will be hosted at this location. There are 209 parking spaces provided for this development. Considering the proposed use and the tenant mix at this location, the parking at this location should be adequate.

PZC Highlights

The Planning and Zoning Commission had no concerns regarding this request. The Commission recommended **approval (6-0)** of the petitioner's request. If the petitioner's request is approved, the following conditions are recommended:

1. Approved plans, to reflect staff and advisory board comments, as approved by the City Council:
 - A. Development Application, received 4-19-11
 - B. Floor Plan, received 4-19-11
 - C. Signage Information, received 4-19-11
2. The Use Variation is granted to the petitioner for the use as proposed. If the facility is expanded in size or intensity at any time, the petitioner shall be required to obtain a Special Use Permit Amendment.
3. Sign permits are required for all exterior signage and all signage must meet the provisions of the approved Common Sign Plan.
4. If events that could draw large crowds are proposed (such as competitions) at this location, approval by City staff prior to the events is required.
5. The petitioner shall address all comments of the Planning and Economic Development, Engineering and Building, Public Works, Fire Rescue and Police Departments.

Votes Required to Pass:

A simple majority vote.

ORDINANCE NO. _____

FILE NO. _____

AN ORDINANCE GRANTING A USE VARIATION AT 1095 PINGREE ROAD

WHEREAS, pursuant to the terms of a Petition (File #2011-21) before the Crystal Lake Planning and Zoning Commission, the Petitioner has requested the granting of a Use Variation from Article 2 of the UDO to allow a Japanese Culture Institute (including an Aikido Martial Arts Studio) within the "M" Manufacturing zoning district for the Japanese Culture Institute at 1095 Pingree Road; and

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

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

Section I: That a Use Variation be granted from Article 2 of the UDO to allow a Japanese Culture Institute (including an Aikido Martial Arts Studio) within the "M" Manufacturing zoning district for the Japanese Culture Institute

at the property commonly known as 1095 Pingree Road, City of Crystal Lake,.

Section II: That the Use Variation be granted with the following conditions:

1. Approved plans, to reflect staff and advisory board comments, as approved by the City Council:
 - A. Development Application, received 4-19-11
 - B. Floor Plan, received 4-19-11
 - C. Signage Information, received 4-19-11
2. The Use Variation is granted to the petitioner for the use as proposed. If the facility is expanded in size or intensity at any time, the petitioner shall be required to obtain a Special Use Permit Amendment.
3. Sign permits are required for all exterior signage and all signage must meet the provisions of the approved Common Sign Plan.
4. If events that could draw large crowds are proposed (such as competitions) at this location, approval by City staff prior to the events is required.

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

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

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

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: 14

**City Council
Agenda Supplement**

Meeting Date: May 17, 2011

Item: REPORT OF THE PLANNING & ZONING COMMISSION
#2011-16 Rosati Minor Subdivision

- 1) Minor Subdivision to create a lot;
- 2) Deferral from the requirement to install sidewalks, parkway trees, and street lighting.

William Rosati, 9607 Lucas Road, Crystal Lake

PZC Recommendation: Motion to approve the Planning and Zoning Commission recommendation and adopt an ordinance approving a minor subdivision and deferrals for 9607 Lucas Road

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

Background: The property in question is approximately 15 acres in area, located on the south side of Lucas Road, west of Briarwood Road. The property was annexed into the City in 2000 and was rezoned in 2002 to the "RE-1" Residential Estate district. Subsequent to the adoption of the UDO, the property was reclassified to the "RE" district. The petitioner is requesting a Minor Subdivision to create an additional lot.

The property is currently improved with a residence and a barn, as well as being actively farmed. It is the petitioner's intent to create an approximately 1-acre lot that will include the residence. Both proposed lots would meet the minimum lot area requirement of 20,000 square feet and minimum lot width requirement of 100 feet. Along with the subdivision, the petitioner is requesting a deferral from the requirement to install a sidewalk along Lucas Road and the requirement to install street lighting. There are no sidewalks or street lighting along Lucas Road in the vicinity of this property. It appears that there are several trees along Lucas Road that would satisfy the requirement for parkway trees.

PZC Highlights

The Planning and Zoning Commission had no concerns regarding this request. The petitioner indicated that they would be willing to make the required right-of-way dedication at such time that development occurs on the property. The Commission recommended **approval (6-0)** 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 3-29-11
 - B. Final Plat of Subdivision, Terra Technology, received 3-29-11
2. Final Plat of Minor Subdivision:
 - A. The Plat shall meet all the requirements of Article 5-200 G 3 b, including but not limited to names of owners, exact location, width and name of all streets and dedication status, and building.
 - B. A note shall be added to the Plat that part of the property along the Kishwaukee River is a Zone A SFHA, no base flood elevations have been determined.
3. A deferral until an area-wide program is hereby granted for the following UDO requirements:
 - A. From the requirement to install sidewalks.
 - B. From the requirement for street lighting.
4. ~~Lucas Road is classified as a minor arterial roadway. A right-of-way easement is required along Lucas Road. The easement shall be 50 feet from the centerline of the roadway for Lot 2 and 33 feet from the centerline of the roadway for Lot 1.~~ The right-of-way dedication must be made at such time as development occurs on these lots or when the City requires the right-of-way, whichever is earlier. **(Modified by PZC)**
5. Whenever development occurs on Lot 2, wetland delineation is required to identify wetland and buffer area easement limits with accompanying easement provisions.
6. The petitioner shall address all the comments of the Engineering and Building, Fire Rescue, Police, Public Works and the Planning and Economic Development Departments.

Votes Required to Pass: A simple majority vote.

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ORDINANCE NO. _____
FILE NO. _____

AN ORDINANCE APPROVING A MINOR SUBDIVISION PLAT AND DEFERRALS FOR BAILEY FARM SUBDIVISION

WHEREAS, William and Joan Rosati, has submitted a Minor Subdivision Plat of Bailey Farm Subdivision (File #2011-16) in general conformance with the pertinent ordinances of the City of Crystal Lake, Illinois; and,

WHEREAS, The Minor Subdivision of Bailey Farm Subdivision complies with the Crystal Lake Comprehensive Land Use Plan; and

WHEREAS, the Minor Subdivision of Bailey Farm Subdivision meets the requirements of the Unified Development Ordinance; and

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

Section I: The Minor Subdivision of Bailey Farm Subdivision attached hereto is hereby approved as platted.

Section II: Said Minor Subdivision of Bailey Farm Subdivision is issued with the following conditions:

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

- A. Development Application, received 3-29-11
- B. Final Plat of Subdivision, Terra Technology, received 3-29-11

2. Final Plat of Minor Subdivision:

- A. The Plat shall meet all the requirements of Article 5-200 G 3 b, including but not limited to names of owners, exact location, width and name of all streets and dedication status, and building.
- B. A note shall be added to the Plat, that part of the property along the Kishwaukee River is a Zone A SFHA, no base flood elevations have been determined.

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

- A. From the requirement to install sidewalks.
- B. From the requirement for street lighting.

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4. The right-of-way dedication must be made at such time as development occurs on these lots or when the City requires the right-of-way, whichever is earlier.

5. Whenever development occurs on Lot 2, wetland delineation is required to identify wetland and buffer area easement limits with accompanying easement provisions.

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

Section III: That the City Clerk be and is hereby directed to amend the official zoning map of the City of Crystal Lake and all pertinent records of the City of Crystal Lake to show the 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: 15

**City Council
Agenda Supplement**

Meeting Date:

May 17, 2011

Item:

REPORT OF THE PLANNING & ZONING COMMISSION

#2011-20 Crystal Point Outbuilding

Final PUD Amendment to allow for a redeveloped multi-tenant building with a drive-through lane as shown.

Allison Kuchny, Inland Commercial Property, petitioner
6000 Northwest Highway

PZC Recommendation:

Motion to approve the Planning and Zoning Commission recommendation and adopt an ordinance granting a Final PUD Amendment for the Crystal Point Outbuilding at 6000 Northwest Highway.

Staff Contact:

Michelle Rentzsch, Director of Planning and Economic Development

Background:

The Crystal Point Mall was originally approved in October of 1970. There have been numerous amendments over the years to accommodate new retailers, outbuildings and for the major redevelopment or "de-malling" that took place in 1999. The current petitioner, the owner of the Crystal Point Shopping Center, is seeking to redevelop the soon-to-be former Colonial Café outbuilding into a multi-tenant outlot building with a drive-through lane.

The proposed building footprint indicates two building end uses that would offer outdoor seating, with one tenant offering a drive-through for the convenience of their customers. The proposed architecture for the multi-tenant building closely matches the main building in the PUD, as well as the other multi-tenant outlot building in the PUD, which contains the Panera and Jamba Juice tenants. The proposed multi-tenant building would offer further articulation, as the walls for the easternmost tenant offer significant setbacks from the remainder of the building, deftly breaking up the mass of the building.

PZC Highlights

The PZC had a detailed discussion about the width of the drive-through lane and the exit doors on the south side of the building. It was ultimately resolved to everyone's satisfaction that the drive-

through lane be reduced in width to 14 feet, allowing for additional room on the south side of the building for exiting the emergency doors (and employee use) and to provide room for some building foundation landscaping. The PZC felt this was a good redevelopment of the site.

The PZC recommended **approval (6-0)** with the following conditions:

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

A. Development Application, dated 4-12-11

B. Site Plan, JTS Architects, dated 4-11-11

C. Architectural Plan, JTS Architects, dated 4-15-11 **plan submitted at PZC meeting, dated 4-29-11**

2. Site Plan

A. The drive aisle for the drive-through lane should be ~~20~~ **14** feet wide to allow for a bypass lane for the drive-through **with the narrowing to come from the south with a landscape plan to be worked out with staff.**

B. Show the location of the order board and the stacking configuration for the drive through. Minimum stacking of 8 cars with a minimum 4-vehicle queue between the order board and the pick-up window is required.

C. The rear of the building should have access doors for deliveries and trash take-out. ~~A 4-foot sidewalk should be located along the rear of the building for access to the dumpster.~~ **The doors on the south elevations are to be hinged on the east side of the doors.**

3. Architectural Elevations

A. Provide a material and color sample board for review and approval at the Planning & Zoning Commission and City Council meetings.

B. The trash enclosure must be constructed of materials that match the architecture of the building **and to be adjusted so as refuse company does not enter drive-through lane.** Provide plans to staff for review and approval.

C. Ensure that the multi-tenant building provides the architectural details found in the remainder of the center, including but not limited to, cornice pendants, scored dentil trim above the windows and the wall sconce fixture lighting.

D. Given the orientation of the building and the location of the rear of the building along Route 14, introduce opaque window elements along the south elevation to double face the building.

4. Landscape Plan

A. Provide a landscape plan for staff review and approval that shows the replacement of any dead or dying existing landscaping; the location, size and varieties of the proposed foundation plantings to meet Article 4-400F4; and the landscape screening along the drive-through lane to shield headlights from oncoming traffic to meet the provisions of Section 4-400 Landscaping and Screening Standards.

5. This Final PUD Amendment approval includes the drive-through lane as submitted, with changes as approved by the petitioner, PZC and City Council.

6. The current address for the existing building is 6000 Northwest Hwy and the United States Postal Service assigned a mailing address of 6000-13. The address will remain 6000 Northwest Hwy and a meeting with the Fire Rescue Department to discuss temporary unit designations is required. The City reserves the right to reassign a permanent address if the entire complex is assessed for compliance with the City's ordinance, Chapter 192 Building Numbering.

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

Votes Required to Pass: A simple majority vote.

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ORDINANCE NO. _____

FILE NO. _____

AN ORDINANCE GRANTING AN AMENDMENT TO THE FINAL PUD FOR CRYSTAL POINT SHOPPING CENTER

WHEREAS, pursuant to the terms of the Petition (File #2011-20) before the Crystal Lake Planning and Zoning Commission, the Petitioner has requested an Amendment to the Final Planned Unit Development to allow for a redeveloped multi-tenant building with a drive-through lane as shown for the Crystal Point Outbuilding at 6000 Northwest Highway; and

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

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

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

SECTION I: That a Final PUD Amendment be granted to allow for a redeveloped multi-tenant building with a drive-through lane as shown for the Crystal Point Outbuilding for the property located at 6000 Northwest Highway, Crystal Lake, Illinois.

SECTION II: That the Final PUD Amendment be granted with the following conditions:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
 - A. Development Application, dated 4-12-11
 - B. Site Plan, JTS Architects, dated 4-11-11
 - C. Architectural Plan, JTS Architects, plan submitted at PZC meeting, dated 4-29-11
2. Site Plan
 - A. The drive aisle for the drive-through lane should be 14 feet wide to allow for a bypass lane for the drive-through with the narrowing to come from the south with a landscape plan to be worked out with staff.
 - B. Show the location of the order board and the stacking configuration for the drive through. Minimum stacking of 8 cars with a minimum 4-vehicle queue between the order board and the pick-up window is required.
 - C. The rear of the building should have access doors for deliveries and trash take-out. The doors on the south elevations are to be hinged on the east side of the doors.

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3. Architectural Elevations

- A. Provide a material and color sample board for review and approval at the Planning & Zoning Commission and City Council meetings.
- B. The trash enclosure must be constructed of materials that match the architecture of the building and to be adjusted so as refuse company does not enter drive-through lane. Provide plans to staff for review and approval.
- C. Ensure that the multi-tenant building provides the architectural details found in the remainder of the center, including but not limited to, cornice pendants, scored dentil trim above the windows and the wall sconce fixture lighting.
- D. Given the orientation of the building and the location of the rear of the building along Route 14, introduce opaque windows elements along the south elevation to double face the building.

4. Landscape Plan

- A. Provide a landscape plan for staff review and approval that shows the replacement of any dead or dying existing landscaping; the location, size and varieties of the proposed foundation plantings to meet Article 4-400F4; and the landscape screening along the drive-through lane to shield headlights from oncoming traffic to meet the provisions of Section 4-400 Landscaping and Screening Standards.

5. This Final PUD Amendment approval includes the drive-through lane as submitted, with changes as approved by the petitioner, PZC and City Council.

6. The current address for the existing building is 6000 Northwest Hwy and the United States Postal Service assigned a mailing address of 6000-13. The address will remain 6000 Northwest Hwy and a meeting with the Fire Rescue Department to discuss temporary unit designations is required. The City reserves the right to reassign a permanent address if the entire complex is assessed for compliance with the City's ordinance, Chapter 192 Building Numbering.

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

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

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

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

DRAFT

MAYOR

ATTEST:

CITY CLERK

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



Agenda Item No: 16

City Council Agenda Supplement

Meeting Date:

May 17, 2011

Item:

Willow Creek McHenry County Lake Baptism

Staff Recommendation:

Motion to approve Willow Creek McHenry County request to hold a special event, at the Three Oaks Recreation Area from 11:00 a.m. to 5:00 p.m. on Sunday, September 11, 2011, with a rain date of Sunday, September 18, 2011.

Staff Contact:

Eric T. Helm, Deputy City Manager

Background:

The City has received a request from Willow Creek McHenry County for the use of the Three Oaks Recreation Area beach/wading area and pavilion for a lake baptism from 11:00 a.m. to 5:00 p.m. on Sunday, September 11, 2011, with a rain date of Sunday, September 18, 2011. Approximately 750-800 people will participate in this event, including attendees, volunteers and staff. The petitioner is requesting exclusive use of the beach and swim wading area. Per the petitioner's itinerary, the baptism would be staged to ensure that only a portion of the attendees would be in the water at any one time. The petitioner would like to place a speaker system, a speaking platform, and two crosses on the beach sand. The placement of these items would be subject to the conditions in this agenda supplement.

The petitioner is also requesting the exclusive use of the pavilion during this time. All other areas of the park would be open to the public. The petitioner's non-resident attendees will not be subject to beach admission fees, since at the time of the event, the swimming season will be over and non-residents will be allowed to access the beach/playground/spray park area for no charge.

Staff has reviewed the submittals and would offer the following conditions for approval. The Petitioner shall:

- Comply with all City Code regulations, Special Event requirements, and Pavilion rental requirements.
- Receive approval from 3rd party property owners for off-site parking. If 3rd party approval cannot be acquired, the petitioner shall utilize the Willow Creek McHenry County parking lot for offsite parking. Remote parking / shuttle service locations and

signing plans will need to be submitted. A sign plan for the remote parking locations will be submitted to the City's Building Division for approval.

- Provide a plan for all on-site signage prior to the event, which shall be reviewed by the City and approved prior to placement.
- Agree that all traffic control activities shall be performed by City Staff.
- Inform event attendees, prior to the event, that all non-Crystal Lake resident attendees should park in the designated off-site parking. If non-resident attendees of the event utilize the on-site parking, those vehicles shall be subject to the \$5.00-per-vehicle parking fee.
- Provide shuttle buses for attendees utilizing off-site parking. Petitioner shall provide adequate evacuation plan for attendees utilizing shuttle buses.
- The petitioner cannot use the water for general swimming. Water access shall be limited to the wading area, for activities directly related to the baptism.
- Sound system shall not disturb other users of the park.
- All temporary electrical items shall comply with the 2005 Electric Code and shall be subject to City inspection.
- All egress gates will be unobstructed at all times.
- Submit for City approval, severe weather plans, specifically, the number and passenger size of busses/shuttles that will be present during the entire duration of the event.
- The petitioner's proposed crosses and speaking platform shall not obstruct lifeguard viewing of patrons in the water.
- Reimburse City for the following:

<u>Item</u>	<u>Fee</u>
Special Event Application Fee	\$50
Two detail Police Officers (minimum) to assist with traffic control.	\$460 (\$46 per officer, per hour, from Noon – 5:00 PM)
Staff Preparation and Restoration Fee	\$120 (4 hours, at \$30 per hour)
Two City lifeguards	\$97 (5 hours at \$9.72 per hour)
Sound System Fee	\$75
Pavilion Rental Fee	\$100
Total Non-Refundable Fee:	\$902
Special Event Refundable Damage Deposit	\$1,000
Pavilion Rental Refundable Damage Deposit	\$200

Attached for your information is a copy of the petitioner's submittals. The City's Police and Fire Rescue Departments have reviewed the request.

Votes Required to Pass:

Simple majority vote of the City Council.



Agenda Item No: 17

**City Council
Agenda Supplement**

Meeting Date: May 17, 2011

Item: Rain Barrel Incentive Program

Clean Air Counts Committee

Recommendation: Motion to adopt an Ordinance establishing the Rain Barrel Incentive Program

Staff Contact: Brad Mitchell, Assistant to the City Manager
Erik Morimoto, Director of Engineering & Building

Background:

As part of the City's Ad Hoc Clean Air Counts Advisory Committee's efforts towards achieving both silver and gold level status through the Clean Air Counts program, in addition to efforts to promote water conservation, the Committee is recommending the adoption of the Rain Barrel Incentive Program. This program will encourage a reduction in residential and business water consumption through the conservation of rainwater and roof runoff. The Committee reviewed and approved support of this program at their May 2, 2011 meeting.

As the City Council may recall, at the March 15, 2011 City Council meeting, a rain barrel ordinance was adopted to facilitate the use of rain barrels so that they remain functional without becoming unsightly or unsafe. Rain barrels have become a popular water conservation tool for many homeowners and businesses owners. Benefits from the use of rain barrels include reduced water bills, additional groundwater recharge (if downspouts are disconnected from the storm sewer), and general water conservation.

This program encourages Crystal Lake water/sewer utility customers (residents and businesses) to purchase rain barrels to be used for lawn, garden, and water conservation activities. This program would give water/sewer utility customers that purchase a rain barrel from a Crystal Lake retailer, the opportunity to receive a one-time \$25.00 credit towards their water/sewer utility bill.

The Crystal Lake businesses that currently sell rain barrels are Ace Hardware, Barn Nursery, Countryside Nursery and Flowershop, Home Depot, and Menards. The credit would be limited to one rain barrel installation per water/sewer utility customer and the utility customer must be in good standing. The rain barrel must be purchased from a retailer located within the corporate limits of the City of Crystal Lake. Similar to other City programs, the water/sewer utility customer would be required to submit the attached application along with a valid receipt to be eligible for the credit.

As an added incentive for property owners, Barn Nursery, Countryside Nursery and Flowershop, and Home Depot will also provide additional discounts to Crystal Lake water/sewer utility customers who purchase a rain barrel, through coordination with the *I Shop Crystal Lake* program. This additional discount will be advertised through the *I Shop Crystal Lake* program on the iShopCL.com website as well.

It is City staff's recommendation that the City Council approve the following requirements of each program participant to help facilitate proper installation, proof of utilization, and minimal burden on staff:

1. City of Crystal Lake water/sewer utility customer in good standing.
2. Rain Barrel must be purchased from a retailer within the corporate limits of the City of Crystal Lake.
3. A valid receipt must be attached to the Rain Barrel Incentive Program application to be eligible for the water/sewer utility credit.
4. Agree to maintain the rain barrel according to the manufacturer's instructions and the City of Crystal Lake's Rain Barrel Ordinance.
5. Agree to allow City staff to photograph the completed rain barrel installation for marketing and/or auditing purposes.

Recommendation

Simple majority vote of the City Council



DRAFT

A RESOLUTION AUTHORIZING THE RAIN BARREL INCENTIVE PROGRAM

WHEREAS, establishing this program would count towards the City's Ad Hoc Clean Air Counts Advisory Committee's goal to achieve both silver and gold status through the Clean Air Counts program; and

WHEREAS, the City continues efforts to promote water conservation; and

WHEREAS, this program will provide an incentive for Crystal Lake water/sewer utility customers to purchase rain barrels for water conservation activities and to reduce their water bills; and

WHEREAS, the Mayor and City Council have adopted an Ordinance regulating the use of rain barrels.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Crystal Lake that the Rain Barrel Incentive Program (hereinafter, "the Program") is hereby approved.

BE IT FURTHER RESOLVED that, under the Program, a Crystal Lake water/sewer utility customer who purchases a rain barrel from a Crystal Lake retailer would be eligible to receive a one-time \$25.00 credit towards their water/sewer utility account.

BE IT FURTHER RESOLVED that the water/sewer utility credit be limited to one rain barrel purchase per water/sewer utility customer.

BE IT FURTHER RESOLVED that the rain barrel must be purchased from a retailer located within the corporate limits of the City of Crystal Lake.

BE IT FURTHER RESOLVED that in order to receive the water/sewer utility credit, the water/sewer customer must be in good standing and must attach a valid receipt with the Rain Barrel Incentive Program application.

BE IT FURTHER RESOLVED that the City Manager is hereby authorized to promulgate terms, conditions and rules of this Program in order to ensure the efficient execution of the Program.

DATED this 17th day of May, 2011

DRAFT

CITY OF CRYSTAL LAKE, an
Illinois municipal corporation,

By: _____
MAYOR

SEAL
ATTEST

CITY CLERK

PASSED: May 17, 2011
APPROVED: May 17, 2011



Agenda Item No: 18

**City Council
Agenda Supplement**

Meeting Date:

May 17, 2011

Item:

Ordinance implementing no stopping, standing, or parking from 3:00 p.m. to 4:00 p.m. on school days from the north circle drive entrance to the south circle drive entrance on the east side of Canterbury Drive in front of Canterbury Elementary School.

Staff Recommendation:

Motion to adopt an ordinance to implement no stopping, standing, or parking from 3:00 p.m. to 4:00 p.m. on school days from the north circle drive entrance to the south circle drive entrance on the east side of Canterbury Drive in front of Canterbury Elementary School.

Staff Contact:

Erik Morimoto, Director of Engineering and Building
Dave Linder, Police Chief

Background:

The City of Crystal Lake Traffic Safety Committee, including representatives from the Police Department and Engineering Division, has reviewed traffic concerns related to vehicle congestion on Canterbury Drive in front of Canterbury Elementary School. Parking is currently allowed on the east curb area in front of Canterbury Elementary School during the afternoon dismissal period.

To help reduce traffic congestion around the Canterbury Elementary School entrance, the Traffic Safety Committee recommends adopting an ordinance implementing no stopping, standing, or parking from 3:00 p.m. to 4:00 p.m. on school days from the north circle drive entrance to the south circle drive entrance on the east side of Canterbury Drive in front of Canterbury Elementary School. With vehicles parked in this area during the afternoon dismissal, buses have a difficult time maneuvering through this area due to the narrow width of the roadway, and parked cars obstruct visibility of pedestrians.



School officials plan to notify and educate the parents regarding the parking restrictions. A letter from the Canterbury Elementary School Principal requesting the parking restrictions is attached for City Council consideration.

Votes Required to Pass:

Simple Majority of City Council Present

DRAFT



The City of Crystal Lake Illinois

ORDINANCE

WHEREAS, a review of traffic concerns related to vehicle congestion on Canterbury Drive in front of Canterbury Elementary School was conducted by the Crystal Lake Traffic Safety Committee and the Crystal Lake Police Department; and

WHEREAS, vehicles legally parked on the east curb side of Canterbury Drive in front of Canterbury Elementary School does not allow enough space for emergency vehicles to access the road during an emergency; and

WHEREAS, stopped traffic from the vehicle congestion decreases the sight line visibility for approaching motorists and can obstruct drivers' views of pedestrian traffic that may be in the area; and

WHEREAS, as a result of said review, the Mayor and City Council of the City of Crystal Lake have determined that to help reduce traffic congestion around Canterbury Elementary School and allow enough space for emergency vehicles to access the roads, parking restrictions must be implemented.

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

SECTION I: That there shall be no stopping, standing or parking from 3:00 p.m. to 4:00 p.m. on school days from the north circle drive entrance to the south circle drive entrance on the east side of Canterbury Drive in front of Canterbury Elementary School.

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

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

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

DATED at Crystal Lake, Illinois, this seventeenth day of May, 2011.

APPROVED:

MAYOR

ATTEST:

CITY CLERK

PASSED: May 17, 2011

APPROVED: May 17, 2011

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



Agenda Item No: 19

**City Council
Agenda Supplement**

Meeting Date:

May 17, 2011

Item:

Ordinance implementing no stopping, standing, or parking at anytime, except buses, on the east side of Kennsington Lane from Village Road to the south entrance of the circle drive.

Staff Recommendation:

Motion to adopt an ordinance to implement no stopping, standing, or parking at anytime, except buses, on the east side of Kennsington Lane from Village Road to the south entrance of the circle drive.

Staff Contact:

Erik Morimoto, Director of Engineering and Building
Dave Linder, Police Chief

Background:

At the December 1, 2009 City Council meeting, an ordinance was adopted implementing traffic control changes to help reduce traffic congestion around Indian Prairie Elementary School and allow for enough space for emergency vehicles to access the roads. The implementation of these traffic control changes has mitigated the vehicle congestion problem on Village Road.

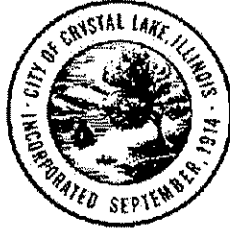
Recently, the City of Crystal Lake Traffic Safety Committee reviewed a traffic concern regarding parking congestion along Kennsington Lane, south of Village Road, after school hours due to extra-curricular sports activities or other events. The parking congestion has made it difficult for residents to back out of their driveways. The current parking restrictions only limit parking on the east side of Kennsington Lane between 8:00 am and 4:00 pm on school days, which does not cover the other peak periods for parking associated with extra-curricular activities.

To address this issue, the Traffic Safety Committee recommends adopting an ordinance implementing no stopping, standing or parking at anytime, except buses, on the east side of Kennsington Lane from Village Road to the south entrance of the circle drive. The school principal, District 47 administration, and the complainant are supportive of this change.



Votes Required to Pass:

Simple Majority of City Council Present



DRAFT

The City of Crystal Lake Illinois

ORDINANCE

WHEREAS, a review of traffic concerns related to vehicle congestion on Kennsington Lane was conducted by the Crystal Lake Traffic Safety Committee and the Crystal Lake Police Department; and

WHEREAS, vehicles parked on the east side of Kennsington Lane, south of Village Road, makes it difficult for residents to back out of their driveways; and

WHEREAS, as a result of said review, the Mayor and City Council of the City of Crystal Lake have determined that to help reduce traffic congestion on Kennsington Lane, parking restrictions must be implemented.

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

SECTION I: That there shall be no stopping, standing, or parking, except buses, at anytime on the east side of Kennsington Lane from Village Road to the south entrance of the circle drive.

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

DRAFT

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

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

DATED at Crystal Lake, Illinois, this seventeenth day of May, 2011.

APPROVED:

MAYOR

ATTEST:

CITY CLERK

PASSED: May 17, 2011

APPROVED: May 17, 2011

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



Agenda Item No: 20

**City Council
Agenda Supplement**

Meeting Date: May 17, 2011

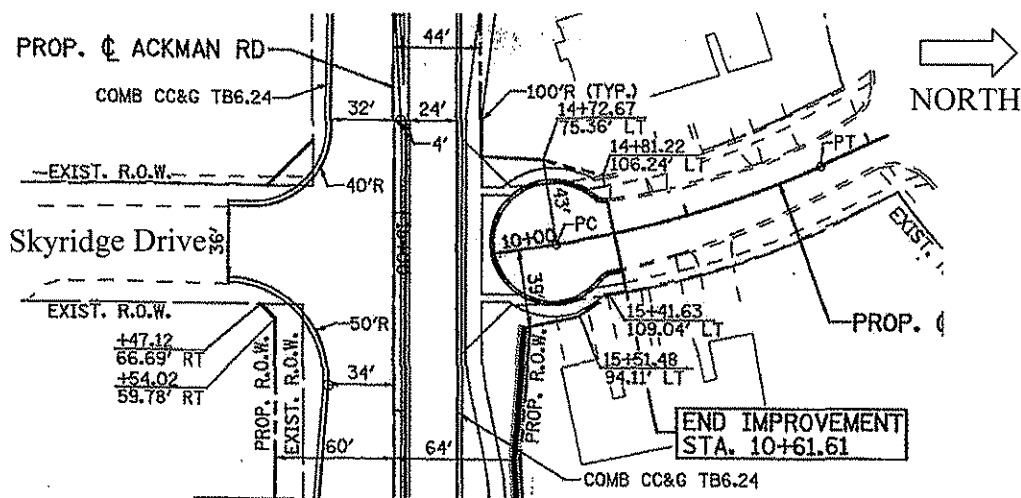
Item: Piper Court Street Name Ordinance

Staff Recommendation: Motion to adopt an ordinance renaming Skyridge Drive north of Ackman Road to Piper Court

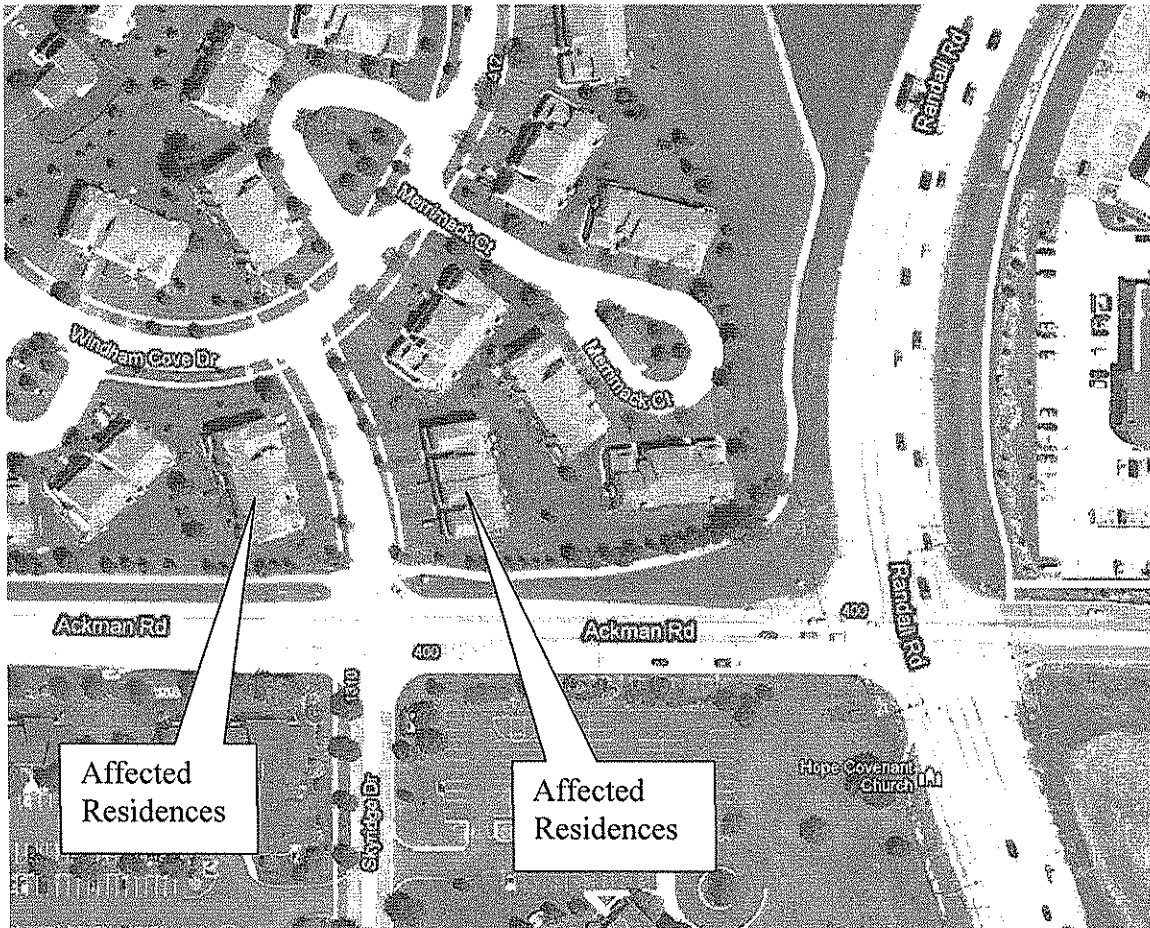
Staff Contact: Erik D. Morimoto, Director of Engineering and Building

Background:

Skyridge Drive north of Ackman Road will become a cul-de-sac with the County's Rakow Road project. The County has informed the City that this work will begin around July 1 of this year.



In preparation for the closure, the City needs to rename this portion of Skyridge Drive to alleviate any potential confusion for emergency response, in accordance with the street-naming requirements of City Code Chapter 192 and in coordination with the Fire Rescue Department.



Eight residents are affected by this renaming and they were given the opportunity to provide input on the new name. Three options were provided: Newport Court, Salem Court, and Piper Court. These names were selected to complement the theme of the existing street names in the subdivision or nearby landmarks.

Four residents provided input and Piper Court was the selected name. Address numbers will remain the same.

Votes Required to Pass:

Simple majority of City Council present.



DRAFT

The City of Crystal Lake Illinois

ORDINANCE

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE, McHENRY COUNTY, ILLINOIS that the street name of Skyridge Drive, north of Ackman Road, be changed to Piper Court.

DATED this seventeenth day of May, 2011.

CITY OF CRYSTAL LAKE, an Illinois
Municipal Corporation

BY: _____
Aaron T. Shepley, Mayor

ATTEST:

Nick Kachiroubas, City Clerk

PASSED: May 17, 2011

APPROVED: May 17, 2011

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



Agenda Item No: 21

**City Council
Agenda Supplement**

Meeting Date:

May 17, 2011

Item:

City Code Amendment to Chapter 329-12 to include proration of liquor license fees

Staff Recommendation:

Motion to adopt an ordinance amending Chapter 329-12 of the City Code to allow for the proration of liquor license fees.

Staff Contact:

George J. Koczwar, Deputy City Manager

Background:

Currently, any prospective liquor license applicant seeking to have a license issued after the commencement of the license year is required to pay the full liquor license fee. The City Code currently does not provide for the proration of liquor license fees. The attached ordinance would amend the City Code to allow for the proration of liquor license fees on a monthly basis for licenses granted after the commencement of the license year. This ordinance would be effective retroactively to May 1, 2011.

Votes Required to Pass:

A simple majority vote.



DRAFT

AN ORDINANCE AMENDING CHAPTER 329-12 Liquor Licenses

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

SECTION 1: The Code of Ordinances, City of Crystal Lake, Illinois, is hereby amended by amending Chapter 329-12 (A) as follows:

§ 329-12. Duration and transfer of license.

A. A license shall be purely a personal privilege, good for not to exceed one year after the issuance, provided that this provision shall not apply to a Class 16, 19, and 20 licenses. The one-year period shall be from the first day of June of each year to the 31st day of May of each year unless sooner revoked or suspended as in this chapter provided. ~~Licenses issued after the first day of June of any year shall pay the full license fee as provided.~~ The license fee for the first year of the license period shall be prorated from the month of issuance to the last month of the first license year. A license shall not constitute property nor shall it be subject to attachment, garnishment to execution, nor shall it be alienable or transferable, voluntarily or involuntarily, or subject to be encumbered or hypothecated. Such license shall not descend by the laws of testate or intestate devolution, but it shall cease upon the death of the licensee, provided that the executor or administrators of the estate of any deceased licensee, and the trustee of any insolvent or bankrupt licensee, when such estate consists in part of alcoholic liquor, may continue the business of the sale or manufacture of alcoholic liquor under order of the appropriate court, and may exercise the privileges of the deceased or insolvent or bankrupt licensee after the death of such decedent, or any insolvency or bankruptcy, until the expiration of such license, but not longer than six months after the death, bankruptcy or insolvency of such licensees. In no event shall there be any refund of any portion of any license fee paid.

SECTION 2. This Ordinance shall be in full force and effect upon its passage, approval and publication in pamphlet form as provided by law. This Ordinance shall be effective retroactively to May 1, 2011.

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

DRAFT

Passed and Approved this 17th day of May 2011.

CITY OF CRYSTAL LAKE, an Illinois Municipal
Corporation

BY: _____
Aaron T. Shepley, Mayor

SEAL

ATTEST:

Nick Kachiroubas, City Clerk



Agenda Item No: 22

**City Council
Agenda Supplement**

Meeting Date: May 17, 2011

Item: Three Oaks Recreation Area Ordinance and Resolution

Staff Recommendation:

- 1) Motion to adopt an ordinance amending Chapter 238 of the City Code, which establishes the general rules for the Three Oaks Recreation Area.
- 2) Motion to adopt a resolution establishing rules and regulations for the operation of the Three Oaks Recreation Area, *with the selection of one of the proposed options for non-resident business owner/non-resident property owner admission into the Three Oaks Recreation Area.*

Staff Contact: Eric T. Helm, Deputy City Manager

Background:

At the March 22, 2011 City Council budget workshop, City Staff proposed several changes to the operations and management of the Three Oaks Recreation Area. The City Council discussed these modifications at the April 19, 2011 City Council meeting. Based on the Council's discussion, City Staff proposes the following changes to Chapter 238 of the City Code and to the previously approved resolution establishing rules and regulations for the operation of the Three Oaks Recreation Area.

One proposed change would amend Chapter 238 of the City Code:

238-1 General Rules and Admission

A. Pets and Animals

1. Dogs and cats shall only be allowed on the trails and ~~picnic grove~~ provided they are in compliance with Section 166-7, Leashing of Dogs, of the Code of Ordinances and Section 166-12, Defecation of Animals, Removal, of the Code of Ordinances of the City of Crystal Lake.
2. No pets, including dogs and cats, are allowed in the beach/spray park/playground area, **picnic grove, including pavilion shelter**, or in any watercraft.
3. Service animals are allowed throughout the facility.

Explanation: This change is recommended to prevent a conflict between pavilion rental users and dogs/cats. In addition, the picnic grove is a confined area and conflicts between dogs and cats could easily occur.

The following language would modify the previously approved "Resolution Establishing Rules and Regulations for the Operation of the Three Oaks Recreation Area". The proposed changes are outlined below:

SECTION I: Three Oaks Recreation Area General Rules

1. All children under the age of ~~14~~ 12 shall be accompanied by a parent or responsible adult **person** of at least 16 years of age in order to be admitted to the Three Oaks Recreation Area.

Explanation: This change is recommended to ensure that young children are monitored by parents or guardians. This age limitation is consistent with other similar facilities. In addition, the wording was changed to reflect discussion at the April 19, 2011 City Council meeting.

SECTION II: Hours and Season

1. **Beach:** The beach operation will be conducted from approximately Memorial Day through Labor Day each year. This schedule is contingent upon proper staffing levels. Hours of operation shall be from 10:00 AM – 6:00 PM **sunset.**

Explanation: The Crystal Lake Park District Main Beach closes at dusk, which is the time after sunset, just before darkness. City Staff proposes that the Three Oaks Recreation Area beach close at sunset, since this is consistent with the general park closing time of sunset.

2. **Marina:** The marina shall be open from the second weekend of April through the end of October each year, weather permitting. **The hours shall be:**
Spring Hours (beginning second weekend in April): Sunrise (but not earlier than 6:30 AM) – Sunset
Summer Hours (May-August): Sunrise (but not earlier than 5:30 AM) – Sunset
Fall Hours (September – October): Sunrise (but not earlier than 6:30 AM) – Sunset

3. **Facility and Trails hours of operation shall be from:**
Spring Hours (April): 6:30 AM – Sunset
Summer Hours (May-August): 5:30 AM – Sunset
Fall Hours (September – October): 6:30 AM – Sunset
Winter Hours (November – March): 9:00 AM - Sunset

Hours may be altered as approved by the Mayor and City Council of the City for special events by special permit.

Explanation: This change is recommended since patrons of the facility may want to utilize watercraft earlier in the summer months, when sunrise occurs earlier. In addition, the recommended winter hours reflect anticipated slower winter usage.

SECTION IX: Beach Rules

1. A parent or responsible adult **person** at least 16 years of age, must accompany all swimmers under the age of ~~11~~ **12**.

Explanation: This change is recommended to ensure that young children are monitored by parents or guardians. This age limitation is consistent with other similar facilities. In addition, the wording was changed to reflect discussion at the April 19, 2011 City Council meeting.

SECTION X: Non-Resident Season Pass

Non-residents shall be allowed to purchase a season pass for the facility. The season pass shall include parking and entry to the beach/playground/spray park.

	Rate
Individual	\$150
Family of 2	\$210
Family of 3	\$290
Family of 4	\$370
Each additional family member	\$30

Each pass holder would have a picture ID, with a barcode (four years and older).

Requirements for pass shall be as follows:

1. Family passes are valid for all family members, defined as parent(s) and dependents (under 18) living at the same address.
2. A maximum of two adults are allowed on the pass.
3. Excludes non-dependent nephews, nieces, cousins, and aunts, uncles, grandparents, and grandchildren.
4. Children under 3 are free and do not need a pass.

Explanation: The addition of a season pass for non-residents may be desirable since it provides guaranteed revenue despite the weather (unseasonably cool summers), and improved customer service by limiting lines at the parking gate and beach. The explanation of the fee structure is shown below:

One Person	\$150	\$100 for admission and \$50 parking fee for ten visits
Family of Two	\$210	\$160 or \$80 each and one parking fee of \$50 for ten visits
Family of Three	\$290	\$240 or \$80 each and one parking fee of \$50 for ten visits
Family of Four	\$370	\$320 or \$80 each and one parking fee of \$50 for ten visits

City Staff proposes four options to address non-resident business owners and non-resident property owners.

SECTION XI: Non-Resident Business Owner / Non-Resident Property Owner Admission

Option 1

All non-resident business owners or non-resident property owners paying City property tax to McHenry County will receive a non-transferable annual pass for free parking and beach access, and resident marina rental rates. Pass holders must renew their pass each year. The pass would be available to the following parties:

- Non-resident business owners or non-resident property owners who can prove that they pay City property taxes to McHenry County, or reimburse their landlord for property taxes.
- Non-resident franchise owners and/or non-resident business/commercial renters who rent commercial or business property and can prove that all or a portion of their rent is used to pay City taxes to McHenry County.

The eligible party would receive a pass for himself or herself and family members under the following conditions:

1. All family members, defined as parent(s) and dependents (under 18) living at the same address.
2. A maximum of two adults are allowed on the pass.
3. Excludes non-dependent nephews, nieces, cousins, and aunts, uncles, grandparents, and grandchildren.
4. Children under 3 are free and do not need a pass.

Option #1 Analysis:

This option excludes City businesses or property owners who do not pay real estate taxes (i.e. property owners that require the tenants to pay for the property taxes). Prior to the issuance of a pass to business/commercial renters, City Staff will require that the interested party verify that City property taxes are paid to McHenry County. City Staff may request a copy of the current lease/rental agreement. City staff will then evaluate the submitted leases to ensure that payment of property taxes are stipulated in the lease. Eligible individuals will receive a photo identification pass to ensure that the pass could not be transferred or used by another party. As a matter of clarification, non-resident staff members or employees of the business would not receive resident privileges.

Option 2

All non-resident business owners owning a business that remits sale taxes to the Illinois Department of Revenue (IDOR) on behalf of the City of Crystal Lake would receive a non-transferable annual pass for free parking and beach access, and resident marina rental rates. Pass holders must renew their pass each year. A non-resident business owner will be eligible for an annual pass to the Three Oaks Recreation Area (TORA) if they produce a current ST 1 form submitted to the Illinois Department of Revenue (IDOR) or a current IBT form that has been recorded with the IDOR, or if a new business a current IBT form. The ST 1 form verifies that sales taxes are remitted on behalf of the City.

The eligible party would receive a pass for himself or herself and family members under the following conditions:

1. All family members, defined as parent(s) and dependents (under 18) living at the same address.
2. A maximum of two adults are allowed on the pass.
3. Excludes non-dependent nephews, nieces, cousins, and aunts, uncles, grandparents, and grandchildren.
4. Children under 3 are free and do not need a pass.

Option #2 Analysis:

This option excludes businesses who do not pay sales tax (i.e. doctors, attorney offices, etc.). Eligible individuals would receive a photo identification pass to ensure that the pass could not be transferred or used by another party. As a matter of clarification, non-resident staff members or employees of the business would not receive resident privileges.

Option 3

Combine option 1 and option 2.

Option #3 Analysis:

This is the most inclusive option available.

Option 4

Maintain current policy of providing free parking to parties eligible to purchase a vehicle sticker, and maintain the current policy of providing beach access and discounted marina rental rates to individuals and families with a home address in the corporate limits of Crystal Lake.

Option #4 Analysis:

This option excludes the non-resident business owners and non-resident property owners that have requested they receive the same benefits as residents for the Three Oaks Recreation Area.

Votes Required to Pass:

Simple majority vote of the City Council.

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

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

SECTION I: That CHAPTER 238 THREE OAKS RECREATION AREA shall be added to establish rules and regulations for the operation and management of the Three Oaks Recreation Area, and rules for the operation and usage of facilities and general recreation areas. The Mayor and City Council shall by Resolution establish rules and regulations with respect to the following: the opening and closing dates of the swimming areas, the hours of operation of the swimming areas, the opening and closing dates of those portions of the recreation area outside the swimming areas, the hours of operation for those portions of the recreation area outside of the swimming areas, the rules for admission to and the usage of the playground and picnic grove areas, the rules for admission to a facility including, but not limited to, a restriction of individuals by each, the rental and reservation rules of the pavilions located within the recreation area, the approval of any special events and the rentals and rules of the operation of all watercraft. The Mayor and City Council shall direct that suitable signs and markers be erected where appropriate.

238-1 General Rules and Admission

A. Three Oaks Recreation Area General Rules

1. No unauthorized motorized vehicles shall be allowed on Three Oaks Recreation Area trails.
2. All persons shall stay on designated trails or within the areas that are designated for use by the public.
3. No Person shall damage or disturb the Three Oaks Recreation Area flora or fauna.
4. No hunting, rock collecting or firearms shall be allowed in the Three Oaks Recreation Area.
5. No outside watercraft, marine outboard motors, paddles, oars or other marine boating accessories or inflatable rafts, tubes or similar inflatable items are allowed on the north and south lakes.
6. All litter as defined in Chapter 334 of the Code of Ordinances of the City of Crystal Lake shall be deposited in the proper receptacles.
7. No person shall wade or swim in the areas designated for swimming except when lifeguards are on duty. No person shall wade or swim in any areas of the lakes other than those areas designated for swimming. Skin diving and scuba diving are prohibited unless with a certified dive instructor as a part of skin diving or scuba diving classes approved by the Mayor and City Council of the City. Diving or swimming from watercraft shall be prohibited.
8. Camping and open fires within the recreational area are prohibited except as authorized by the Mayor and City Council.
9. In-line skating and skateboarding shall be allowed on paved trails within the recreation area except for the trails and concrete walkways surrounding

the picnic grove, lake house and marina, and in the beach/playground area where it is expressly prohibited.

10. The use of tobacco products shall be prohibited within the beach areas, sand areas, spray park area, playground areas and concession patios.

B. Alcoholic Liquor Use

1. No alcoholic liquors shall be permitted in the beach, spray park or playground area, on any watercraft, or on facility trails. Consumption or possession of alcoholic liquors in conjunction with any water-based activity is expressly prohibited.
2. Beer or wine may be consumed at Three Oaks Recreation Area when approved as part of a picnic area or shelter reservation or permit.
3. Approvals to sell beer or wine shall comply with the Code of the City of Crystal Lake and Statutes of the State of Illinois.
4. Any group, company, organization, or individual person conducting special events at the park during which alcohol is served or present, in any form, must have permission in advance and purchase or provide Host Liquor Liability Insurance and binding insurance coverage naming the City of Crystal Lake as an additional insured.
5. Any organization or corporate event, regardless of size, at the park for an event during which alcohol is served or present, in any form, must have permission in advance and purchase or provide Host Liquor Liability Insurance and binding insurance coverage naming the City of Crystal Lake as additional insured.
6. A family or individual person having a picnic with over 50 people on City property where alcohol in any form will be served or present, must purchase or provide Host Liquor Liability Insurance (Dram Shop Insurance) coverage with a binder naming the City as an additional insured.
7. The City reserves the right to prohibit alcohol in any areas of the Recreation Area or buildings located thereon at any time it deems necessary.

C. Pets and Animals

1. Dogs and cats shall only be allowed on the trails provided they are in compliance with Section 166-7, Leashing of Dogs, of the Code of Ordinances and Section 166-12, Defecation of Animals, Removal, of the Code of Ordinances of the City of Crystal Lake.
2. No pets, including dogs and cats, are allowed in the beach/spray park/playground area, picnic grove, including pavilion shelter, or in any watercraft
3. Service animals are allowed throughout the facility.

D. Parking Lot and Facility Entry

1. Parking is only allowed in designated parking lots.
2. Parking is not allowed on the roadways.
3. No recreational vehicles, buses or trailers may be parked in the parking lot; however, buses may drop off patrons at the facility.

- 4. Crystal Lake residents shall receive free parking. Residents must show proof of a valid vehicle sticker or a driver's license (or other picture ID with address) with a Crystal Lake address. If proof of residency cannot be shown, the vehicle must pay the non-resident parking fee.
- 5. Non-Resident Parking Fees shall be established by resolution of the Mayor and City Council.

SECTION II: Suitable signs and markers shall be erected where appropriate.

SECTION III: All provisions of the Code of Ordinances of the City of Crystal Lake not otherwise included in this Section shall apply to persons while on the premises of the Three Oaks Recreation Area.

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

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

DATED at Crystal Lake, Illinois, this ____ day of _____, 2011.

APPROVED:

MAYOR

ATTEST:

CITY CLERK

PASSED: _____

APPROVED: _____

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

**RESOLUTION ESTABLISHING RULES AND
REGULATIONS FOR THE OPERATION OF THE
THREE OAKS RECREATION AREA**

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

SECTION I: Three Oaks Recreation Area General Rules

1. All children under the age of 12 shall be accompanied by a parent or responsible person of at least 16 years of age in order to be admitted to the Three Oaks Recreation Area.
2. When in the facility, all persons under the age of 10 years of age must be accompanied at all times by an adult on the premises of the Three Oaks Recreation Area.
3. Non-Resident Parking Fee shall be \$5.00 per vehicle.

SECTION II: Hours and Season

1. Beach: The beach operation will be conducted from approximately Memorial Day through Labor Day each year. This schedule is contingent upon proper staffing levels. Hours of operation shall be from 10:00 AM – sunset.
2. Marina: The marina shall be open from the second weekend of April through the end of October each year, weather permitting. The hours shall be:
 - Spring Hours (beginning second weekend in April): Sunrise (but not earlier than 6:30 AM) – Sunset
 - Summer Hours (May-August): Sunrise (but not earlier than 5:30 AM) – Sunset
 - Fall Hours (September – October): Sunrise (but not earlier than 6:30 AM) – Sunset
3. Facility and Trails hours of operation shall be from:
 - Spring Hours (April): 6:30 AM – Sunset
 - Summer Hours (May-August): 5:30 AM – Sunset
 - Fall Hours (September – October): 6:30 AM – Sunset
 - Winter Hours (November – March): 9:00 AM - Sunset

Hours may be altered as approved by the Mayor and City Council of the City for special events by special permit.

SECTION III: Pavilion and Site Rental and Reservation Procedures

1. Pavilions may be used by the general public without a permit, but a permit is needed to reserve the exclusive use of the pavilion or picnic area. Reservations for the year will begin January 2nd and pavilion and picnic areas will be reserved on a “first-come, first-serve” basis.
2. The fees for the pavilion/site rental are:

	Resident	Non-Resident
1-50 people	\$50 Deposit \$50 Rental	\$50 Deposit \$100 Rental
51-100 people	\$100 Deposit \$65 Rental	\$100 Deposit \$130 Rental
101 – 150 people	\$150 Deposit \$80 Rental	\$150 Deposit \$160 Rental
151 - 200	\$200 Deposit \$100 Rental	\$200 Deposit \$200 Rental
201 - 250	\$250 Deposit \$150 Rental	\$250 Deposit \$300 Rental

* There is a \$10.00 cancellation fee

** Patrons may rent a picnic area, without the use of the pavilion, for ½ of the pavilion rental fee.

3. Pavilions are available for reservation from 9:00 AM – Sunset.
4. The area reserved must be left in a clean state with picnic tables in their designated area, and garbage placed in the provided receptacles.
5. No sound-amplifying devices are allowed.
6. Picnic tables may not be moved to different locations.
7. No driving shall be permitted on the trails or picnic areas without on-site City supervision and approval.
8. Requests for tents or canopies may be considered by the City following the submittal of a plan showing the proposed use. If approved, the tent or canopy must be installed and removed the day of the event. Locations for tents and canopies shall be determined and approved by the City. In addition, tents or canopies greater than 20’ x 20’ require an inspection by the City’s Fire Rescue Department.
9. No soliciting on the property.
10. No advertising signs on the property.
11. Failure to comply with the rules will result in forfeiture of the maintenance deposit, plus a fine of up to \$500.00, and removal from the premises.
12. Special Event / Group Use Requirements:
 - Any special event (i.e. races, fundraisers, concerts, fairs, weddings) must be approved by the Mayor and City Council and issued by the City Manager or his designated representative. The group must complete an application/permit, show proof of insurance and name the City as additional insured, per the insurance requirements per Section IV of this resolution and sign an appropriate hold harmless/indemnification document.
 - All companies or organizations, regardless of size, must complete an application/permit, show proof of insurance and name the City as additional

insured, per the insurance requirements per Section IV of this resolution, and sign an appropriate hold harmless/indemnification document.

- Requests for dunk tanks, moon walks or other large devices may be considered by the City following the submittal of a plan showing the proposed use. Liability insurance naming the City as additional insured is also required per Section IV of this resolution. Anyone requesting special amenities or play equipment, regardless of the size of the group, must provide the City with a binding Certificate of Insurance naming the City as an Additional Insured.

SECTION IV: Required Insurance Provisions for Use of the Three Oaks Recreation Area for Special Events/Groups.

In the use of the Three Oaks Recreation Area for special events or group functions, the individuals, corporations, or organizations (“user”) that use the property are certifying that they have all insurance coverages and hold harmless provisions required by law or required by the City of Crystal Lake.

SECTION V: Marina Operation

Rental Rates and Rules

Boat rentals will be offered during the Marina Operation hours only, or by special arrangement for Group Facility renters. Boat rentals will be conducted according to the following guidelines and procedures.

- To rent a sailboat, patrons must present a valid sailing card, which can be obtained through a certified and approved organization (i.e. Crystal Lake Park District).
- A driver’s license or other valid ID must be submitted at the time of the watercraft rental and will be held by the marina staff until the equipment is returned.
- Equipment checkout upon rental of equipment: the renter will be required to complete an equipment use form and sign a waiver. All adults are required to sign the form. Individuals 13 – 17 years of age, who are using a paddle boat, canoe or kayak, must have a parent sign for them.
- Marina Guests of Residents: Guests of City residents may be allowed to pay the resident marina rental fee. A maximum of two boats, per resident, per day may be rented for non-residents at the resident rate.

Marina Rental Fees:

<u>Minimum 1 Hour Rentals</u>	<u>1 Hour Fee</u>	<u>1 Hour Fee (NR)</u>	<u>Each Additional ½ Hour</u>	<u>Each Additional ½ Hour (NR)</u>
Canoe	\$6.00	\$10	\$3.00	\$5.00
Kayak (single or tandem)	\$6.00	\$10	\$3.00	\$5.00
Paddleboat	\$6.00	\$10	\$3.00	\$5.00
Sailboat	\$8.00	\$12	\$4.00	\$6.00
<u>Minimum 2 Hour Rentals</u>	<u>2 Hour Fee</u>	<u>2 Hour Fee (NR)</u>	<u>Each Additional Hour</u>	<u>Each Additional Hour (NR)</u>
12’ Row Boat	\$12.00	\$15.00	\$6.00	\$7.00
14’ Row Boat	\$14.00	\$18.00	\$7.00	\$9.00

Trolling Motor	\$10.00	\$10.00	\$5.00	\$5.00
Second Battery	\$10.00	\$10.00	\$5.00	\$5.00
Fish Locator	\$5.00	\$5.00	\$2.00	\$2.00

General Marina Rules

1. Rental Age Requirements:

<i>Age</i>	<i>Row Boats with Trolling Motor</i>	<i>Paddle Boats</i>	<i>Canoes/Kayaks</i>
Under 13, without an adult	Cannot Rent	Cannot Rent	Cannot Rent
13-14, without an adult	Cannot Rent	Rental allowed with the signature of Parent/Guardian who is present on the grounds.	Cannot Rent
14-18, without an adult	Cannot Rent		Rental allowed with the signature of Parent/Guardian who is present on the grounds.

2. All renters must complete the City-issued equipment rental agreement.
3. All renters and passengers on watercraft must wear a USCG approved Personal Flotation Device (PFD).
4. Consuming alcoholic beverages in conjunction with any water-based activity is prohibited. All items taken on the watercraft, such as bags, backpacks, and coolers are subject to inspection. If the patron does not permit an inspection, the patron will not be allowed to rent the watercraft.
5. Docking by canoes and kayaks only is permissible on the marina island. Watercraft cannot dock on any other island, shoreline, or boardwalk.
6. No access is allowed to any island, except for the marina island.
7. Three Oaks Staff reserves the right to deny use of watercraft at any time in their sole discretion.
8. Renters are solely responsible for the safety and security of any personal items brought on the watercraft or left onshore. Three Oaks Staff does not assume the care, control, or custody of any personal belongings left onshore – this includes items left onshore at the request of staff.
9. Three Oaks Staff reserves the right, in their sole discretion, to restrict or refuse access to the lake based on weather, water conditions, or other factors.
10. There is absolutely no swimming from watercraft on the lake. Violators shall be subject to immediate revocation of rental privileges and removal from the premises.
11. Boats should not be adjoined at anytime.

SECTION VI: Watercraft Access

Watercraft shall not be permitted to moor or access the following locations:

1. No watercraft shall be allowed within 100' of the beach swim area.
2. Lake Islands
3. Any shoreline, except the boat docks
4. North Lake Marsh Area
5. Any other areas as designated by City Staff for the welfare and safety of patrons.

SECTION VII: Shoreline Fishing

Fishing shall only be allowed in stone areas that were created as fishing stations. Fishing from non-designated areas is not allowed. Specifically, fishing shall not be allowed from:

1. The island boardwalk, adjacent to the beach area.
2. Any areas designated by staff for the welfare and safety of patrons.

SECTION VIII: Fishing

No person shall remove any fish from any lake at the Three Oaks Recreation Area. All fishing shall be catch and release.

SECTION IX: Beach Rules

1. A parent or responsible person at least 16 years of age, must accompany all swimmers under the age of 12.
2. Swimmers must remain within designated swim areas.
3. All swimmers who are not toilet trained must wear tight rubber or plastic pants or swim diapers.
4. No rock or sand throwing is allowed.
5. Swimmers are not allowed to carry other patrons on their shoulders.
6. Scuba Diving is not allowed anywhere in the beach area.
7. There are no alcoholic beverages allowed on the beach sand area, or swimming under the influence of drugs or alcohol.
8. Beach patrons are required to control the volume level of radios, and otherwise restrict noise that may impact other patrons.
9. Swimmers with special needs or medical conditions (i.e. heart condition, epilepsy, infectious diseases, etc.) are strongly encouraged to notify a lifeguard prior to swimming, so that Staff may better provide special safety considerations.
10. Fires or grills are not allowed on the beach.
11. Glass containers are not allowed on the beach.
12. Patrons will be expected to wear appropriate swimming attire, and are not allowed to swim in clothing or underclothes. Furthermore, patrons must not make any indecent exposure of themselves.
13. Patrons must not litter the beach area.
14. Swimming may be restricted or prohibited under the following conditions: poor water quality, darkness, lightning (a sighting of lightning or presence of thunder will be followed by beach closure for a period of at least 20 minutes), overcrowding, participant behavior, staff shortages and other conditions based on the discretion of lifeguard and management staff.
15. Swimming and wading are only allowed in the areas that are guarded and posted for swimming. Swimming is not permitted from any watercraft, piers or docks. Swimmers must remain in designated swim areas.
16. The use of "water wings" or other non-approved flotation devices are prohibited except in wading areas.
17. There is no diving anywhere in the facility, including off of watercraft.
18. Bicycles shall not be carried, ridden or walked into the beach area.
19. The public may not stand, sit upon, or hang on any employee areas.
20. No fishing shall be allowed in the beach area.

DRAFT

Non-Resident Beach / Playground / Spray Park Fee

<u>Category</u>	<u>Beach Admission Fee</u>
Adults (16 and older)	\$10.00 (\$5.00 after 4 PM)
Seniors (62 and older)	\$6.00 (\$3.00 after 4 PM)
Youth (4-15 years)	\$6.00 (\$3.00 after 4 PM)
Ages 3 and Under	Free

Guests of Residents: \$1.00 daily fee for all guests of City residents (up to 5 guests per family). Any guests above the maximum of 5 per family will be charged \$5.00 each.

SECTION X: Non-Resident Season Pass

Non-residents shall be allowed to purchase a season pass for the facility. The season pass shall include parking and entry to the beach/playground/spray park.

	Rate
Individual	\$150
Family of 2	\$210
Family of 3	\$290
Family of 4	\$370
Each additional family member	\$30

Each pass holder would have a picture ID, with barcode (four years and older).

Requirements for pass shall be as follows:

1. Family passes are valid for all family members, defined as parent(s) and dependents (under 18) living at the same address.
2. A maximum of two adults are allowed on the pass.
3. Excludes non-dependent nephews, nieces, cousins, and aunts, uncles, grandparents, and grandchildren.
4. Children under 3 are free and do not need a pass

SECTION XI: Non-Resident Business Owner / Non-Resident Property Owner Admission

Pending option selected by City Council.

DATED at Crystal Lake, Illinois this ____ day of _____, 2011.

CITY OF CRYSTAL LAKE, an
Illinois municipal corporation,

By: _____
MAYOR

SEAL

DRAFT

ATTEST

CITY CLERK

PASSED: _____

APPROVED: _____



Agenda Item No: 23

**City Council
Agenda Supplement**

Meeting Date:

May 17, 2011

Item:

Intergovernmental Agreement for the Woods Creek Watershed Study with the Village of Algonquin

Staff Recommendation:

Motion to adopt a resolution authorizing the City Manager to execute an agreement between the City of Crystal Lake and the Village of Algonquin for the completion of the Woods Creek watershed study.

Staff Contact:

Erik D. Morimoto, Director of Engineering and Building

Background:

The Woods Creek Watershed, located primarily in southeast McHenry County, is a sub-watershed to the Crystal Creek Watershed that is part of the larger Upper Fox River Basin in northeast Illinois (see attached watershed map). The Woods Creek Watershed drains approximately nine square miles to Crystal Creek. The Village of Algonquin, Village of Lake in the Hills, and the City of Crystal Lake are the predominant watershed jurisdictions. The ecological quality of the Woods Creek Watershed was long thought to be in good condition. However, intense urban sprawl in southeast McHenry County within the past 15 years is beginning to degrade the water quality within the watershed.

Watershed issues are so complex and interrelated that it is essential for stakeholders, including individual landowners, organizations, and governments, to work together to protect and restore the health of the watershed. The development of this study is considered Phase I of the larger goal to create a watershed plan for all of the Crystal Creek Watershed.

Creating a watershed-based plan (watershed study) takes cooperation from all stakeholders – the City of Crystal Lake (City), Village of Algonquin (Algonquin), Village of Lake in the Hills (LITH), and the Crystal Lake Park District (CLPD). In 2010, Algonquin, with support from the City, LITH, and the CLPD, submitted a grant application to the Illinois Environmental Protection Agency (IEPA) requesting funding to complete this Watershed Study. Completion of this study would be the first step for all participants to become eligible for future EPA 319 grant funding on various ecological and drainage projects. Participating in this watershed study does not obligate the stakeholders to initiate these projects.

Last month, the City learned that funding from the IEPA was approved for the completion of this study. The grant does not cover 100 percent of the costs for the study, and the City has agreed to pay their share of the match. The agreed upon match for each entity is as follows:

Organization	Match Amount
City of Crystal Lake	\$4,000.00
Village of Algonquin	\$10,000.00
Lake in the Hills	\$8,000.00
Crystal Lake Park District	\$4,000.00

An intergovernmental agreement (IGA) between Algonquin and the City is necessary for the match portion. The IGA was reviewed by the City Attorney and outlines the following:

- Algonquin shall contract for the work necessary to complete the study as the lead agency
- City agrees to pay Algonquin the sum of \$4,000.00 as contribution to the study; the City agrees pay \$2,000.00 in May of 2012 and \$2,000.00 in May of 2013.

The Engineering and Building Department and Public Works Department will play an active role in the completion of this study, which is anticipated to begin later this summer. Staff contributions would include data collection, review of the draft reports, and other field investigations. Upon completion of the study, the City will have the ability to apply for 319 Grant funding towards ecological and drainage projects within the parts of this watershed that are under the City's jurisdiction.

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 an agreement with the Village of Algonquin for the study of the Woods Creek Watershed.

DATED this seventeenth day of May, 2011.

CITY OF CRYSTAL LAKE, an Illinois
Municipal Corporation

BY: _____
Aaron T. Shepley, Mayor

ATTEST:

Nick Kachiroubas, City Clerk

PASSED: May 17, 2011

APPROVED: May 17, 2011



Agenda Item No: 24

**City Council
Agenda Supplement**

Meeting Date: May 17, 2011

Item: 2011 Thermoplastic Program Funding Authorization

Staff Recommendation: Motion to adopt a resolution authorizing the City's participation in the 2011 Northwest Municipal Conference/IDOT Pavement Marking Joint Purchasing Program, and the expenditure of \$33,000 the purchase of thermoplastic pavement marking through the Northwest Municipal Conference/IDOT 2011 Pavement Marking Joint Purchasing Program.

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

Background:

The Northwest Municipal Conference (NWMC) conducts joint purchasing programs for several different goods and services for its member municipalities. Among those is a joint purchase for thermoplastic lane-marking services. Since many different municipalities participate in this program, the NWMC is able to leverage the large quantities into better unit prices for thermoplastic marking. The Engineering Division has participated in this program for the last several years and it has yielded a significant unit cost savings over when the City bids this program out on its own. This year, 31 municipalities participated in the joint purchase.

Superior Road Striping was this year's low bidder for the program. They have been the low bidder for the previous four years in the NWMC's thermoplastic program. Superior was also the low bidder for the City's own thermoplastic program several times.

According to the City's Purchasing Policy, the City Council must approve any purchases over \$10,000. Since the contract for this service is between the NWMC and the contractor, the authorization to use \$33,000 of Road and Vehicle License Funds for thermoplastic pavement marking services is requested of the Council. Funds have been budgeted for this purpose.

Votes Required to Pass:

Simple majority of City Council present.



DRAFT

The City of Crystal Lake Illinois

RESOLUTION

BE IT RESOLVED that the City is hereby authorized to participate in the 2011 Northwest Municipal Conference/IDOT Pavement Marking Joint Purchasing Program.

BE IT FURTHER RESOLVED that the City is authorized to expend \$33,000 for the purchase of thermoplastic pavement marking through the 2011 Northwest Municipal Conference/IDOT Pavement Marking Joint Purchasing Program.

DATED this seventeenth day of May, 2011.

CITY OF CRYSTAL LAKE, an Illinois Municipal Corporation

BY: _____
AARON T. SHEPLEY, MAYOR

SEAL

ATTEST:

NICK KACHIROUBAS, CITY CLERK

PASSED: May 17, 2011

APPROVED: May 17, 2011



Agenda Item No: 25

**City Council
Agenda Supplement**

Meeting Date: May 17, 2011

Item: Drinking Water Laboratory Services

Staff recommendation: Motion to award the contract for drinking water laboratory services to the lowest responsive and responsible bidder, Prairie Analytical, and adopt a resolution authorizing the City Manager to execute a three-year service agreement with Prairie Analytical Laboratory.

Staff Contact: Victor Ramirez, Director of Public Works

Background:

On May 2, 2011, the City of Crystal Lake publicly opened and read aloud the proposals received for a three-year service agreement with a qualified laboratory to perform all drinking water analytical testing required by the Illinois Environmental Protection Agency.

The IEPA requires all community water suppliers to conduct periodic self-monitoring of drinking water. A certified laboratory must be used to analyze for the presence of microorganisms and chemicals in the finished drinking water. This information must be routinely reported to the Illinois EPA for compliance with maximum contaminants levels and is summarized in the annual Consumer Confidence Report.

The following is a breakdown of the total cost from each laboratory:

Bidder	Three Year Pricing
√ Prairie Analytical Springfield, IL	\$ 39,887.00
Suburban Laboratory Hillside, IL	\$43,099.00
McHenry Analytical Laboratory McHenry, IL	\$ 43,352.00
Underwriters Laboratory South Bend, IN	No Bid

√ Indicates recommended lowest responsive and responsible vendor

Since 2008, McHenry Analytical has performed and reported all IEPA required drinking water laboratory services on behalf of the City of Crystal Lake.

Recommendation:

The Public Works Department has reviewed all bids received for completeness and accuracy in accordance with the invitation to bid document. Prairie Analytical Laboratory has provided laboratory services to the City of Crystal Lake in the past. They have been a very responsive contractor to the City's water and wastewater sampling needs, particularly in regard to IEPA requirements. It is staff's recommendation to award the bid to the lowest responsive, responsible bidder, Prairie Analytical Laboratory, for drinking water laboratory services.

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 three-year Service Agreement between the CITY OF CRYSTAL LAKE and Prairie Analytical Laboratory for the provision of laboratory services for the potable water supply.

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: May 17, 2011

Item: Tree Removal Services

Staff Recommendation: Motion to rescind the bid award for tree removal services with Trees 'R' Us, Inc. and re-award the bid for tree removal services to the next lowest responsive and responsible bidder, Landscape Concepts Management, and adopt a resolution authorizing the City Manager to execute a one-year service agreement with Landscape Concepts Management.

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.

In light of recent expansion of the Illinois Prevailing Wage Act, prior to issuing the request for bids, the City sought confirmation from The Illinois Department of Labor (IDOL) as to whether the Illinois Prevailing Wage Act would apply to this service. The Illinois Department of Labor did provide a written opinion (attached) that indicated that the Illinois Prevailing Wage Act would be applicable for this service. Information regarding this requirement was included in the request for bids.

At the April 5, 2011 City Council meeting, the City Council awarded the bid for tree removal services to Trees 'R' Us. Since that time, Tree 'R' Us has notified the City that it will not execute a contract with the City because they would not comply with the prevailing wage requirements. Their decision to withdraw their bid also results in the forfeiture of their \$1,000 bid bond. The next lowest responsible and responsive bidder, Landscape Concepts Management has indicated that they will honor their bid price while complying with the Prevailing Wage Act.

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.

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)
√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
*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

√ Indicates recommended lowest responsible and responsive bidder

* Bidder rescinded bid because they would not comply with the Illinois Prevailing Wage Act requirements.

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 re-award the one-year Tree Removal Service agreement to the next lowest responsive and responsible bidder, Landscape Concepts Management, Inc. Landscape Concepts has performed landscape work for the City in the past, and has been very responsive and professional in their dealings with the City.

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 award for tree removal services with Tree 'R' Us is hereby rescinded for failure to execute an agreement and that the bid for the landscape care on City properties be re-awarded to the next lowest responsive and responsible bidder, Landscape Concepts Management.

BE IT FURTHER RESOLVED that the City Manager be and he is hereby authorized and directed to execute, and the City Clerk is hereby directed to attest, the one-year contract between the City of Crystal Lake and Landscape Concepts Management for tree removal services.

Dated this 17th day of May 2011.

CITY OF CRYSTAL LAKE, an
Illinois Municipal Corporation

By: _____
Mayor

SEAL

ATTEST:

City Clerk

PASSED: May 17, 2011

APPROVED: May 17, 2011



Agenda Item No: 27

**City Council
Agenda Supplement**

Meeting Date:

May 17, 2011

Item:

Consultant Selection Approval for Residuals Management Lift Station, Force Main Design, and Construction Engineering

Staff Recommendation:

Motion to award the proposal for the lift station and force main engineering design, and construction engineering to the lowest responsive and responsible proposer, Trotter and Associates, Inc, and adopt a resolution authorizing the City Manager to execute an agreement with Trotter and Associates in the amount of \$69,500.00 with a 10% contingency for unforeseen changes to the scope.

Staff Contact:

Victor Ramirez, P.E., Director of Public Works

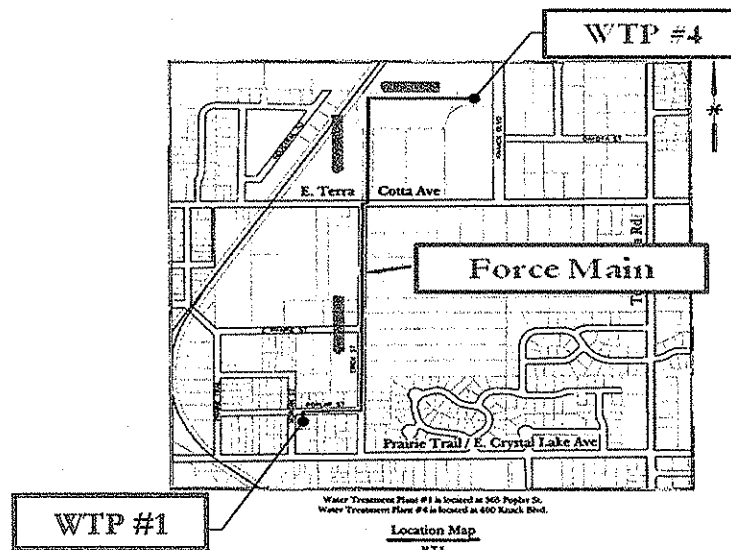
Background:

The Public Works Department is currently operating WWTP #3 under a compliance schedule to meet the discharge standard for Chlorides as required by the City's National Pollution Discharge Elimination System (NPDES) permit. Chlorides pass through WWTP #3 without adequate removal and are very difficult constituents to treat. This pass-through results in a water quality standard violation that could result in whole effluent toxicity, which would adversely affect macro-organisms within the receiving stream. We have identified the main sources of Chlorides as being generated in the backwash of our water treatment softening facilities at Water Treatment Plants #1 and #4. Residuals in the backwash from these facilities have a very significant impact on WWTP #3 since they comprise nearly one-half of the daily flows to the facility. The proposed project is the final phase to a residuals management plan that will allow us to achieve compliance with our NPDES permit in the most cost-effective and responsible manner possible.

Through working with suppliers, evaluating best available technologies, and by taking a comprehensive view of the situation, a viable plan was developed that included the replacement of the failing water softening process at WTP#1 with highly efficient, low salt-using/chloride-producing ion exchange technology, the removal of barium via selective ion exchange, and the recovery and reuse of unused salt from the softening process. In addition, modification will be

made to the softening system at WTP#4 to utilize an efficient process that will reduce salt usage and reduce the chlorides discharge. The City employed Trotter & Associates, Inc. in late 2009 to validate the City's approach, design the systems and oversee construction at the water treatment plants. Construction is currently underway at these facilities, with operations scheduled to resume at WTP#1 in June and at WTP#4 by August. Additional benefits of this approach are the cost savings from salt usage being reduced at these two facilities, and reduced backwash wastewaters, resulting in more treated water being pumped to the distribution system.

Since these two modifications alone will not bring the City into complete compliance on a mass balance basis, the diversion of flows within the wastewater collection system is required. To accomplish this, the City is proposing the construction of a lift station at WWTP#3 and force main to a connection point near WTP#1. From there, the discharge water will flow through a previously abandoned sewer that has been reinstated. The diversion of flow will transfer the backwash to WWTP#2, resulting in enough dilution to bring us below the discharge limit. A diagram of the proposed project is below.



Consultant Selection Process

The Public Works Department followed the City's Purchasing Policy to secure a highly qualified engineering firm to address this project. Through this process, staff received eight proposals and ranked the firms based solely on their qualifications. The criteria that was considered during the review was:

1. Firms experience, qualifications, expertise on this type of project
2. Similar project experience
3. Project design and management team, including experience with similar projects
4. Firm's recent residuals management projects, comparable project and design and construction approach.
5. Responsiveness to the request for proposals

Of the proposals received, the Public Works Department ranked the following as the three most qualified firms:

Firm	Selection Team Rank	Price
Trotter & Associates, Inc. St. Charles, IL	#1	\$ 69,500.00
Baxter & Woodman Crystal Lake, IL	#2	\$ 84,200.00
Rezek, Henry, Meisenheimer & Gende Mundelein, IL	#3	\$ 79,365.00

Over the last year, the review team has been impressed with Trotter's responsiveness, proficiency and professionalism in dealing with the residuals management projects to date, as well as the TCE remediation project at WTP#4. Their firm's proposal reflected a thorough understanding of the project and the City's expectations of them through final completion.

In accordance with the City's purchasing policy, the selection team entered the next step and began negotiations with Trotter and Associates, Inc. to agree on a fair and reasonable compensation fee, based on the estimated value of the project, and the complexity, scope and nature of the services needed. As a result of those negotiations, a total contract price of \$69,500 was reached. This was well within the anticipated cost range for these services, where total engineering services had been estimated to be within 8% of the estimated project cost of \$1,000,000.

Finally, the negotiated cost was compared to the cost proposals received from the other qualified firms and was determined to be competitive. The table below illustrates the rank and price of all proposals received:

Firm	Selection Team Rank	Price
Trotter & Associates, Inc. St. Charles, IL	#1	\$ 69,500.00
Baxter & Woodman Crystal Lake, IL	#2	\$ 84,200.00
Rezek, Henry, Meisenheimer & Gende Mundelein, IL	#3	\$ 79,365.00
Strand Associates, Inc. Madison, WI	#4	\$ 84,200.00
Christopher B. Burke Engineering Rosemont, IL	#5	\$ 69,800.00
HR Green McHenry, IL	#6	\$ 82,000.00
Manhard Consulting Vernon Hills, IL	#7	\$ 108,860.00

*Municipal Design & Engineering Services Rockford, IL	#8	\$ 63,580.00
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*Municipal Design & Engineering Services' proposal did not illustrate a thorough understanding of the project, nor did it convey a high level of confidence in their firm's ability to perform the work as specified. The vast majority of their previous work experience is in transportation engineering, and they conveyed a limited background in water/wastewater engineering. For these reasons, they were ranked last by the selection panel and not considered for this project.

Recommendation:

Based on the proposals received and the experience and qualifications noted, it is the recommendation of the Public Works Department to award the contract for engineering services for the Wastewater Treatment Plant #3 Installation of a Lift Station and Force Main project to Trotter and Associates, Inc.

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 contract with Trotter and Associates, Inc. for the lift station and force main engineering design, and construction engineering in the amount of \$69,500.00 with a 10% contingency for unforeseen changes to the scope.

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:

May 17, 2011

Item:

Emergency Operations Center Technology Grant Award

Staff Recommendation:

Motion adopting a resolution to accept the Illinois Law Enforcement Alarm System, FY 2010 Emergency Operations Center Technology Grant award and authorize the City Manager to execute the grant agreement between the Illinois Law Enforcement Alarm System and the City.

Staff Contact:

Paul DeRaedt, Deputy Fire Chief

Background:

In February 2011, the Fire Rescue Department made application to the Illinois Law Enforcement Alarm System (ILEAS) for the FY 2010 Emergency Operations Center Technology Grant. The grant money is provided by the Department of Homeland Security (DHS), State Homeland Security Program (SHSP), and Illinois Emergency Management Agency (IEMA) and is administered by the Illinois Terrorism Task Force (ITTF) Emergency Management Committee.

The purpose of the grant is to expand the capabilities of current emergency operations centers throughout the State of Illinois. In March 2011, the Fire Rescue Department received notice from ILEAS that a grant award in the amount of \$18,832.50 was being awarded to the City for enhancements to the City's Emergency Operations Center (EOC). Specifically, the grant will be used to improve multi-media capabilities within the EOC so that tracking of weather and road conditions or other media forms can be viewed by all personnel operating in the EOC.

Recommendation:

In order to receive the monies awarded to the City through the grant, a resolution by the City Council to accept the grant award is needed and a grant agreement must be executed.

The City Manager's Office, Director of Finance, City Attorney and Fire Rescue Department staff have reviewed the grant agreement and recommend to the City Council that the grant agreement be executed.

Votes Required to Pass:

Simple majority vote of the City Council



DRAFT

RESOLUTION

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE that the City Manager be and he is hereby authorized and directed to execute a Grant Agreement with the Illinois Law Enforcement Alarm System for the Fiscal Year 2010 Emergency Operations Center Technology Grant award.

DATED this 17th day of May, 2011

CITY OF CRYSTAL LAKE, an
Illinois municipal corporation,

By: _____
MAYOR

SEAL

ATTEST

CITY CLERK

PASSED: May 17, 2011
APPROVED: May 17, 2011



Agenda Item No: 29

City Council Agenda Supplement

<u>Meeting Date:</u>	May 17, 2011
<u>Item:</u>	Allocation of MFT funds for various projects.
<u>Staff Recommendation:</u>	Motion to approve resolutions authorizing allocation of MFT funds for various projects.
<u>Staff Contact:</u>	Erik D. Morimoto, Director of Engineering and Building

Background:

The Illinois Department of Transportation (IDOT) periodically audits local agencies' Motor Fuel Tax (MFT) activities to ensure that local agencies are spending the funds appropriately and are properly documenting their spending. In 2010, IDOT conducted an audit of the City of Crystal Lake. IDOT should be conducting an MFT audit annually. Due to the large number of local agencies in IDOT District 1, the City's MFT audits, and feedback on their documentation requirements, are infrequent. For instance, the last audit before-2010 was conducted in 2004, and results of that audit were not returned to the City until last year.

On April 18, 2011, the City was given the results from the 2010 audit. The State's review revealed the need for additional documentation for several MFT general maintenance sections between 2000 and 2008. Among the documentation requested were City Council resolutions that authorized MFT expenditures. Below is a list that summarizes the missing resolutions.

<i>Project Description</i>	<i>Section Number</i>	<i>Amount</i>
2000 General Maintenance	00-00000-00-GM	\$34,507.11
2004 General Maintenance	04-00000-00-GM	\$88,947.39
2005 General Maintenance	05-00000-00-GM	\$135,128.07
2006 General Maintenance	06-00000-00-GM	\$139,850.03
2007 General Maintenance	07-00000-00-GM	\$80,862.99

During this time, the City typically used general maintenance MFT funds to maintain and repair the City's traffic signals and streetlights. In addition, the City started using MFT funds for road salt purchases in 2004.

The City has already spent the MFT funds for these projects. These resolutions are simply housekeeping to account for the authorization of MFT funds and provide IDOT with the required documentation for these projects. By passing these resolutions, the City will come into compliance with the MFT documentation requirements for these projects. The City will not be spending any additional MFT funds for any of these projects. Staff has researched the City's records to reconcile the information requested. Staff is in agreement with the requested documentation and has taken steps to ensure that future MFT expenditures will be documented to the latest IDOT requirements.

Votes Required to Pass:

Simple majority of City Council present.



BE IT RESOLVED, by the Mayor and City Council of the City of Crystal Lake, Illinois, that there is hereby appropriated the sum of \$34,507.11 of Motor Fuel Tax funds for the purpose of maintaining streets and highways under the applicable provisions of the Illinois Highway Code from January 1, 2000 to December 31, 2000

BE IT FURTHER RESOLVED, that only those streets, highways, and operations as listed and described on the approved Municipal Estimate of Maintenance Costs, including supplemental or revised estimates approved in connection with this resolution, are eligible for maintenance with Motor Fuel Tax funds during the period as specified above.

BE IT FURTHER RESOLVED, that the Clerk shall, as soon as practicable after the close of the period as given above, submit to the Department of Transportation, on forms furnished by said Department, a certified statement showing expenditures from and balances remaining in the account(s) for this period; and

BE IT FURTHER RESOLVED, that the Clerk shall immediately transmit two certified copies of this resolution to the district office of the Department of Transportation, at Schaumburg, Illinois.

I, Nick Kachiroubas Clerk in and for the City of Crystal Lake, County of McHenry

hereby certify the foregoing to be a true, perfect and complete copy of a resolution adopted by the Mayor and City Council at a meeting on May 17, 2011

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal this 17th day of May, 2011

(SEAL)

City Clerk

Approved
Date
Department of Transportation
Regional Engineer



BE IT RESOLVED, by the Mayor and City Council of the City of Crystal Lake, Illinois, that there is hereby appropriated the sum of \$88,947.39 of Motor Fuel Tax funds for the purpose of maintaining streets and highways under the applicable provisions of the Illinois Highway Code from January 1, 2004 to December 31, 2004

BE IT FURTHER RESOLVED, that only those streets, highways, and operations as listed and described on the approved Municipal Estimate of Maintenance Costs, including supplemental or revised estimates approved in connection with this resolution, are eligible for maintenance with Motor Fuel Tax funds during the period as specified above.

BE IT FURTHER RESOLVED, that the Clerk shall, as soon as practicable after the close of the period as given above, submit to the Department of Transportation, on forms furnished by said Department, a certified statement showing expenditures from and balances remaining in the account(s) for this period; and

BE IT FURTHER RESOLVED, that the Clerk shall immediately transmit two certified copies of this resolution to the district office of the Department of Transportation, at Schaumburg, Illinois.

I, Nick Kachiroubas Clerk in and for the City of Crystal Lake, County of McHenry hereby certify the foregoing to be a true, perfect and complete copy of a resolution adopted by the Mayor and City Council at a meeting on May 17, 2011

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal this 17th day of May, 2011

(SEAL)

City Clerk

Approved

Date
Department of Transportation

Regional Engineer



BE IT RESOLVED, by the Mayor and City Council of the City of Crystal Lake, Illinois, that there is hereby appropriated the sum of \$135,128.07 of Motor Fuel Tax funds for the purpose of maintaining streets and highways under the applicable provisions of the Illinois Highway Code from January 1, 2005 to December 31, 2005

BE IT FURTHER RESOLVED, that only those streets, highways, and operations as listed and described on the approved Municipal Estimate of Maintenance Costs, including supplemental or revised estimates approved in connection with this resolution, are eligible for maintenance with Motor Fuel Tax funds during the period as specified above.

BE IT FURTHER RESOLVED, that the Clerk shall, as soon as practicable after the close of the period as given above, submit to the Department of Transportation, on forms furnished by said Department, a certified statement showing expenditures from and balances remaining in the account(s) for this period; and

BE IT FURTHER RESOLVED, that the Clerk shall immediately transmit two certified copies of this resolution to the district office of the Department of Transportation, at Schaumburg, Illinois.

I, Nick Kachiroubas, Clerk in and for the City of Crystal Lake, County of McHenry

hereby certify the foregoing to be a true, perfect and complete copy of a resolution adopted by the Mayor and City Council at a meeting on May 17, 2011

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal this 17th day of May, 2011

(SEAL)

City Clerk (City, Town or Village)

Approved Date Department of Transportation Regional Engineer



BE IT RESOLVED, by the Mayor and City Council of the City of Crystal Lake, Illinois, that there is hereby appropriated the sum of \$139,850.03 of Motor Fuel Tax funds for the purpose of maintaining streets and highways under the applicable provisions of the Illinois Highway Code from January 1, 2006 to December 31, 2006

BE IT FURTHER RESOLVED, that only those streets, highways, and operations as listed and described on the approved Municipal Estimate of Maintenance Costs, including supplemental or revised estimates approved in connection with this resolution, are eligible for maintenance with Motor Fuel Tax funds during the period as specified above.

BE IT FURTHER RESOLVED, that the Clerk shall, as soon as practicable after the close of the period as given above, submit to the Department of Transportation, on forms furnished by said Department, a certified statement showing expenditures from and balances remaining in the account(s) for this period; and

BE IT FURTHER RESOLVED, that the Clerk shall immediately transmit two certified copies of this resolution to the district office of the Department of Transportation, at Schaumburg, Illinois.

I, Nick Kachiroubas Clerk in and for the City of Crystal Lake, County of McHenry

hereby certify the foregoing to be a true, perfect and complete copy of a resolution adopted by the Mayor and City Council at a meeting on May 17, 2011

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal this 17th day of May, 2011

(SEAL)

City Clerk (City, Town or Village)

Approved Date Department of Transportation Regional Engineer



BE IT RESOLVED, by the Mayor and City Council of the City of Crystal Lake, Illinois, that there is hereby appropriated the sum of \$80,862.99 of Motor Fuel Tax funds for the purpose of maintaining streets and highways under the applicable provisions of the Illinois Highway Code from January 1, 2007 to December 31, 2007

BE IT FURTHER RESOLVED, that only those streets, highways, and operations as listed and described on the approved Municipal Estimate of Maintenance Costs, including supplemental or revised estimates approved in connection with this resolution, are eligible for maintenance with Motor Fuel Tax funds during the period as specified above.

BE IT FURTHER RESOLVED, that the Clerk shall, as soon as practicable after the close of the period as given above, submit to the Department of Transportation, on forms furnished by said Department, a certified statement showing expenditures from and balances remaining in the account(s) for this period; and

BE IT FURTHER RESOLVED, that the Clerk shall immediately transmit two certified copies of this resolution to the district office of the Department of Transportation, at Schaumburg, Illinois.

I, Nick Kachiroubas Clerk in and for the City of Crystal Lake, County of McHenry

hereby certify the foregoing to be a true, perfect and complete copy of a resolution adopted by the Mayor and City Council at a meeting on May 17, 2011

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal this 17th day of May, 2011

(SEAL)

City Clerk

Approved
Date
Department of Transportation
Regional Engineer



Agenda Item No: 30

**City Council
Agenda Supplement**

Meeting Date:

May 17, 2011

Item:

Electronic Message Center Signs

Recommendation:

Motion to approve the resolution referring the proposed text amendment to the PZC for a public hearing.

Contact:

Michelle Rentzsch, Director of Planning & Economic Development
Rick Paulson, Building Commissioner

Background: Prior to 2007, the Crystal Lake Sign Ordinance prohibited electronic message center signs (EMCs) with the exception of time and temperature signs. Thereafter, from June 2007 to July 2009, until the adoption of the Unified Development Ordinance, EMCs were permitted subject to certain restrictions. Seven EMCs were requested during this 2-year period (two being gas station pricing signs, one freestanding EMC on Route 176 was denied). Following the adoption of the Unified Development Ordinance (UDO), EMCs are a prohibited sign type. City Council has reviewed variation requests for four EMC signs (one being a gas station pricing sign), all of which have been approved.

Given the pervasive nature of EMC signs, there was discussion at a recent City Council meeting directing staff to present for Council's review, a definitive, long-term plan for EMC signage.

Recommendation

It is recommended that EMCs be permitted as a Special Use in certain districts, thereby requiring special review from the City. This will provide the City with the flexibility to determine if a specific use (electronic message center) at a certain location will be compatible with the neighborhood. At this time, any request for an EMC requires approval of a variation. Variations are appropriate to be granted only where difficulties or hardships caused by special or extraordinary circumstances occur on the property. These circumstances do not include economic hardship; rather, they refer to topographic or physical attributes of the site that do not allow for the development standards of the zoning district to be applied. As such, it would be difficult to prove hardship necessitating the installation of an EMC when a freestanding sign meeting the Ordinance requirement is permitted by right.

It should be noted that the cost of requesting a Special Use Permit (\$355) is higher than requesting a sign variation (\$100) unless the Council specifically reduces the application fees for an SUP for an EMC sign. Additionally, because SUPs require review and recommendation from the Planning and Zoning Commission, there is an added cost in time and money.

If the Council's direction is to allow EMCs as Special Uses, the following changes to the UDO are recommended:

Article 2, Land Use

Electronic Message Center (EMC) Signs must comply with the following criteria:

a. Number Permitted: One EMC Sign may be incorporated into any freestanding business sign on a property, provided that such freestanding sign would otherwise be permitted within the underlying Zoning District and subject to the following restrictions:

(i) Minimum Width: The zoning lot upon which an EMC may be permitted must have a minimum of two hundred (200) contiguous lineal feet of frontage that must be located on Northwest Highway (Virginia Street) or Route 31.

(ii) Minimum Area: The zoning lot upon which an EMC may be permitted must have a minimum of two (2) acres of total lot area.

[An alternative to provisions (i) and (ii) above can be a requirement that a minimum distance of 500 feet must be maintained between EMC signs and the requirement that the EMC sign be located (approximately) in the center of the property]

(iii) Maximum Gross Surface Area: The maximum gross surface area of the EMC portion of any sign shall not exceed thirty-two (32) square feet or 40% of the sign's total area, whichever is smaller. The EMC portion must occupy the bottom half of the sign. The maximum gross area of any sign within which an EMC sign is incorporated shall comply with the requirements for maximum gross surface area allowed for the sign and shall include the surface area of the EMC.

(iv) Maximum Height: The EMC sign, including any sign in which the EMC is incorporated, shall comply with the maximum height permitted for the sign based on the requirements of this section.

(v) Minimum Design Standards: The EMC sign shall meet all the following design conditions:

A. The EMC must be equipped with both a programmed dimming sequence as well as an additional overriding mechanical photocell that adjusts the brightness of the display to the ambient light at all times of day. Such programming and mechanical equipment shall be set so that the EMC, at night or in overcast conditions, will be no more than 40% of the daytime brightness level.

B. If adjacent to or across the roadway from residential, the EMC must be extinguished from 11:00 p.m. until 7:00 a.m. This restriction shall apply regardless of the location of the EMC on the property.

C. The message area of an EMC may be illuminated by white or amber incandescent lamps, LED (light-emitting diode) or magnetic discs.

D. The EMC unit must have the "flash" feature disabled and messages shall have a 5-minute "hold" time except for time and temperature messaging, which may have a shorter duration, but no less than 1 minute.

E. The messages displayed on the EMC may only transition from one message to another by either fading or dissolving to black with another message appearing immediately thereafter, without movement or other transition effects between messages.

- F. Except as otherwise provided herein, all messages displayed on the EMC must be static and may not reflect movement, flashing, scrolling or changes in shape or size. Streaming and/or live-time video may not be displayed and this function of the EMC must be disabled.
 - G. The EMC must be equipped to override commercial messages for emergency situations such as an "Amber Alert" or other such acute public emergencies, but such "override" authority for public emergencies shall not exceed 48 total hours within any two-week period. The owner of the EMC is requested to cooperate with the City of Crystal Lake in order to allow the City to exercise its override authority.
 - H. The EMC sign must be set in a manner that the display will turn dark in case of a malfunction.
- (vi) A freestanding sign may have not more than two (2) sign faces. Freestanding signs with more than one sign face must be designed to have the sign faces attached back to back to the support structure. No V-shape freestanding EMC signs shall be permitted within the City of Crystal Lake.
 - (vii) The EMC shall otherwise comply with all other provisions of Article 4-1000 of the Crystal Lake Unified Development Ordinance ("Signs"), including, but not limited to, the prohibition against Off-Premise Signs.

Article 10 Definitions

Electronic Message Center Sign - A sign with a fixed or changing message composed of a series of lights that may be changed through electronic means. Signs whose alphabetic, pictographic, or symbolic informational content can be changed or altered on a fixed display screen composed of electrically illuminated segments.

Article 9 -200K Fees

A fee for a Special Use Permit, Electronic Message Centers be established at \$100.

The following resolution would refer this proposed text amendment to the UDO to the Planning & Zoning Commission for a public hearing and their recommendation.

Votes Required to Pass: A simple majority vote.

DRAFT

RESOLUTION

WHEREAS, the Mayor and City Council of the City of Crystal Lake have determined that the Planning and Zoning Commission consider an amendment to the Unified Development Ordinance, regarding Article 4-1000 Signs, Article 9-200K Fees, Article 10 Definitions to permit Electronic Message Centers via a Special Use Permit approval.

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

SECTION I: That the Mayor and City Council request the Planning and Zoning Commission, pursuant to Article 9-100 of the Crystal Lake Unified Development Ordinance, to conduct a hearing to consider the abovementioned text amendment to the Unified Development Ordinance.

SECTION II: That the Mayor and City Council request the Planning and Zoning Commission to make those recommendations with regard to this matter within the time established by the Unified Development Ordinance to the Mayor and City Council.

SECTION III: That the City Clerk is directed to file a copy of this Resolution to the Chair of the Planning and Zoning Commission for appropriate consideration and hearing.

Dated at Crystal Lake, Illinois, this 17th day of May 2011.

CITY OF CRYSTAL LAKE, an
Illinois municipal corporation,

By: _____

MAYOR

DRAFT

SEAL

ATTEST

[Faint signature]

CITY CLERK

PASSED: _____

APPROVED: _____

[Faint signature]



Agenda Item No: 34

**City Council
Agenda Supplement**

Meeting Date:

May 17, 2011

Item:

Ad Hoc Clean Air Counts Advisory Committee

Staff Recommendation:

Council discretion:

- 1) Motion to approve the nominations of Dave Modrzejewski and Todd Bright to the Ad Hoc Clean Air Counts Advisory Committee.

Staff Contact:

Brad Mitchell, Assistant to the City Manager

Background:

In September 2007, the City Council formed an Ad Hoc Clean Air Counts Advisory Committee ("Committee"). The purpose of the Committee is to assist the City in meeting the goals of the Clean Air Counts Campaign, which the City became a member of in August 2007. Attached is a list of the current Committee members.

In August 2009, the Mayor and City Council approved a resolution increasing the Committee from seven (7) members to nine (9) members. The Committee would benefit from the input and participation of two additional members as the Committee moves forward to satisfy the goals and achieve Silver and Gold levels of the Clean Air Counts Program. At the April 4, 2011, Committee meeting, the Committee voted unanimously to recommend the nominations of Crystal Lake residents Dave Modrzejewski and Todd Bright to the Committee. Attached for your review are applications submitted by Mr. Modrzejewski and Mr. Bright to serve on the Committee.

Votes Required to Pass:

Simple majority of City Council present