



CITY OF CRYSTAL LAKE
AGENDA

CITY COUNCIL
REGULAR MEETING

City of Crystal Lake
100 West Woodstock Street, Crystal Lake, IL
City Council Chambers
February 21, 2012
7:30 p.m.

1. **Call to Order**
2. **Roll Call**
3. **Pledge of Allegiance**
4. **Approval of Minutes – February 7, 2012 Regular City Council Meeting**
January 14, 2012 Strategic Planning Workshop Meeting
January 10, 2012 Hotel/Motel Tax Funding Workshop Meeting
2011/2012 Budget Workshop Meeting
5. **Accounts Payable**
6. **Public Presentation**
The public is invited to make an issue oriented comment on any matter of public concern not otherwise on the agenda. The public comment may be no longer than 5 minutes in duration. Interrogation of the city staff, Mayor or City Council will not be allowed at this time, nor will any comment from the Council. Personal invectives against city staff or elected officials are not permitted.
7. **Mayor's Report**
8. **Council Reports**
9. **Consent Agenda**
10. **McHenry County Bicycle Advocates/Land Conservancy of McHenry County request to use the City Hall front parking lot and Three Oaks Recreation Area for the Crystal Lake Night Owl Bike Ride event to be held between August 4, 2012 and August 5, 2012.**
11. **Car Dealership Temporary Use Permit requests for 2012 Special Promotions.**
12. **Raue Center Bob Blazier Walk/Run for the Arts Temporary Use Permit request to allow temporary closure of Williams Street and vendor/activity tents and request to waive the Temporary Use Permit application fee.**
13. **Raue Center, 26 N. Williams Street – Ordinance granting a further sign variation to allow a 284-square foot wall sign on the west elevation.**
14. **New Retailer Job Creation and Investment Grant application request – Soccer Heads, 1275 Randall Road.**
15. **Lutheran Social Services of Illinois/ Fox Hill Senior Living, Congress Parkway – Dedication of a private roadway to public right-of-way; Preliminary Plat of Subdivision for three lots; Preliminary Planned Unit Development with height variation for a senior independent living development; and Land Use Variation to allow this use in the “B-2 PUD” district.**
16. **Proposal award and resolution authorizing execution of a service agreement for repair work on Well #9 at Water Treatment Plant #2 and a 10% contingency for unforeseen expenses.**
17. **Bid award and resolution authorizing execution of a service agreement for Tree Pruning Services.**

18. **Bid award and resolution authorizing execution of a contract for the Cog Circle Pavement Repair and allowing for a 10 percent contingency.**
19. **Bid award and resolution authorizing execution of a contract for the 2012 Crack Sealing Program and allowing for a 10 percent contingency.**
20. **Proposal award and resolution authorizing execution of an agreement for consultant services for residential/small business electrical aggregation and municipal electricity purchasing, and Resolution authorizing execution of a contract for the purchase of electricity.**
21. **Resolution authorizing execution of an agreement for the purchase of one (1) Police Interceptor Utility vehicle through the Northwest Municipal Conference Suburban Purchasing Cooperative.**
22. **Ordinance amending City Code Chapter 595, Stormwater Management.**
23. **Willow Creek Crystal Lake request to hold a special event at the Three Oaks Recreation Area on September 9, 2012.**
24. **2012-2013 Fiscal Year Hotel/Motel Tax Funding Allocations.**
25. **Council Inquiries and Requests**
26. **Adjourn to Executive Session for the purpose of discussing matters of pending and probable litigation, the sale, purchase or lease of real property, collective bargaining, and personnel.**
27. **Reconvene to Regular Session.**
28. **Adjourn**

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



Agenda Item No: 10

**City Council
Agenda Supplement**

Meeting Date: February 21, 2012

Item: The Crystal Lake Night Owl Bike Ride

Staff Recommendation: City Council Discretion

1. Motion to approve the use of the City Hall front parking lot for the staging and start/end of the Crystal Lake Night Owl Bike Ride to be held overnight between Saturday, August 4, 2012 and Sunday, August 5, 2012.
2. Motion to approve a special use of the Three Oaks Recreation Area as part of the bike ride route for the Crystal Lake Night Owl Bike Ride to be held overnight between Saturday, August 4, 2012 and Sunday, August 5, 2012.

Staff Contact: Brad Mitchell, Assistant to the City Manager

Background:

In an effort to promote bicycling as a means of transportation and exercise in the City of Crystal Lake, the McHenry County Bicycle Advocates and the Land Conservancy of McHenry County will be hosting the Crystal Lake Night Owl Bike Ride, an overnight bike ride through the City of Crystal Lake between Saturday, August 4, 2012 and Sunday, August 5, 2012. The ride is anticipated to begin at midnight and finish around 3:00 a.m. There is no rain date scheduled in case of inclement weather. The proposed bike ride route is approximately 20 miles. It is anticipated that there will be 100 to 150 riders. This ride is similar to the "L.A.T.E Ride" in Chicago and the "Chase the Moon" ride in Warrenville.

The proposed bike ride route is as follows:

- Start at City Hall and proceed east on Woodstock Street to the McHenry County Conservation District (MCCD) Prairie Trail;
- MCCD Prairie Trail to the Three Oaks Recreation Area;

- Loop through the Three Oaks Recreation Area parking lot and proceed back to the MCCD Prairie Trail;
- Berkshire Drive to Nottingham Lane to Dartmoor Drive to Golf Course Road;
- Golf Course Road to south loop (Alexandra Boulevard-Swanson Road-Village Road-Claremont Drive);
- Golf Course Road back north to Barlina Road and west to Blue Mound Drive and Wedgewood Drive; Wedgewood Drive to Country Club Road to Dole Avenue;
- Dole Avenue to Oak Street to Woodstock Street to Elmhurst Avenue;
- Elmhurst Avenue to McHenry Avenue to Union Street to Wallace Avenue to Franklin Street;
- Franklin Street to Walkup Avenue to Woodstock Street and end at City Hall.

The ride is open to all ages, and riders under the age of 17 must have a parent signature and be accompanied by a parent. Each participant will be required to sign a hold harmless agreement to include the City. There will be a rest stop at the half way point of the route, and it is anticipated to utilize Park District and School District facilities for support, if necessary. There will be adult volunteers at signaled intersections. Each rider will be required to wear a helmet, light, and the high visibility/reflective t-shirt that they will receive as part of the registration fee. In addition, a sweep vehicle will follow the end of the ride for additional support, if necessary.

The McHenry County Bicycle Advocates and the Land Conservancy of McHenry County are requesting use of the City Hall front parking lot for the staging and start/end of the event. Entrances to the parking lot would remain open during the event. Also, participants will utilize the west end of the Alexander Commuter parking lot for parking during the event.

In addition, the McHenry County Bicycle Advocates and the Land Conservancy of McHenry County are requesting a special use of the Three Oaks Recreation Area as part of the bike ride route for the event. The proposed route includes a loop through the Three Oaks Recreation Area utilizing the entrance off of Main Street.

City staff met with representatives from the McHenry County Bicycle Advocates and the Land Conservancy of McHenry County in order to review the proposed bike ride. The City's Police Department has reviewed and approved the request.

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

- 1) The City will have flexibility in altering the race course based on any concerns that may arise.
- 2) Participants shall obey all traffic laws.
- 3) Volunteers shall carry cellular phones or radios to contact 911 in case of an emergency. Volunteers are not to direct traffic.

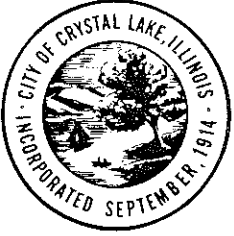
- 4) The McHenry County Bicycle Advocates and the Land Conservancy of McHenry County shall coordinate with the Crystal Lake Police Department regarding assistance during the event.
- 5) All debris created by the event shall be cleaned up during and after the event.
- 6) Petitioner must adhere to the 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.
- 7) Participants are required to sign an Indemnity/Hold Harmless agreement to include the City.
- 8) Any additional permits or requests for signage shall be made through the Engineering and Building Department.
- 9) In the case of inclement weather, an alternate date can be approved by the City Manager.

Attached for your information is the request for the Crystal Lake Night Owl Bike Ride from the McHenry County Bicycle Advocates and the Land Conservancy of McHenry County to be held overnight between Saturday, August 4, 2012 and Sunday, August 5, 2012.

The applicant has been made aware of these recommended conditions and advised to attend the February 21, 2012 City Council meeting.

Votes Required to Pass:

Simple majority vote of the City Council



Agenda Item No: 11

**City Council
Agenda Supplement**

Meeting Date:

February 21, 2012

Item:

Car Dealerships Temporary Use Permit requests for 2012 Special Promotions.

Recommendation:

Motion to approve the Temporary Use Permits for the 2012 Car Dealership Special Promotions pursuant to the recommendations below.

Staff Contact:

Michelle Rentzsch, Director of Planning & Economic Development
James Richter II, Assistant Director of Economic Development

Background: Based upon the direction of the City Council, staff has worked with auto dealerships to encourage them to obtain one Temporary Use Permit for the year for all of the dealership's special advertising needs. This allows car dealerships to hold their promotions within the time-frames required by the manufacturers without the need for seeking individual Temporary Use Permit approval. Also, this conserves City resources by allowing all promotions to be reviewed simultaneously through a single review. This year, staff has contacted all of the car dealerships within the City limits and is presenting their requests to the City Council at one time. Attached please find the application and promotional information for: Crystal Lake Chevrolet, 5220 Northwest Highway; M'Lady Nissan, 5656 Northwest Highway; Courtesy Buick GMC, 6305 Northwest Highway; Brilliance Honda, 210 N. Route 31; Anderson Motors, 360 N. Route 31; and Pauly Toyota, 1035 S. Route 31.

All of the car manufacturers require the auto dealers to hold various promotional events during the year as part of the manufacturer's overall advertising program. These promotional events are inconsistently timed throughout the year and given to the dealers with little or no advanced notice. The challenge for the auto dealers occurs when they are sent the promotional materials, banners, and program requirements and given very short notice to begin advertising for the promotions. The promotional events can last as few as five days and, therefore, by the time the temporary use permit and signage permits are applied for and obtained, the promotion is already over.

Staff has worked with the petitioners to come up with promotional schedules that allow the dealerships the flexibility to commence promotions throughout the year as needed, without being required to return to the City for individual approvals for each promotion. The petitioners are each requesting approvals that are in accordance with their manufacturer's advertising program for the year 2012.

The proposed schedule and the details for each of the events, including event length, and promotional items (banners and tents) are listed on the attached schedule. That will also eliminate the need for limited duration sign permits.

If the requests are approved, the following conditions are recommended:

1. The Temporary Use Permits shall be valid during the 2012 calendar year.
2. The installation of a tent requires an inspection prior to occupancy by the Fire Prevention Bureau. The additional conditions for the tents are:
 - A. All tents must be labeled fire retardant and anchored properly.
 - B. At least one fire extinguisher must be under the tent.
 - C. No automobiles will be allowed under the tent with the batteries connected.
 - D. Fuel levels must be less than ¼ tank or not more than 5 gallons, whichever is less.
 - E. Fuel tank openings must be secured to prevent the escape of vapors.
 - F. Provide a 20-foot access for emergency vehicles to gain access to the building, Fire Rescue Department connection, and the event site. The tents may need to be adjusted.
 - G. The tent placement on the provided plan will require a 12-foot separation from other tents, canopies, and the parking of cars.
 - H. All tents/canopies shall be anchored using stakes, sand, or concrete blocks.
3. Banners should be positioned so as not to prohibit sight lines. They shall be a minimum of 10 feet from the property line/sidewalk at intersections.
4. On-site traffic flow must be maintained around the building, Fire Rescue Department connection, and the event site (minimum of 20 feet).
5. A meeting with the Fire Prevention Bureau shall be scheduled at least one (1) week prior to the first time of setting up tents to review the placement of the canopy/tent.
6. If there will be any food vendors, they will require approval from the McHenry County Health Department.
7. All electrical connections and lighting shall comply with the 2005 National Electric Code.
8. On-site traffic flow must be maintained. Adjust employee parking as necessary to accommodate customer parking.

The applicants have been made aware of these recommended conditions and will be attending the February 21, 2012 City Council meeting to answer any questions.

Votes Required to Pass: A simple majority vote.



Agenda Item No: 12

**City Council
Agenda Supplement**

Meeting Date:

February 21, 2012

Item:

Raue Center Bob Blazier Walk/Run for the Arts Temporary Use Permit request to allow temporary closure of Williams Street and vendor/activity tents.

Recommendation:

Motion to approve issuance of the Temporary Use Permit for the Raue Center Bob Blazier Walk/Run for the Arts pursuant to the recommendations below and waiver of the Temporary Use Permit application fee.

Staff Contact:

Michelle Rentzsch, Director of Planning & Economic Development

Background: Again this year, the Raue Center is requesting a Temporary Use Permit for the Bob Blazier Walk/Run on Sunday, May 6, 2012. This request has been approved for several years, including the request to close Williams Street between Woodstock Street and Crystal Lake Avenue to vehicle traffic from 6:00 a.m. to noon.

The applicant is working with the City to meet all the Code requirements to make this a safe event to be enjoyed by all in attendance.

Since this is a fundraiser for the Raue Center, they are requesting that the Temporary Use Permit fee (\$40.00) be waived.

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

1. The Temporary Use Permit shall be valid on Sunday, May 6, 2012.
2. No items shall be located on the sidewalks.
3. Parking should be restricted along the east side of Grant Street and south side of Woodstock Street in addition to the closed portion of Williams Street.
4. Signs indicating the road closure to be posted a minimum of 24 hours prior to the event and in the locations designated by the Police Department. Traffic control and signage may be required throughout the 5K and 1-mile race course. The petitioner shall meet with the City's Police, Engineering and Building, and Public Works Departments to discuss signage needed.
5. Organizers are to contact the Police Department for official "No Parking" signs. The "No Parking" signs are not to be posted on telephone poles and are to be removed immediately after the race.

6. Barricades borrowed from the City of Crystal Lake must be returned to City Hall on the first working day after the event.
7. The barricades on Brink Street shall be placed near the alley entrances, instead of the Williams Street intersection, to avoid cars getting trapped at the closure points with no room to turn around. Also place barricades or cones on the south end of Williams Street to help delineate the limits of the temporary vehicle restriction for pedestrians/event visitors.
8. Add cones or other physical separation for the temporary "runners lane" in the southern bay of parking on Woodstock Street between Grant and Williams.
9. All directly affected businesses and residents on North Williams Street shall be notified in advance of the road closure.
10. An insurance and hold harmless agreement needs to be provided to the City of Crystal Lake.
11. Streets along the race route will not be closed. There are several churches in the neighborhoods the 5K race passes through. Work with the Police Department as to positioning of volunteers, as well as the number of officers required for this event.
12. Runners should be reminded that they are obligated to follow all laws related to pedestrians in the roadway.
13. Streets are not to be marked with paint or any permanent materials.
14. The site shall be inspected the morning of the festival for compliance with canopy spacing (if applicable) and electrical connections. A site visit on April 30 is recommended to address any problems prior to race day, including but not limited to spacing of the canopies/tents, positioning of the garbage cans, etc.
15. An access lane greater than 13 feet is required for access to Williams Street by aerial ladder.
16. The occupancy limit for the Raue Center shall not be exceeded during the award ceremony.
17. Please contact the Fire Rescue Department by April 1, 2012 to arrange for ambulance coverage from 7:00 a.m. to 11:00 a.m.
18. Please contact the Police Department by April 1, 2012 to determine/arrange for police officers for traffic control, lead vehicle, etc.
19. Ensure that the lead and follow vehicles do not block traffic. The lead vehicle and trail car are required to be police squads to ensure the safety of the participants.
20. All trash shall be picked up along the race route, as well as in the downtown area.
21. The use of the downtown lighting system to provide electrical power for the sound system is prohibited.
22. A temporary sign permit shall be obtained from the Building Division for any signage/banners.
23. No smoking, as well as cooking or open flames shall be permitted under the canopies/tents.

The applicant has been made aware of these recommended conditions and will be attending the February 21, 2012, City Council meeting to answer any questions.

Votes Required to Pass: A simple majority vote.



Agenda Item No: 13

**City Council
Agenda Supplement**

Meeting Date: February 21, 2012

Item: Raue Center wall sign clarification.

Recommendation: Motion to approve an ordinance granting a further sign variation to allow a 284-square foot wall sign on the west elevation, a total of 404 total square feet of wall signage for the Raue Center at 26 N. Williams Street.

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

Background: At the November 15, 2011 City Council meeting, the Raue Center received approval for a sign variation for a wall sign on the west elevation of the Raue Center. The agenda supplement specified that the wall sign was proposed to be 95 square feet. Attached is a letter from Penny Hughes explaining that Hughes and Son made an error in the dimensions indicated on the original sign variation submittals (see attached).

The dimensions were incorrect, but the picture of the sign on the elevation presented to Council and in the original application was proportionate to what was intended to be installed.

The original submittal proposed the wall sign at 95 square feet which would place the total amount of wall signage at 215 square feet. This total amount includes the marquee in front of the building. The revised submittal proposes the wall sign at 284 square feet which would place the total wall signage including the marquee at 404 square feet.

Item	Original Approved Variation Request	Revised Variation Request	Difference
Existing Marquee	120 square feet	120 square feet	--
Additional Request	95 square feet	284 square feet	189 square feet
Total Wall Signage	215 square feet	404 square feet	189 square feet

The request is to allow the additional square footage as part of the sign variation for the Raue Center.

Votes Required to Pass: A simple majority vote.

DRAFT

ORDINANCE NO. _____
FILE NO. _____

AN ORDINANCE GRANTING A SIGN VARIATION FOR THE RAUE CENTER, 26 N. WILLIAMS ST.

WHEREAS, pursuant to the terms of the request (File #2012-05B) before the City of Crystal Lake, the Petitioner has requested a sign variation to allow a 284-square foot wall sign on the west elevation for the Raue Center; and

WHEREAS, a hearing of the request was held before the City of Crystal City Council in the manner and in the form as prescribed by Ordinance and Statute; and

WHEREAS, as a result of said hearing, the City Council made a motion to approve the sign variation as requested; and

WHEREAS, it is in the best interests of the City of Crystal Lake that the sign variation be granted as requested,

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

SECTION I: That a sign variation be granted to allow a 284-square foot wall sign on the west elevation for the Raue Center located at 26 N. Williams Street, Crystal Lake, Illinois.

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

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

MAYOR

ATTEST:

CITY CLERK

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



Agenda Item No: 14

**City Council
Agenda Supplement**

Meeting Date: February 21, 2012

Item: New Retailer Job Creation and Investment Grant application request #2011-22-08 from Soccer Heads, for 1275 Randall Road, unit 102, for \$3,775 in matching grant funds.

Orhan Senger, owner of Soccer Heads

Recommendations: City Council's discretion:

1. Motion to approve the Retailer Job Creation and Investment Grant agreement with Orhan Senger, and to award \$3,775 in grant funding for new furniture, fixtures and equipment at 1275 Randall Road, Unit 102;
2. Motion to deny the grant application.

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

Background: On May 4, 2010, the City Council approved the Retailer Façade and Commercial Tenant Improvement Program, which offers matching grant funding to retailers providing eligible building improvements. On November 1, 2011, the City Council approved the **Retailer Job Creation and Investment Program**, which provides grant funding to new and existing retailers who occupy vacant space and hire full-time employees or install eligible furniture, fixtures, and equipment.

SOCCKER HEADS (1275 Randall Road)

Soccer Heads is a specialty retailer of soccer gear, including shoes, apparel, soccer balls, and training equipment. Soccer Heads will be relocating from Algonquin to Crystal Lake to lease 3,522 square feet of space in the Grand Appliance Center at 1275 Randall Road. Mr. Senger will purchase approximately \$7,550 in eligible furniture, fixtures, and equipment for their new retail location. At a 50% match, the City would provide a grant for \$3,775.

In order to objectively analyze the applications for funding, review criteria have been established in the Ordinance approving this program. The chart on the following page outlines the evaluation of the applicant's request in relation to our review criteria:

REVIEW CRITERIA	APPLICANT'S ABILITY TO MEET THE REVIEW CRITERIA
Improvement to overall appearance	Minor improvements to the appearance of the subject property would be provided
Aesthetic impact to surrounding areas	Improvements would provide a minor aesthetic impact to the area to repurpose the space
Number of employees and wages	1 part-time and 2 full-time employees will be added as a result of Soccer Heads
Value of new FFE	Furniture, fixtures, and equipment in excess of \$7,550*
Use of the property as a result of a new business	Promotes the intended use of the building for retail sales*
Contribution to economic vitality	Promotes occupancy of vacant retail space with a viable retailer relocating from Algonquin, who will collect sales taxes*
Compatibility with nearby uses	Compatible with adjacent uses*

The applicant's request has been evaluated for the value of the improvement, the extent of proposed work, and its potential impact. The current application would fulfill 4 of the 7 review criteria (marked with an asterisk*).

SUMMARY OF CURRENT REQUESTS

The chart below provides a complete summary of the pending grant funding requests. The City has budgeted \$80,000 for reimbursements to awarded recipients. The job creation and investment programs will share the same funding source (\$80,000).

File #	Applicant Name / Business name	Address	New Retailer Programs	Existing Retailer Programs	Manufacturer Programs	Total Requested	Amount Approved	Status
2011-22-01	The Fresh Market	6000 Nw Hwy	\$10,000.00			\$0.00	\$0.00	Withdrawn
2011-22-02	Shawn Lee, Kyoto	5690 Nw Hwy		\$2,500.00		\$2,500.00	\$2,500.00	Approved
2011-22-03	Aptar / Cobalt	450 Congress			\$10,000.00	\$10,000.00	\$10,000.00	Approved
2011-22-04	RW Technologies	387 Congress			\$10,000.00	\$10,000.00	\$10,000.00	Approved
2011-22-05	The Olive Tap	68 N. Williams	\$10,000.00			\$10,000.00	\$10,000.00	Approved
2011-22-06	Phoenix Electronics	300 Millennium			\$10,000.00	\$10,000.00	\$10,000.00	Approved
2011-22-07	Chen's Chinese Cuisine	6100 Nw Hwy		\$5,000.00		\$5,000.00	\$5,000.00	Approved
2011-22-08	Soccer Heads	1275 Randall Rd	\$3,775.00			\$3,775.00		Proposed

TOTALS	\$23,775.00	\$7,500.00	\$30,000.00	\$51,275.00	\$47,500.00
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Votes Required to Pass: A simple majority vote.



Agenda Item No: 15

**City Council
Agenda Supplement**

Meeting Date:

February 21, 2012

Item:

REPORT OF THE PLANNING & ZONING COMMISSION

#2012-06 Lutheran Social Services of Illinois – Fox Hill Senior Living.

Requests:

- 1) Dedication of a private roadway to public right-of-way;
- 2) Preliminary Plat of Subdivision for three lots;
- 3) Preliminary Planned Unit Development with height variation for a senior independent living development; and
- 4) Land Use Variation to allow this use in the “B-2 PUD” district.

Kevin Hagemann, Petitioner
1001 E. Touhy Ave. Des Plaines, IL

PZC Recommendation:

Motion to approve the Commonwealth Drive dedication and to approve the Planning and Zoning Commission recommendation and adopt an ordinance granting the Preliminary Plat of Subdivision, Preliminary Planned Unit Development with height variation and the Use Variation for senior independent living for the Crystal Lake Senior Housing Project on Congress Parkway.

Staff Contact:

Michelle Rentzsch, Director of Planning and Economic Development

Background:

Senior Living Building and Site

- Fox Hill Senior Living is a 60-unit affordable senior living project. Rental rates are based on 30% of the occupants’ adjusted income, not to exceed \$26,300/year for one occupant or \$30,050 for two occupants.
- Funding will be granted by HUD (US Department of Housing and Urban Development).
- The building would be three stories designed in the Frank Lloyd Wright “Prairie Style” of architecture. This features a low roof with large overhangs, long brick with fiber cement board trim and decorative pilasters.
- The petitioners are requesting a Preliminary Plat of Subdivision for a three-acre parcel immediately east of Commonwealth Drive, a Preliminary Planned Unit Development approval with a variation to the maximum height to allow the building at 33-feet high and a

Use Variation to allow a continuing care retirement community without nursing facilities in the B-2 zoning district.

Commonwealth Roadway Dedication

- Commonwealth Drive is an existing roadway traveling both north and south of Congress Parkway.
- The southern leg is a private roadway, maintained by the adjoining property owners. The portion north of Congress is already City public right-of-way.
- The request is to have the portion of the roadway along the frontage of this lot to Congress Parkway dedicated to the City. The portion of the roadway south of this lot adjacent to Crystal Point Center and Ace Hardware would still remain private. HUD requires sites to have access from a public right-of-way.
- The roadway was constructed to meet or exceed City standards in terms of pavement structure.
- The right-of-way is less than typically required for a minor collector. The petitioners will dedicate 49 feet. Typical minor collectors have 60 feet of right-of-way. Additional easements for public and municipal utilities as well as a sidewalk have been proposed outside of the right-of-way.

PZC Highlights:

The item was first heard at the January 18th PZC meeting for the introduction for the Preliminary PUD request. There were three issues raised at this meeting:

- Add additional accessible parking spaces.
- Add a sidewalk on the east side of the building to get to the parking lot.
- Provide information on how this project will be restricted to persons over 62 years of age.

The item was continued to the February 1st PZC meeting for the public hearing.

During the February 1st PZC hearing, the petitioners made their presentation regarding LSSI's history in Illinois, the building elevations, the site layout, and the proposed subdivision and roadway dedication. The petitioners addressed the concerns of the Commissioners that were raised at the meeting, such as:

- The small size of the units at only 540 square feet.
- Sound traveling between the units and from common areas.
- Congress Parkway is not pedestrian friendly.
- Work with staff on additional architectural details.

The Planning and Zoning Commission recommended **approval (9-0)** of the petitioner's requests for a Preliminary Plat of Subdivision, Preliminary PUD with height variation and Use Variation to allow a continuing care retirement community without nursing facilities in the B-2 zoning district with the following conditions:

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

- A. Application (Kevin Hagemann, LSSI, received 1/26/12)
 - B. Architectural Plan Set (Tyson and Billy Architects, P.C., dated 01/26/12, received 01/26/12)
 - C. Preliminary Plat of Subdivision (Schefflow, dated 1/25/12, received 1/26/12)
2. Preliminary Plat of Subdivision
 - A. Indicate the floodplain designation for this property.
 - B. Indicate all building setback lines and correct the ones that have been shown along Commonwealth to 30-foot setbacks.
 - C. Show the location of Public Utility Easements and Municipal Utility Easements including a municipal utility and pedestrian easement for the sidewalk. Work with staff on the final location of these easements.
 3. Site and Landscape Plan
 - A. Illustrate the location for possible cross access for the parcels to the east and north.
 - B. Sidewalk access shall be provided along the entire Commonwealth Drive to Congress Parkway with the plat of subdivision.
 - C. The proposed sign is located within a Municipal Utility Easement and needs to be relocated.
 - D. Shrink the perimeter parking spaces to 17.5 feet long, where an overhang exists, to capture more green space on this site.
 - E. If this property requires any tree removal, the petitioner shall provide a tree inventory, protection plan and removal calculations which meet Article 4-300 of the UDO.
 - F. Additional building foundation landscaping is required to meet the UDO standards.
 - G. Work with staff to resolve the utility/landscaping conflicts shown where the new sanitary and water mains are proposed.
 - H. A fire hydrant shall be available within 100 feet from the Fire Rescue Department connection and not closer than 1.5 times the height of the building.
 4. Elevations
 - A. A sample color and material board shall be presented with the Final PUD application.
 - B. **The petitioner shall discuss with staff possible enhancements to the west elevation.**
(Added by PZC)
 - C. **The petitioner shall discuss with staff possible enhancements to the roof line to break up the expanse.** (Added by PZC)
 - D. **The petitioner shall discuss with staff the increase of brick on the second and third stories.** (Added by PZC)
 5. The following Variation is hereby granted as part of the PUD:
 - A. A variation from Article 3 Section 3 Density and Dimensional Standards to allow a three-story building at 33 feet exceeding the maximum height of 28 feet, a variation of 5 feet and one story.
 6. The petitioner shall address all of the review comments and requirements of the Engineering and Building, Fire Rescue, Police, Public Works, and Planning and Economic Development Departments.

Votes Required to Pass:

A simple majority vote.



DRAFT

RESOLUTION NO. ____

**A RESOLUTION DEDICATING PROPERTY FOR COMMONWEALTH
DRIVE SOUTH OF CONGRESS PARKWAY IN THE CITY OF
CRYSTAL LAKE FOR ROADWAY PURPOSES**

WHEREAS, Elgin Bancshares, Inc. is the record owner of a parcel of property located at the southeast corner of Commonwealth Drive and Congress Parkway in the City of Crystal Lake (the "**Property**"), which is legally described and depicted on the Preliminary Plat of Subdivision of Crystal Courtyards ("**Plat of Subdivision**") attached hereto as Exhibit A and, by this reference, incorporated into and made a part hereof; and

WHEREAS, the western 49-foot known as Commonwealth Drive is to be dedicated to the City for right-of-way purposes legally described and depicted on the plat of dedication ("**Plat of Dedication**") attached hereto as Exhibit B and, by this reference, incorporated into and made a part hereof; and

WHEREAS, the Mayor and City Council have determined that it is in the best interests of the City and its residents to dedicate the Property as public right-of-way for roadway purposes and all public right-of-way purposes and have caused to be created the Plat of Dedication;

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE, MCHENRY COUNTY, ILLINOIS, AS FOLLOWS:

Section 1: Recitals. The recitals set forth above are included in this Resolution.

Section 2: Dedication of Property for Roadway Purposes. The Mayor and City Council of Crystal Lake, acting pursuant to the authority vested in them by the laws of the State of Illinois and the Crystal Lake City Code and pursuant to the City's home rule authority, hereby dedicate the Property as public right-of-way for all public roadway and public right-of-way purposes.

Section 3: Approval of Plat of Dedication. The Plat of Dedication attached to this Resolution as Exhibit B is hereby approved. The Mayor and City Clerk are hereby authorized and directed to cause the approved Plat of Dedication to be properly and fully executed at such time that construction begins for the Lutheran Social Services of Illinois housing project.

Section 4: Recordation. The City Clerk is hereby authorized and directed to cause this Resolution and the approved and fully executed Plat of Dedication to be recorded in the Office of the Recorder of Deeds of McHenry County, Illinois.

DRAFT

Section 5: Effective Date. This Resolution shall be in full force and effect from and after its passage, approval, and publication in pamphlet form in the manner provided by law.

PASSED this ___ day of _____, 2012

AYES:

NAYS:

ABSENT:

APPROVED this __ day of _____, 2012

SIGNED: _____
Aaron T. Shepley, Mayor

ATTEST: _____
Nick Kachiroubas, City Clerk

SEAL

DRAFT

ORDINANCE NO. _____
FILE NO. _____

AN ORDINANCE GRANTING A PRELIMINARY PLANNED UNIT
DEVELOPMENT, PRELIMINARY PLAT OF SUBDIVISION, AND
A USE VARIATION
FOR FOX HILLS SENIOR LIVING (L.S.S.I.)

WHEREAS, pursuant to the terms of the Petition (File #2012-06) before the Crystal Lake Planning and Zoning Commission, the Petitioner has requested a Preliminary Plat of Subdivision of Lot 3 in the Crystal Lake Business Center for a for a three lot re-subdivision of Crystal Courtyards; Preliminary Planned Unit Development for a 60-unit senior independent living development; and Use Variation from Article 2, Land Use of the Unified Development Ordinance, to allow a continuing care retirement community without nursing facilities, in the "B-2" zoning district for Fox Hills Senior Living (LSSI) located east of Commonwealth Drive and south of Congress Parkway; 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 Preliminary Planned Unit Development, Preliminary Plat of Subdivision and a Use Variation be granted as requested in said Petition,

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

SECTION I: That a Preliminary Plat of Subdivision of Lot 3 in the Crystal Lake Business Center for a for a three lot re-subdivision of Crystal Courtyards; Preliminary Planned Unit Development for a 60-unit senior independent living development; and Use Variation from Article 2, Land Use of the Unified Development Ordinance, to allow a continuing care retirement community without nursing facilities, in the "B-2" zoning district be granted for the property located east of Commonwealth Drive and south of Congress Parkway, Crystal Lake, Illinois.

SECTION II: That the Preliminary Planned Unit Development, Preliminary Plat of Subdivision and Use Variation are granted with the following conditions:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
 - A. Application (Kevin Hagemann, LSSI, received 1/26/12)
 - B. Architectural Plan Set (Tyson and Billy Architects, P.C., dated 01/26/12, received 01/26/12)

C. Preliminary Plat of Subdivision (Schefflow, dated 1/25/12, received 1/26/12)

2. Preliminary Plat of Subdivision

- A. Indicate the floodplain designation for this property.
- B. Indicate all building setback lines and correct the ones that have been shown along Commonwealth to 30 foot setbacks.
- C. Show the location of Public Utility Easements and Municipal Utility Easements including a municipal utility and pedestrian easement for the sidewalk. Work with staff on the final location of these easements.

3. Site and Landscape Plan

- A. Illustrate the location for possible cross access for the parcels to the east and north.
- B. Sidewalk access shall be provided along the entire Commonwealth Drive to Congress Parkway with the plat of subdivision.
- C. The proposed sign is located within a Municipal Utility Easement and needs to be relocated.
- D. Shrink the perimeter parking spaces to 17.5 feet long, where an overhang exists, to capture more green space on this site.
- E. If this property requires any tree removal, the petitioner shall provide a tree inventory, protection plan and removal calculations which meet Article 4-300 of the UDO.
- F. Addition building foundation landscaping is required to meet the UDO standards.
- G. Work with staff to resolve the utility/landscaping conflicts shown where the new sanitary and water mains are proposed.
- H. A fire hydrant shall be available within 100 feet from the fire department connection and not closer than 1.5 times the height of the building.

4. Elevations

- A. A sample color and material board shall be presented with the Final PUD application.
- B. The petitioner shall discussion with staff possible enhancements to the west elevation.
- C. The petitioner shall discussion with staff possible enhancements to the roof line (to break up the expanse).
- D. The petitioner shall discussion with staff the possibility of increasing the brick on the second and third stories.

5. The following Variation is hereby granted as part of the PUD:

- A. A variation from Article 3 Section 3 Density and Dimensional Standards to allow a three-story building at 33 feet exceeding the maximum height of 28 feet, a variation of 5 feet and one-story.

6. 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.

DRAFT

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: 16

**City Council
Agenda Supplement**

Meeting Date: February 21, 2012

Item: Well #9 Maintenance and Rehabilitation

Staff Recommendation: Motion to award the proposal for repair work on Well #9 at Water Treatment Plant #2 to the lowest responsible and responsive proposer, Water Well Solutions, and adopt a Resolution authorizing the City Manager to execute a service agreement with Water Well Solutions to complete repair work based on the proposal provided on February 6, 2012 with a 10% contingency for unforeseen expenses.

Staff Contact: Victor Ramirez, P.E., Director of Public Works

Background:

On February 6, 2012, the City of Crystal Lake publicly opened and read aloud the bids received to perform repair and maintenance work on Well #9. The motor on Well #9 failed due to a broken motor adapter bracket. This well last received repair and service work in 2005.

To provide the City with a competitive cost, vendors were requested to submit bids that indicate hourly labor rates, material pricing, and equipment costs for the expected repairs and service. Because the full extent of the work cannot be realized until the motor is pulled from the well, alternate prices were solicited for repairs on an as-needed basis. The breakdown of bids received is as follows:

Proposer	Base Price	Alternate Price (as necessary)	Total Bid based on all options exercised
√ Water Well Solutions Elburn, IL	\$14,787.95	\$10,304.00	\$25,091.95
Municipal Well & Pump Waupun, WI	\$16,905.00	\$8,612.00	\$25,517.00
Layne-Western Aurora, IL	No Bid	No Bid	No Bid

√ Indicates the lowest responsive and responsible proposer

Recommendation:

The Public Works Department has reviewed all bids received for completeness and accuracy in accordance with the invitation to bid document. Water Well Solutions has submitted the lowest qualified bid per the specifications stated in the bid document and based on a typical scenario and anticipated needed repairs. The Public Works Department staff has verified references and has received positive recommendations. It is staff's recommendation to award the bid to the lowest responsible, responsive bidder, Water Well Solutions, who is best qualified to perform the work in accordance with the terms and conditions of the contract.

There are sufficient funds in the FY 2011/12 Budget for this expense.

Votes Required to Pass:

Simple Majority

RESOLUTION

DRAFT

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE that the City Manager is authorized to execute a service agreement with Water Well Solutions for repair work on Well #9 at Water Treatment Plant #2.

DATED this _____ day of _____, 2012.

CITY OF CRYSTAL LAKE, an
Illinois municipal corporation,

By: _____
MAYOR

SEAL

ATTEST

CITY CLERK

PASSED: _____

APPROVED: _____



Agenda Item No: 17

**City Council
Agenda Supplement**

Meeting Date: February 21, 2012

Item: Tree Pruning Services

Staff Recommendation: Motion to award the bid for Tree Pruning Services to the lowest responsive and responsible bidder, Landscape Concepts Management, and to adopt a resolution authorizing the City Manager to execute a service agreement with Landscape Concepts Management in the amount of \$6.95 per tree pruned.

Staff Contact: Victor Ramirez, P.E., Director of Public Works

Background:

On February 10, 2012, the City of Crystal Lake publicly opened and read aloud the bids received for the services related to tree pruning. The goal of this program is to achieve a healthy, sustainable forest and improve the natural resource management within the community. Tree pruning will be specific only to those trees on public property or otherwise designated. The program covers only trees that require routine arboriculture pruning to correct structural problems or growth patterns which would eventually obstruct traffic or interfere with sightlines or signage. One of the main objectives of this pruning is to raise the crown of the trees to stay consistent with City policies.

The Streets Division identified the Coventry Subdivision as well as the Four Colonies Subdivision as the most critical areas in need of tree-pruning services. The breakdown of bids is as follows:

	√Landscape Concepts, Grayslake, IL	The Care of Trees, Crystal Lake, IL	Davey Trees, East Dundee, IL	Homer Tree Care, Wauconda, IL	Winkler's Tree, La Grange Park, IL	Clean Cut Tree Service, Lake Villa, IL	Trees "R" Us, Wauconda, IL 60084	Steve Piper & Sons, Naperville, IL
Base Bid Coventry	\$6.95	\$20.00	\$22.50	\$34.00	\$24.89	\$120.00	\$36.00	No Bid
Alternate Bid Four Colonies	\$6.95	\$20.00	\$15.00	No Bid	\$22.88	\$120.00	\$39.00	No Bid

√ Indicates the lowest responsive and responsible bidder

Recommendation:

The Public Works Department has reviewed all bids received for completeness and accuracy in accordance with the invitation to bid documents. It is the recommendation of staff to award the Tree Pruning agreement to the lowest responsive and responsible bidder, Landscape Concepts Management. Landscape Concepts Management received favorable reviews from their references and currently holds the City's contracts for Tree Removal Services and Lawn Care Maintenance.

Votes Required to Pass:

Simple Majority

RESOLUTION

DRAFT

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE that the City Manager is authorized to execute a Service Agreement between the CITY OF CRYSTAL LAKE and Landscape Concepts Management, Inc. for tree pruning services.

DATED this _____ day of _____, 2012.

CITY OF CRYSTAL LAKE, an
Illinois municipal corporation,

By: _____
MAYOR

SEAL

ATTEST

CITY CLERK

PASSED: _____

APPROVED: _____



Agenda Item No: 18

**City Council
Agenda Supplement**

Meeting Date: February 21, 2012

Item: COG Circle Pavement Repair

Staff Recommendation: Motion to award the COG Circle Pavement Repair bid, including Alternate Bid Item 1, to the lowest responsive and responsible bidder, Curran Contracting Company, in the bid amount of \$20,795.00, and adopt a resolution authorizing the City Manager to execute the contract with Curran Contracting Company, allowing for a 10 percent contingency.

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

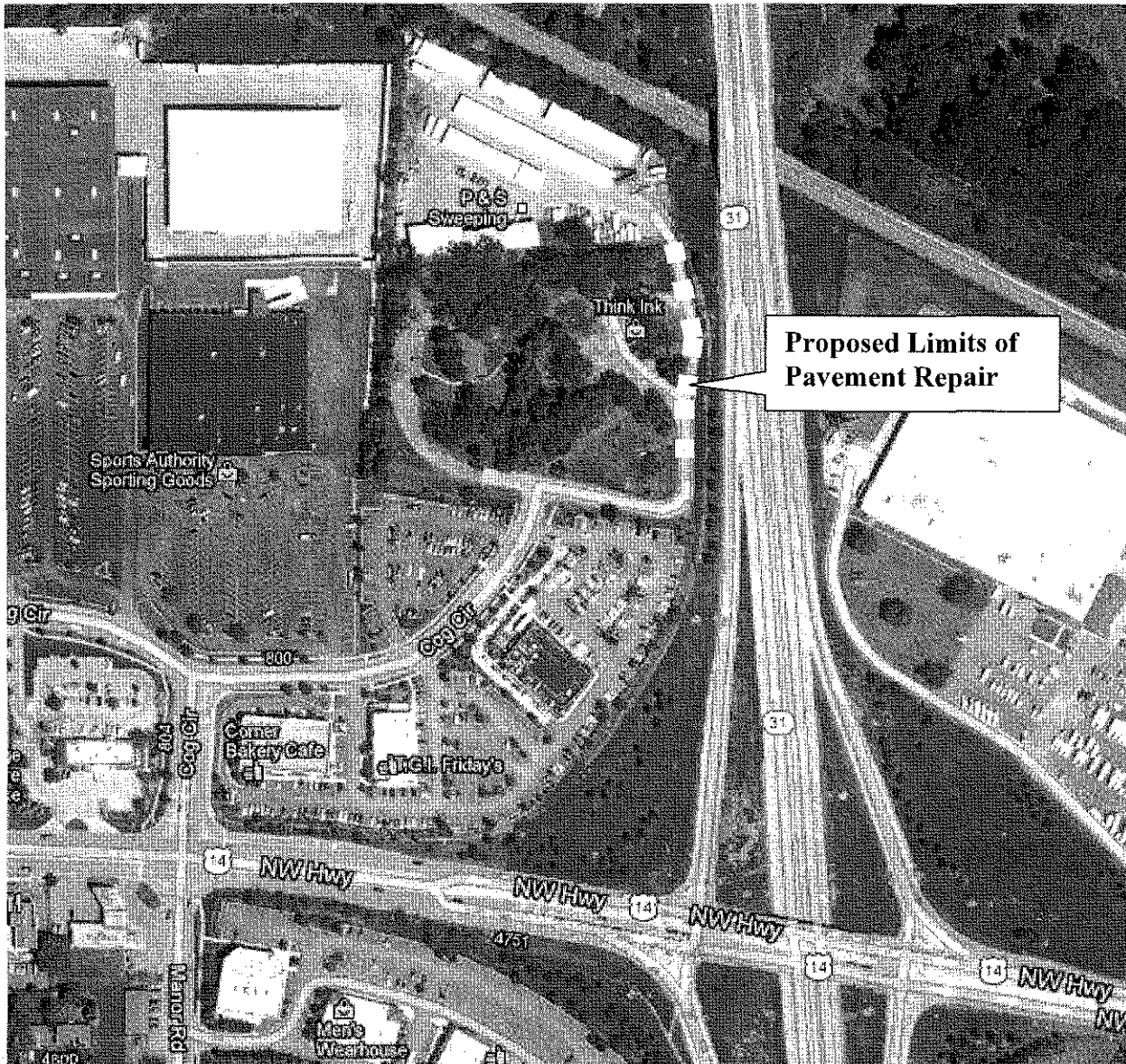
Background:

On February 10, 2012, bids received for the COG Circle Pavement Repair were opened and publicly read. The City received seven bids and the results are tabulated below.

<i>Firm</i>	<i>Base Bid</i>	<i>Alternate 1</i>	<i>Total Bid</i>
Curran Contracting Company ¹ Steger, IL	\$15,395.00	\$5,400.00	\$20,795.00
Chicagoland Paving Contractors, Inc. Lake Zurich, IL	\$19,550.00	\$3,600.00	\$23,150.00
Meyer Paving, Inc. Maple Park, IL	\$20,020.00	\$3,600.00	\$23,620.00
Geske and Sons, Inc. Crystal Lake, IL	\$21,225.00	\$5,850.00	\$27,075.00
Arrow Road Construction Co. Mount Prospect, IL	\$20,490.00	\$7,200.00	\$27,690.00
Maneval Construction Co., Inc. Graylake, IL	\$23,586.20	\$5,850.00	\$29,436.20
Schroeder Asphalt Services, Inc. Huntley, IL	\$22,247.50	\$7,200.00	\$29,447.50

¹ Indicates Recommended Lowest Responsive and Responsible Bidder

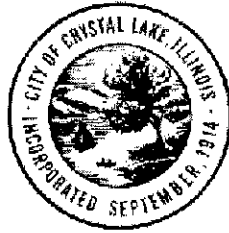
The segment of COG Circle north of the Portillo's restaurant site has several areas that require significant patching, and are beyond the City's capabilities to repair. This paving work would remove the deteriorated pavement and install a new surface in order to continue providing safe access to the parcels to the north. This segment of roadway fell under the City's jurisdiction following the recent annexation of the property.



The City sent a notice of the bid to several different contractors and standard bid advertisement procedures were followed. The City will use a portion of the budget remaining from the FY 2012 resurfacing program to fund this project.

Votes Required to Pass:

Simple majority



DRAFT

The City of Crystal Lake Illinois

RESOLUTION

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE that the City Manager be authorized to execute the contract with Curran Contracting Company for the COG Circle Street Paving Program in the amount of \$20,795.00. The City Manager is additionally authorized to approve up to 10 percent in justifiable contract amendments from a contingency allowance.

DATED this twenty-first day of February, 2012.

CITY OF CRYSTAL LAKE, an Illinois
Municipal Corporation

BY: _____
Aaron T. Shepley, Mayor

ATTEST:

Nick Kachiroubas, City Clerk

PASSED: February 21, 2012

APPROVED: February 21, 2012



Agenda Item No: 19

**City Council
Agenda Supplement**

Meeting Date: February 21, 2012

Item: 2012 Crack Sealing Program

Staff Recommendation: Motion to award the 2012 Crack Sealing Program bid to the lowest responsive and responsible bidder, Denler, Inc., in the bid amount of \$34,684.35, and adopt a resolution authorizing the City Manager to execute the contract with Denler, Inc., allowing for a 10 percent contingency.

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

Background:

On February 10, 2012, bids received for the 2012 Crack Sealing Program were opened and publicly read. The City received three bids and the results are tabulated below.

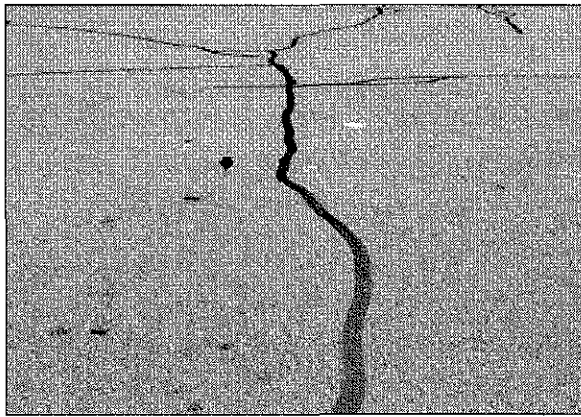
<i>Firm</i>	<i>Amount of Bid</i>
Denler, Inc. ¹ Mokena, IL	\$34,684.35
Behm Pavement Maintenance, Inc. Crystal Lake, IL	\$39,532.70
SKC Construction, Inc. West Dundee, IL	\$39,607.29

¹ Indicates Recommended Lowest Responsive and Responsible Bidder

This is the first time the City has contracted for a crack sealing program. The Engineering and Building Department has been studying the process, and has determined that this will be a cost-effective way to extend the usable life of several streets. Below is the list of streets included in the program.

<i>Street</i>	<i>From</i>	<i>To</i>
Alexandra Boulevard	Golf Course Road	Swanson Road
Barlina Road	Golf Course Road	Huntley Road
Berkshire Drive	Virginia Road	Darlington Lane
Brompton Lane	Village Road	Alexandra Boulevard
Coventry Lane	Berkshire Drive	Dartmoor Drive
Golf Course Road	Miller Road	Barlina Road
Village Road	Randall Road	Golf Course Road

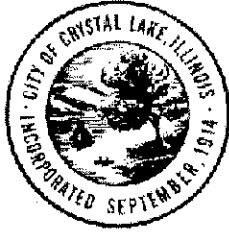
Routing, cleaning, and sealing cracks is an effective pavement preservation practice for streets that exhibit nominal pavement distress. Staff will monitor the success of this initial program and expand this practice in future budget years if successful.



The City sent a notice of the bid to several different contractors and standard bid advertisement procedures were followed. The City will use a portion of the budget remaining from the FY 2012 resurfacing program to fund this project.

Votes Required to Pass:

Simple majority



DRAFT

The City of Crystal Lake Illinois

RESOLUTION

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE that the City Manager be authorized to execute the contract with Denler, Inc., for the 2012 Street Crack Sealing Program in the amount of \$34,684.35. The City Manager is additionally authorized to approve up to 10 percent in justifiable contract amendments from a contingency allowance.

DATED this twenty-first day of February, 2012.

CITY OF CRYSTAL LAKE, an Illinois
Municipal Corporation

BY: _____
Aaron T. Shepley, Mayor

ATTEST:

Nick Kachiroubas, City Clerk

PASSED: February 21, 2012

APPROVED: February 21, 2012



Agenda Item No: 20

**City Council
Agenda Supplement**

Meeting Date: February 21, 2012

Item: Residential/Small Business Electrical Aggregation and Municipal Electricity Purchase Consultant Services and Process Approval

Staff Recommendation: Motion to:

1. Award the proposal for consultant services for residential/small business electrical aggregation and municipal electricity purchasing to the lowest responsible, responsive proposer, Northern Illinois Municipal Electrical Collaborative.
2. Adopt a resolution authorizing the City Manager to execute an agreement with Northern Illinois Municipal Electrical Collaborative for consultant services in the submitted proposal amount of \$0.0002/kWh, and
3. Adopt a resolution authorizing the City Manager to execute a contract for the purchase of electricity following a competitive bid process subject to the bid price of electricity being less than the published Commonwealth Edison fixed price.

Staff Contact: George Koczvara, Deputy City Manager

At the December 6, 2011 City Council meeting, the City Council adopted an Ordinance providing for the submission to the electors of the City of Crystal Lake the referendum question whether the City of Crystal Lake should have the authority under Public Act 096-0176 to arrange for the supply of electricity for its residential and small commercial retail customers who have not opted out of such program. The ballot question will appear on the March 20, 2012 ballot. Twenty Illinois communities have undertaken aggregation in the past year and over 150 will have the issue on the ballot this spring, including the City of Crystal Lake.

In order to prepare for the referendum possibly passing, McHenry County, in cooperation with the McHenry County Council of Governments, solicited proposals from electrical aggregation brokers. The broker will be responsible for drafting the operations plan, completing the RFP, overseeing the transition to the new Alternative Retail Electric Supplier (ARES), and monitoring the contract. Although the City would not be responsible for paying any of the brokers directly, brokers do receive compensation from the winning ARES through the final electric supply rate charged to the residents. Without a consultant, the implementation of a municipal aggregation program brings about its own set of unique challenges. The City would need to be able to compile, review and analyze load data, develop the requirements for a successful RFP process, conduct negotiations with the ARES, and provide the staff required to manage day-to-day contract monitoring on behalf of the residents.

Five proposals were received, including two proposals from electrical suppliers. Following is a breakdown of the proposals received:

Proposer	Fee
¹ Northern Illinois Municipal Electric Collaborative (NIMEC) Prospect Heights, IL	\$0.0002/kWh
Intelligent Power Partners Oak Brook, IL	\$0.0004/kWh
Independent Energy Aurora, OH	\$0.0004/kWh
² Blue Star Energy Chicago, IL	\$0.00025/kWh
³ Constellation New Energy Louisville, KY	N/A

¹ Indicates recommended lowest responsive and responsible proposer.

² Since submitting their consulting proposal, the firm has been bought by another energy supplier. They have withdrawn their proposal.

³ In addition to consulting, they would submit a bid for electrical supply. Their proposal indicates that they would have to be provided with the right of first refusal for electrical supply bids.

Four criteria were utilized in reviewing the submitted proposals: Experience, Independence, Accessibility and Cost. Based on these criteria, it is the recommendation of the City Manager's Office to select Northern Illinois Municipal Electrical Collaborative (NIMEC) as the lowest responsible, responsive proposer for consultant services for residential/small business electrical aggregation and municipal electricity purchasing. NIMEC is the most experienced aggregation consultant in Illinois, has the lowest price, and the City is familiar with their services, having previously utilized them for the purchase of electricity for municipal facilities. NIMEC's consultant fee is incorporated into the energy supplier's fee. There is no direct fee to the City, and the fee is only incorporated if the referendum passes and an electrical supplier is selected.

Because of how the bidding process works for electrical supply, the City Manager will need to have the authority to sign a contract with the lowest cost electricity provider within hours of the bids being publicly opened. The attached resolution provides City Council authorization to allow the City Manager to execute a contract with the successful energy supplier upon receipt of the bids received. The bid group for residential and small business aggregation will be Illinois certified suppliers that have been invited to bid after a Request for Qualifications process. The bid group for municipal facility supply will be comprised of the three largest energy suppliers in northern Illinois: Constellation New Energy, Integrys and Exelon. After the bids are opened, an analysis will be conducted of the submitted bids to determine the optimal length of the electrical supply contract: one, two or three years.

It is anticipated that the bids will be received soon after ComEd sets their new rates in May 2012. A bid will only be accepted if it is less than the ComEd rate. In addition, provisions will be incorporated into the bid contract that will require the ARES match the ComEd rate if it falls below the contracted rate during the period of the agreement. In addition, the agreement with the selected ARES will include the elimination of termination fees, allowing residents and small businesses to revert back to the ComEd rate without suffering any financial penalty.

Votes Required to Pass:

Simple majority



DRAFT

RESOLUTION

A RESOLUTION AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH NORTHERN ILLINOIS MUNICIPAL ELECTRIC COLLABORATIVE

WHEREAS, the City of Crystal Lake, on December 6, 2011, passed a resolution placing a public question on the March 20, 2012 ballot, which, if approved by voters, would allow the City of Crystal Lake to undertake municipal electric aggregation, as allowed under the Illinois Power Agency Act, 20 ILCS 3855/1-92; and

WHEREAS, the process of municipal electric aggregation requires technical expertise possessed by certain professional consulting practices and the City of Crystal Lake, through a formal review process, has determined that Northern Illinois Municipal Electric Collaborative is best qualified to provide the desired services.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Crystal Lake that the Northern Illinois Municipal Electric Collaborative (NIMEC) is hereby appointed as the City's broker for purposes of obtaining a supply of electricity for residential and small business customers through the aggregation of electricity and for the City's municipal needs, and City Staff is hereby directed to take all actions necessary to establish said broker relationship.

BE IT FURTHER RESOLVED that the City Manager be and he is hereby authorized and directed to execute a contract for consultant services for residential/small business electrical aggregation and municipal electricity purchasing to the lowest responsible, responsive proposer, Northern Illinois Municipal Electrical Collaborative in the submitted proposal amount of \$0.0002/kWh.

BE IT FURTHER RESOLVED that, in light of the time constraints applicable to the acceptance of a competitive bid for a supply of electricity, once the bids are received by NIMEC, the City Manager is hereby authorized to execute a one, two, or three-year contract with the lowest responsible and responsive bidder, provided the bid is at a rate that is less than is being offered through Commonwealth Edison.

DATED this 21st day of February, 2012

CITY OF CRYSTAL LAKE, an
Illinois municipal corporation,

By: _____
MAYOR

SEAL

ATTEST

CITY CLERK

PASSED: February 21, 2012
APPROVED: February 21, 2012



Agenda Item No: 21

**City Council
Agenda Supplement**

Meeting Date: February 21, 2012

Item: Suburban Purchasing Cooperative Vehicle Purchase

Staff Recommendation: Motion to adopt a resolution authorizing the City Manager to execute an agreement with Currie Motors, in Frankfort, IL for the purchase of one (1) Police Interceptor Utility Vehicle in the amount of \$26,548.00 through the Northwest Municipal Conference Suburban Purchasing Cooperative.

Staff Contact: Victor Ramirez, Director of Public works
Don Christenson, Fleet and Facility Services Superintendent

Background:

The Fire Rescue Department received approval for replacement of the abovementioned vehicle as part of the 2011-2012 Budget. This unit will replace the current 2002 Chevrolet Blazer. As members of the Northwest Municipal Conference (NWMC), the City is able to take advantage of the Joint Purchase Program offered by the Conference. This program allows NWMC members to combine purchasing power, which enables significant cost reductions on a number of items.

All items that are bid through the NWMC follow the same State public procurements statues that the City follows for a competitive, sealed bidding process. Once the sealed bids were opened, the NWMC Purchasing Advisory Committee, made up of municipal purchasing agents, reviewed all bids received for completeness and accuracy in accordance with the bid document.

Recommendation:

After careful examination, it is the recommendation of the Public Works Fleet and Facility Services Division, Fire Rescue Department, and City Manager's Office to purchase one (1) 2013 Ford Police Interceptor Utility Vehicle in the amount of \$26,548.00 from Currie Motors in Frankfort, IL through the NWMC Suburban Purchasing Cooperative. Funds have been budgeted for this purchase.

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 hereby authorized and directed to execute, and the City Clerk is hereby directed to attest, the contract between the City of Crystal Lake and Currie Motors, in Frankfort, IL, for the purchase of one (1) 2013 Police Interceptor Utility Vehicle in the amount of \$26,548.00 through the Northwest Municipal conference Suburban Purchasing Cooperative.

DATED this _____ day of _____, 2012.

CITY OF CRYSTAL LAKE, an
Illinois municipal corporation,

By: _____
MAYOR

SEAL

ATTEST

CITY CLERK

PASSED: _____

APPROVED: _____



Agenda Item No: 22

**City Council
Agenda Supplement**

Meeting Date: February 21, 2012

Item: Ordinance Amending City Code Chapter 595: Stormwater Management

Staff Recommendation: Motion to approve an ordinance amending City Code Chapter 595: Stormwater Management

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

Background:

As a certified community under the McHenry County Stormwater Management Ordinance (SMO), the City can regulate development under its own Crystal Lake Stormwater Ordinance (CLSO). The City is required to petition to the McHenry County Stormwater Committee for recertification every three years. The last recertification audit was completed in 2008.

One of the requirements for this recertification is to maintain a stormwater ordinance that is at least as restrictive as the County's SMO. Since the County has recently adopted amendments to its SMO, the City is also required to update the CLSO prior to submitting its petition for recertification.

A summary of these required and optional amendments is included below.

Staff presented a summary of these changes at the February 7, 2012 City Council meeting and recommends approval for each of the amendments.

<i>Amendment</i>	<i>Summary</i>
Exempted Development (Sec. 595-7)	<ul style="list-style-type: none"> • Clarifies developments exempted from the CLSO as required by FEMA and IDNR. • Previous exemptions were out-of-date.
Permit Duration for Mining (Sec. 595-12)	<ul style="list-style-type: none"> • Allows a longer permit term for mining operations (changed from two years to not more than ten years).
Countywide Permits (Sec 595-13) (Sec 595-44)	<ul style="list-style-type: none"> • Helps simplify and expedite the permit process for specific types of common smaller-scale regulated development. • Applicable to projects such as: Utilities, Sidewalks/Patios/Decks, Boardwalks, Shoreline Protection, Small Boat Docks, Fencing, Beach Restoration.
Water Quality Protection (Sec. 595-17)	<ul style="list-style-type: none"> • Removes reference to countywide permit for public road development (does not exist yet); previous standard for water quality protection on public road development remains.
Stormwater Management Provisions for Minor Development (Sec. 595-21)	<ul style="list-style-type: none"> • Allows for more stringent requirements for smaller developments if site drainage conditions warrant. • Previous City Stormwater Ordinance already included similar language. • Amendment will match wording of County ordinance.
Additional Imperviousness Without Detention on Large Parcels (Sec. 595-21)	<ul style="list-style-type: none"> • Allows additional impervious area to be permitted without new detention on large parcels with a small (<10%) overall percentage of imperviousness (such as parks, conservation areas, or farms).
Floodplain Management Provisions (Sec. 595-22)	<ul style="list-style-type: none"> • Minor typographic error in previous County ordinance. • Previous City Stormwater Ordinance already addressed error.
Wetland Restoration Fund (WRF) (Sec. 595-23)	<ul style="list-style-type: none"> • Allows fees to be collected by MCSC in lieu of wetland mitigation (formalizes WRF policy). • Ensures that these funds are only used to fund activities located fully within McHenry County. • WRF payment not permitted if impact is in the same watershed as an existing Wetland Mitigation Bank with credits.
Violation and Penalty Remedies (Sec. 595-37) (Sec. 595-38)	<ul style="list-style-type: none"> • Clarifies that the Enforcement Officer has specific legal actions, remedies, and penalties available. • Previous ordinance only indicated ability to issue stop work orders.

If approved, the City will then submit the updated ordinance to McHenry County as part of the petition to remain a certified community for another three years.

Votes Required to Pass:

Simple majority



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The City of Crystal Lake Illinois

**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 Section 595-7 shall be amended as follows:

§ 595-7. Exempted development.

All development shall meet the minimum state, federal and local regulations. No development is exempt from the floodplain (§ 595-22), wetland (§ 595-23) and soil erosion and sediment control (§ 595-20) provisions of this Ordinance.

Upon review and verification by the Enforcement Officer, that A, B, C, or D below are met, the following are exempt from other Ordinance standards:

- A. An annexation agreement, final plat, building permit, replat of industrial subdivision, or replat of commercial subdivision approved prior to January 1, 2005, provided that the stormwater management system is installed, functioning and in compliance with all applicable stormwater management regulations then in effect.
- B. A public road development having an awarded construction contract prior to January 1, 2005, or a preliminary engineering plan approved by the appropriate jurisdictional authority prior to January 1, 2005, provided that the drainage component is consistent with the stormwater management regulations then in effect.
- C. Earth extraction and mining operations having received a conditional use permit prior to October 19, 2010 shall not be required to obtain a stormwater management permit, provided that the conditions of the conditional use permit are at least as stringent as the provisions of this Ordinance.

- D. A public road development that is located in a regulatory floodway and obtained approval from the Illinois Department of Transportation / Division of Highways and IDNR/OWR is exempt from the hydrologic and hydraulic modeling requirements of this Ordinance (§ 595-22.A(2)(d)).

SECTION II: That Section 595-12-A shall be amended as follows:

§ 595-12. Permit terms, conditions and extensions.

- A. The term of a stormwater management permit shall be from the issue date to the expiration date which is two years after the issue date, except that the term of a stormwater management permit for earth extraction and mining operations shall be for the term of the conditional use permit, provided that the term of the conditional use permit does not exceed ten years.

SECTION III: That Section 595-13 shall be amended as follows:

§ 595-13. Citywide permits.

- A. The City will issue Citywide permits pertaining to specific types of development in an effort to expedite the permit process. Each Citywide permit will specify the terms, conditions and fee for a specific type of development to assure compliance with the purpose and intent of this Ordinance. Subsequent to the issuance of a Citywide permit, individual permit applications are required if specified in the special conditions and authorization may be given if the applicant agrees with the terms and conditions of the countywide permit. A Citywide permit will be issued only after notice and opportunity for public review and comment and approval from IDNR/OWR. Citywide permits shall indicate an expiration date not to exceed 4 years from the date it is issued.
- B. Compliance with the conditions of any agreed upon countywide permits will be the responsibility of the applicant. The City can inspect all development projects before, during and after the development construction to ensure the permittee is in compliance with the issued permit according to the procedure and enforcement sections of this Ordinance.
- C. Issued Citywide permits are included in Article XI.

SECTION IV: That Section 595-17-A shall be amended as follows:

§ 595-17. Water quality protection.

- A. Public road developments that result in less than 1.5 acres of new impervious area or less than the rate of 1.5 acres of new impervious area per linear mile shall meet the water quality and buffer standards to the extent that is practicable due to limited site conditions.

SECTION V: That Section 595-21-A shall be amended as follows:

§ 595-21. Stormwater management.

A. Applicability.

- (1) The provisions of § 595-21H and I apply to all regulated development. The provisions of § 595-21A through G apply only to intermediate and major development, unless warranted for a minor development by site specific conditions, as determined by the Enforcement Officer.
- (2) Public Road developments that result in less than 1.5 acres of new imperviousness or less than the rate of 1.5 acres of new imperviousness per linear mile shall meet the stormwater management standards to the extent that is practicable due to limited site conditions. The detention facility for the adjacent development shall include the public roadway improvements that are required as part of the development.

SECTION VI: That Section 595-21-E shall be amended as follows:

§ 595-21. Stormwater management.

E. Detention facilities.

- (1) Detention will only be required for projects that involve the creation of more than 20,000 square feet of new impervious area; however, detention will not be required where less than 1.0-acre of new impervious area is created, provided that:
 - (a) The total impervious area is less than or equal to 10% of the total land area of the contiguous ownership parcel(s); and
 - (b) The applicant demonstrates to the satisfaction of the Enforcement Officer that there is adequate downstream capacity.

New linear impervious area that result in less than the rate of 1.5 acres of new impervious area per linear mile, such as driveways and public recreation trails, may be excluded when calculating the new impervious area in order to determine whether detention will be required.

- (2) The Enforcement Officer may require additional evaluation and detention in projects with less than 20,000 square feet of new impervious area, where:
 - (a) Potential downstream drainage impacts may occur;
 - (b) The project is located partially or completely in the Crystal Lake Watershed;
or

- (c) At the discretion of the Enforcement Officer.
- (3) All stormwater infiltration, retention and detention facilities shall be provided with an emergency overflow structure or path capable of passing the inflow from a critical duration one-hundred-year storm without damages to any structures on adjacent property. The emergency overflow structure shall have an invert elevation at or above the design high water elevation. A minimum freeboard of one foot shall be provided above the design high water elevation.
- (4) Single pipe outlets shall have a minimum inside diameter of 12 inches. Control devices such as perforated risers, weirs and orifices may be used to meet restricted release rates. The outlet pipe and control devices shall be designed to minimize maintenance requirements and prevent tampering.
- (5) In no case shall the restricted release rate exceed that described in the release rates and discharge section for the entire tributary area of the facility.
- (6) Online detention facilities shall meet the following requirements:
- (a) Online detention shall not be permissible on perennial streams. This shall include all streams exhibiting year round flow and depicted as a solid blue line on the USGS 7.5 minute quadrangle maps.
- (b) Online detention shall not be permissible with an off-site to on-site drainage area ratio greater than 10:1 except for development providing a watershed benefit.
- (c) Online detention shall not be permissible if the drainage area is greater than 640 acres except for development that provides a watershed benefit.
- (d) The required online detention volume shall be calculated based on the hydrologically disturbed area of the ownership parcel and release rates which shall not exceed 0.04 cfs per acre for the two-year, critical duration storm and 0.15 cfs per acre for the one-hundred year, critical duration storm. The control structure shall be designed based on the total tributary area (on-site and off-site) and release rates which shall not exceed 0.04 cfs per acre for the two-year, critical duration storm and 0.15 cfs per acre for the one-hundred year, critical duration storm at the impoundment elevations established by the required detention volumes. The Enforcement Officer may modify the control structure design standard if warranted by on-site or off-site conditions.
- (e) A stable overflow structure capable of passing the one-hundred-year, critical duration offsite flow rate shall be provided. The offsite flow rates shall be calculated assuming existing conditions or future conditions with detention

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required per this ordinance, whichever is greater.

- (f) Modifications to the intermittent stream to accommodate on-line detention shall meet the standards of § 595-19.
 - (g) The water quality protection standards in § 595-17 shall be met prior to discharge to on-line detention facilities.
 - (h) All permitting requirements of USACE and IDNR/OWR.
 - (i) On-line detention volume shall be in addition to the existing floodplain storage.
- (7) Inlet and outlet orientation: To the extent feasible, the distance between detention inlets and outlets should be maximized. If possible, they should be at opposite ends of the basin. There shall be no low flow bypass between the inlet and outlet and paved low flow channels shall not be used.
- (8) Side slopes:
- (a) The side slopes at the shoreline of wet and wetland detention basins (from at least six inches below to at least six inches above normal water level) shall be no steeper than 10:1 to prevent shoreline erosion due to wave action and fluctuating water levels. Above shoreline areas, or in dry bottom portions, the maximum side slope shall be 4:1.
 - (b) The maximum side slope in dry detention basins and dry-bottom infiltration basins shall be 4:1. However, side slopes as steep as 3:1 may be permitted at the discretion of the Enforcement Officer when 4:1 is not practical or possible. Stabilization of areas with 3:1 side slopes with erosion control blanket and standard IDOT Class 3 seeding or equivalent is required.
- (9) Safety shelf: A safety shelf with a minimum eight foot width shall be constructed no more than one foot below normal water level.
- (10) Bank erosion protection: The shoreline of wet detention basins shall be protected from erosion. The preferred method of shoreline stabilization is native Wetland and wet prairie vegetation with deep root system to stabilize the soils.
- (11) Off-site flow may be diverted around a proposed detention facility provided that the other applicable standards regarding regulatory floodplain or flood-prone areas are met.
- (12) Any development involving the construction, modification or removal of a dam as defined in 17 Ill. Admin. Code Part 3702 (Rules for Construction of Dams) shall

obtain an IDNR/OWR Dam Safety permit or a letter stating no permit is required prior to the start of such activity (see Article III, page 15, Dam Safety Requirements).

- (13) Berms for stormwater infiltration, retention and detention facilities shall not be constructed in a regulatory floodplain or a flood-prone area unless approved by the MCSC chief engineer in a non-certified community or the Enforcement Officer in a certified community. If a berm is constructed in a regulatory floodplain or a flood-prone area, the development must meet the requirements of the floodplain management section of this Ordinance. The volume inside the stormwater facility shall not be considered available for compensatory storage unless the volume is in addition to the required detention volume and is available at the appropriate storage interval.
- (14) If the depressional storage volume is filled or drained, the volume must either be replaced as a depression or the volume can be added to the two-year detention storage volume. Existing depressional storage volume shall be no more than the volume at an elevation 0.5 foot above the ground elevation at the overflow location or the volume during the critical duration storm event. For the purpose of establishing the existing depressional storage volume the critical duration shall not exceed the two-hundred-forty-hour duration.
- (15) Stormwater detention volume verification shall be required for detention facilities that either have a Tributary area of 10 acres or more or the required release rate is different than that on the MCSC approved Detention Volume vs. Percent Impervious Chart.
- (16) The MCSC approved Detention Volume vs. Percent Impervious Chart may be used for stormwater detention facilities that have a tributary area less than 10 acres, provided that required release rates are the same as those shown on the chart.
- (17) Detention facilities may not connect directly to existing drain tiles. Connection to existing publicly-owned storm sewers may be approved subject to an analysis of receiving storm sewer condition and capacity.
- (18) Infiltration basins may be used as detention facilities subject to the following:
 - (a) The basin must be designed to dewater within 72 hours following the end of the one-hundred-year, twenty-four-hour storm.
 - (b) The underlying soils must have a sustainable infiltration rate of at least 0.5 inch per hour as determined by a geotechnical engineer in a sealed opinion. Infiltration testing requirements are available from the City of Crystal Lake Engineering Division. Column drains may be used to access more permeable

substrate, at the discretion of the Enforcement Officer, if designed by a geotechnical engineer in a sealed opinion.

- (c) Pretreatment facilities for runoff must be provided to prevent loss of infiltration capacity.
- (d) Direct infiltration (i.e., column drain) must be at least 200 feet away from any water supply wells and 1,000 feet away from a public water supply well. Direct infiltration structures must be at least 25 feet away from a building foundation unless a suitable design is produced by a licensed engineer and approved by the Enforcement Officer.
- (e) Runoff from the areas that have water quality concerns or subject to frequent winter deicing must not be routed directly to the infiltration facility.
- (f) The bottom of the infiltration basin must be at least four feet above the seasonal high groundwater elevation.
- (g) Infiltration and retention basin design shall provide sufficient storage volume to provide an additional factor of safety to account for the decreased effectiveness of this type of stormwater management system over time and the potential loss of infiltration due to conditions such as frozen ground. All infiltration and retention basins without a surface release must provide, at a minimum, the larger of the following two storage volumes:
 - [1] One hundred fifty percent of the volume for the one-hundred-year, twenty-four-hour event (7.58 inches of rainfall) using the field determined infiltration rate as the release rate and a design methodology consistent with the stormwater management provisions of this ordinance.
 - [2] One hundred percent of the volume for the one-hundred-year, twenty-four-hour event, as determined using the Unit Area Detention Chart (available from the City of Crystal Lake Engineering Division), and calculated as though a surface release were available.

SECTION VII: That Section 595-22-D and Section 595-22-D-1 shall be amended as follows:

§ 595-22. Floodplain management.

- D. Building protection standards. The building protection standards are to assure that construction methods and practices minimize flood damage. These standards apply to all buildings located in a depressional area, flood-prone area that has at least 100 acres tributary area or the regulatory floodplain; however, it should be noted that most new and replacement buildings are not appropriate uses of the regulatory floodway.

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- (1) The lowest floor including basements of all new construction, substantial improvement and additions shall be elevated up to at least the FPE. An attached garage must be elevated up to at least 1/2 of one foot above the BFE.
 - (a) Buildings must be elevated on fill in accordance with FEMA Technical Bulletin 10-01. The top of the fill for a residential structure shall be above the FPE and shall not adversely affect the flow. The fill shall be placed at that elevation for a distance of 10 feet out from the building.
 - (b) The top of fill for an attached garage shall be at least 1/2 of one foot above the BFE. The fill shall be placed at that elevation for a distance of ten feet out from the building unless the building design is certified by a registered structural engineer to be protected from damages due to hydrostatic pressures. Fill shall not settle below 1/2 of one foot above the BFE for an attached garage. Any fill shall be adequately protected against erosion, scour and differential settlement.
 - (c) In A Zones, in the absence of FEMA BFE data and floodway data, obtain, review and reasonably utilize other BFE and floodway data as a basis for elevating residential structures to or above the base flood level, and for floodproofing or elevating non-residential structures to or above the base flood level. 60.3(b)(4)

SECTION VIII: That Section 595-23-F-5, Section 595-23-F-6, and Section 595-23-F-7 shall be amended as follows:

§ 595-23. Wetland provisions.

- F. Wetland mitigation requirements. In order to further the goal of “no net-loss” of the county’s wetland resources, all permitted wetland impacts shall be mitigated at the ratio specified by this Ordinance. The objective shall be to replace the impacted wetland functions where they can be most successfully protected and maintained in perpetuity.
 - (5) If the required wetland mitigation acreage is less than 1.5 acres, credit for mitigation acreage can be achieved by payment into an MCSC approved wetland mitigation bank, or into a MCSC or City approved Wetland Restoration Fund.
 - (6) If the required wetland mitigation acreage is 1.5 acres in size or greater, the potential for on-site mitigation must be evaluated. Credit for mitigation acreage by payment into an MCSC approved wetland mitigation bank, or into a MCSC or City approved Wetland Restoration Fund is allowed if the applicant can demonstrate that the long-term preservation of existing or created on-site wetlands is unlikely as a result of existing or proposed land use practices in adjacent upland areas.
 - (7) Any funds paid into the MCSC or City approved Wetland Restoration Fund for mitigation of wetland impacts shall only be used to fund wetland restoration

activities located fully within McHenry County or the City, as applicable.

SECTION IX: That Section 595-23-G and Section 595-23-H shall be amended as follows:

§ 595-23. Wetland provisions.

G. Wetland Banking

- (1) Where development affecting Isolated Waters of McHenry County meets the requirements of this Ordinance and the long term preservation of existing wetland functions or characteristics is unlikely as a result of existing or proposed land use practices in adjacent upland areas, then the applicant may provide mitigation wholly or in part through investment in a USACE certified wetland banking project, [or payment into the City approved Wetland Restoration Fund in lieu of constructing new wetlands.]
- (2) Such wetland banking shall be allowed only if no long-term net loss of wetlands results within McHenry County and if the adverse impacts of development in isolated wetlands are fully mitigated.
- (3) Wetland Banks must be certified by the USACE and comply with the Interagency Coordination Agreement On wetland mitigation banking Within The Regulatory Boundaries Of Chicago District, dated January, 1997, or current agreement.
- (4) A stormwater management permit will not be issued until a copy of the receipt of payment is provided.
- (5) Payment into the Wetland Restoration Fund is not allowed if the wetland impact is in the same watershed as a Wetland Bank in existence at the time the Wetland Restoration Fund is established, as long as the Wetland Bank has available credits. The four mitigation banks in existence at the time the Wetland Restoration Fund is established are:
 - (a) Sybaquay Girl Scout Camp – Kishwaukee River Watershed,
 - (b) Kishwaukee Bottoms – Kishwaukee River Watershed,
 - (c) Marengo – Kishwaukee River Watershed, and
 - (d) Slough Creek – Nippersink Creek Watershed

H. Wetland hydrology.

- (1) The following hydrology threshold requirements shall be met by the development activity. If the development activity exceeds the hydrology threshold limits, a wetland impact to isolated waters of McHenry County shall be assumed, and the

mitigation requirements of this section of the ordinance shall apply.

- (2) The design shall maintain between 80% and 150% of the existing condition storm event runoff volume to the wetland up through the two-year twenty-four-hour storm event.

SECTION X: That Article IX, Section 595-37, and Section 595-38 shall be amended as follows:

ARTICLE IX
Violation and Penalty

§ 595-37. Violation.

Any person who violates, disobeys, omits, neglects, refuses to comply with or resists the enforcement of any provision of this Ordinance, including but not limited to: obtaining a required stormwater management permit, violating a condition of an issued stormwater management permit, or violating a stop work order shall be in violation of this Ordinance and subject to various available legal or equitable actions, remedies and penalties.

§ 595-38. Penalty and other remedies.

Failure to comply with any of the requirements of this Ordinance shall constitute a violation, and any person convicted thereof shall be fined for each offense according to § 248-2 of the City Code. Each day the violation continues shall be considered a separate offense.

Whenever the enforcement officer finds a violation of this Ordinance, or of any permit or stop work order, within his or her respective jurisdiction, the enforcement officer may pursue any one or more of the following legal or equitable actions, remedies and penalties against any person found to be in violation of this Ordinance including but not limited to:

- A. The Enforcement Officer may initiate a complaint and civil legal action in a court of competent jurisdiction against any person in violation of this Ordinance;
- B. The Enforcement Officer may revoke any stormwater management permit issued;
- C. The Enforcement Officer may require the person to apply for an “after-the-fact” stormwater management permit, including any and all supporting documentation required thereto, for any unpermitted, unauthorized development, disturbance, or impact;
- D. The Enforcement Officer may issue a stop work order requiring the suspension of any further work on the site. Such stop work order shall be in writing, indicate the reason for its issuance, and require compliance with this Ordinance prior to completion of the activity in violation;
- E. The Enforcement Officer may take other legal action including but not limited to a temporary restraining order and other preliminary or permanent injunctive relief

necessary to prevent further harm or violation and/or remedy any harm or violation that has already occurred, and if applicable require removal, correction, remediation and/or mitigation for said harm and violation. In addition to any fine or other relief, all costs and expenses, including reasonable attorneys fees incurred, may be recovered;

- F. The Enforcement Officer may require removal, correction, remediation and/or mitigation for any harm and violation that has occurred and require that the area be fully restored to its condition prior to such development, disturbance or impact; and
- G. The Enforcement Officer may, after notice is sent to the owner(s) of the parcel(s) upon which the violation is located, record the complaint filed, the notice of violation or any stop work order with the title to the property at the McHenry County Recorder of Deeds Office.

SECTION XI: That Article XI Section 595-44 shall be amended as follows:

ARTICLE XI
Citywide Permits

§ 595-44. Citywide Permit Number 1.

A. Applicability.

This Citywide permit applies to development consisting of:

- (1) Underground and Overhead Utilities;
- (2) Storm Sewer Outfalls and Outlet Channels;
- (3) Sidewalks, Trails, and Patios;
- (4) Boardwalks;
- (5) Shoreline and Stream bank Protection;
- (6) Minor Non-commercial Boat Docks;
- (7) Signposts, Fencing, and Guardrails;
- (8) Removal of Obstructions and Dredging;
- (9) Rehabilitative Maintenance of Roadways, Culverts, Storm Sewers and Bridges;
- (10) Decks; and

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(11) Top Soil and Sand Restoration;

(as specified in Paragraph 3 of this Citywide permit) within the City of Crystal Lake as a whole, including flood prone areas, regulatory floodplains and regulatory floodways. This permit is applicable within Isolated Waters of McHenry County, or in Waters of the United States when a permit has been obtained from the U.S. Army Corps of Engineers; however, this permit is not applicable within a High Quality Aquatic Resource (HQAR). This countywide permit applies to developments resulting in less than 20,000 square feet of hydrologically disturbed area and to wetland impacts less than or equal to 0.10 acre. This permit does not apply to developments which would adversely impact drainage patterns on adjoining property or increase flood heights on adjoining property.

B. Authorization.

Applicants seeking authorization by this Citywide permit shall submit a stormwater management permit application with the required supporting information to the Enforcement Officer prior to commencing a proposed development. The following information is required in support of a stormwater management permit application:

- (1) A description and depiction of the proposed development;
- (2) Copies of all applicable federal, state, and local permits; and
- (3) Payment of the stormwater management permit fee.

If the enforcement officer determines that the proposed development complies with the terms and conditions of this Citywide permit, the enforcement officer will notify the applicant in writing and will schedule a meeting at the site of the proposed development for photographic documentation of the site conditions. If the Enforcement Officer determines that the development does not comply with the terms and conditions of this countywide permit, the Enforcement Officer will notify the applicant in writing and provide instructions on the procedures to seek authorization under an individual permit.

Development authorized by this Citywide permit shall not be part of a larger development. Development not specified in or not meeting the terms and conditions of this Citywide permit will require an individual permit. The City of Crystal Lake will retain enforcement authority over specified development.

Except as noted above, the Application Requirements found in Article VI of this Ordinance are waived for authorized development. The base flood elevation determination requirements found in Article V, § 595-22A(2)(d) of this Ordinance are also waived for authorized development. Any development authorized by this countywide permit shall be completed within two (2) years of the date of authorization.

C. Terms and conditions for specified development

(1) Underground and Overhead Utilities.

To be authorized by this permit, underground and overhead utilities installation shall meet the following criteria. The Compensatory Storage Volume Standards found in Article V, § 595-22E of this Ordinance are waived for the construction of underground and overhead utilities if the development meets the following criteria.

- (a) The construction of the utility must not result in any increase in existing ground elevations.
- (b) The construction of the utility must not involve the placement of above ground structures in a regulatory floodway, regulatory floodplain, or flood prone area other than supporting towers for overhead utilities.
- (c) In the case of underground stream crossings, the top of the pipe or encasement must be buried a minimum of three (3) feet below the existing stream bed.
- (d) In the case of overhead utilities, supporting towers are not to be placed in the watercourse and shall be designed not to catch debris.
- (e) Disturbance of streamside vegetation shall be kept to a minimum during construction to prevent erosion and sedimentation.
- (f) A utility crossing carrying material which may cause water pollution as defined by the Environmental Protection Act, 415 ILCS 5 (1996 State Bar Edition) shall be provided with shut-off valves on each side of the body of water to be crossed.
- (g) If blasting is to be utilized in the construction of the crossing, the permittee shall notify the Department of Natural Resources, Office of Resource Conservation at least (10) days prior to the blasting date to allow monitoring of any related fish kills.
- (h) Overhead utilities shall be non-obstructive to flood flows and designed not to catch debris within a regulatory floodplain or flood prone area. If attached to an existing bridge, the utility shall be constructed above the low chord elevation.
- (i) Any drain tile damaged during construction shall be repaired.

- (j) This permit does not authorize utility crossings of the Fox River and the Fox Chain of Lakes.
 - (k) In wetland areas, the trench shall be backfilled with soil excavated from the trench in the same stratification in which it was removed.
 - (l) Temporary wetland impacts resulting from underground and overhead utility installation shall be restored under the same authorization as the temporary wetland impact and shall not constitute a wetland impact.
 - (m) A contingency plan for frac-out shall be required for any utility proposed to be installed by directional boring.
- (2) Storm Sewer Outfalls and Outlet Channels.

To be authorized by this permit, storm sewer outfalls and outlet channels shall meet the following criteria.

- (a) The outfall must not project riverward or lakeward of the existing adjacent natural bank slope or bulkhead.
- (b) Construction of outfalls and outlet channels must not result in an increase in ground elevation within a regulatory floodplain or a flood prone area.
- (c) The outfall or outlet channel must not cause erosion at the discharge location.
- (d) The velocity of the discharge shall not exceed the scour velocity of the channel soil, unless channel erosion would be prevented by the use of riprap or other design measures.
- (e) Outlets from drainage ditches shall not be opened to a stream until the ditch is vegetated or otherwise stabilized to minimize stream sedimentation.
- (f) The outlet jet shall not be a hazard to navigation.
- (g) The outlet discharge capacity shall not exceed 10% of the base flood flow in the receiving channel.
- (h) Bank erosion shall be prevented by aprons, energy dissipaters, or drop structures as necessary.
- (i) Disturbance of streamside vegetation shall be kept to a minimum during construction to prevent erosion and sedimentation.

(3) Sidewalks, Trails, and Patios.

To be authorized by this permit, sidewalks, trails, and patios must meet the following criteria.

- (a) No fencing or fill may be placed or built within a regulatory floodway or an overland flow path as part of the project.
- (b) Sidewalks, trails, and patios must be built at or below grade within a regulatory floodplain or a flood prone area.
- (c) Sidewalks, trails, and patios shall not project riverward or lakeward of the bank or shore.
- (d) No new bridge or culvert crossings of a regulatory floodplain or a flood prone area shall be constructed.
- (e) Trails running parallel to the axis of a buffer shall be no wider than twelve (12) feet.
- (f) Trails running perpendicular to the axis of a buffer shall be no wider than six (6) feet. Only one such trail is allowed every one hundred (100) lineal feet of Waters of the U.S. or Isolated Waters of McHenry County shoreline.

(4) Boardwalks.

To be authorized by this permit, boardwalks within a regulatory floodplain or a flood prone area shall meet the following criteria. The Compensatory Storage Volume Standards found in Article V, § 595-22E of this Ordinance are waived for the construction of boardwalks within a regulatory floodplain or flood prone area if the development meets the following criteria.

- (a) The boardwalk shall not be constructed within a regulatory floodway.
- (b) The construction of the boardwalk must not result in any increase in existing ground elevations.
- (c) The boardwalk shall be constructed of flood resistant materials.
- (d) The boardwalk shall be constructed to prevent collapse and lateral movement.
- (e) The boardwalk must be non-obstructive to flood flows and designed not to catch debris.

- (f) In wetland areas, only the pilings (or other supporting structures) shall constitute a wetland impact.

(5) Shoreline and Stream Bank Protection.

To be authorized by this permit, construction of shoreline and stream bank protection must meet the following criteria. The Compensatory Storage Volume Standards found in Article V, § 595-22E of this Ordinance are waived for the construction of shoreline and streambank protection if the development meets the following criteria.

- (a) Vegetative streambank and shoreline protection utilizing native vegetation is strongly encouraged. Where vegetative protection is not used, only the following structural materials may be utilized: stone and concrete riprap, steel sheet piling, cellular blocks, fabric-formed concrete, gabion baskets, rock and wire mattresses, sand/cement filled bags, geotechnical fabric materials, and treated timber (excluding railroad ties, utility poles, and other creosote treated timber).
- (b) The length of shoreline or streambank to be protected shall not exceed one thousand (1000) feet. Where non-vegetative (structural) protection is utilized, the length of shoreline or streambank to be protected shall not exceed five hundred (500) feet. Vegetative and non-vegetative protection may be combined, but in no case shall non-vegetative protection exceed five hundred (500) feet in total length.
- (c) All material utilized shall be properly sized or anchored to resist anticipated forces of current and wave action.
- (d) Materials shall be placed in a way which would not cause erosion or the accumulation of debris on properties adjacent to or opposite the project.
- (e) Materials shall not be placed higher than the existing top of bank.
- (f) Materials shall be placed so that the modified cross-sectional area of the channel will conform to that of the natural channel upstream and downstream of the site. In no case shall the cross-sectional area of the natural channel be reduced. The bank may be graded to obtain a flatter slope and to lessen the quantity of material required.
- (g) Shoreline and streambank protection may not be used to reclaim land lost to erosion.

- (h) If broken concrete is used, all protruding materials such as reinforcing rods shall be cut flush with the surface of the concrete and removed from the construction area.
 - (i) Disturbance of vegetation shall be kept to a minimum during construction to prevent erosion and sedimentation.
 - (j) In the case of seawalls and gabion structures on lakes, the structure shall be constructed at or landward of the water line as determined by the normal pool elevation.
 - (k) This countywide permit does not authorize filling for the purpose of converting public water to private use.
 - (l) This countywide permit does not authorize in-stream work performed beyond the toe of the slope, with the exception of naturalized grade control that does not result in a loss of conveyance.
- (6) Minor Non-commercial Boat Docks.

To be authorized by this permit, construction of minor non-commercial boat docks must meet the following criteria. The Compensatory Storage Volume Standards found in Article V, § 595-22E of this Ordinance are waived for the construction of minor non-commercial boat docks if the development meets the following criteria.

- (a) The boat dock must not project more than 50 feet into a waterway, and in no instance greater than $\frac{1}{4}$ of the width of the waterway, and shall not extend beyond any established navigation limits of the Illinois Department of Natural Resources and the U.S. Army Corps of Engineers.
- (b) The width of the boat dock must not be greater than 10 feet.
- (c) For L-shaped or T-shaped docks, the length of that portion parallel to the shoreline must not exceed 50 percent of the landowner's shoreline frontage, nor be greater than 50 feet in length.
- (d) Docks must be aligned so as not to cross the straight-line projection of property lines into the waterway or come within 10 feet of the straight-line projection of the property line.
- (e) Seasonal shore stations/boat lifts must be located adjacent to a boat dock or seawall and must not cross the straight-line projection of the property lines.

- (f) Dock posts must be marked by reflective devices. It is recommended that navigation indicator colors not be used.
- (g) The boat dock must be securely anchored to prevent its detachment and becoming a floating hazard during times of high water or winds.
- (h) Metal drums or containers may not be used as buoyancy units unless they are filled with floatation foam. Containers which previously stored pesticides, herbicides, or any other toxic chemicals are not permissible.
- (i) This countywide permit does not authorize any other permanent structures, such as non-fabric roofs and elevated decks.
- (j) Non-floating boat docks must be constructed in a manner which will minimize obstruction of flow.
- (k) If at any future date the Illinois Department of Natural Resources or the U.S. Army Corps of Engineers determines that the dock facility obstructs or impairs navigation, or in any way infringes upon the rights or interests of the public or any individual party, the permittee agrees to make necessary modifications to the dock as determined by the Illinois Department of Natural Resources or the U.S. Army Corps of Engineers.

(7) Signposts, Fencing, and Guardrails.

To be authorized by this permit, signposts, fencing, and guardrails within a regulatory floodway shall meet the following criteria. The Compensatory Storage Volume Standards found in Article V, § 595-22E of this Ordinance are waived for the construction of signposts, fencing, and guardrails within a regulatory floodway if the development meets the following criteria.

- (a) No fill except posts and supports may be placed within the regulatory floodway.
- (b) Signs shall be non-obstructive to flood flows.
- (c) Fencing and guardrails shall be at least 50% open.
- (d) Fencing shall be parallel to the direction of flow.

To be authorized by this permit, signposts, fencing, and guardrails within a regulatory floodplain or flood prone area shall meet the following criteria. The Compensatory Storage Volume Standards found in Article V, § 595-22E of this Ordinance are waived for the construction of signposts, fencing, and guardrails

within a regulatory floodplain or flood prone area if the development meets the following criteria.

- (a) No fill except posts and supports may be placed within the regulatory floodplain or flood prone area.
- (b) Signs shall be non-obstructive to flood flows.
- (c) Fencing and guardrails shall be at least 50% open.

(8) Removal of Obstructions and Dredging.

To be authorized by this permit, removal of obstructions and dredging shall meet the following criteria.

- (a) Dredging shall not exceed twenty-five (25) cubic yards of material.
- (b) Disturbance of vegetation shall be kept to a minimum during construction to prevent erosion and sedimentation.
- (c) Stockpiled materials resulting from the dredging operations shall be protected from soil erosion.
- (d) Dredging shall not include the construction of any new channel or culvert; all work shall be confined to the existing channel or culvert for the purpose of reestablishing the natural or original permitted condition.
- (e) Dredged material and obstructions removed from a channel or culvert shall not be disposed of in a wetland or water body and shall not be obstructive to flood flows within a regulatory floodplain or flood prone area.

(9) Rehabilitative Maintenance of Roadways, Culverts, Storm Sewers and Bridges.

To be authorized by this permit, rehabilitative maintenance of roadways, culverts, storm sewers, and bridges within a regulatory floodway shall meet the following criteria.

- (a) Disturbance of vegetation shall be kept to a minimum during construction to prevent erosion and sedimentation.
- (b) Resurfacing, rehabilitative and routine maintenance of a roadway shall not increase the roadway width or elevation.

- (c) In-kind bridge deck replacement shall not change the road grade below the base flood elevation or modify the wingwall, pier, or abutment configuration.
- (d) Culvert, storm sewer, or bridge replacement shall have an equivalent cross-sectional area, shape, roughness coefficient, and inlet and outlet elevations.

To be authorized by this permit, rehabilitative maintenance of roadways, culverts, storm sewers, and bridges within a regulatory floodplain or a flood prone area shall meet the following criteria.

- (a) Disturbance of vegetation shall be kept to a minimum during construction to prevent erosion and sedimentation.
- (b) Resurfacing, rehabilitative and routine maintenance of a roadway shall not increase the roadway width or elevation.
- (c) In-kind bridge deck replacement shall not change the road grade or modify the wingwall, pier, or abutment configuration.
- (d) Culvert, storm sewer, or bridge replacement shall have an equivalent cross-sectional area, shape, inlet and outlet elevations.
- (e) Culverts and storm sewers may be replaced using materials with a reduced roughness coefficient.

(10) Decks.

To be authorized by this permit, decks within a regulatory floodplain or a flood prone area shall meet the following criteria. The Compensatory Storage Volume Standards found in Article V, § 595-22E of this Ordinance are waived for the construction of decks within a regulatory floodplain or flood prone area if the development meets the following criteria.

- (a) The deck shall not be constructed within a regulatory floodway.
- (b) The construction of the deck must not result in any increase in existing ground elevations.
- (c) The deck shall be constructed as a stand-alone structure and shall not be attached to the existing residence.
- (d) The deck shall not be enclosed for human habitation.

- (e) The deck shall be constructed of flood resistant materials.
 - (f) The deck shall be constructed to prevent collapse, flotation, and lateral movement.
 - (g) The deck must be non-obstructive to flood flows and designed not to catch debris.
 - (h) The deck shall be designed to allow automatic entry and exit of flood waters.
- (11) Topsoil and Sand Restoration.

To be authorized by this permit, top dressing and beach restoration within a regulatory floodplain or a flood prone area shall meet the following criteria. The Compensatory Storage Volume Standards found in Article V, § 595-22E of this Ordinance are waived for top soil and sand restoration within a regulatory floodplain or flood prone area if the development meets the following criteria.

- (a) Not more than four (4) inches of topsoil may be placed *one time per parcel* for the purpose of stabilizing an erosion control problem or establishing vegetative cover.
- (b) Not more than four (4) inches of topsoil may be placed for the purpose of restoring pre-subsidence grade to an area that primarily experiences subsidence due to flooding. The restoration fill shall not exceed pre-subsidence elevations.
- (c) For the purpose of restoring a beach, not more than one cubic yard of sand per lineal foot may be placed within a non-riverine regulatory floodplain or a non-riverine flood prone area.
- (d) The length of beach restoration shall not exceed one thousand (1000) feet.
- (e) This Citywide permit does not authorize the placement of sand for the purpose of creating a new beach or expanding an existing beach.

SECTION XII: That Appendix E of Section 595 shall be amended as follows:

**APPENDIX E
ORDINANCE AMENDMENTS**

Amendments to the Crystal Lake Stormwater Management Ordinance, as approved by the

DRAFT

City Council and MCSC:

1. June 1, 2006
2. November 16, 2006
3. July 15, 2008
4. April 20, 2010
5. February 21, 2012

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

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

DATED at Crystal Lake, Illinois, this twenty-first day of February, 2012

APPROVED:

Aaron T. Shepley, Mayor

ATTEST:

Nick Kachiroubas, City Clerk

PASSED: February 21, 2012

APPROVED: February 21, 2012

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



Agenda Item No: 23

**City Council
Agenda Supplement**

Meeting Date: February 21, 2012

Item: Willow Creek Crystal Lake, Lake Baptism

Staff Recommendation: Motion to approve Willow Creek Crystal Lake request to hold a special event at the Three Oaks Recreation Area from 11:00 a.m. to 5:00 p.m. on Sunday, September 9, 2012, with a rain date of Sunday, September 16, 2012.

Staff Contact: Eric T. Helm, Deputy City Manager

Background:

The City has received a request from Willow Creek Crystal Lake for the use of the Three Oaks Recreation Area beach/wading area and pavilion for a lake baptism from 11:00 a.m. to 5:00 p.m. on Sunday, September 9, 2012, with a rain date of Sunday, September 16, 2012. *The Special Event request and event details are identical to last year. In 2011, the petitioner successfully complied with the City's requirements and conditions during the lake baptism event.*

Approximately 750-800 people will participate in this event, including attendees, volunteers and staff. The petitioner is requesting exclusive use of ½ of the sand beach and swim wading area. Per the petitioner's itinerary, the baptism would be staged to ensure that only a portion of the attendees would be in the water at any one time. The petitioner would like to place a speaker system, a speaking platform, and two crosses on the beach sand. The placement of these items would be subject to the conditions in this agenda supplement.

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

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

- Comply with all City Code regulations, Special Event requirements, and Pavilion rental requirements.

- Receive approval from 3rd party property owners for off-site parking of all attendees. If 3rd party approval cannot be acquired, the petitioner shall utilize the Willow Creek Crystal Lake parking lot for offsite parking. Remote parking / shuttle service locations and signing plans will need to be submitted. A sign plan for the remote parking locations will be submitted to the City's Building Division for approval.
- Provide a plan for all on-site signage prior to the event, which shall be reviewed by the City and approved prior to placement.
- Agree that all traffic control activities shall be performed by City Staff.
- Inform event attendees, prior to the event, that all attendees should park in the designated off-site parking.
- Provide shuttle buses for attendees utilizing off-site parking. Petitioner shall provide adequate evacuation plan for attendees utilizing shuttle buses.
- The petitioner cannot use the water for general swimming. Water access shall be limited to the wading area, for activities directly related to the baptism.
- Sound system shall not disturb other users of the park.
- All temporary electrical items shall comply with the 2005 Electric Code and shall be subject to City inspection. Petitioner shall be responsible for contacting the City for an inspection.
- All egress gates will be unobstructed at all times.
- Submit, for City approval, severe weather plans, specifically, the number and passenger size of busses/shuttles that will be present during the entire duration of the event.
- The petitioner's proposed crosses and speaking platform shall not obstruct lifeguard viewing of patrons in the water.
- Reimburse City for the following:

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

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

Votes Required to Pass:

Simple majority vote of the City Council.



Agenda Item No: 24

City Council Agenda Supplement

Meeting Date: February 21, 2012

Item: 2012-2013 Fiscal Year Hotel/Motel Tax Funding Allocations

Staff Recommendation: City Council Discretion
1. Motion to authorize the allocation of 2012-2013 Fiscal Year Hotel/Motel Tax Funding as determined by the City Council.

Staff Contact: Bradley S. Mitchell, Assistant to the City Manager

Background:

The City received ten (10) applications from local organizations for the 2012-2013 fiscal year Hotel/Motel Tax funding. Requests for funding totaled \$352,600. The City's hotel/motel tax rate is currently at 5.0%. Based on preliminary estimates, the City is projected to collect approximately \$285,000 in hotel/motel tax receipts during the 2012-2013 Fiscal Year, an amount equal to that which is currently being realized, as compared to \$233,000 budgeted in 2011-2012. Based on the remaining hotel/motel tax receipts that the City is anticipated to collect for the 2011-2012 Fiscal Year, the projected year-end balance that the City will have in reserve on April 30, 2012 will be \$30,000.

Requests are listed in alphabetical order, with funding category qualifications provided.

<u>Organization</u>	<u>2012-2013 Funding Amount Requested</u>	<u>(Last Year) 2011-2012 Funding Amount Awarded</u>
Berkshire Ballet Theatre	\$4,500	\$1,000
Crystal Lake Babe Ruth League, Inc.	\$2,000	\$1,631
Crystal Lake Chamber of Commerce – Shopping and Dining Guides	\$5,000	\$4,893
Crystal Lake Rowing Club	\$2,500	\$2,039
Historic Downtown District of Crystal Lake, Inc.	\$35,000	\$35,000
Lakeside Legacy Foundation	\$75,000	\$20,389
McHenry County Convention and Visitors Bureau	\$15,000	\$2,500
McHenry County Music Center	\$3,600	\$2,936
McHenry County Youth Sports Association	\$60,000	\$40,778
Raue Center for the Arts Programming and Marketing Support	\$150,000	\$122,334
Total	\$352,600	\$233,500

A Hotel/Motel Tax Funding workshop was held on January 10, 2012. At this workshop, applicants were provided the opportunity to present requests to the City Council for consideration and answer questions. Following the workshop, a memo was distributed asking the City Council to indicate their preferred funding allocations for each organization that submitted an application. Attached are the received Hotel/Motel Tax funding allocation surveys and a chart summarizing the preferred allocation amounts based on the surveys.

Also, during last year's hotel/motel tax funding allocations discussion at the March 1, 2011 City Council meeting, Councilmember Cathy Ferguson made a suggestion to remove Historic Downtown Crystal Lake, Inc. from the Hotel/Motel Tax funding allocations to the City's General Fund. There was a consensus by the City Council to discuss this matter further at a later date. Since that meeting, there have been no further discussions regarding the suggestion.

Applicants have been notified that the allocation of funding is to be considered at the February 21, 2012 City Council meeting.

Votes Required to Pass:

Simple majority vote of the City Council.