



**Agenda Item No. 4a**

**City Council  
Agenda Supplement**

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**Meeting Date:**

June 7, 2011

**Item:**

Proclamation – Crystal Lake Public Library “Reader’s Quest” Summer Reading Program

**Staff Contact:**

Anne O’Kelley, Executive Assistant

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**Background:**

The Crystal Lake Public Library has requested that Mayor Shepley issue the attached proclamation in support of their “Reader’s Quest” 2011 Summer Reading Program. Representatives of the Library will be present at the meeting to accept the proclamation.



## MAYORAL PROCLAMATION

**WHEREAS**, the Crystal Lake Public Library is dedicated to helping each citizen of Crystal Lake pursue a quest to learn, enjoy and explore; and

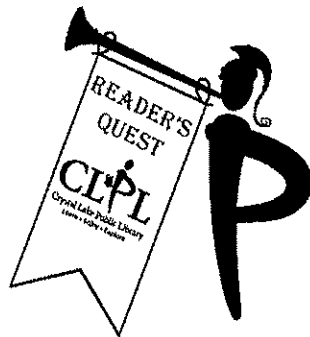
**WHEREAS**, the Crystal Lake Public Library is providing its annual Summer Reading Program for Crystal Lake residents of all ages; and

**WHEREAS**, studies show that reading reduces stress, increases analytical thinking, develops verbal ability, and improves memory and writing skills; and

**WHEREAS**, reading continues to be a critical life skill in our print and digital world; and

**WHEREAS**, this year's Crystal Lake Public Library Summer Reading Program, "Reader's Quest", runs June 13, 2011 – August 6, 2011, and is an adventure that gives residents the opportunity to better their lives by reading as well as the thrill of winning terrific prizes donated by local businesses.

**NOW, THEREFORE**, I, Aaron T. Shepley, Mayor of the City of Crystal Lake, do hereby encourage all citizens of Crystal Lake to begin their **READER'S QUEST** and visit the Crystal Lake Public Library during the Summer of 2011.



**IN WITNESS WHEREOF**, I have set my hand and caused the seal of the City of Crystal Lake to be affixed this seventh day of June, 2011.

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Aaron T. Shepley, Mayor



**Agenda Item No. 4b**

**City Council  
Agenda Supplement**

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**Meeting Date:**

June 7, 2011

**Item:**

Proclamation – 236<sup>th</sup> Birthday of the United States Army

**Staff Contact:**

Anne O'Kelley, Executive Assistant

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**Background:**

The Department of the Army has requested that Mayor Shepley issue the attached proclamation recognizing June 14<sup>th</sup> as the Army's 236<sup>th</sup> birthday and proclaiming June 13, 2011 through June 18, 2011 as United States Army Week in Crystal Lake. A representative of the Department of the Army will be present at the meeting to accept the proclamation.



## MAYORAL PROCLAMATION

**WHEREAS**, the United States Army is celebrating its 236<sup>th</sup> birthday on June 14, 2011. On this day, the United States Army will recognize with great pride the thousands of young Americans who have answered, and will continue to answer, the call to service. Those young men and women have shown a profound sense of duty, selfless service and respect through acts of great honor, integrity and personal courage; and

**WHEREAS**, the All-Volunteer Army is a uniquely American phenomenon that began as an experiment at the height of the Cold War, and the quality and success of the volunteer force remains unprecedented; and

**WHEREAS**, today, the United States Army is recognized as the premier army in the world, with America's volunteer soldiers serving in 120 countries; and

**WHEREAS**, American soldiers are voluntarily foregoing comfort and wealth, facing hardship and sacrifice, and confronting danger in defense of the Nation, and the United States Army is and will remain a testament to the success of Army recruiters in attracting the Nation's best and brightest to volunteer.

**NOW, THEREFORE**, I, Aaron T. Shepley, Mayor of the City of Crystal Lake, do hereby designate June 14, 2011 as the United States Army's 236<sup>th</sup> birthday and declare the period from June 13, 2011 through June 18, 2011 as United States Army Week in Crystal Lake, IL. and urge all citizens to join me in this salute as we express our gratitude to those who have served and those who are now serving to protect our nation and its freedoms.

**IN WITNESS WHEREOF**, I have set my hand and caused the seal of the City of Crystal Lake to be affixed this seventh day of June, 2011.

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Aaron T. Shepley, Mayor



**Agenda Item No: 10**

**City Council  
Agenda Supplement**

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**Meeting Date:** June 7, 2011

**Item:** Prevailing Wage Resolution

**Staff Recommendation:** Motion to adopt the June 2011 Prevailing Wage Resolution.

**Staff Contact:** Ann Everhart, Director of Human Resources

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**Background:**

Each year during the month of June, the City must obtain a copy of the prevailing wages from the Illinois Department of Labor and adopt a resolution requiring that the prevailing rates be paid. Attached is a copy of the Resolution, and the McHenry County Prevailing Wages for June 2011.

**Votes Required to Pass:**

Simple majority vote of the City Council.



**The City of Crystal Lake Illinois**

**A RESOLUTION ASCERTAINING THE PREVAILING RATE OF WAGES FOR LABORERS, MECHANICS, AND OTHER WORKERS ENGAGED IN THE CONSTRUCTION OF PUBLIC WORKS UNDER THE JURISDICTION OF THE CITY OF CRYSTAL LAKE.**

WHEREAS, the State of Illinois has enacted "An ACT regulating wages of laborers, mechanics and other workers employed in any public works by the State, County, City or any public body or any political subdivision or by anyone under contract for public works." Approved June 26, 1941, codified as amended, 820 ILCS 130/1. (1993), formerly Ill. Rev. Stat., Ch. 48, par. 39s-1 et seq.; and

WHEREAS, the aforesaid ACT requires that the CITY OF CRYSTAL LAKE, McHenry County, investigate and ascertain the prevailing rate of wages as defined in said Act for laborers, mechanics and other workers in the locality of McHenry County employed in performing the construction of public works for said CITY OF CRYSTAL LAKE.

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

SECTION 1: To the extent and as required by "An ACT regulating wages of laborers, mechanics and other workers employed in any public works by the State, County, City or any public works," approved June 26, 1941, as amended, the general prevailing rate of wages in this locality for laborers, mechanics and other workers engaged in the construction of public works coming under the jurisdiction of the CITY OF CRYSTAL LAKE is hereby ascertained to be the same as the prevailing rate of wages for construction work in the McHenry County area as determined by the Department of Labor of the State of Illinois as of June 2011, a copy of that determination being attached hereto and incorporated herein by reference. As required by said ACT, any and all revisions of the prevailing rate of wages by the Department of Labor of the State of Illinois shall supersede the Department's June determination and apply to any and all public works construction undertaken by the CITY OF CRYSTAL LAKE. The definition of any terms appearing in this Resolution which are also used in the aforesaid ACT shall be the same as in said ACT.

SECTION 2: Nothing herein contained shall be construed to apply said general prevailing rate of wages as herein ascertained to any work or employment except public works construction of the CITY OF CRYSTAL LAKE to the extent required by the aforesaid ACT.

# DRAFT

SECTION 3: The CITY OF CRYSTAL LAKE City Clerk shall publicly post or keep available for inspection by any interested party in the main office of the CITY OF CRYSTAL LAKE this determination or any revisions of such prevailing rate of wage. A copy of this determination or of the current revised determination of prevailing rate of wages then in effect shall be attached to all contract specifications.

SECTION 4: The CITY OF CRYSTAL LAKE City Clerk shall mail a copy of this determination to any employer, and to any association of employers and to any person or association of employees who have filed their names and addresses, requesting copies of any determination stating the particular rates and the particular class of workers whose wages will be affected by such rates.

SECTION 5: The CITY OF CRYSTAL LAKE City Clerk shall promptly file a certified copy of this Resolution with both the Secretary of State Index Division and the Department of Labor of the State of Illinois.

SECTION 6: The CITY OF CRYSTAL LAKE City Clerk shall cause to be published in a newspaper of general circulation within the area a copy of this Resolution, and such publication shall constitute notice that the determination is effective and that this is the determination of this public body.

PASSED this 7th day of June 2011.

APPROVED:

\_\_\_\_\_  
MAYOR

(SEAL)

ATTEST:

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

PASSED:

APPROVED:



**Agenda Item No: 11**

**City Council  
Agenda Supplement**

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**Meeting Date:** June 7, 2011

**Item:** Lakeside Legacy Foundation Festival License, Class 19 Temporary Liquor License, and Run and Roll for the Dole.

**Council Discretion:** Motion to approve issuance of the Lakeside Legacy Foundation Festival License, Class "19" Temporary Liquor License, and Run and Roll for the Dole with the conditions contained in this agenda supplement.

**Staff Contact:** Dave Linder, Chief of Police  
Brad Mitchell, Assistant to the City Manager

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**Background:**

The Lakeside Legacy Foundation has applied for a Festival License to conduct the Fall Festival on the grounds of the Dole Mansion/Lakeside Legacy. The Lakeside Legacy Fall Festival is scheduled for Friday, October 14, 2011 from 4:00 p.m. to 11:00 p.m.; Saturday, October 15, 2011 from 12:01 p.m. to 11:00 p.m. and Sunday, October 16, 2011 from 10:00 a.m. to 6:00 p.m. The Lakeside Legacy Foundation has also submitted applications for a Class 19 Temporary Liquor License as part of the Festival License Application.

City staff has reviewed the festival applications and would offer the following conditions for approval:

- Compliance with all City Code regulations pertaining to the request.
- Wristbands for the Beer Garden will be issued and enforced.
- Proof of Insurance for liquor sales.
- Trash must be picked up on a daily basis.
- There must be sufficient lighting around the portable toilet area.
- Any lighting should be placed so as not to disturb the neighbors.
- Separate permits will be required from the Building Division for any temporary signage.
- The event sites are subject to a life safety inspection by the Building Division, Fire Rescue Department, and Police Department prior to the start of the festival.
- The petitioner shall work with the City regarding parking for the festival. In addition to on-site parking for the event, the petitioner has requested from the Park District the use of



the "Triangle" and the Main Beach lot for parking. Also, the petitioner has requested the use of District 47's South Elementary and Lundahl parking lots for parking.

- Exempt from Noise Ordinance.
- The Police and Fire Rescue Departments must be included in any meetings regarding public safety issues.
- Uniformed City of Crystal Lake Police Officers will be on the grounds during all hours of the festival operation in the following numbers.

Friday, October 14<sup>th</sup>:                    4:00 p.m. to 11:00 p.m. – 8 uniformed City of Crystal Lake Police Officers.

Saturday, October 15<sup>th</sup>:                12:01 p.m. to 5:00 p.m. – 6 uniformed City of Crystal Lake Police Officers.

5:00 p.m. to 11:00 p.m. – 8 uniformed City of Crystal Lake Police Officers.

Sunday, October 16<sup>th</sup>:                10:00 a.m. to 6:00 p.m. – 6 uniformed City of Crystal Lake Police Officers.

- Signage shall be provided indicating that alcoholic beverages may not be taken into or out of the festival location.
- The Lakeside Legacy Foundation has requested that the City of Crystal Lake provide police services at no charge for the event.

City staff met with representatives from Lakeside Legacy in order to review plans. The City's Police and Fire Rescue Departments have reviewed and approved the request.

In addition, the Lakeside Legacy Foundation is requesting approval to conduct the Run and Roll for the Dole Duathlon to be held on Sunday, October 16, 2011. The race will begin at 8:00 a.m. and finish at approximately 10:30 a.m. The race will consist of a 2-mile run, 20K (12.6 mile) bike course, and another 2-mile run. The 2-mile running course will take place on Crystal Lake roads. A majority of the 20K bike ride will take place throughout the Village of Lakewood. It should be noted that this year's race route has been changed to include a portion of Miller Road through the Village of Lake in the Hills. The City Council approved a similar request in 2010.

In addition, a 2-mile walk will take place beginning at 8:05 a.m. following the start of the Duathlon. The 2-mile walk will not be timed and all walkers will be given race bids. The walkers will follow the same 2-mile course as the Duathlon and there will not be any crossover between the walkers and the Duathlon participants on the walk/run course.

The Lakeside Legacy Foundation is requesting the following from the City:

1. Assistance from the Crystal Lake Police Department along the race course that is within the City's jurisdiction. The recommended number of Police officers and volunteers for

the event is detailed in the attached Exhibit A. Volunteers will be stationed along the race course to assist with safety and race direction only.

2. A waiver of the speed limit and traffic laws for bicyclists, per State Law Chapter 625 Illinois Compiled Statutes 5/11-1514.
3. The closure of Country Club Road between Lake Avenue and Golf Road for the duration of the race. This portion of Country Club Road is the beginning and end point of the race.

City staff has reviewed the petitioner's request and offers the following conditions:

- 1) Approval for the Run and Roll for the Dole Duathlon is contingent upon approval from other participating jurisdictions. The Village of Lakewood and Village of Lake in the Hills shall be responsible for coordinating public safety services within and adjacent to their corporate boundaries. The Lakeside Legacy Foundation shall submit to the City a letter from the Village of Lakewood and Village of Lake in the Hills stating their approval for the event.
- 2) The City will have flexibility in designing the race course based on any concerns from the Police and Fire Rescue Departments.
- 3) The Lakeside Legacy Foundation must provide the City with a site plan for set-up at the Dole Mansion and parking plan for the event for review by City Departments.
- 4) The Police Department can designate "No Parking" zones for the event prior to the race date.
- 5) The volunteers for both races will carry cellular phones or radios to contact 911 in case of an emergency. Volunteers are not to direct traffic.
- 6) The Lakeside Legacy Foundation Duathlon Committee shall coordinate with the Crystal Lake Police, Fire Rescue and Public Works Departments regarding assistance during the event.
- 7) "Race In Progress" signs must be posted a minimum of three (3) days prior to the event.
- 8) City-owned barricades must be used to block off the street closure sections. The petitioner must complete and submit a Barricade Borrowing Application.
- 9) The petitioner must send a notice to all affected property owners along Country Club Road.
- 10) Emergency vehicle access must be maintained throughout the event. Items should not be placed on the roadway to prohibit access, and volunteers should be available to remove barricades to allow emergency vehicles on the roadway, if necessary.
- 11) Local traffic access to Country Club Road must be maintained throughout the event. Volunteers should be available to remove barricades to allow property owners on the roadway, if necessary.
- 12) All debris created by the event shall be cleaned up during and after the event.
- 13) Petitioner must adhere to the required City insurance provisions for the use of City-owned property by providing a certificate of insurance naming the City as additional insured, and sign the required Indemnity/Hold Harmless agreement.

- 14) Participants are required to sign an Indemnity/Hold Harmless agreement to include the City.
- 15) If tents or canopies will be used, the petitioner shall contact the Fire Rescue Department for further review.
- 16) Any additional permits or requests for signage shall be made through the Engineering and Building Department.
- 17) Compliance with State Law regarding Bicycle Racing;  
625 ILCS 5/11-1514 – (a) *Bicycle racing on a highway shall not be unlawful when a racing event has been approved by the State or local authorities on any highway under their respective jurisdictions. Approval of bicycle racing events shall be granted only under conditions which assure reasonable safety for all race participants, spectators and other highway users, and which prevent unreasonable interference with traffic flow which would seriously inconvenience highway users.*  
(b) *By Agreement with the approving authority, participants in an approved bicycle highway racing event may be exempt from compliance with any traffic laws otherwise applicable thereto, provided that traffic control is adequate to assure the safety of all highway users.*
- 18) In the case of inclement weather, an alternate date can be approved by the City Manager.

The petitioner has agreed to meet these conditions.

**Votes Required to Pass:**

Simple majority vote of the City Council



**Agenda Item No: 12**

**City Council  
Agenda Supplement**

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**Meeting Date:**

June 7, 2011

**Item:**

Unified Development Ordinance sign variation request to install a free-standing sign to include an Electronic Message Center at 176 W. Terra Cotta Avenue (Alternative Garden Supply/Brew and Grow)

**Staff Recommendation:**

City Council Discretion:

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

**Staff Contact:**

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

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**Background:**

Sure Light Sign Company is requesting a variation to install a free-standing sign to include an electronic message center for Alternative Garden Supply/Brew and Grow at 176 W. Terra Cotta Avenue. The proposed sign will be a multi-tenant sign at a height of 8 feet 3 inches and a total area of 49 square feet. The electronic message center consists of 15 square feet or 30 percent of the total sign area.

The owner is requesting this sign in order to establish themselves in the market quickly and to provide better visibility.

The owner has requested a variation from requirements located in UDO Section H Industrial Sign and Section J Prohibited signs. The variations are detailed in the following table.

<b>Item</b>	<b>UDO Requirement</b>	<b>Proposed Sign</b>	<b>Sign Meets Ordinance Requirement?</b>
Size	32 square feet	49 square feet	No
Height	6 feet	8 feet 3 inches	No
Base	The sign base must be 80% of the sign's width and match the exterior of the building.	The proposed sign base is 100% of the sign	Yes
Animated Signs	Any sign that changes its copy by electronic means	Monument Sign with Electronic Message Center	No

Based on previous discussions the following criteria have been recommended:

<b>Item</b>	<b>Recommended Criteria</b>	<b>Proposed Sign</b>	<b>Sign Meets Recommended Criteria?</b>
Minimum Width	200 contiguous lineal feet of frontage	502 contiguous lineal feet of frontage	Yes
Location	Located on Northwest Highway (Virginia Street) or Route 31	Located on Terra Cotta Avenue	No
Minimum Area	2 acres of total lot area	6.21 acres	Yes
Maximum Gross Surface Area	EMC not exceed 32 square feet or 40% of the sign's total area but total gross surface shall comply with the requirements of the UDO Article 4-1000	The EMC portion of the sign is 15 square feet or 30% of the sign's total area; however, the size of the sign exceeds the requirements of the UDO	No

Placement	The EMC shall occupy the bottom half of the sign	The EMC is proposed on the top of the sign	No
Programmed Dimming Sequence	EMC must be equipped with a programmed dimming sequence as well as an additional overriding mechanical photocell. No more than 40% of the daytime brightness level	No information provided	Can be condition of approval
Lighting	The message area of the EMC illuminated by white or amber incandescent lamps, led or magnetic discs.	Amber	Yes
Message changes	The EMC must have the flash feature disabled and the message shall have a 5-minute hold time, except for time and temperature	No information provided	Can be condition of approval
Transition	The EMC may only transition from one message to another by fading or dissolving to black	No information provided	Can be condition of approval
Override	The EMC must be equipped to override commercial messages for emergencies such as an "Amber Alert."	No information provided	Can be condition of approval

Attached is a sign variation application and permit application, sign plan and sign presentation from Terry McCloud of Sure Light Sign Company.

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

- A. A literal application of the Code would not allow the most appropriate type of sign for the property.
- B. The granting of the requested variation would not be materially detrimental to the property owners in the vicinity.

- C. Hardship caused the sign user under a literal interpretation of the Code is due to conditions unique to that property and does not apply generally to the City.
- D. Granting of the variation would not be contrary to the general objectives of this Section.

Terry McCloud of Sure Light Sign Company has made the request on behalf of Alternative Garden Supply/Brew and Grow, and will be in attendance at the meeting to discuss this request with the City Council.

**Votes Required to Pass:**

Simple majority of City Council present.



**Agenda Item No: 13**

**City Council  
Agenda Supplement**

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**Meeting Date:** June 7, 2011

**Item:** Unified Development Ordinance Sign Variation request for a wall sign at 7218 Virginia Road Unit B (Douglas Automotive)

**Staff Recommendation:** City Council Discretion:  
A. Motion to approve the variation as requested.  
B. Motion to approve the request with any conditions.  
C. Motion to deny the variation request.

**Staff Contact:** Erik D. Morimoto, Director of Engineering and Building  
Rick Paulson, Building Commissioner

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**Background:**

Douglas Automotive, a corner tenant at 7218 Virginia Road Unit B, is requesting to install wall signage that exceeds the maximum allowable area of 75 square feet, and a single sign or all signs on a single façade exceeding 50 square feet. Douglas Automotive is requesting a variation in order to add architectural interest to a pre-cast plain box building.

The Unified Development Ordinance allows tenants in multi-tenant buildings to install a maximum of 75 square feet of signage with no one sign, or all signs on a single façade not exceeding 50 square feet. Tenants in corner suites may split the 75 square feet among three signs on different façades. Douglas Automotive is requesting to install all signage on a single façade.

Douglas Automotive is proposing the following:



Item	Description	Size
Band across the length of the tenant space with lettering	Blue band with 3" black vertical stripes spaced 3" apart	3'8" by 100' = 366 square feet
	Lettering only on the band	"Douglas Automotive" - 2'11" by 10' = 29.58 square feet; "Service with Integrity" - 1'3" by 14'11" = 18.65 square feet; "www.douglasautomotive.com" - 1' by 16'4" = 16.34 square feet Total = 64.57
Vinyl wrap of overhead doors	Decal design on four overhead doors	10' by 12' = 120 square feet each Total = 480 square feet
Total Signage		846 square feet

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

Item	UDO Requirement	Proposed Sign	Sign Meets Ordinance Requirement?
Allowed Sign Area	75 square feet total; may be split between 3 signs with a maximum of 50 square feet for any one sign	846 square feet	No

Attached is a sign variation application and permit application from Douglas Automotive, a sign plan, artwork for the vinyl wrap, and elevation of the building showing the location of the wall signs.

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

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

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

Doug McAllister from Douglas Automotive and Penny Hughes from Hughes and Son Signs have made this request and will be in attendance at the meeting to discuss this request with the City Council.

**Votes Required to Pass:**

Simple majority of City Council present.



**Agenda Item No: 14**

**City Council  
Agenda Supplement**

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**Meeting Date:**

June 7, 2011

**Item:**

Unified Development Ordinance Sign Variation request to change the face of the existing pole sign to an Electronic Message Center for 6315 Northwest Highway (Rt. 14 Dentistry)

**Staff Recommendation:**

City Council Discretion:

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

**Staff Contact:**

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

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**Background:**

Dr. CJ Ludford, DDS, of Rt. 14 Dentistry at 6315 Northwest Highway is requesting a variation to allow an electronic message center and tenant signage on the existing pole sign. The proposed sign will be a multi-tenant sign at a height of 16 feet and a total square footage of 71 square feet. The electronic message center consists of 16 square feet or 22 percent of the total sign area. The base of the sign is just under one-third the width of the proposed sign.

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

<b>Item</b>	<b>UDO Requirement</b>	<b>Proposed Sign</b>	<b>Sign Meets Ordinance Requirement?</b>
Animated Signs	Any sign that changes its copy by electronic means	Pole sign with an Electronic Message Center	No
Sign Base	The sign base must be 80% of the sign's width and match the exterior of the building.	The proposed sign base is 29% of the sign width and appears to have a black metal base.	No
Sign Height	The maximum height of a sign is limited to 9 feet	The pole sign is proposed at a height of 16 feet.	No

Based on previous discussions the following criteria has been recommended;

<b>Item</b>	<b>Recommended Criteria</b>	<b>Proposed Sign</b>	<b>Sign Meets Recommended Criteria?</b>
Minimum Width	200 contiguous lineal feet of frontage	100 contiguous lineal feet of frontage	No
Location	Located on Northwest Highway (Virginia Street) or Route 31	Located on Northwest Highway	Yes
Minimum Area	2 acres of total lot area	Less than 1 acre of total lot area (39,075 square feet)	No
Maximum Gross Surface Area	The maximum gross surface area of the EMC shall not exceed 32 square feet or 40% of the sign's total area	The EMC portion of the sign is 16 square feet or 22% of the sign's total area	Yes
Programmed Dimming Sequence	EMC must be equipped with a programmed dimming sequence as well as an additional overriding mechanical photocell. No more than 40% of the daytime brightness level.	No information provided	Can be condition of approval

Lighting	The message area of the EMC illuminated by white or amber incandescent lamps, led or magnetic discs.	Amber incandescent lamps	Yes
Message changes	The EMC must have the flash feature disabled and the message shall have a 5-minute hold time, except for time and temperature.	No information provided	Can be condition of approval
Transition	The EMC may only transition from one message to another by fading or dissolving to black.	No information provided	Can be condition of approval
Override	The EMC must be equipped to override commercial messages for emergencies such as an "Amber Alert."	No information provided	Can be condition of approval

Attached is a sign variation application and permit application, sign plan and hardship letter from Dr. CJ Ludford of Rt. 14 Dentistry.

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

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

Ron Bykowski of Rainbow Signs has made the request on behalf of Rt. 14 Dentistry, and will be in attendance at the meeting to discuss this request with the City Council.

**Votes Required to Pass:**

Simple majority of City Council present.



**Agenda Item No: 15**

**City Council  
Agenda Supplement**

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<b><u>Meeting Date:</u></b>	June 7, 2011
<b><u>Item:</u></b>	Taylor Street Pizza Temporary Use Permit request for a Special Promotion – Cruise Nights 2011.
<b><u>Recommendation:</u></b>	Motion to approve the Temporary Use Permit for Taylor Street Pizza Special Promotion, pursuant to the recommendations below.
<b><u>Staff Contact:</u></b>	Michelle Rentzsch, Director of Planning & Economic Development

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**Background:** Taylor Street Pizza is requesting a Temporary Use Permit to allow a Special Promotion to hold Cruise Nights at 540 E. Terra Cotta Avenue in the parking lot along the south and west parking stalls. The twenty (20) events will be held on Tuesdays (June 14, 21 and 28, 2011; July 5, 12, 19, and 26, 2011; August 2, 9, 16, 23, and 30, 2011; September 6, 13, 20, and 27, 2011, and October 4, 11, 18, and 25, 2011). This is the first year for this event.

Taylor Street Pizza is under new management and they would like to create a “buzz” in this strip center. The events will be in the parking area in front of Taylor Street Pizza. The applicant will be asking owners of classic cars, muscle cars, etc. to park their vehicles in front of Taylor Street Pizza to show them off to other classic car enthusiasts.

The Unified Development Ordinance allows Special Promotions for a period of not more than three days in a calendar month. The Ordinance states that only four special promotions by the same business shall be approved by the City Council within a calendar year on the same property. The applicant has also requested and received approval administratively for four additional nights for the Cruise Night – May 23, 2011, May 31, 2011, June 7, 2011 and June 14, 2011. They are requesting approval for the remaining dates during the summer and fall months.

Staff has been in contact with the petitioners for details about the event and recommends the following conditions:

1. The Temporary Use Permit shall be valid on Tuesdays (June 14, 21 and 28, 2011; July 5, 12, 19, and 26, 2011; August 2, 9, 16, 23, and 30, 2011; September 6, 13, 20, and 27, 2011, and October 4, 11, 18, and 25, 2011) during the summer and fall months.
2. Provide a 20-foot access for emergency vehicles to gain access to the building, Fire Department connections, and the event site.

3. Display of vehicles in the row of parking spaces directly west of the building should be used only in an overflow situation due to safety. A conflict may arise between pedestrians viewing the cars and vehicles entering and exiting the site.
4. The banner may be displayed within the public right-of-way only on the day on which the event is to occur. See attached diagram for location. If the intent is for the banner to remain displayed all summer, it must be moved north of the sidewalk (between the sidewalk and the parking lot) and can be displayed anywhere within the designated area.

The applicant has been made aware of these recommended conditions and will be attending the June 7, 2011 City Council meeting to answer any questions.

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





**Agenda Item No: 16**

**City Council  
Agenda Supplement**

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**Meeting Date:**

June 7, 2011

**Item:**

REPORT OF THE PLANNING & ZONING COMMISSION

#2011-27 Vineyard Christian Church

Special Use Permit to allow a religious establishment

Timothy Mengler, petitioner  
220 Lincolnshire Drive

**PZC Recommendation:**

Motion to approve the Planning and Zoning Commission recommendation and to adopt an ordinance approving a Special Use Permit to allow a religious establishment at 7105 Virginia Road.

**Staff Contact:**

Michelle Rentzsch, Director of Planning & Economic Development

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**Background:** Vineyard Christian Church is currently holding services in the Country Inn & Suites hotel. They would use approximately 4,000 square feet of space within the Virginia Park Office Building for their permanent church facilities. All religious establishments require a Special Use Permit. The church will be using the site at off-peak times from the office uses during Sundays and possibly Saturday mornings, Wednesday evenings and Friday evenings.

*PZC Highlights*

The Commission asked how many parking spaces were required for this use. Parking is based on the number of seats as well as open worship area. The petitioner stated they are hoping to attract a maximum of 150 members, which would require an estimated 38 parking spaces. The office complex has 158 parking spaces available. There are numerous vacancies in the building.

The PZC reviewed the findings of fact for the Special Use Permit criteria and felt the petition met the criteria.

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

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

- A. Application (Vineyard Christian Church, received 4/29/11)
  - B. Site Plan (Muterspaugh & Associates, dated 4/25/88, received 4/29/11)
  - C. Floor Plan (Muterspaugh & Associates, hand drawn floor plan Tim Mengler, received 4/29/11)
  - D. Use Letter (Tim Mengler, dated April 28, 2011, received 4/29/11)
2. The use of the facility shall be the same as explained in the Use Letter. Expansion of services could affect the parking required and create conflict with surrounding tenants and would require an SUP Amendment.
  3. An accurate floor plan shall be submitted with the building permit plans so the total parking requirement can be calculated.

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

**DRAFT**

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

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

AN ORDINANCE GRANTING A SPECIAL USE PERMIT  
AT 7105 VIRGINIA ROAD

WHEREAS, pursuant to the terms of a Petition (File #2011-27) before the Crystal Lake Planning and Zoning Commission, the Petitioner has requested the issuance of a Special Use Permit (Article 2 Section 2-300) to allow a religious establishment for the Vineyard Christian Church for the property located at 7105 Virginia Road; and

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

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

Section I: That a Special Use Permit be issued to allow (Article 2 Section 2-300) a religious establishment for the property commonly known as 7105 Virginia Road, Crystal Lake, Illinois.

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

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

- A. Application (Vineyard Christian Church, received 4/29/11)
- B. Site Plan (Muterspaugh & Associates, dated 4/25/88, received 4/29/11)
- C. Floor Plan (Muterspaugh & Associates, hand drawn floor plan Tim Mengler, received 4/29/11)
- D. Use Letter (Tim Mengler, dated April 28, 2011, received 4/29/11)

2. The use of the facility shall be the same as explained in the Use Letter. Expansion of services could affect the parking required and create conflict with surrounding tenants and would require an SUP Amendment.

3. An accurate floor plan shall be submitted with the building permit plans so the total parking requirement can be calculated.

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.

# DRAFT

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

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

\_\_\_\_\_  
MAYOR

ATTEST:

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

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



**Agenda Item No: 17**

**City Council  
Agenda Supplement**

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**Meeting Date:** June 7, 2011

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

#2011-13 Evangelical Free Church

Subdivision Variation from Article 5 Section 5-200 G.3c(iv) from the requirement to post a bond or letter of credit for required improvements for Oak Hollow Road.

Robert Page, petitioner  
575 E. Crystal Lake Avenue

**PZC Recommendation:** Motion to deny the petitioner's request.

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

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**Background:** In 2004, Ashton Pointe, a residential subdivision located southeast of the Evangelical Free Church, and the Evangelical Free Church requested a final plat of subdivision, which included property owned by the church. As part of this subdivision process, the church was required to provide a Letter of Credit (LOC) for their section of the Oak Hollow Road improvements, which is a requirement for all subdivisions. The church maintains this letter of credit at an estimated \$1,000 per year, a fee charged by the financial institution. Since there are no immediate plans for the roadway to be constructed, the petitioner has requested the City return the letter of credit.

The church is responsible for constructing the southern leg of the roadway from Ashton Pointe to the Schroeder property (see attached map illustrations). The church currently has a \$94,274.70 letter of credit being held for this improvement.

***PZC Highlights***

The Commission understood the church's concern, but did not feel there was a way to provide surety that the roadway could be constructed and relieve the burden on the church. The Commission asked if they would consider converting the LOC to a bond. The petitioner responded that they sought an estimate on the bond cost and it was very similar to the LOC cost, so it would not save them any money.

The Commission asked staff to create an Option #5. Staff met and reviewed the four options already drafted. They also discussed creating an SSA, which would be too cost prohibitive for this site. No other feasible alternatives were discussed.

The Planning and Zoning Commission recommended **denial (6-0)** of the petitioner's request.

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

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
  - A. Application (Evangelical Free Church, received 03/09/11).
2. The LOC may be released provided the petitioner provides one of the following:
  - a. A Bond for Oak Hollow Road increasing the total amount by utilizing today's unit price costs, or
  - b. The LOC amount today to the City to escrow and use towards the construction of the roadway in the future.
3. The petitioner shall address all of the review comments and requirements of the Engineering and Building, Fire Rescue, Police, Public Works, and Planning and Economic Development Departments.

**Votes Required to Pass:** A majority vote of two-thirds (2/3) of the City Council members then holding office (5 votes) to overturn the PZC's recommendation for denial.



**Agenda Item No: 18**

**City Council  
Agenda Supplement**

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**Meeting Date:** June 7, 2011

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

#2011-28 321 West Terra Cotta Avenue

Variations from:

- 1) The required number of parking spaces of 15 to allow 8, a variation of 7 spaces,
- 2) The required parking lot setbacks of 8 feet to allow 0 feet, a variation of 8 feet,
- 3) The requirement to curb around the perimeter of the parking lot, and
- 4) The landscape requirements in the 8-foot parking lot setback areas.

Bob and Jane Walsh, petitioners  
321 West Terra Cotta Avenue

**PZC Recommendation:** Motion to approve the Planning and Zoning Commission recommendation and to adopt an ordinance approving the variations for 321 West Terra Cotta.

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

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**Background:** The petitioner has an existing 8-unit apartment building. The parking lot was deteriorating and was removed so the petitioner could install a new parking surface. The Unified Development Ordinance makes provisions for legal non-conforming parking lots. They can continue and even be repaired, but once they are removed the new improvement must comply with the current requirements. Since the petitioner removed the parking lot surface, this now provides the opportunity to install landscape areas, stripe the lot correctly and install curbing.

The site is a smaller lot surrounded by other multi-family properties. Physically, the site cannot accommodate the parking lot setbacks and landscape areas. In addition, the parking lot can only be striped, using the required parking lot dimensions, to allow 8 parking spaces. The petitioners have requested variations from the current requirements, noting the constraints of the lot size and existing building for the hardship.

***PZC Highlights***

The Planning and Zoning Commission went through the standards for review and approval of the variation request. They felt that the petitioner did demonstrate a unique hardship. The Commission questioned the parking variation. Their concern was that tenants may have multiple vehicles and where would they park. Staff has proposed a condition that limits the vehicles to one per unit in the lease agreement to help address this concern. The petitioner noted that several of the existing tenants do not own vehicles.

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

1. Approved plan, to reflect staff and advisory board comments, as approved by the City Council:
  - A. Application (Barnes, received 5/2/11)
  - B. Plat of Survey (C.T. Amelse, received 5/2/11)
  - C. Parking plan (hand drawn on plat of survey, dated 5/2/11)
2. The following are hereby granted:
  - A. A variation from the required number of parking spaces to allow 8 spaces.
  - B. A variation from the required perimeter setbacks and landscaping.
  - C. A variation from the requirement to curb around the perimeter of the parking area.
3. The parking lot shall be striped with 8 parking spaces, a maneuvering area along the west side and a no parking area for the dumpster.
4. Future lease agreements shall limit the vehicles a tenant can have to 1 per unit.
5. Any existing landscape areas on the site adjacent to the parking area shall remain.
6. The petitioner shall comply with all of the requirements of the Engineering and Building, Fire Rescue and Planning and Economic Development Departments.

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



DRAFT

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

AN ORDINANCE GRANTING A VARIATION  
AT 321 W. TERRA COTTA AVENUE

WHEREAS, pursuant to the terms of a Petition (File #2011-28) before the Crystal Lake Planning and Zoning Commission, the Petitioner has requested the granting of a Variation (Article 4 Section 4-200 B Off-Street Parking and Loading) from the required number of parking spaces and parking lot setbacks, curbing and landscape requirements at 321 W. Terra Cotta Avenue; and

WHEREAS, it is in the best interests of the CITY OF CRYSTAL LAKE that the 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 Variation be granted from Article 4 Section 4-200 B Off-Street Parking and Loading from the required number of parking spaces and parking lot setbacks, curbing and landscape requirements

at the property commonly known as 321 W. Terra Cotta Avenue, City of Crystal Lake,.

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

1. Approved plan, to reflect staff and advisory board comments, as approved by the City Council:
  - A. Application (Barnes, received 5/2/11)
  - B. Plat of Survey (C.T. Amelse, received 5/2/11)
  - C. Parking plan (hand drawn on plat of survey, dated 5/2/11)
2. The following are hereby granted:
  - A. A variation from the required number of parking spaces to allow 8 spaces.
  - B. A variation from the required perimeter setbacks and landscaping.
  - C. A variation from the requirement to curb around the perimeter of the parking area.
3. The parking lot shall be striped with 8 parking spaces, a maneuvering area along the west side and a no parking area for the dumpster.
4. Future lease agreements shall limit the vehicles a tenant can have to 1 per unit.
5. Any existing landscape areas on the site adjacent to the parking area shall remain.

# DRAFT

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

Section III: That the City Clerk be and is hereby directed to amend the official zoning map of the City of Crystal Lake and all pertinent records of the City of Crystal Lake to show the granting of 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: 19**

**City Council  
Agenda Supplement**

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**Meeting Date:** June 7, 2011

**Item:** REPORT OF THE PLANNING & ZONING COMMISSION  
#2011-26 Money-1557 Hollytree Lane

Simplified Residential Variation (Article 4-600 E, Location of Accessory Structures), to allow a patio to be located in the required side yard as close as one foot from the property line.

Monica Money, 1557 Hollytree Lane, Crystal Lake

**PZC Recommendation:** Motion to approve the Planning and Zoning Commission recommendation and adopt an ordinance granting a variation for 1557 Hollytree Lane.

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

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**Background:** The property in question is an existing non-conforming corner lot in the "R-2" single-family district, located at the northeast corner of Hollytree Lane and Candlewood Drive. The lot does not meet the minimum lot area requirement of 8,400 square feet for the "R-2" district. The property is improved with a two-story frame residence with an attached garage. Per the UDO, the front yard is along Candlewood Drive (narrowest side) and the side along Hollytree Lane is the corner side or side abutting a street. The house is oriented along Hollytree Lane with driveway access along that street. Therefore, in this case, the yard along the east side of the residence is considered the side yard, but functions as the rear yard.

It is the petitioner's intent to install a 20-foot x 11-foot brick patio as close as one foot to the east property line. A patio is considered an accessory structure and is required to maintain a minimum 5-foot setback from the interior side property line. The petitioner is requesting a variation to allow a patio to be located in the required side yard approximately one foot from the property line.

***PZC Highlights***

The Planning and Zoning Commission had no concerns regarding this request and felt that the request met the findings of fact for a variation. 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. Application, received 4-27-11
  - B. Plat of Survey, Mionske, dated 11-12-91, received 4-27-11
  - C. Site Plan (Not to Scale), received 4-27-11
2. This variation is granted solely for the installation of an in-ground patio. Elevated seating walls and other similar accessory structures shall not be added to the patio.
3. Appropriate building permits must be obtained prior to the installation of the patio.
4. The petitioner shall address all comments of the Engineering and Building, Public Works, Fire Rescue, Police and Planning & Economic Development Departments.

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

**DRAFT**

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

AN ORDINANCE GRANTING A VARIATION  
AT 1557 HOLLYTREE LANE

WHEREAS, pursuant to the terms of the Application (File #2011-26) before the Crystal Lake Planning and Zoning Commission, the Applicant has requested the granting of a Simplified Residential Variation from Article 4-600 E, Location of Accessory Structures, to allow a patio to be located in the required side yard as close as 1 foot from the property line at 1557 Hollytree Lane; and

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

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

SECTION I: That a Variation be granted from the Crystal Lake Unified Development Ordinance Article 4-600 E, Location of Accessory Structures, to allow a patio to be located in the required side yard as close as 1 foot from the property line

at the property at 1557 Hollytree Lane, Crystal Lake, Illinois.

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

1. Approved plans, to reflect staff and advisory board comments, as approved by the City Council:
  - A. Application, received 4-27-11
  - B. Plat of Survey, Mionske, dated 11-12-91, received 4-27-11
  - C. Site Plan (Not to Scale), received 4-27-11
2. This variation is granted solely for the installation of an in-ground patio. Elevated seating walls and other similar accessory structures shall not be added to the patio.
3. Appropriate building permits must be obtained prior to the installation of the patio.
4. The petitioner shall address all comments of the Engineering and Building, Public Works, Fire Rescue, Police and Planning & Economic Development Departments.

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

# DRAFT

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

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

\_\_\_\_\_  
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: 20**

**City Council  
Agenda Supplement**

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**Meeting Date:** June 7, 2011

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

#2011-24 Dynamic Health and Wellness

Final PUD Amendment for additional signage and a parking variation from the required number of spaces.

Larry Berg, 6119 Northwest Highway, Crystal Lake

**PZC Recommendation:** Motion to approve the Planning and Zoning Commission recommendation and adopt an ordinance granting a Final PUD Amendment for 6119 Northwest Highway.

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

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**Background:** The property in question was annexed into the City in 1980 (Sherman Plumbing and Heating). The property has supported a range of uses in the past, such as Sherman Mechanical, Douglas TV, and Cash for Gold. The current use would be Dynamic Health and Wellness. The proposed use is requesting additional signage and a variation from the parking requirements.

In 2000, a rezoning (from "M" to "B-2 PUD"), Planned Unit Development and variations were approved for this property. The approval included the removal of the existing monument sign in exchange for additional wall signage, up to 282 square feet of wall signage for this building. Currently, the medical office component of the Dynamic Health and Wellness business, which occupies part of the building, has a wall sign 108 square feet in area. Even though Dynamic Health and Wellness (fitness center component) will occupy the rest of the building, it has been indicated that this will remain a multi-tenant building with the medical use and the fitness center being treated as separate tenants. For multi-tenant buildings, a maximum of 75 square feet of wall signage is permitted and no single sign or all signs on a single façade can exceed 50 SF. The petitioner is requesting to install a 120 square foot wall sign for the fitness center portion of the building.

In addition, the petitioner is also requesting to install a free-standing sign, 65 square feet in area and 9 feet in height. The sign has a 16-inch high brick base, with brick matching the building and

an aluminum cap at the top that matches the color of the building. Per the UDO, a free-standing sign for this property can be up to 80 square feet in area and 9 feet in height and must be located 10 feet from the property line. This is measured from the sign edge, not the sign base, which makes it impossible to locate a freestanding sign on this property, without a variation. The distance from the parking lot to the property line along Route 14 is about 11 feet, which does not provide sufficient room for a freestanding sign.

For this block along the south side of Route 14, the parking areas typically abut the edge of the right-of-way. Most of the properties along this block have signs that do not appear to meet the 10-foot setback requirement. Because of the proximity to the right-of-way, these signs are typically pole-signs. Examples of some signs are attached.

The property has a total of 92 spaces. The existing Health & Wellness offices are required to provide 47 parking spaces. The proposed fitness center is required to provide 83 parking spaces. A total of 130 spaces are required for the two uses, a deficit of 38 spaces. Based on the data provided by the petitioner, there is sufficient parking on this site.

### ***PZC Highlights***

At the Planning and Zoning Commission (PZC) meeting, the petitioner presented traffic counts at another Dynamic Health and Fitness location. Based on that data, the petitioner indicated that they would have adequate parking on-site. The Commission agreed with the petitioner and felt that 24-hour fitness places do not attract the same mass of people as other fitness places. There was a lot of discussion regarding the requested signage. Some of the Commission members felt that the wall signs as proposed were adequate and a monument sign was not needed. Some of the Commission members felt that a monument sign (as opposed to the proposed pole sign) would be acceptable at this location. The petitioner indicated that he was agreeable to a lower sign, but that both wall and free-standing signs were essential to his business locating there.

The PZC recommended **approval (4-2)** of the petitioner's request with the following recommended conditions:

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

- A. Development Application, received 4-21-11
- B. Site plan, plat of survey, Mionske dated 1-25-02
- C. Floor plan, received 4-21-11
- D. ~~Freestanding sign, received 4-21-11~~ **(Deleted by PZC)**

2. No parking is allowed in the alley between the parking (rear of building) and the main parking lot. Provide "No Parking Fire Lane" sign if not currently present.

~~3. It appears from a cursory review that an additional seven spaces could possibly be added to the rear lot as truck access to the loading dock is assumed to no longer be needed due to the type of use of the building. In addition, ten spaces could possibly be added; however, an engineering firm would need to ensure existing detention of stormwater is maintained (see exhibit A attached).~~ **(Deleted by PZC)**



~~4. There is a lack of available overflow parking should the additional 46 spaces be needed in the future or during peak operation times of the fitness center. Parking is allowed along Lou Avenue; however, adjacent businesses have parking spaces directly on this street which restricts the number of available on-street parking spaces (see exhibit B attached). (Deleted by PZC)~~

5. Should redevelopment occur, cross access north of the building must be provided to the adjacent businesses.

6. Work with staff to replace the dead or missing parking lot landscaping material.

7. The total wall signage shall be no more than 200 **216** square feet. (Modified by PZC)

8. The freestanding sign shall be a small monument sign to be located at least 10 feet from the property line, its location to be worked out with staff to ensure no sightline obstructions. The sign base materials and colors are to match the architecture of the building.

9. 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.

**10. The parking statistics presented by the petitioner are accepted as official record. They are found to be a relevant and accurate basis for granting the variation on.** (Added by PZC)

**11. The parking for this use will be reviewed one year after Final occupancy is granted. If additional parking is found to be necessary, it will be added at that time.** (Added by PZC)

**12. The monument sign shall be redesigned and approved by staff to match the building and meet the sign criteria in the UDO.** (Added by PZC)

**Votes Required to Pass:**

A simple majority vote.

DRAFT

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

AN ORDINANCE GRANTING AN AMENDMENT  
TO THE FINAL PUD FOR DYNAMIC HEALTH & WELLNESS

WHEREAS, pursuant to the terms of the Petition (File #2011-24) before the Crystal Lake Planning and Zoning Commission, the Petitioner has requested an Amendment to the Final Planned Unit Development for additional signage and a parking variation from the required number of spaces for Dynamic Health and Wellness; 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 permit additional signage and a parking variation from the required number of spaces for the property located at 6119 A 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, received 4-21-11
  - B. Site plan, plat of survey, Mionske dated 1-25-02
  - C. Floor plan, received 4-21-11
2. No parking is allowed in the alley between the parking (rear of building) and the main parking lot. Provide "No Parking Fire Lane" sign if not currently present.
3. Should redevelopment occur, cross access north of the building must be provided to the adjacent businesses.
4. Work with staff to replace the dead or missing parking lot landscaping material.
5. The total wall signage shall be no more than 216 square feet.

# DRAFT

6. The freestanding sign shall be a small monument sign to be located at least 10 feet from the property line, its location to be worked out with staff to ensure no sightline obstructions. The sign base materials and colors are to match the architecture of the building.

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.

8. The parking statistics presented by the petitioner are accepted as official record. They are found to be a relevant and accurate basis for granting the variation on.

9. The parking for this use will be reviewed one year after Final occupancy is granted. If additional parking is found to be necessary, it will be added at that time.

10. The monument sign shall be redesigned and approved by staff to match the building and meet the sign criteria in the UDO.

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

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

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

\_\_\_\_\_  
MAYOR

ATTEST:

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

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



**Agenda Item No: 21**

**City Council  
Agenda Supplement**

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**Meeting Date:**

June 7, 2011

**Item:**

REPORT OF THE PLANNING & ZONING COMMISSION

#2010-69 Schafer Subdivision

- 1) Final Plat of Subdivision/Final PUD for five single-family lots, and
- 2) Variation from Article 4 Section 4-300 H from the requirement to pay for tree replacement.

Bill Schafer, petitioner  
1351 W. Route 176, west of Lippold Park

**PZC Recommendation:**

Motion to approve the Planning and Zoning Commission recommendations and adopt an ordinance approving the Final Plat of Subdivision, Final PUD and variation from the tree replacement requirement for the Schafer Subdivision.

**Staff Contact:**

Michelle Rentzsch, Director of Planning & Economic Development

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**Background:** The property in question is located immediately west of Lippold Park and is in the Crystal Lake Watershed. It is heavily wooded and contains wetlands. The petitioner received approval for a preliminary plat and preliminary PUD in March of 2009. The site is restricted to 5% impervious surface area, and each lot is restricted to 3,418 square feet of impervious surface area. The final plat of subdivision is in substantial conformance to the approved preliminary plat. There were three outstanding concerns – the architecture of the proposed custom homes, the wetland delineation and the roadway maintenance.

*PZC Highlights*

Ray Adams, who represents the homeowners in Cepec Crystal Vista Subdivision, made a request to the Commission to require the petitioner to reconstruct the roadway and widen it to at least 19 feet. Staff noted that the Commission could not add a new condition to the request at the Final Plat stage that was not discussed during the preliminary plat approval. The Commission also noted that the request was not fair to the petitioner. It was stated that all the homeowners should get together to improve the roadway.

The Commission discussed the architectural criteria. The petitioner noted that several of the criteria, especially in Item #4, could create problems with the actual custom home design, make it difficult to meet the impervious surface coverage limits and require additional tree removal. The Commission noted that Schafer Builders is a quality builder. They felt that if the property was sold, then the criteria would need to be established.

The Commission asked about the roadway and how it would be maintained and repaired, and how a bond amount would be determined. There is no formal homeowner's association and assessment on each lot for the roadway maintenance. Residents pay on a voluntary basis and the Township also provides money for the roadways. The Engineering Division will establish an appropriate bond amount that will need to be posted by the petitioner in the event they damage the roadway.

The Commission also noted the wetland delineation was confirmed with the City's Watershed Consultant and was correct.

#### *Tree Preservation*

This site is heavily wooded with predominantly White Oak, Red Oak, Shagbark Hickory, Black Cherry and Box Elder trees. A large part of the site will be left undisturbed and protected by the Conservation Easement. Each individual homeowner will not be responsible for tree removal permits or replacement since they will meet the approved tree preservation plan and build within their designated "Building Development Area." There are some trees that will need to be removed to accommodate the sanitary sewer line. It is estimated that 57.8 inches or 23 (2 ½") trees are required to be replaced due to the sanitary sewer installation. This equates to a total of \$9,775. The petitioner is requesting a variation from the tree replacement requirement due to the fact that the majority of the site will be preserved through the conservation easement and will remain heavily wooded. If the variation is approved this would require removal of condition 3a.

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

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
  - A. Application (William Schafer, received 11/03/10)
  - B. Final Plat of Subdivision (Heritage Land Consultants LLC, dated 2-12-10, received 5/25/11)
  - C. Civil Engineering Plans (Heritage Land Consultants LLC, dated 2-12-10, received 5/25/11)
2. Variations approved as part of the March 18, 2008 preliminary PUD approval are still valid.
3. Tree Removal
  - A. The developer shall be responsible for the tree removal for the sanitary sewer line. This is an estimated \$9,775 replacement contribution for the tree-banking fund. **(Deleted if variation is approved)**
  - B. Clarification is needed on the tree removal for trees #1076 and #1100. Tree #1100 should not be removed and the limits of disturbance for the sanitary sewer line shall be adjusted. Tree #1076 may be labeled incorrectly or twice.

4. These homes are to be custom homes; if the lots are sold to another homebuilder, **other than the petitioner**, a set of architectural criteria and house elevation plans will need to be submitted to staff for review and approval. **(Added by PZC)**
5. The petitioner shall address all of the review comments of the Engineering and Building, Fire Rescue, Police, Public Works, and Planning and Economic Development Departments, as well as those of the storm water consultant.
6. **Include the staff memo dated May 18, 2011 as other conditions including the architectural criteria, with #4 being required if another homebuilder develops the lots. (Added by PZC)**

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

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

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

AN ORDINANCE GRANTING A FINAL PLANNED UNIT DEVELOPMENT,  
FINAL PLAT OF SUBDIVISION, AND VARIATION  
FOR SCHAFER SUBDIVISION

WHEREAS, pursuant to the terms of the Petition (File #2010-69) before the Crystal Lake Planning and Zoning Commission, the Petitioner has requested a Final Planned Unit Development, a Final Plat of Subdivision, and a Variation from Article 4 Section 4-300 H from the requirement to pay for tree replacement for Schafer Subdivision for five single-family lots; 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 Final Planned Unit Development be granted as requested in said Petition,

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

SECTION I: That a Final Planned Unit Development, a Final Plat of Subdivision, and a Variation from Article 4 Section 4-300 H from the requirement to pay for tree replacement be granted to permit five single-family lots for the property located south of Route 176, west of Lippold Park, and east of Briarwood, Crystal Lake, Illinois.

SECTION II: That the Final Planned Unit Development, the Final Plat of Subdivision, and a Variation be granted with the following conditions:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
  - A. Application (William Schafer, received 11/03/10)
  - B. Final Plat of Subdivision (Heritage Land Consultants LLC, dated 2-12-10, received 5/25/11)
  - C. Civil Engineering Plans (Heritage Land Consultants LLC, dated 2-12-10, received 5/25/11)
2. Variations approved as part of the March 18, 2008 preliminary PUD approval are still valid.
3. Tree Removal

A. Clarification is needed on the tree removal for trees #1076 and #1100. Tree #1100 should not be removed and the limits of disturbance for the sanitary sewer line shall be adjusted. Tree #1076 may be labeled incorrectly or twice.

4. These homes are to be custom homes, if the lots are sold to another homebuilder other than the petitioner, a set of architectural criteria and house elevation plans will need to be submitted to staff for review and approval.

5. The petitioner shall address all of the review comments of the Engineering and Building, Fire Rescue, Police, Public Works, and Planning and Economic Development Departments, as well as those of the storm water consultant.

6. Include the staff memo dated May 18, 2011 as other conditions including the architectural criteria, with #4 being required if another homebuilder develops the lots.

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

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

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

\_\_\_\_\_  
MAYOR

ATTEST:

**DRAFT**

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

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





**Agenda Item No: 22**

**City Council  
Agenda Supplement**

**Meeting Date:**

June 7, 2011

**Item:**

Emergency Vehicle Equipment Installation / Changeover

**Staff Recommendation:**

A motion to award the bid for the vehicle equipment installation/changeover services for seven (7) Police Department 2011 Ford Crown Victorias to the lowest responsive, responsible bidder, Ultra Strobe Communications Inc., and adopt a resolution authorizing the City Manager to execute an agreement for the equipment installation/changeovers with Ultra Strobe Communications Inc. in the amount of \$10,500.00.

**Staff Contact:**

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

**Background:**

On Wednesday, May 25, 2011, the City of Crystal Lake publicly opened and read aloud the bids received for the vehicle equipment installation/changeover services for Police Department Emergency Vehicles. Such services include all wiring and mounting of computer systems, emergency lighting, radios, video cameras, flashlight chargers, and other electronic equipment, as well as transferring prisoner transport equipment and gun racks from existing units. The following is a breakdown of the bids received:

<b>Bidder</b>	<b>Up Fitting of Six (6) Marked Cars</b>	<b>Up Fitting of One (1) Unmarked Car</b>	<b>Total for All Cars</b>
√Ultra Strobe Communications Inc. Crystal Lake, IL	\$ 1,500.00	\$ 1,500.00	\$ 10,500.00
Auto Truck Bartlett, IL	\$ 3,480.00	\$ 2,760.00	\$ 23,640.00
Lund Industries Wheeling, IL	No Bid	No Bid	N/A
*Havey Communications Lake Bluff, IL	\$ 1,450.00	\$ 1,450.00	\$ 10,150.00

- √ Indicates the lowest responsive, responsible bidder  
\* Bid rescinded by bidder

**Recommendation:**

The Public Works Department has reviewed all bids received for completeness and accuracy in accordance with the invitation to bid document. It is staff's recommendation to award the bid to Ultra Strobe Communications, Inc., who has submitted the lowest responsive, responsible bid for the vehicle equipment installation/changeover services for seven (7) Ford Crown Victorias in accordance with the terms and conditions of the contract. Ultra Strobe has performed this work for the City in the past.

There are sufficient funds in the FY 2011/2012 Budget for this expense.

**Votes Required to Pass:**

Simple Majority

# DRAFT

## RESOLUTION

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE that the City Manager is authorized to execute a Service Agreement between the CITY OF CRYSTAL LAKE and Ultra Strobe Communications Inc. in the amount of \$10,500.00 for the vehicle equipment installation/changeover services for seven (7) Police Department 2011 Ford Crown Victorias.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2011

CITY OF CRYSTAL LAKE, an  
Illinois municipal corporation,

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

SEAL

ATTEST

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

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

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



**Agenda Item No: 23**

**City Council  
Agenda Supplement**

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**Meeting Date:**

June 7, 2011

**Item:**

Kelly Woods Subdivision Area-wide Neighborhood Speed Limit Reduction.

**Staff Recommendation:**

Motion to adopt an ordinance to lowering the speed limit from 30 mph to 25 mph on Providence Lane, Providence Court, Nunda Trail, Glenbrook Road, Old Westbury Road, and Old Westbury Court.

**Staff Contact:**

Erik Morimoto, Director of Engineering and Building

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**Background:**

The City of Crystal Lake Traffic Safety Committee, including representatives from the Police Department and Engineering Division, has reviewed traffic concerns related to cut-through traffic and speeding between Illinois Route 31 and Terra Cotta Road in the Kelly Woods subdivision. The residents of Kelly Woods, through their homeowner's association, requested the following items be considered by the City:

1. All-way stop control at the Kelly Lane/Providence Lane intersection; and
2. Additional traffic calming measures on Kelly Lane.

The current posted speed limit in the Kelly Woods Subdivision on Kelly Lane and Ray Street is 25 miles per hour and the current posted speed limit on all streets in the interconnected subdivisions to the west (Wyndmuir Ridge, Wyndmuir in the Woods Unit 2, and Terra Fields) is 30 miles per hour. City staff conducted traffic volume and speed data collection at numerous locations within and around the Kelly Woods Subdivision over the past few months:

- Traffic Volume: Traffic data collected by the Traffic Safety Committee and staff observations confirms that Ray Street, Kelly Lane, and Providence Lane are utilized as a legal cut-through for motorists travelling between Illinois Route 31 and Terra Cotta Road. Traffic volumes on Kelly Lane were measured in the acceptable range for a residential collector between two arterials (1,126 vehicles per day average, measured in September 2010).

- Speed Data:

Location	Date Collected	Posted Speed Limit	Average Speed	85 <sup>th</sup> Percentile Speed
Kelly Lane	Sept 2010	25 mph	22 mph	29 mph
Kelly Lane	Nov 2010	25 mph	22 mph	25 mph
Kelly Lane	April 2011	25 mph	25 mph	28 mph
Providence Lane	April 2011	30 mph	27 mph	32 mph
Nunda Trail	April 2011	30 mph	22 mph	28 mph
Glenbrook Road	April 2011	30 mph	22 mph	27 mph
Old Westbury Road	April 2011	30 mph	26 mph	31 mph

Speed data on Kelly Lane measured over a one-week period in April 2011 did not meet warrants for additional engineered traffic-calming measures at this time. Eighty-fifth percentile speeds measured on the other surrounding roadways would support the use of a 25 mile per hour posted speed limit.

- Intersection Analysis: The data indicated evidence of higher residual speeds through the Kelly Lane/Providence Lane intersection. The eighty-fifth percentile speed of vehicles turning from Providence Lane to Kelly Lane was 20 mph, which is above the 15 mph typically expected at an uncontrolled leg of an intersection. These higher turning speeds could be mitigated by the introduction of a consistent speed limit for this cut-through corridor. Lowering the speed limit to 25 miles per hour also provides a lower threshold for targeted police enforcement to address resident concerns over real and perceived speeding issues.

The Kelly Lane/Providence Lane intersection does not meet the volume or crash requirements for all-way stop control at this time (only one reported crash in the past four years). If the reduced speed limit and added police enforcement on Providence Lane and Kelly Lane are not successful, the addition of all-way stop control at Providence Lane and Kelly Lane may need to be considered using optional criteria in the federal guidelines for traffic control devices.

**Recommendation:**

The Traffic Safety Committee recommends that the speed limit for the entire cut-through route, including Providence Lane, be set at a consistent 25 miles per hour. It is also recommended that the remaining streets in the interconnected neighborhood be reduced to 25 miles per hour to maintain consistency throughout the subdivision and avoid driver confusion.

**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 cut-through traffic, speeding, and pedestrian safety was conducted by the Crystal Lake Traffic Safety Committee; and

WHEREAS, the current posted speed limit in the Kelly Woods Subdivision on Kelly Lane and Ray Street is 25 miles per hour; and

WHEREAS, the current posted speed limit on all streets in the interconnected subdivisions to the west (Wyndmuir Ridge, Wyndmuir in the Woods Unit 2, and Terra Fields) is 30 miles per hour; and

WHEREAS, traffic data collected by the Traffic Safety Committee shows that Ray Street, Kelly Lane, and Providence Lane are utilized as a legal cut-through for motorists travelling between Illinois Route 31 and Terra Cotta Road; and

WHEREAS, the residents of the Kelly Woods Subdivision have expressed concerns over the volume and speed of traffic travelling through the public streets in their neighborhood; and

WHEREAS, the Traffic Safety Committee has noted evidence of higher residual speeds through the Kelly Lane/Providence Lane intersection; and

WHEREAS, as a result of said review, the Mayor and City Council of the City of Crystal Lake have determined that to mitigate the effects of differing speed limits on local streets within a residential neighborhood, a reduction in the posted speed to a consistent level must be implemented.

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

# DRAFT

SECTION I: That the maximum speed limit for all vehicles traveling on Providence Lane, Providence Court, Nunda Trail (between Terra Cotta Road and Providence Lane), Glenbrook Road, Old Westbury Road, and Old Westbury Court shall be 25 miles per hour.

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 seventh day of June, 2011.

APPROVED:

\_\_\_\_\_  
MAYOR

ATTEST:

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

PASSED: June 7, 2011

APPROVED: June 7, 2011

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



**Agenda Item No: 24**

**City Council  
Agenda Supplement**

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- Meeting Date:** June 7<sup>th</sup>, 2011
- Item:** Agreement between the City of Crystal Lake and the McHenry County College regarding police services.
- Staff Recommendation:** Motion to adopt a resolution authorizing the City Manager to execute an agreement between the City of Crystal Lake and McHenry County College regarding Police services.
- Staff Contact:** David Linder, Chief of Police
- 

**Background:**

On October 20<sup>th</sup>, 2010, McHenry County College (MCC) established a Public Safety/Police Department which employs peace officers who have the authority and jurisdiction to engage in law enforcement activities at the College and its property.

On June 6<sup>th</sup>, 2011, the McHenry County College Public Safety/Police Department began operations in order to provide police services on its Crystal Lake campus Monday-Friday between the hours of 7:00 a.m. and 11:00 p.m., and Saturday and Sunday between the hours of 7:00AM and 7:00PM and will deploy its sworn officers to serve as the primary responders for emergency police services on MCC Main Campus during these hours of operation. The MCC Public Safety/Police Department will be staffed by non-law enforcement officers on all other days and times other than the MCC Police Department hours of operation.

At all other hours, police response will be provided by the Crystal Lake Police Department. Additionally, matters pertaining to the nature of the response and any additional requests for assistance from the MCC Public Safety/Police Department necessitates that MCC and the Crystal Lake Police Department enter into this agreement.

**Votes Required to Pass:** A simple majority of City Council Members Present





**Agenda Item No: 25**

**City Council  
Agenda Supplement**

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**Meeting Date:** June 7, 2011

**Item:** Water and Sewer Rate Adjustment

**Staff Recommendation:** Motion to adopt an ordinance amending Section 515-15 of the City Code to increase the monthly water service fee to \$3.80 per month and monthly sewer service fee to \$4.55 per month, and increase the water volumetric rate to \$2.57 per 1,000 gallons and the sewer volumetric rate to \$2.64 per 1,000 gallons, as proposed in the Reukert-Mielke Study and previously approved with the adoption of the 2011/2012 Budget.

**Staff Contact:** Victor Ramirez, P.E., Director of Public Works  
Mark F. Nannini, Director of Finance

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**Background:**

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

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

provides for the replacement of aged water/sewer infrastructure in order to maintain the current service levels our residents receive.

### **Water and Sewer as an Enterprise Fund**

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

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

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

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

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

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

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

### **2011/2012 Proposed Increase**

The proposed ordinance provides for an increase in rates for water and sewer utility services. This also impacts the water and sewer rate for bulk water sales not covered by contractual agreements. The following table compares current rates and monthly service fees with the proposed fees:

	Monthly Service Fee	Rate/1,000 gallons	Total Cost for 6,000 gal/mo
<b>Water Current</b>	\$3.14	\$2.45	\$17.84
<b>Water Proposed</b>	\$3.80	\$2.57	\$19.22
<b>Sewer Current</b>	\$4.30	\$2.50	\$19.30
<b>Sewer Proposed</b>	\$4.55	\$2.64	\$20.39
<b>Current Monthly W&amp;S Combined</b>	-	-	\$37.14
<b>Proposed Monthly W&amp;S Combined</b>	-	-	\$39.61

As part of the study completed by Ruckert-Mielke, the following comparison of surrounding communities' water and sewer rates was compiled based on the usage of 6,000 gallons. The monthly table was updated in March 2011 to reflect rate adjustments as follows:

Municipality	Monthly Bill @ 6,000 Gals/Month
Sleepy Hollow	\$ 118.06
Lakewood	\$ 94.20
Round Lake Beach	\$ 63.84
Fox River Grove	\$ 57.59
LITH	\$ 50.33
Harvard*	\$ 49.84
Johnsburg	\$ 49.57
Huntley	\$ 48.22
Carpentersville	\$ 44.30
Woodstock*	\$ 43.31
Algonquin	\$ 40.92
McHenry	\$ 40.56
<i>C.L. Proposed</i>	\$ 39.61
<i>C.L. Current</i>	\$ 37.14

\* Municipalities that sell water by the cubic foot rather than per 1,000 gallons

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

As the chart above indicates, at the proposed rate, a gallon (128 ounces) of safe, clean drinking water is \$0.0066 or less than a penny per gallon. As a comparison, a medium cup of coffee (16 ounces) at Starbucks is approximately \$2.00, whereas the average price for a gallon of gas is \$3.82, and a gallon of milk is approximately \$2.50.

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

- Utility fees for water, sewer, and wastewater are matched to the cost of providing these services.

- Water and Sewer rates approximately equal operating expenses.
- Water and Sewer revenues are first used to defray the cost of effective and efficient operation of the utility systems; monies accumulated in excess of operations costs are to be used for replacement and repair of those systems as needed.

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

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

Perhaps the most pressing issue surrounding the financial state of the water and sewer operations is the ability to pay debt obligations and leverage future funds for capital projects as needed. Wastewater Treatment Plant #2 was expanded in 2003 with funds obtained through an IEPA revolving loan. At the time, it was reasonably believed that connection fees from 200 new homes per year would pay the annual principal and interest payment of \$1,000,065/year for the life of the loan. In FY 2010-11, there were 21 new connection fees collected by the City. This shortfall has to be made up through operating funds and reserves. Without these actions, the City runs the risk of defaulting on the loan and losing its strong bond rating, which would impact the entire City. In FY 2011-12, the debt service will be covered by a transfer from the General Fund.

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

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

WTP #3 Softener Rehab & Resin Replacement.....	\$90,000
Well #7 Starter.....	\$25,000
Water Treatment Plant Roof Restoration.....	\$15,000
Sanitary Sewer Rehabilitation.....	\$80,000
Replace two (2) Submersible Pumps - Lift 22.....	\$64,000
<b>Total.....</b>	<b>\$274,000</b>

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

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

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

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

**Recommendation:**

The Public Works Department has conducted an analysis of operations, and made adjustments where practical to cut costs. In addition, a comprehensive staffing plan was conducted to determine minimum staffing levels to maintain core services. At this time, the staffing level is at the minimum level to sustain operations and costs have been reduced where possible. It is the recommendation of the Public Works Department and Finance Department to follow the Reukert-Mielke plan and adopt an ordinance to amend Section 515-15 of the City Code by increasing it by a blended rate of 6.65%, and adjust the water rate to \$2.57 per 1,000 gallons and the sewer rate to \$2.64 per 1,000 gallons, and the fixed monthly service fee for these services to \$3.80 for water and \$4.55 for sewer.

The City Attorney has reviewed the proposed ordinances.

**Votes Required to Pass:**

Simple Majority

# DRAFT



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

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

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

### 515-15 Rates.

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

A. Water Rate: Beginning July 1, 2011, the following rates shall apply:

- |     |                        |                          |
|-----|------------------------|--------------------------|
| (1) | Monthly service charge | \$3.80                   |
| (2) | Each 1,000 gallons     | \$2.57 per 1,000 gallons |

B. Sewer Rate: Beginning July 1, 2011, the following rates shall apply:

- |     |                        |                          |
|-----|------------------------|--------------------------|
| (1) | Monthly service charge | \$4.55                   |
| (2) | Each 1,000 gallons     | \$2.64 per 1,000 gallons |

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

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

# DRAFT

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

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

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

- |     |                        |                          |
|-----|------------------------|--------------------------|
| (a) | Monthly service charge | \$21.12                  |
| (b) | Each 1,000 gallons     | \$7.88 per 1,000 gallons |

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

- |     |  |         |
|-----|--|---------|
| (1) | One and Two Family Residences:                     | \$49.15 |
| (2) | Multi-family, Commercial, Industrial               |         |
| (a) | Under 2,000 square feet minimum fee:               | \$49.15 |
| (b) | Each additional square foot over 2,000 to 10,000:  | \$ 0.03 |
| (c) | Each additional square foot over 10,000 to 50,000: | \$0.010 |
| (d) | Each additional square foot over 50,000:           | \$0.005 |

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

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

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

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

# DRAFT

DATED at Crystal Lake, Illinois, this 7<sup>th</sup> day of June 2011.

APPROVED:

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MAYOR

ATTEST:

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CITY CLERK

PASSED:

APPROVED:

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





**Agenda Item No: 29**

## **City Council Agenda Supplement**

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**Meeting Date:** June 7, 2011

**Item:** Board and Commission Reappointment

**Staff Recommendation:** Motion to reappoint a member to the Fire and Police Commission.

**Staff Contact:** Aaron T. Shepley, Mayor

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**Background:**

The term of current Fire and Police Commission Member Ronald Miller expires on June 30, 2011. Mr. Miller has expressed interest in reappointment to a 3 year term on the Fire and Police Commission. Fire and Police Commission appointments are made by the Mayor with City Council confirmation.

Should the Council have any questions, please contact Mayor Shepley.

**Votes Required to Pass:** Simple majority