



**CITY OF CRYSTAL LAKE**  
**AGENDA**

**CITY COUNCIL**  
**REGULAR MEETING**

City of Crystal Lake  
100 West Woodstock Street, Crystal Lake, IL  
City Council Chambers  
April 17, 2012  
7:30 p.m.

1. **Call to Order**
2. **Roll Call**
3. **Pledge of Allegiance**
4. **Approval of Minutes – April 3, 2012 Regular City Council Meeting**
5. **Accounts Payable**
6. **Public Presentation**  
*The public is invited to make an issue oriented comment on any matter of public concern not otherwise on the agenda. The public comment may be no longer than 5 minutes in duration. Interrogation of the city staff, Mayor or City Council will not be allowed at this time, nor will any comment from the Council. Personal invectives against city staff or elected officials are not permitted.*
7. **Mayor's Report**
  - a. **Recognition of the Crystal Lake Central High School and Crystal Lake South High School Pom Squads**
8. **Council Reports**
9. **Consent Agenda**
  - a. **Resolution authorizing signs to be placed along the City rights-of-way recognizing the Prairie Ridge High School football team, the Crystal Lake Central and Crystal Lake South High School Pom Squads, and Crystal Lake Central High School wrestler Gage Harrah for winning the State Championship for their respective sport.**
10. **Resolution approving the “Teal Around Town” ribbon campaign to raise awareness for Ovarian Cancer from September 1, 2012 to September 30, 2012.**
11. **The London Club, 394 W. Virginia Street – City Code Amendment increasing the number of Class 9 liquor licenses and decreasing the number of Class 3 liquor licenses, and variation to allow alcoholic beverages to be served in an open unroofed area within 100 feet of land zoned for residential purposes.**
12. **Papa Saverios, 540 E. Terra Cotta Avenue – City Code Amendment increasing the number of Class 8 liquor licenses.**
13. **Sign Variation to allow wall signage greater than the Unified Development Ordinance allowance for the gas station at 4410 Northwest Highway.**
14. **Sign Variation to allow a free-standing sign to exceed the required square footage requirements, allowing 36.85 square feet, a variation of 4.85 square feet, for the First Church of Christ, Scientist at 431 Woodstock Street.**
15. **Crystal Lake Plaza – Final Planned Unit Development Amendment to allow changes to the existing electronic message center on the existing pylon sign to allow a 3-minute hold for messages.**
16. **21 and 24 Burning Bush Trail; 20 and 25 Indian Hill Trail; and 590, 600, 610, 620, 630 and 640 Arrowhead Lane – Simplified Residential Variation to allow a 6-foot fence in a yard abutting a street along Walkup Road, Burning Bush Trail and Indian Hill Trail instead of the maximum permitted height of 3 feet.**

17. **Lutheran Social Services of Illinois, Fox Hill Senior Living, 401 Commonwealth Drive – Final Plat of Subdivision for three lots; and Final Planned Unit Development for a 60-unit senior independent living development.**
18. **Crystal Lake Park District, Kamijima Park, 1294 North Avenue – Special Use Permit for a structure over 100 square feet to allow a 736-square-foot fenced storage area.**
19. **Resolution authorizing execution of a service agreement for repair of the Water Division JCB Model 215 Backhoe with a 10% contingency for unforeseen expenses.**
20. **Bid award and resolution authorizing execution of a service agreement for tuck pointing and waterproofing services at the Municipal Complex with a 10 percent contingency for justifiable additions.**
21. **Resolution authorizing rejection of all bids for the complete installation and integration of two 10-ton air conditioning units.**
22. **Bid award and resolution authorizing execution of a purchase agreement for the purchase of replacement manhole frames and lids.**
23. **Ordinance declaring radios and accessories being replaced as part of the 2012 City Radio Communications System Upgrade as surplus and designating said radios and accessories to be given to the McHenry County Emergency Management Agency.**
24. **Ordinance establishing Chapter 384, Pawnshops and Pawnbrokers, in the City Code.**
25. **Unified Development Ordinance Text Amendment to Article 2, Land Use of the Unified Development Ordinance, to allow a pawn shop.**
26. **Ordinance amending Chapter 650 of the City Code for changes to the Unified Development Ordinance.**
27. **Ordinance establishing a City Business Enterprise Plan.**
28. **Resolution authorizing execution of an Intergovernmental Agreement with the Village of Lake in the Hills for the storage of road salt.**
29. **Resolution authorizing execution of an Intergovernmental Agreement with the McHenry County Major Investigation Assistance Team.**
30. **Resolution authorizing execution of an Intergovernmental Agreement with the Illinois Office of the Comptroller to participate in the Illinois Comptroller’s Local Debt Recovery Program.**
31. **Resolution approving the proposed Lake Safety Program Budget FY 2012/2013.**
32. **Resolution authorizing an amendment to the lease agreement for the 2012 concession hours at Three Oaks Recreation Area.**
33. **Electrical Aggregation Public Hearing on the Plan of Operation and Governance.**
34. **Public Hearing/Annual Budget Resolution and Salary Ordinance for the 2012/2013 Fiscal Year.**
35. **Council Inquiries and Requests**
36. **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.**
37. **Reconvene to Regular Session.**
38. **Adjourn**

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



**Agenda Item No: 9a**

**City Council  
Agenda Supplement**

---

**Meeting Date:** April 17, 2012

**Item:** Championship Signs

**Staff recommendation:** Motion to adopt a resolution authorizing a sign to be placed along the City rights-of-way recognizing the Prairie Ridge High School football team, the Crystal Lake Central and Crystal Lake South High School Pom Squads, and Crystal Lake Central High School wrestler Gage Harrah for winning the State Championships for their respective sport.

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

---

**Background:**

On July 1, 2008, the City Council adopted a resolution creating a Championship Signs Program that recognizes individuals or teams from the community who have won State championships. Because IDOT allows no more than two (2) championship signs on IDOT rights-of-way at a time, the Council approved the implementation of a program that places championship signs at the entrances to the City or around the high school(s) or private facility honoring those championship efforts when authorized by the City Council. The championship signs are to be installed for a one-year period, after which the signs will be taken down, with one sign given to the high school or club as a memento honoring the individual or team champions.

The following teams have been awarded State Championships this year:

- The Prairie Ridge football team finished their 13-1 season with an IHSA 6A State Championship.
- Crystal Lake South High School Pom Squad placed first in the Team Dance Illinois Kick 3A State competition.
- Crystal Lake Central High School Team Dance Illinois Pom Squad placed first in the Pom 2A State competition.
- Crystal Lake Central High School wrestler, Gage Harrah, placed first in the state in the 195 AA class State competition.

**Recommendation:**

Staff recommends that up to two signs be placed in relative proximity to Prairie Ridge, Crystal Lake South and Crystal Lake Central High Schools to recognize these athletes for their achievements.

**Votes Required to Pass:**

Simple majority

**DRAFT**

**RESOLUTION**

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE that the City Manager is authorized to install championship signs, along the City rights-of-way, recognizing the Prairie Ridge Football Team, the Crystal Lake Central and Crystal Lake South Pom Squads and Crystal Lake Central wrestler Gage Harrah for winning State Championships for their respective sports, for a one-year period.

DATED this 17th day of April, 2012.

CITY OF CRYSTAL LAKE, an  
Illinois municipal corporation,

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

SEAL

ATTEST

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

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

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



**Agenda Item No: 10**

**City Council  
Agenda Supplement**

---

**Meeting Date:**

April 17, 2012

**Item:**

“Teal Around Town” Ribbon Campaign

**Staff Recommendation:**

Motion to adopt a Resolution approving the “Teal Around Town” ribbon campaign to raise awareness for Ovarian Cancer from September 1, 2012 to September 30, 2012.

**Staff Contact:**

Brad Mitchell, Assistant to the City Manager

---

**Background:**

Each year, approximately 20,000 women in the United States are diagnosed with ovarian cancer. Twelve years ago, the National Ovarian Cancer Coalition (NOCC) proclaimed September as Ovarian Cancer Awareness month. In 2011, Jolene White, a resident of Woodstock and 3 ½ year ovarian cancer survivor, partnered with the Illinois Chapter of the NOCC to launch their first annual “Teal Around Town” ribbon awareness campaign in Woodstock. As part of the campaign, various teal ribbons were displayed at sites around Woodstock throughout the month of September. For 2012, Ms. White’s goal is to expand the campaign to other municipalities in McHenry County.

Ms. White is seeking permission from the City to be able to place teal ribbons on trees along common traffic arteries in Crystal Lake, such as McHenry Avenue, Dole Avenue, Woodstock Street, Walkup Avenue, Congress Parkway, Crystal Lake Avenue, Route 14 (from Route 176 to McHenry Avenue), McCormick Park, Veteran Acres, and the Downtown District for the “Teal Around Town” ribbon awareness campaign. Pending City Council approval, a site walk-through would be conducted to confirm the locations. For businesses or residents located along these streets where parkway areas could be interpreted as private property, notification would be provided to these businesses or residents in August allowing them to opt out of the campaign. A town captain would be responsible for leading a group of volunteers to place the teal ribbons on trees. The teal ribbons would be up from September 1, 2012 through September 30, 2012. The town captain and volunteers would remove all teal ribbons by no later than September 30,

2012. Ms. White has received approval from the City of Woodstock and City of McHenry, as well as Centegra Health Systems for this year's ribbon awareness campaign. City staff has reviewed the petitioner's request and does not have concerns regarding the "Teal Around Town" ribbon awareness campaign, providing the following conditions are met:

- 1) The teal ribbons shall be up only between September 1, 2012 and September 30, 2012.
- 2) The petitioner must send a notice to all residents and business owners located along the streets ribbons shall be placed. For areas where parkways could be interpreted as private property, those residents and business owners shall have the opportunity to opt out of the campaign.
- 3) The petitioner shall receive approval from the Crystal Lake Park District to place ribbons on trees in Veteran Acres or on other trees located on Crystal Lake Park District property.
- 4) 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.

The petitioner has agreed to meet these conditions. The letter requesting permission to place teal ribbons on trees in Crystal Lake for the "Teal Around Town" ribbon campaign to raise awareness for Ovarian Cancer has been attached for City Council consideration.

**Votes Required to Pass:**

Simple majority vote of the City Council



**DRAFT**

**RESOLUTION**

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE, of McHenry County, Illinois, that the City of Crystal Lake participate in the "Teal Around Town" ribbon campaign to raise awareness for Ovarian Cancer from September 1, 2012 to September 30, 2012.

DATED this 17<sup>th</sup> day of April, 2012.

CITY OF CRYSTAL LAKE, an  
Illinois municipal corporation,

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

SEAL

ATTEST

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

PASSED: April 17, 2012  
APPROVED: April 17, 2012



**Agenda Item No: 11**

**City Council  
Agenda Supplement**

---

**Meeting Date:**

April 17, 2012

**Item:**

City Code Amendment to Increase the Number of Class "9" Liquor Licenses – Applicant: The London Club

**Staff Recommendation:**

Motion to adopt an ordinance:

1. Increasing the number of Class "9" Liquor Licenses from the current permitted 4 licenses to 5 licenses,
2. Approving a variation to Section 329-5(I)(i) for the petitioner to allow for alcoholic beverages to be served in an open unroofed area within 100 feet of land zoned for residential purposes, and
3. Decreasing the number of Class "3" liquor licenses from the current 9 licenses to 8 licenses.

**Staff Contact:**

George Koczwar, Deputy City Manager

---

**Background:** The City has received a request from The London Club, located at 394 W. Virginia Street, to change their liquor license classification from a Class "3" liquor license, which allows the retail sale on the premises specified, of alcoholic liquor, for consumption, on the premises (interior of the building only), as well as the retail sale of alcoholic liquor in the original package, to a Class "9" liquor license, which allows the retail sale, on the premises specified (interior of the building and open unroofed area immediately contiguous to the building), of alcoholic liquor, for consumption, on the premises, as well as the retail sale of alcoholic liquor in the original package.

Section 329-5-I of the City Code permits the issuance of a Class "9" liquor license for the retail sale, on the premises specified, which shall include not only the interior of the building but also an open unroofed area immediately contiguous to the building where alcoholic beverages are served or consumed, of alcoholic liquor, for consumption, on the premises as well as the retail sale of alcoholic liquor in the original package between the hours of 11:00 a.m. and 1:00 a.m. Monday, Tuesday, Wednesday, Thursday; 11:00 a.m. and 2:00 a.m. Friday and Saturday; and 10:00 a.m. on Sunday and 1:00 a.m. on Monday.

The London Club is requesting the license classification change to permit the sale of alcoholic beverages in an outdoor patio area being added to the building. The outdoor patio would be constructed in front of their building facing U.S. Route 14.

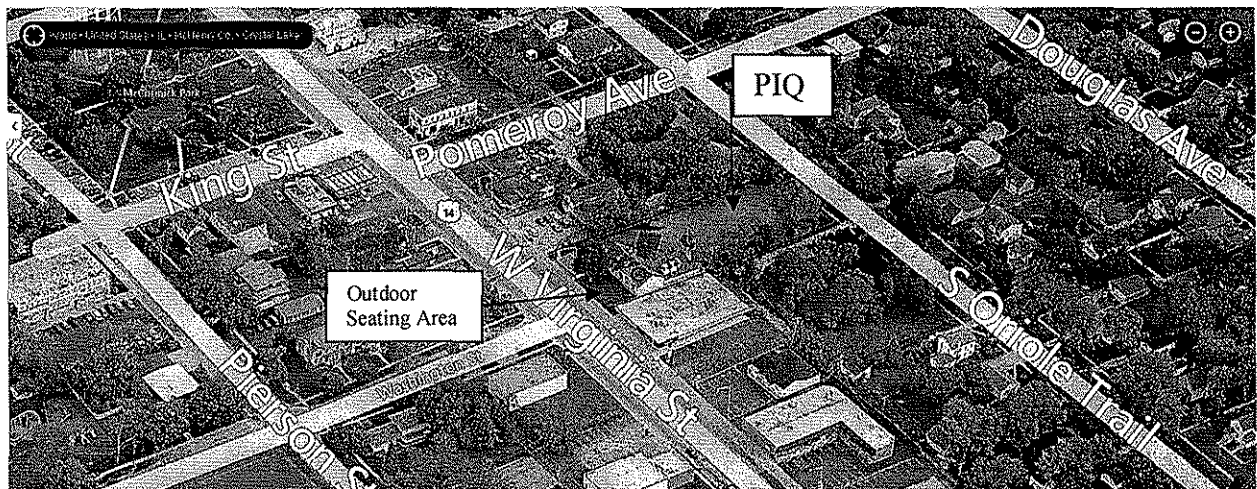


In addition, the liquor license provisions of the City Code contain several requirements for the outdoor consumption area. The London Club does not meet one of these requirements, which is as follows:

*No open unroofed area where alcoholic beverages are served pursuant to this license shall be permitted within 100 feet of land zoned for residential purposes.*

The City of Crystal Lake Zoning Ordinance has a set precedence for the methods by which separation is measured between uses and setbacks. The requirements are calculated using the property line as a starting and/or ending point.

The London Club property backs up to residentially-zoned property; therefore, the property line of the London Club is within 100 feet of residentially-zoned property so they are also seeking an exception from the 100 feet requirement in the liquor license provisions of the City Code.



Four establishments, Al & Joe's (license issuance pending), Buffalo Wild Wings Grill & Bar, Finn McCools, and Labemi's Tavern, currently hold a Class "9" liquor license.

**Votes Required to Pass:** Simple majority

DRAFT

ORDINANCE NO.  
FILE NO.



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

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

SECTION I: That CHAPTER 329 LIQUOR LICENSES Section 329-6 Limitations on licenses shall be amended as follows:

1. Class 9 License shall be increased from 4 to 5.
2. Class 3 License shall be decreased from 9 to 8.

SECTION II: A variation to Section 329-5(D)(i) is approved for The London Club to allow for alcoholic beverages to be served in an open unroofed area within 100 feet of land zoned for residential purposes.

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

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

DATED at Crystal Lake, Illinois, this 17th day of April, 2012.

APPROVED:

\_\_\_\_\_  
MAYOR

ATTEST:

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

PASSED: April 17, 2012

APPROVED: April 17, 2012

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



**Agenda Item No: 12**

**City Council  
Agenda Supplement**

---

**Meeting Date:**

April 17, 2012

**Item:**

City Code Amendment to Increase the Number of Class "8" Liquor Licenses – Applicant: Papa Saverios

**Staff Recommendation:**

Motion to adopt an ordinance increasing the number of Class "8" Liquor Licenses from the current permitted 4 licenses to 5 licenses.

**Staff Contact:**

George Koczvara, Deputy City Manager

---

**Background:** The City has received a request from PSCL, LLC, dba Papa Saverios, for the creation of a Class 8 liquor license for use at the Papa Saverios restaurant to be located at 540 E. Terra Cotta Avenue (previously Taylor Street Pizza). The owners of the new restaurant are requesting a Class 8 liquor license, which allows the retail sale, on the premises specified (interior of the building and open unroofed area immediately contiguous to the building), to accommodate the sale and consumption of alcoholic drinks in an outdoor patio area currently installed at this location. A rendering of the outdoor patio area is attached.

Section 329-5-H of the City Code permits the issuance of a Class "8" liquor license for the retail sale, on the premises specified, of alcoholic liquor, for consumption on the premises, which shall include not only the interior of the building but also an open unroofed area immediately contiguous to the building or structure where alcoholic beverages are served or consumed, between the hours of 11:00 a.m. and 1:00 a.m. Monday, Tuesday, Wednesday, Thursday; 11:00 a.m. and 2:00 a.m. Friday and Saturday; and 10:00 a.m. on Sunday and 1:00 a.m. on Monday.

Four establishments, Brink Street Restaurant & Bar, Chen Chinese Cuisine, Chipotle Mexican Grill and Village Squire, currently hold a Class "8" liquor license.

**Votes Required to Pass:** Simple majority

DRAFT

ORDINANCE NO.  
FILE NO.



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

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

SECTION I: That CHAPTER 329 LIQUOR LICENSES Section 329-6 Limitations on licenses shall be amended as follows:

1. Class 8 License shall be increased from 4 to 5.

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

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

DATED at Crystal Lake, Illinois, this 17th day of April, 2012.

APPROVED:

\_\_\_\_\_  
MAYOR

ATTEST:

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

PASSED: April 17, 2012

APPROVED: April 17, 2012

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



**Agenda Item No: 13**

**City Council  
Agenda Supplement**

**Meeting Date:** April 17, 2012

**Item:** Sign Variation to allow wall signage greater than the UDO allowance for the gas station at 4410 Northwest Highway.

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

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

**Background:**

- Gas Depot at 4410 Northwest Highway is requesting a variation to allow exceeding the total allowable wall signage for the gas station and convenience store at this location.
- The change in signage is due to rebranding the station from a Marathon to a Gas Depot.
- At the January 18, 2011 meeting, City Council provided direction that for consistent interpretation, stripes, logos and lighting for gas stations would be considered as part of the total wall signage.
- This would only affect new gas stations and any existing gas stations that are rebranding their image, which is the case with Gas Depot. This would provide an opportunity for the City Council to review these stations on a case-by-case basis.

***Key Factors***

The following signage is being requested:

Location	Type	Number	Total square footage (SF)
Canopy	"Gas Depot" Text and logos	3	33.4
Canopy	Yellow Stripe	1	98.5
Building	Yellow stripe	1	61
Dispenser	Valance	12	48
Dispenser	Skirt stripe and logo	12	24
<b>Total</b>			<b>264.9</b>

The Gas Depot at 471 Virginia Street received a variation in 2011 to allow signage totaling 325 square feet (two canopies) as well as electronic pricing signs that were prohibited by the Ordinance in 2011.

The petitioner has requested a variation from Section 4-1000 F Commercial Signs in the UDO. The variations are detailed below:

Item	UDO Requirement	Proposed Signage	Variation
Wall Signs	75 square feet for any one sign; 150 total for all signage	264.9 square feet	Yes – 114.9 SF

A sign variation application and details of the proposed signage are included.

The City Council can grant a variation from the requirements of the Ordinance to overcome an exceptional condition which poses practical difficulty or particular hardship in such a way as to prevent the display of a sign as intended by the Ordinance and where the following standards are met:

- A. The proposed variation will not serve merely as a convenience, but alleviate some demonstrable and unusual hardship.
- B. The proposed variation will not be materially detrimental to the public welfare or injurious to other property or improvements in the neighborhood. The proposed variation will not by itself, or with other signs, contribute to the creation of visual distraction which may lead to personal injury or a substantial reduction in the value of the property.
- C. The proposed variation is in harmony with the intent, purpose and objectives of the Ordinance.

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

**Recommended Conditions:**

- 1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
  - A. Sign Variation Application, received 4-4-12
  - B. Sign Plan, Marshall Sign Company, dated 3-8-12
- 2. The proposed signs shall meet all of the other requirements in the UDO, as applicable.

**Votes Required to Pass:** Simple majority vote



**Agenda Item No: 14**

**City Council  
Agenda Supplement**

**Meeting Date:** April 17, 2012

**Item:** Sign Variation to allow a free-standing sign to exceed the required square footage requirements, allowing 36.85 square feet a variation of 4.85 square feet, for the First Church of Christ, Scientist at 431 Woodstock Street.

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

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

**Background:**

- The First Church of Christ, Scientist has an existing externally illuminated, single-sided, wood free-standing sign.
- The UDO considers a religious establishment as a civic use and permits free-standing signs to be up to 32 square feet.
- The petitioners are requesting approval of the variation to allow 36.85 square feet to allow them to post several messages, including the hours of the bookstore and library, the hours of the Sunday school and Wednesday meeting, and a community message.

**Analysis:**

The petitioner has requested a variation from Section 4-1000 F Commercial Signs in the UDO. The variation is for the total square feet of the sign copy area. The following table illustrates proposed sign versus the ordinance requirement:

<b>Item</b>	<b>UDO Requirement</b>	<b>Proposed Signage</b>	<b>Variation Required</b>
Free-standing Sign	32 square feet 8 feet in height	36.85 square feet 6 feet 8 inches in height	Yes

The City Council can grant a variation from the requirements of the Ordinance to overcome an exceptional condition which poses practical difficulty or particular hardship in such as way as to prevent the display of a sign as intended by the Ordinance and where the following standards are met:

1. The proposed variation will not serve merely as a convenience, but alleviate some demonstrable and unusual hardship.
2. The proposed variation will not be materially detrimental to the public welfare or injurious to other property or improvements in the neighborhood. The proposed variation will not by itself, or with other signs, contribute to the creation of visual distraction which may lead to personal injury or a substantial reduction in the value of the property.
3. The proposed variation is in harmony with the intent, purpose and objectives of the Ordinance.

**Recommended Conditions:**

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
  - A. Application (First Church of Christ, Scientist, received 04/03/12)
  - B. Sign Details (Hughes Signs, received 04/02/12)
  - C. Landscape Plan (Keehn, dated 01/12, received 04/02/12)
2. The faux brick shall be a masonry product.
3. The sign shall be set back a minimum of 10 feet from the property line.
4. The proposed sign shall meet all of the other requirements in the UDO, as applicable.

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





**Agenda Item No: 15**

**City Council  
Agenda Supplement**

---

**Meeting Date:** April 17, 2012

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

#2012-10 Crystal Lake Plaza Final PUD Amendment

Final Planned Unit Development Amendment to allow changes to the existing electronic message center on the existing pylon sign to allow a 3-minute hold for messages.

Katie Van Diggelen, 1-29 Crystal Lake Plaza

**PZC Recommendation:** Motion to approve the Planning and Zoning Commission recommendation and adopt an ordinance granting a Final Planned Unit Development Amendment to allow a 5-minute hold for the existing electronic message center on the existing pylon sign.

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

---

**Background:**

- Location: The sign in question is located just east of the entrance along the Julie Ann's building (former Baird and Warner Building) in the Crystal Lake Plaza.
- Zoning: "B-2 PUD" General Commercial PUD.
- Request: Final PUD Amendment to allow changes to the existing electronic message center (EMC) on the existing pylon sign to allow a 3-minute hold for messages.

**Key Factors**

- History: In 2009, the City Council approved a Final PUD Amendment for the Crystal Lake Plaza to allow architectural changes to the center and approved an electronic message center approximately 77 square feet in area within the existing pylon sign. At that time, electronic message centers were not a permitted sign type per the UDO.
- Details: At the Planning and Zoning Commission meeting in 2009, the petitioner requested that the EMC sign be allowed to be changed twice a week (similar to the manual message board that was replaced with the EMC).
- Request: The petitioner has indicated that they would like to change the messages every 3 minutes instead of the twice every week requirement allowed via their PUD approval.

- UDO Requirements: The UDO allows EMC signs as a Special Use in the “B-2” district, if they meet the standards. One of the standard requirement is that the hold time for all EMCs (except time and temperature signs) be 5 minutes. Additionally, all messages displayed on the EMC must be static and may not reflect movement, flashing, scrolling or changes in shape or size of messages or portions of messages. Transition from one message to another must occur with either fading or dissolving to black with another message appearing immediately thereafter, without movement or other transition effects between messages.

***PZC Highlights***

- The Planning and Zoning Commission had no concerns with allowing a change in the hold time from twice a week to five minutes but were not comfortable with allowing a three-minute hold time.
- The petitioner indicated that the 3-minute hold time was being requested because there are 33 units in the Plaza.
- The Commission felt that 3 minutes was too quick and if 3 minutes was allowed here, then all the other EMC owners would ask to have theirs changed from 5 to 3 minutes.
- The PZC had no concerns and recommended **approval (8-0)** of the request.

The following conditions are recommended:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
  - A. Application, received 10-13-11.
2. A Final PUD Amendment to rescind the condition of Ordinance #6523 that the EMC messages be changed twice a week is hereby granted. A **5-minute hold time** for messages is approved. All other applicable conditions of previous Ordinances shall apply.
3. The messages displayed on the EMC can only transition from one message to another by either fading or dissolving to black with another message appearing immediately thereafter, without movement or other transition effects between messages.
4. Messages must be static and not reflect movement, flashing, scrolling or changes in shape or size of messages or portions of messages. Streaming and/or live-time video are not permitted.
5. If the EMC unit is equipped to override commercial messages for emergency situations such as an “Amber Alert” or other such acute public emergencies, the owner of the EMC unit is requested to cooperate with the City of Crystal Lake in order to allow the City to exercise its override authority
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

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

## AN ORDINANCE GRANTING AN AMENDMENT TO THE FINAL PUD FOR CRYSTAL LAKE PLAZA

WHEREAS, pursuant to the terms of the Petition (File #2012-10) before the Crystal Lake Planning and Zoning Commission, the Petitioner has requested an Amendment to the Final Planned Unit Development for Crystal Lake Plaza to allow changes to the existing electronic message center on the existing pylon sign to allow a 3-minute hold for messages; and

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

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

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

SECTION I: That a Final PUD Amendment be granted to allow changes to the existing electronic message center on the existing pylon sign to allow a 5-minute hold for messages for the property located at 1-29 Crystal Lake Plaza, Crystal Lake, Illinois.

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

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
  - A. Application, received 10-13-11.
2. A Final PUD Amendment to rescind the condition of Ordinance #6523 that the EMC messages be changed twice a week is hereby granted. A 5-minute hold time for messages is approved. All other applicable conditions of previous Ordinances shall apply.
3. The messages displayed on the EMC can only transition from one message to another by either fading or dissolving to black with another message appearing immediately thereafter, without movement or other transition effects between messages.
4. Messages must be static and not reflect movement, flashing, scrolling or changes in shape or size of messages or portions of messages. Streaming and/or live-time video are not permitted.

# DRAFT

5. If the EMC unit is equipped to override commercial messages for emergency situations such as an "Amber Alert" or other such acute public emergencies, the owner of the EMC unit is requested to cooperate with the City of Crystal Lake in order to allow the City to exercise its override authority

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.

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:**

April 17, 2012

**Item:**

REPORT OF THE PLANNING & ZONING COMMISSION

#2012-13 Indian Hill Trails (Hickey)

Simplified Residential Variation to allow a 6-foot tall fence in a yard abutting a street along Walkup Road, Burning Bush Trail and Indian Hill Trail instead of the maximum permitted height of 3 feet.

Rich Hickey, 630 Arrowhead Lane, Crystal Lake, IL 60012

**PZC Recommendation:**

Motion to approve the Planning and Zoning Commission recommendation and adopt an ordinance granting a variation to allow a 6-foot tall fence in a yard abutting a street along Walkup Road, Burning Bush Trail and Indian Hill Trail.

**Staff Contact:**

Michelle Rentzsch, Director of Planning and Economic Development

---

**Background:**

- Location: 21 & 24 Burning Bush Trail; 20 & 25 Indian Hill Trail; 590, 600, 610, 620, 630 and 640 Arrowhead Lane
- Zoning: "RE" Residential Estate
- Development: Indian Hill Trails, Units 1, 2 and 3, approved in 1979, 1986 and 1987
- Existing Improvements: Single-Family Residences
- Request: Variation to allow a 6-foot tall fence in a yard abutting a street along Walkup Road, Burning Bush Trail and Indian Hill Trail instead of the maximum permitted height of 3 feet for a yard abutting a street.

***Key Factors***

- Background: As part of Phase I of the Walkup Road improvement project, a bike path was added from Pleasant Hill Road south to Veteran Acres Park in 2011. During the construction of the bike path, some landscaping material along Walkup Road was removed.
- Details: The request is to allow an ornamental, aluminum fence, six feet in height along Walkup Road, Indian Hill Trail (20 & 25 Indian Hill Trail) and Burning Bush Trail (21 & 24 Burning Bush Trail). The fence is proposed to have 1 1/8 inch rails, spaced 3 3/4 inches

apart. The petitioner has indicated that the fence height will be stepped down to 4 feet within the triangular area formed by the street property lines and a line connecting them at points twenty-five feet from the intersection of the street lines. The petitioner has indicated that the fence will be installed within the tree line or stepped back to accommodate the landscaping.

- **Clear Sight Triangle:** The proposed fence will not block the clear view at the intersections of Burning Bush Trail and Walkup Road and Indian Hill Trail and Walkup Road. The clear view of the bike path appears to be partially blocked by the proposed fence; however, there are stop signs for the path traffic at each intersection.

***PZC Highlights***

- The Planning and Zoning Commission had no concerns with this request and recommended **approval (8-0)** of the request.

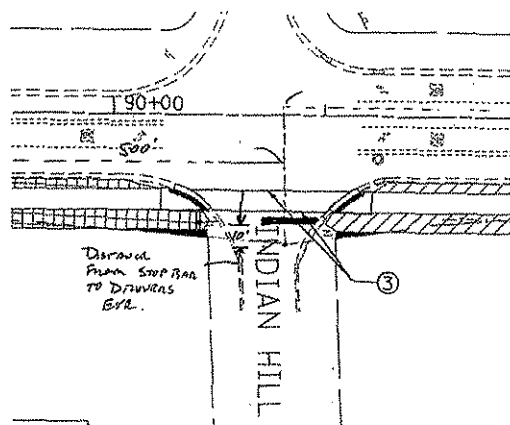
The following conditions are recommended:

1. Approved plans, to reflect staff and advisory board comments, as approved by the City Council:

- A. Development Application, received 2-7-12
- B. Proposed location plan, received 2-7-12
- C. Fence Details, received 2-7-12

2. A building permit is required prior to the installation of a fence.

3. To ensure visibility for the bike path users, the proposed fence will be stepped down to 2 ½ feet within the clear sight triangle for the bike path.



*Clear Sight Triangle for Bike Path*

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

**Votes Required to Pass:**

A simple majority vote.

# DRAFT

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

AN ORDINANCE GRANTING A VARIATION  
AT 21 AND 24 BURNING BUSH TRAIL,  
20 AND 25 INDIAN HILL TRAIL,  
590, 600, 610, 620, 630 AND 640 ARROWHEAD LANE

WHEREAS, pursuant to the terms of the Application (File #2012-13) before the Crystal Lake Planning and Zoning Commission, the Applicant has requested the granting of a Simplified Residential Variation to allow a 6-foot tall fence in a yard abutting a street along Walkup Road, Burning Bush Trail and Indian Hill Trail instead of the maximum permitted height of 3 feet for Indian Hill Trails; and

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

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

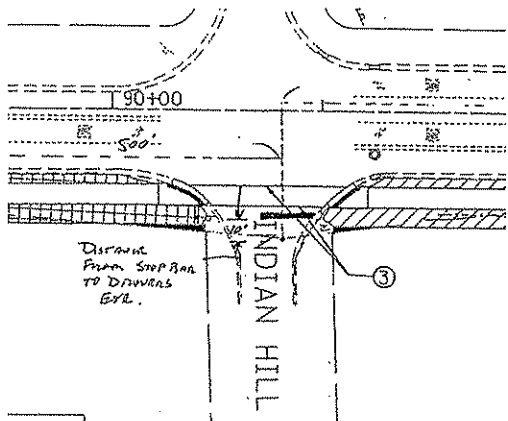
SECTION I: That a Variation be granted from the Crystal Lake Unified Development Ordinance to allow a 6-foot tall fence in a yard abutting a street along Walkup Road, Burning Bush Trail and Indian Hill Trail instead of the maximum permitted height of 3 feet for Indian Hill Trails

at the properties at 21 and 24 Burning Bush Trail, 20 and 25 Indian Hill Trail, 590, 600, 610, 620, 630 and 640 Arrowhead Lane, Crystal Lake, Illinois.

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

1. Approved plans, to reflect staff and advisory board comments, as approved by the City Council:
  - A. Development Application, received 2-7-12
  - B. Proposed location plan, received 2-7-12
  - C. Fence Details, received 2-7-12
2. A building permit is required prior to the installation of a fence.
3. To ensure visibility for the bike path users, the proposed fence will be stepped down to 2 ½ feet within the clear sight triangle for the bike path.

DRAFT



Clear Sight Triangle for Bike Path

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

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

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

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

\_\_\_\_\_  
MAYOR

ATTEST:

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

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





**Agenda Item No: 17**

**City Council  
Agenda Supplement**

---

**Meeting Date:**

April 17, 2012

**Item:**

REPORT OF THE PLANNING & ZONING COMMISSION

#2012-21 Lutheran Social Services of Illinois – Fox Hill Senior Living.

**Requests:**

- 1) Final Plat of Subdivision for three lots; and
- 2) Final Planned Unit Development for a 60-unit senior independent living development.

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

**PZC Recommendation:**

Motion to approve the Planning and Zoning Commission recommendation and adopt an ordinance granting the Final Plat of Subdivision and Final Planned Unit Development for LSSI located at 401 Commonwealth Drive.

**Staff Contact:**

Michelle Rentzsch, Director of Planning and Economic Development

---

**Background:**

- The preliminary PUD including Use Variation was approved by Council in February.
- The architecture has been revised to a Victorian style to mimic the “Victorian Woods” project.
- The petitioners are requesting approval for the final plat of subdivision and final PUD that are substantially in compliance with the conditions of their preliminary approvals.

**PZC Highlights:**

During the April 4<sup>th</sup> PZC hearing, the petitioners made their presentation illustrating the change in architecture and the new details of the façade and floor plan layout. The Commission was happy this request was back before them and they liked the details. One Commission member voted no because of the architecture.

The Planning and Zoning Commission recommended **approval (7-1)** of the petitioner’s requests for a Final Plat of Subdivision and Final PUD 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 3/21/12)
  - B. Architectural Plan Set (Tyson and Billy Architects, P.C., dated 03/21/12, received 03/21/12)
  - C. Engineering Plan Set (Schefflow Engineers, dated 3/20/12, received 3/21/12)
  - D. Final Plat of Subdivision (Terra Technology, dated 3/20/12, received 3/21/12)
2. Final 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.
3. Elevations
- A. A sample color and material board shall be presented with the Final PUD application.
4. 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

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

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

WHEREAS, pursuant to the terms of the Petition (File #2012-21) before the Crystal Lake Planning and Zoning Commission, the Petitioner has requested a Final Plat of Subdivision of Lot 3 in the Crystal Lake Business Center for a three lot re-subdivision of Crystal Courtyards and Final Planned Unit Development for a 60-unit senior independent living development for LSSI (Fox Hills Senior Living) 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 Final Planned Unit Development be granted as requested in said Petition,

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

SECTION I: That a Final Plat of Subdivision of Lot 3 in the Crystal Lake Business Center for a three lot re-subdivision of Crystal Courtyards and Final Planned Unit Development for a 60-unit senior independent living development for LSSI (Fox Hills Senior Living) for the property located east of Commonwealth Drive and south of Congress Parkway, Crystal Lake, Illinois.

SECTION II: That the Final Planned Unit Development and Final Plat of Subdivision be 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 3/21/12)
  - B. Architectural Plan Set (Tyson and Billy Architects, P.C., dated 03/21/12, received 03/21/12)
  - C. Engineering Plan Set (Schefflow Engineers, dated 3/20/12, received 3/21/12)
  - D. Final Plat of Subdivision (Terra Technology, dated 3/20/12, received 3/21/12)
2. Final 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.

# DRAFT

### 3. Elevations

A. A sample color and material board shall be presented with the Final PUD application.

4. 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.

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: 18**

**City Council  
Agenda Supplement**

---

- Meeting Date:** April 17, 2012
- Item:** REPORT OF THE PLANNING & ZONING COMMISSION  
#2012-17 Crystal Lake Park District – Kamijima Park
- Request:** Special Use Permit for a structure over 100 square feet to allow a 736-square-foot fenced storage area.  
  
Crystal Lake Park District, Petitioner  
1 E. Crystal Lake Avenue
- PZC Recommendation:** Motion to approve the Planning and Zoning Commission recommendation and adopt an ordinance granting the Special Use Permit for Kamijima Park at 1294 North Avenue.
- Staff Contact:** Michelle Rentzsch, Director of Planning and Economic Development
- 

**Background:**

- The Crystal Lake Rowing Club is an affiliate of the Crystal Lake Park District as they offer services the Park District cannot.
- The Rowing Club provides instructional rowing to kids and adults. They have approximately 45 members. They practice early spring to May and then Labor Day to November. They are considered off-season since swimming is open between Memorial Day to Labor Day.
- The Park Board unanimously approved the Rowing Club's request.
- The Rowing Club is requesting the Special Use Permit Amendment to construct a second storage area for some existing and some new boats and equipment. The storage area is a chain link fence with steel roof. Since the fenced storage area has a roof, it is considered a structure. Any structure over 100 square feet in a park requires a Special Use Permit.

**PZC Highlights:**

- Several residents attended the meeting and expressed their concerns with the traffic and congestion along Edgewater Drive.
- The Traffic Safety Committee, made up of City staff, has been reviewing a separate speeding and pedestrian safety complaint on Edgewater Drive, after receiving a phone call

from one of the residents. A speed study was done and there was found to be no speeding problem.

- The Traffic Safety Committee will be soliciting resident feedback on possible solutions, which may include restricted parking along the east side of the roadway to address concerns with:
  - Limited visibility around the curve,
  - Narrow width of the pavement (emergency vehicles cannot easily pass if cars are parked on both sides), and
  - Reports that pedestrians do not utilize the sidewalk on the west side of the street (there is no sidewalk on the east side of the street).

The Planning and Zoning Commission recommended **approval (6-2)** of the petitioner's requests for a Special Use Permit Amendment with the following conditions:

1. Approved plan, to reflect staff and advisory board comments, as approved by the City Council:
  - A. Application (Crystal Lake Rowing Club, received 03/01/12).
  - B. Site Plan and Landscape Plan (CL Rowing Club, received 03/01/12)
  - C. Roof Structure Details and Rendering (American Steel Inc undated, received 03/01/12).
  - D. Kamijima Park Master Plan (Crystal Lake Park District dated 08/08, received 09/25/08).
2. Work with the Engineering Division to provide additional information illustrating the planned improvement, which may include a drainage/grading plan, and/or detailed site and landscape plan as the improvement is located within the floodplain and Crystal Lake Watershed.
3. The petitioner shall address all of the review comments of the Engineering and Building, Fire Rescue, Police, Public Works, and Planning and Economic Development Departments, **and agencies such as FEMA.** (Amended by PZC)
4. **Work with staff and the Police Department to lessen the parking problem in the area.** (Added by PZC)

**Votes Required to Pass:**

A simple majority vote.

DRAFT

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

AN ORDINANCE GRANTING AN AMENDMENT TO A SPECIAL USE PERMIT  
AT 1294 NORTH AVENUE (KAMIJIMA PARK)

WHEREAS, pursuant to the terms of a Petition (File #2012-17) before the Crystal Lake Planning and Zoning Commission, the Petitioner has requested the issuance of an Amendment to a Special Use Permit to allow a structure exceeding 100 SF for the Crystal Lake Park District/Crystal Lake Rowing Club for the property located at 1294 North Avenue (Kamijima Park), Crystal Lake, Illinois; and

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

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

Section I: That an Amendment to the Special Use Permit be issued to allow a structure exceeding 100 SF for the Crystal Lake Park District/Crystal Lake Rowing Club for the property commonly known as 1294 North Avenue (Kamijima Park), Crystal Lake, Illinois.

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

1. Approved plan, to reflect staff and advisory board comments, as approved by the City Council:
  - A. Application (Crystal Lake Rowing Club, received 03/01/12).
  - B. Site Plan and Landscape Plan (CL Rowing Club, received 03/01/12)
  - C. Roof Structure Details and Rendering (American Steel Inc undated, received 03/01/12).
  - D. Kamijima Park Master Plan (Crystal Lake Park District dated 08/08, received 09/25/08).
  
2. Work with the Engineering Division to provide additional information illustrating the planned improvement, which may include a drainage/grading plan, and/or detailed site and landscape plan as the improvement is located within the floodplain and Crystal Lake Watershed.
  
3. The petitioner shall address all of the review comments of Engineering and Building, Fire Rescue, Police, Public Works, and Planning and Economic Development Departments, and agencies such as FEMA.
  
4. Work with staff and the Police Department to lessen the parking problem in the area.

# 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 issuance of a Special Use Permit in accordance with the provisions of this Ordinance, as provided by law.

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

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

\_\_\_\_\_  
MAYOR

ATTEST:

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

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





**Agenda Item No: 19**

**City Council  
Agenda Supplement**

---

**Meeting Date:** April 17, 2012

**Item:** JCB Backhoe Repairs

**Staff Recommendation:** Motion to approve the repair of the Water Division JCB Model 215 Backhoe Casey Equipment, and adopt a resolution authorizing the City Manager to execute a service agreement with Casey Equipment for repairs to this unit in the amount of \$11,400.00 with a 10% contingency for unforeseen expenses.

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

---

**Background:**

The Public Works Department recently experienced a major transmission failure with the Water Division's JCB Model 215 backhoe. The machine has logged approximately 2,957 hours since it was purchased in 2004. After an initial on-site review by Casey Equipment, an authorized JCB dealer/repair center, the unit was transported to their facility in Arlington Heights, IL for removal of the transmission and further diagnosis. Prior to this in-depth inspection, it was impossible to obtain competitive pricing since the actual problem was not fully known, but once the transmission was removed and broken down to gain knowledge of the failure, the unit was immobile and it was too late to get competitive pricing. Repair items of this nature become a sole source vendor, due to special tools and knowledge needed to make repairs.

After removal of the transmission and further diagnosis, it was determined that the transmission will need to be overhauled, at a cost of \$11,400.00. (A new transmission would be roughly \$24,000.00.)

**Recommendation**

The Public Works Department's Fleet & Facility Services Division has reviewed the report provided by Casey Equipment. Staff at Casey Equipment indicated that the transmissions on the JCB units have a tendency to fail at approximately 3,000 hours of use. Being a specialty piece of equipment, City staff does not have the resources to perform this repair in-house. Casey Equipment has performed similar work for the City in the past. It is the recommendation of City staff to authorize repair of the Water Division's JCB Backhoe by Casey Equipment. Sufficient funds are allocated in the FY 11-12 budget for this work.

**Votes Required to Pass:**

Simple majority

DRAFT

RESOLUTION

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE that the City Manager is authorized to execute a service agreement with Casey Equipment for repairs to the City's JCB Model 215 Backhoe.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

CITY OF CRYSTAL LAKE, an  
Illinois municipal corporation,

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

SEAL

ATTEST

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

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

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



**Agenda Item No: 20**

**City Council  
Agenda Supplement**

**Meeting Date:**

April 17, 2012

**Item:**

Tuck Pointing & Waterproofing Services

**Staff Recommendation:**

Motion to award the bid for the tuck pointing and waterproofing services at the Municipal Complex to the lowest responsive and responsible bidder, Mike Harris Mason Contractor, and adopt a resolution authorizing the City Manager to execute a service agreement with Mike Harris Mason Contractor for tuck pointing and waterproofing services in the submitted bid amount with a 10 percent contingency for justifiable additions.

**Staff Contact:**

Victor Ramirez, P.E., Director of Public Works  
Rick Paulson, Building Commissioner

**Background:**

On Friday, April 6, 2012, the City of Crystal Lake publicly opened and read aloud bids received for the tuckpointing and waterproofing services at the Municipal Complex. This project covers repairs to bricks where necessary, washing of the stone bell course, window and door headers where necessary, tuckpointing joints and waterproofing of the Mason of the Municipal Complex. City staff estimates that there may be approximately 700 feet of bell course, window, and door headers that would be washed as a part of this project.

Company	Tuckpointing Services	Waterproofing Services	Washing cost per lineal ft	Replacement cost per brick
✓Mike Harris Mason Contractor, Rockford, Illinois	\$38,043.00	\$57,958.00	\$15.00	\$26.00
Prestia Tuckpointing, Algonquin, Illinois	\$42,272.00	\$83,615.00	\$20.00	\$28.00
* ZM Group, Inc., Chicago, Illinois	No bid	\$101,982.00	\$12.00	\$6.50

✓ Indicates lowest responsive and responsible bidder

\* Incomplete bid

### **Recommendation**

The Public Works Department has reviewed all bids received for completeness and accuracy in accordance with the invitation to bid document. An analysis of the bid submittals substantiates that the apparent lowest responsive, responsible bidder for tuck pointing and waterproofing services is Mike Harris Mason Contractor. After a review of references, it has been determined that Mike Harris Mason Contractor has provided services of similar scope to other customers with favorable feedback. It is the recommendation of City staff to award the bid to the lowest responsive and responsible bidder, Mike Harris Mason Contractor, for the tuckpointing and waterproofing services at the Municipal Complex.

### **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 be and he is hereby authorized and directed to execute a contract for Municipal Complex tuck pointing and waterproofing services between the City of Crystal Lake and Mike Harris Mason Contractor in the submitted bid amount with a 10 percent contingency for justifiable additions.

BE IT ALSO RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE to amend the 2011-2012 City Budget and authorize payment for the Municipal Complex tuck pointing and waterproofing services from the General Fund Reserves for any amount not already budgeted.

DATED this 17<sup>th</sup> day of April, 2012.

CITY OF CRYSTAL LAKE, an  
Illinois municipal corporation,

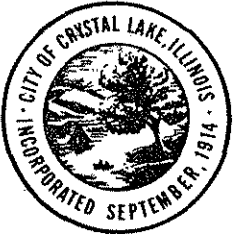
By: \_\_\_\_\_  
MAYOR

SEAL

ATTEST

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

PASSED: April 17, 2012  
APPROVED: April 17, 2012



**Agenda Item No: 21**

**City Council  
Agenda Supplement**

---

**Meeting Date:** April 17, 2012

**Item:** Municipal Complex Air Conditioner Project

**Staff Recommendation:** Motion to reject all bids for the complete installation and integration of two 10-ton air conditioning units.

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

---

**Background:**

On Friday, April 6, 2012, the City of Crystal Lake publicly opened and read aloud bids received for the purchase and installation of two 10-ton air conditioning units that serve the Council Chambers within the Municipal Complex. This project would replace the existing single 30-ton unit and correct humidity issues that the space has been experiencing. By implementing two units, the Council Chambers will have a multi-phase system to accommodate the various capacities that the room hosts on a regular basis. Below are the bids received:

Company	Total Project Costs
Althoff Industries, Crystal Lake, IL	\$81,150.00
*Amber Mechanical, Alsip, IL.	\$80,625.00
**Mechanical Inc., Freeport, IL	\$53,845.00

\* Cannot perform within the specified timeframe.

\*\* Did not bid all aspects of the project.

**Recommendation**

The Public Works Department has reviewed all bids received for completeness and accuracy in accordance with the invitation to bid document. The bids received have exceeded estimates. It is staff's recommendation to reject all bids received.

**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 bids received for the 2012 Municipal Complex Air Conditioner Project are hereby rejected.

DATED this 17<sup>th</sup> day of April, 2012

CITY OF CRYSTAL LAKE, an  
Illinois municipal corporation,

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

SEAL

ATTEST

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

PASSED: April 17, 2012  
APPROVED: April 17, 2012



**Agenda Item No: 22**

**City Council  
Agenda Supplement**

---

**Meeting Date:** April 17, 2012

**Item:** Manhole Frame and Lid Replacement Bid Award

**Staff Recommendation:** Motion to award the bid for purchasing replacement manhole frames and lids to the lowest responsive and responsible bidder, EJ USA, Inc., in the bid amount of \$43,705.00, and adopt a resolution authorizing the City Manager to execute a purchase agreement with EJ USA, Inc.

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

---

**Background:**

The City routinely purchases manhole frames and lids to replace worn and damaged ones. The City inspects manhole frames and lids and looks for good opportunities to replace them, like replacing them in conjunction with the annual resurfacing program.

On April 10, 2012, the City opened bids for the purchase of manhole frames and lids. The results are tabulated below:

<i>Firm</i>	<i>Amount of Bid</i>
EJ USA, Inc. East Jordan, MI	\$43,705.00 <sup>2</sup>
Neenah Foundry Company <sup>1</sup> Carol Stream, IL	\$46,022.00

<sup>1</sup> Indicates Recommended Lowest Responsive and Responsible Bidder

<sup>2</sup> Corrected bid amount based on provided unit prices.

The City followed the standard bid advertisement procedures. There are currently only two suppliers that manufacture frames and lids that are compatible with the City's existing structures. This purchase is included in the proposed FY 2012 Road and Vehicle License budget.



**Votes Required to Pass:**

Simple majority of City Council present.



DRAFT

The City of Crystal Lake Illinois

RESOLUTION

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE that the City Manager be authorized to execute the purchase agreement with EJ USA, Inc. for the purchase of manhole frames and lids in the amount of \$43,705.00.

DATED this seventeenth day of April, 2012.

CITY OF CRYSTAL LAKE, an Illinois Municipal Corporation

BY: \_\_\_\_\_  
AARON T. SHEPLEY, MAYOR

SEAL

ATTEST:

\_\_\_\_\_  
NICK KACHIROUBAS, CITY CLERK

PASSED: April 17, 2012

APPROVED: April 17, 2012



**Agenda Item No: 23**

**City Council  
Agenda Supplement**

---

<b><u>Meeting Date:</u></b>	April 17, 2012
<b><u>Item:</u></b>	Declaration and Designation of Surplus Radio Equipment
<b><u>Staff Recommendation:</u></b>	Motion to adopt an ordinance declaring the radios and accessories being replaced as part of the 2012 City Radio Communications System Upgrade as surplus and designating said radios and accessories to be given to the McHenry County Emergency Management Agency.
<b><u>Staff Contact:</u></b>	George J. Koczwar, Deputy City Manager

---

At the December 6, 2011 City Council meeting, the City Council approved a contract for a Radio Communications System Upgrade. The upgrade is required because the Federal Communication Commission (FCC) has mandated that all public safety radio systems be narrowbanded from 25 kHz to 12.5 kHz by January 1, 2013 due to congestion within this spectrum. Each public entity, including the City of Crystal Lake, which operates a UHF/VHF radio system, is required to meet this federally mandated deadline. The City's Radio Communications System Upgrade is on schedule to be completed by May 1, 2012.

As part of this project, all portable public safety radios are being replaced. The McHenry County Emergency Management Agency (MCEMA) has requested that the portable radios being replaced be provided to MCEMA to be used as part of their two volunteer amateur radio programs, the Radio Amateur Civil Emergency Service (RACES) and the Amateur Radio Emergency Service (ARES). These groups provide valuable communications support for County emergency programs, including severe weather watches and warnings, and non-emergency events such as the bike races in Fox River Grove and the Milk Days Parade in Harvard. MCEMA has over 70 active volunteers who help support these various events in the County. The volunteers have also supported many other non-emergency events, such as walk-a-thons throughout the area.

MCEMA is able to reuse the non-narrowbandable radios because they communicate on a ham radio frequency which is not part of the FCC narrowband mandate.

**Recommendation:**

It is the recommendation of the Fire Rescue Department, the Police Department, and the City Manager's Office to adopt an ordinance declaring the radios and accessories being replaced as part of the 2012 City Radio Communications System Upgrade as surplus and providing for the sale, at a nominal cost, of said radios and accessories to the McHenry County Emergency Management Agency.

**Votes Required to Pass:**

Simple majority



DRAFT

ORDINANCE

WHEREAS, in the opinion of the Corporate Authorities of the City of Crystal Lake, it is no longer necessary or useful to, or in the best interest of, the City of Crystal Lake to retain ownership of the radios and accessories being replaced as part of the 2012 City Radio Communications System Upgrade project referred to collectively hereinafter as (the "surplus equipment").

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE, COUNTY OF MCHENRY, STATE OF ILLINOIS AS FOLLOWS:

Section One: Recitals. The foregoing recitals are hereby incorporated herein as is fully set forth.

Section Two: Transfer of Personal Property. Pursuant to Section 11-76-4 of the Illinois Municipal Code, (65 ILCS 5/11-76-4), the Mayor and City Council of the City of Crystal Lake hereby find that the surplus equipment now owned by the City of Crystal Lake is no longer necessary or useful to the City of Crystal Lake and the best interest of the City of Crystal Lake will be served by the sale of the surplus equipment, at a nominal cost to the McHenry County Emergency Management Agency.

Section Three: Authorization of Transfer. Pursuant to said statute, the City Manager is hereby authorized and directed to sell for \$10.00, the surplus equipment now owned by the City of Crystal Lake to the McHenry County Emergency Management Agency at the conclusion of the 2012 City Radio Communications Systems Upgrade project.

Section Four: Effective Date. This ordinance shall be in full force and effect from and after its passage as provided by law.

DATED this 17<sup>th</sup> day of April, 2012

CITY OF CRYSTAL LAKE, an  
Illinois municipal corporation,

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

SEAL

ATTEST

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

PASSED: April 17, 2012  
APPROVED: April 17, 2012



## Agenda Item No: 24

### City Council Agenda Supplement

---

**Meeting Date:** April 17, 2012

**Item:** Pawnshops and Pawnbrokers Ordinance

**Staff Recommendation:** Motion to adopt an ordinance establishing Chapter 384, Pawnshops and Pawnbrokers, in the City Code.

**Staff Contact:** David R. Linder, Chief of Police

---

#### **Background:**

Recently, The Planning and Zoning Commission approved a request to develop a pawnshop which, if approved by the City Council, would become Crystal Lake's first pawnshop. This retail space would consist of buying, selling, and pawning items ranging from electronics to jewelry. As a result, regulating such activities is in the community's best interest. Several local and regional communities have passed ordinances defining pawnshop regulations and expectations.

After researching and analyzing several other local ordinances, our recommended ordinance includes language that fits our community's needs. For example, the following regulations are mandated within the ordinance: electronic record keeping, daily reports given to the Police Department, defined waiting periods before selling items, prohibited sale of certain items, required video surveillance system, penalties for ordinance violations, and license requirements. Similar to the City's license for a tattoo establishment, a comparable requirement for pawnshops has several benefits. For instance, the City will be able to track these businesses and ensure they are following regulations. Also, part of the application process will include a license fee of \$500. This fee is needed to off-set the administrative cost to review daily reports provided by the pawnshop. This fee will also contribute to the annual City purchase of Leads Online software. This software will track and monitor items as well as enhance the Police Department's investigative ability to protect both pawnbrokers and the general public.

If businesses do not follow ordinance guidelines, there are provisions within the ordinance to reprimand the pawnshop depending on the type and prevalence of the violation(s). If a serious violation occurs, the City can suspend or revoke the pawnshop's license. However, if the violation is minor, the offender would be given a fine. The violations under this ordinance would be heard before the Administrative Law Judge under the City's administrative adjudication

process. The minimum fine recommended would be \$150, while the maximum fine would be \$1,000.

Violators would have the ability to pay the fine without appearing before the Administrative Law Judge if the responding officer indicates on the citation that the minimum fine may be paid instead of appearing at the hearing. This option would only be made available when, in the opinion of the officer, the individual would not need to appear at a hearing in order to satisfy compliance. The minimum fine amount would be the fine-in-lieu-of-hearing penalty. Payment under this scenario serves as a plea of liable. Each individual receiving a violation notice would always have the opportunity for their case to be heard in front of the Administrative Law Judge.

The City Attorney has reviewed the ordinance.

**Votes Required to Pass:** A simple majority of the City Council is required for approval.



DRAFT

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

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

SECTION I: That Chapter 384, Pawnshops and Pawnbrokers, is hereby amended by adding a new Chapter 384, Article I, to the Crystal Lake City Code as follows:

### ARTICLE I Pawnshops and Pawnbrokers

#### **§ 384-1 Definitions**

**As used in this chapter, the following terms shall have the meanings indicated:**

*Junk/scrap:* Manufactured articles or parts that have been discarded and are useful only as material for reprocessing or recycling.

*Licensee:* The owner, operator, and all employees of a business licensed under this Article.

*Pawnbroker:* Every business entity, owner, operator or employee engaged in the business of receiving property in pledge or as security for money or other things advanced to the pawner or pledger shall be deemed to be a pawnbroker.

#### **§ 384-2 Exemptions**

This Article shall not apply to the purchase or sale of used motor vehicles, including motorcycles and motor driven cycles, as defined in the Illinois Vehicle Code, nor shall it apply to charitable organizations that accept donated goods for resale as a fund-raising program for the charity.

#### **§ 384-3 License Required**

No person, persons, corporation, partnership or other entity shall conduct or operate the business of a pawnbroker without having first been licensed therefore as provided in this Article and the licensing requirements of this Article.

#### **§ 384-4 License Application**

# DRAFT

Any person desiring a license as a pawnbroker shall make application in writing to the City, setting out in the application the full name and residence of the applicant, if an individual, and if a corporation, the name and residence of each of its officers. Such application shall also set out the location at which it is intended or desired to conduct such business, and such other information as the City shall from time to time deem appropriate.

Any false information provided on the application shall result in the denial or revocation of the license.

## **§ 384-5 License to state location of business**

Every license granted to any pawnbroker under the provisions of this division shall designate the place in which the person receiving the license shall be authorized to carry on such business. Such business shall not be carried on or conducted in any other place than that designated by the license.

## **§ 384-6 Change of location of business**

In case any person licensed as a pawnbroker shall remove his place of business from the place designated on such license, no business shall be carried on or engaged in at the new location under such license until written notice of such change has been given by the licensee to the City, and such change has been noted by the City upon such license. The address of his place of business shall thereupon be changed on the sides of any vehicle used by such licensed pawnbroker or dealer, and made to correspond with such new place of business.

## **§ 384-7 License to be publicly posted**

Every license granted under this article shall be conspicuously posted for public viewing so as to be seen by anyone entering the place of business of such pawnbroker whether that place of business is a fixed storefront or temporary, non-fixed location, or in any vehicle licensed under this Article.

## **§ 384-8 Issuance of license; fee**

The City shall grant licenses to such pawnbrokers that shall pass a background check conducted by the police department, to engage in the business of a pawnbroker from the place designated in the application for and during the period of such license, upon payment by the applicant to the City of an annual license fee in the amount specified annually by resolution or ordinance in the City.

Any person employed by or providing volunteer work for the licensee at the business or in the vehicle for which the license is sought, at any time during the period of the license, shall also be required to pass a background check conducted by the police department, if that employee or volunteer engages in the collection, receipt, purchase or sale of items. The results of all background checks shall be provided to the City, who shall determine if the applicant and all



employees/volunteers of the business for which the license is sought meet satisfactory standards of good character.

Each license shall be valid from the date of issuance until the following April 30<sup>th</sup> and shall be subject to reissuance for the period from May 1<sup>st</sup> to April 30<sup>th</sup> of each year thereafter. The license fee shall be \$500 per year and will not be pro-rated.

**§ 384-9 Bond**

Every person licensed as a pawnbroker shall at the time of receiving the license execute a bond to the City in the sum of one thousand dollars (\$1,000.00) with good and sufficient sureties, conditioned for the due observance of the ordinances of the City respecting pawnbrokers, loanbrokers or keepers of loan offices, to be returned upon sale or closure of business, or expiration of the license, whichever comes last.

**§ 384-10 Interest Charge-Posting Requirements**

A. All interest charges and fees assessed by any licensee shall comply with the Illinois Pawnbroker Regulation Act, 205 ILCS 510/2 as amended (the "Act").

B. Every licensee shall at all times have and keep the above provision of the Act printed in the English language, framed and posted in a prominent and conspicuous position in his or its place of business, so that such provision shall be plainly legible and visible to all persons depositing or pledging property with such licensee.

**§ 384-11 Electronic reporting of transactions**

The police department shall enter into a contract for service and maintain its contract for service with LeadsOnline, or a similar entity as designated by the chief of police, in order to enhance its investigative services to protect both pawnbrokers and members of the general public. In the event of a change to its electronic reporting system, the City will notify all impacted licensees of the change within a reasonable time prior to such change.

Every pawnbroker shall operate and maintain a computer system with internet access and photographic or video capability sufficient for the electronic reporting requirements described in this Article. Any failure or malfunction of such equipment on the part of the licensee shall not exempt the licensee from the recording/reporting requirements outlined in section 384-12 of this Article. The licensee shall immediately notify the police department of any such failure or malfunction, and shall have such resolved as soon as practicable. Failure by the licensee to resolve any failure or malfunction of equipment in a reasonable amount of time may lead to license revocation proceedings under this Article.

**§ 384-12 Record of transactions**

Throughout the term of the license, every pawnbroker shall report/upload to LeadsOnline, or the City's current electronic reporting system, the below listed information for each and every

transaction conducted during each day they were open for business by the end of that business day. All information shall be recorded in the English language.

A transaction shall consist of all articles brought in to a pawnbroker for sale, barter, trade, pledge or pawn by an individual (pawner/seller) at the same time and date, and includes the sale of non-junk/scrap articles by a pawnbroker to another person. Articles brought in to a pawnbroker by an individual (pawner/seller) for sale, barter, trade, pledge or pawn at different times on the same date by the same person shall be considered as separate transactions, regardless of how short the difference in time is between those transactions. Separate transactions, either from the same person or different persons, shall not be combined and reported collectively.

(A) Non-junk/scrap articles.

1. Purchases/receipts by licensees.

i. All non-junk/scrap articles brought in to a pawnbroker by an individual (pawner/seller) for sale, barter, trade, pledge or pawn during a single transaction shall be itemized separately. Licensees shall not lump non-junk/scrap articles together (e.g., "five gold chains") and must individually itemize and describe each individual article.

ii. Each non-junk/scrap article brought in to a pawnbroker by an individual (pawner/seller) for sale, barter, trade, pledge or pawn during a transaction shall be associated with the person (pawner/seller) who brought the article in. The licensee shall record/report the following information for each such transaction:

1. A digital photographic image of a photo ID card of the pawner/seller, sufficiently clear to allow the information on the ID to be read. The photo ID must be a currently valid (not expired) card issued by a government entity of the United States, and must include the pawner/seller's first and last name, current address, date of birth, and physical descriptors.

In the event the card is valid but does not contain the pawner/seller's current address, the licensee must separately record and report the current address.

2. If the pawner/seller is pawning or selling on behalf of a company or business, the name, address, and telephone number of such company or business shall also be recorded/reported.

3. The date and time of the transaction.

4. A complete and thorough description of each non-junk/scrap article including but not limited to the following:

i. Type of article.

- ii. Brand name/make/manufacture (if applicable).
- iii. Model number (if applicable).
- iv. Serial number (if applicable).
- v. Color/finish.
- vi. Any other identifying marks, writing, engraving, etc.

5. A digital photograph(s) of each non-junk/scrap article purchased or received as trade, barter, pledge or pawn by a pawnbroker sufficiently detailed to allow reasonable identification of each article. If the article contains any identifying numbers, marks, writing, engraving, etc., or any other distinguishing characteristics, the digital image(s) shall capture same.

## 2. Sales by licensees.

i. All non-junk/scrap articles sold by a pawnbroker to an individual shall be itemized separately. Licensees shall not lump non-junk/scrap articles together (e.g., "five gold chains") and must individually itemize and describe each individual article.

ii. Each non-junk/scrap article sold by a pawnbroker shall be associated with the person to whom it was sold. The licensee shall record/report the following information for each such transaction:

1. The name and current address of the purchaser must be recorded/reported—a photographic image of a government-issued photo ID card is not necessary.

2. A digital photograph of non-junk/scrap articles sold by a pawnbroker to an individual is not required.

In the event the electronic reporting system malfunctions or is otherwise not operational, the licensee shall, at all times during such malfunction or non-operation, be required to keep written records of any and all transactions made during the period of malfunction or non-operation, to include all information required by this section. These written records shall be reported/uploaded to LeadsOnline, or the City's current electronic reporting system, as soon as practicable after the electronic reporting system is functional. No such written records shall be erased, mutilated or changed. Written records shall be open and available for review upon request by the City or any peace officer during regular business hours.

### **§ 384-13 Pawnbrokers issuance of signed receipt**

Every pawnbroker shall, at the time of making any advancement or loan, deliver to the person pawning or pledging any property a receipt signed by him containing an accurate account and description, in the English language, of all the goods, articles or other things pawned or pledged, the amount of money, value or thing loaned thereon, the time of pledging the same, the rate of

interest to be paid on such loan, the amount of any fees being charged pursuant to 205 ILCS 510/2, and the name and residence of the person making the pawn or pledge.

**§ 384-14 Pawnbrokers; employment of persons under sixteen**

No pawnbroker shall permit any person under the age of sixteen (16) years to take pledges in pawn for him/her.

**§ 384-15 Waiting periods**

Every pawnbroker under this Article shall keep all property purchased or received available for inspection on the licensed premises for a period of ten (10) calendar days from the date of purchase or receipt. The pawnbroker shall hold such property on the licensed premises for such ten (10) calendar day period in such a manner as to be identifiable and separate from property obtained in other transactions. The pawnbroker shall not alter such property purchased or received in any manner during the ten (10) calendar day waiting period. Such ten (10) calendar day waiting period shall not apply to any new property purchased by the pawnbroker from manufacturers, other retailers or wholesale dealers having an established place of business, or of any goods purchased at open sale, or from a bankrupt stock. Such ten (10) calendar day waiting period shall also not apply to property purchased or received by the pawnbroker in a pawn transaction which has been redeemed by the customer who originally pawned such property within such ten (10) calendar day period.

No articles pawned or pledged shall be sold or disposed of by any pawnbroker within one (1) year from the time the pawner or pledger shall make default in the payment of interest on the money so advanced by the pawnbroker, unless by the written consent of the pawner or pledger.

No pawnbroker shall expose for sale, or sell or barter, or melt, crush/compact, destroy, or otherwise dispose of, any non-scrap/junk article within thirty (30) days of the time of purchasing or from the default date on the loan, nor until the same has been in or upon the premises where the same are offered, exposed, bartered or sold, at least thirty (30) days.

**§ 384-16 Prohibited transactions**

No pawnbroker, in the course of conducting his business, shall receive any articles for pawn, pledge, advancement of money, loan, resale, or personal use from:

- (A) Minors who are under eighteen (18) years of age.
- (B) Any person appearing to be intoxicated or under the influence of drugs or alcohol.
- (C) Any person known to the pawnbroker to have been convicted of theft, residential burglary, burglary, home invasion, vehicular invasion, armed robbery, robbery or electronic fencing under the laws of the State of Illinois, or the equivalent laws of any other state. A peace officer may provide such criminal conviction information to a pawnbroker and a pawnbroker may also access

the LeadsOnline "No Buy" list prior to making a transaction to ensure that the prospective pawnor/seller has not been convicted of any such crime.

(D) Any person presenting a serial numbered non-scrap/junk article from which the serial number has been removed or obliterated.

In the event that any of the above enumerated persons shall attempt to conduct a prohibited transaction, a representative of that business shall notify the police department of the incident while the person is still present in the business if safe to do so, or otherwise as soon as the person has left the business.

#### **§ 384-17 Prohibited items**

No licensee shall accept or receive the deposit, pawn or pledge of any firearm, stun gun or taser or any article, the possession of which is prohibited pursuant to Section 24-1 (a)(1) of the Illinois Criminal Code, 720 ILCS 5/24-1(a)(1).

#### **§ 384-18 Report of false/fictitious/forged/altered ID card**

In the event that a person seeking to sell or pawn any item presents to the owner/operator/employee of a pawn or resale shop what is reasonably believed to be a false/fictitious/forged/altered ID card, a representative of that business shall notify the police department of the incident while the person is still present in the business if safe to do so, or otherwise as soon as the person has left the business.

#### **§ 384-19 Report of lost or stolen articles to police**

Every pawnbroker who shall receive or be in possession of any goods, articles or things under circumstances which would lead a reasonable person to conclude that they have been lost or stolen, or which have been alleged or supposed to have been lost or stolen shall immediately notify the police department of such receipt and, forthwith on demand, exhibit the same to any member of the police department.

#### **§ 384-20 Return of stolen property**

When any person is found to be the owner of stolen property which has been pawned, such property shall be returned to the owner thereof without the payment of the money advanced by the pawnbroker thereon or any costs or charges of any kind which the pawnbroker may have placed upon the same.

#### **§ 384-21 Daily reporting**

(A) It shall be the duty of every pawnbroker under this Article to have available for delivery to the chief of police, or his/her designee, every business day and before the hour of twelve o'clock (12:00) noon, a legible and correct copy from the register of all personal property, or the valuable

things, received or deposited or purchased the preceding day in whatever quantity received, including property purchased as used merchandise at wholesale, used merchandise taken in for sale or possessed on consignment for sale, and used merchandise taken in for trade.

(B) No pawnbroker shall be required to furnish such description of any new property purchased by the pawnbroker from manufacturers, other retailers or wholesale dealers having an established place of business, or of any goods purchased at open sale, or from a bankrupt stock. Such goods must be accompanied by a bill of sale or other evidence of open and legitimate purchase and shall at all times during the pawnbroker's business hours be open to the inspection of members of the City's police department.

#### **§ 384-21 Inspection of premises by police**

The police chief or any officer designated by him shall have general supervision over all pawnbrokers and shall also have power to inspect their respective places of business and all records and items kept therein, whenever he shall deem it necessary to do so.

#### **§ 384-22 Video camera surveillance required**

Each pawnbroker shall be required to install, operate and maintain a video camera surveillance system capable of recording clear and unobstructed photographic representations of the pawnbroker's customers and shall retain the videotape recordings produced therefrom for at least thirty (30) days. Said videotape recording shall be subject to inspection and copying by members of the City's police department during the licensee's business hours.

#### **§ 384-23 Hours of operation**

No business licensed under this Article shall purchase or accept as pawn or pledge any goods, articles or things whatsoever, from any person, between the hours of 10:00 p.m. and 6:00 a.m.

#### **§ 384-24 Penalty and Revocation**

Notwithstanding any other provision of this Code to the contrary, any person who violates the provisions of this Article shall be fined as set forth in Chapter 248, Fines, and may suffer the penalty of having his/her license revoked for any such violation. Revocation shall be in writing signed by the Mayor.

It shall be the duty of the police chief to report to the City any failure to comply with any provision of this Article on the part of any such licensee, and the City shall then commence procedures to revoke the license of such person. In addition, a revocation or suspension of any license issued pursuant to 205 ILCS 510 et seq. Pawnbroker Regulation Act, will revoke or suspend any license granted under this Article.

SECTION II. That Chapter 248, Fines of the Code of Ordinances, City of Crystal Lake, Illinois, is hereby amended by adding the following:

DRAFT

**§248-2. Fines enumerated**

Code Section	Violation	Fine	
		Minimum	Maximum
384-24	Pawnbroker Violations	\$150	\$1,000

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

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

DATED at Crystal Lake, Illinois, this 17<sup>th</sup> day of April 2012.

APPROVED:

\_\_\_\_\_  
Aaron T. Shepley, Mayor

ATTEST:

\_\_\_\_\_  
Nick Kachiroubas, City Clerk

PASSED: April 17, 2012

APPROVED: April 17, 2012

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



**Agenda Item No: 25**

**City Council  
Agenda Supplement**

---

**Meeting Date:**

April 17, 2012

**Item:**

REPORT OF THE PLANNING & ZONING COMMISSION

#2012-15 Unified Development Ordinance to allow a pawn shop

Unified Development Ordinance Text amendment to Article 2, Land Use of the UDO, to allow a pawn shop.

Peter Kozysa, 457 W. Virginia Street, Crystal Lake

**PZC Recommendation:**

Motion to approve the Planning and Zoning Commission recommendation and adopt an ordinance amending Article 2, Land Use of the Unified Development Ordinance to allow a pawn shop.

**Staff Contact:**

Michelle Rentzsch, Director of Planning and Economic Development

---

**Background:**

- Location: Tenant suite at 457 - 469 W. Virginia Street
- Zoning: "B-2 VSC" General Commercial within the Virginia Street Corridor Overlay
- Development: Virginia Center
- Tenant Information: Used Merchandise Store
- Co-Tenants: Laundromat, Bloemke's Getaway Travel
- Request: UDO Text Amendment to allow a pawn shop at this location

***Key Factors***

- Details: The petitioner has signed a lease to operate a used merchandise store at this location. Used Merchandise stores are permitted as a Limited Use in the B-2 district. Along with the used merchandise store, the petitioner would like to operate a pawn store at this location. A pawn store use is not listed in Table 2-300 Permitted Uses Table of the UDO.
- UDO Text Amendment: Per the UDO, where the Zoning Administrator determines that a use not mentioned is of a type, scope, or impact that does not fit any existing use category, a text amendment to incorporate the specific use into this Ordinance at its



proposed location is required. **An approval does not create a right for a similar use within the same zoning category.**

- **Illinois State Statute:** Pawn shops or Pawnbrokers are required to obtain a license from the State of Illinois and are regulated under Section 205 ILCS 510/Pawnbroker Regulation Act. The Act is administered by the Secretary of Financial and Professional Regulation. Requirements for disclosures, including maturity date of the pawn, total interest, annual percentage rate, etc. are included in the Act. The Act also mandates that records as well as every article or thing of value pawned shall be at all times open to the inspection of the Secretary or any members of the police force of any city in which the pawnbroker does business.
- **Staff Review:** The City's Police Department has reviewed the request and has no concerns with the petitioner's request.

### ***PZC Highlights***

- The Commissioners inquired how the petitioner would be able to identify whether a computer that was brought in was stolen. They expressed similar concerns about electronic equipment such as cable boxes or U-Verse receivers which would require a fee by the customers upon activation. The petitioner indicated that they would ask questions and require identification and also shy away from certain items. They indicated that a lot of research would be required before accepting certain items.
- Upon the Commission's inquiry, the petitioner indicated they would not loan on firearms and that dealing in firearms required a separate permit from the Bureau of Alcohol, Tobacco and Firearms (ATF).
- The PZC recommended **approval (4-2)** of the request.

The following conditions are recommended:

1. A Unified Development Ordinance Text Amendment to allow a pawn shop at 457 W. Virginia Street is hereby granted.

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

DRAFT

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

AN ORDINANCE AMENDING CHAPTER 650 OF THE CODE OF ORDINANCES OF THE CITY OF CRYSTAL LAKE, ILLINOIS, PROVIDING FOR A TEXT AMENDMENT TO THE UNIFIED DEVELOPMENT ORDINANCE

WHEREAS, a hearing of said Petition was held before the City of Crystal Lake Planning and Zoning Commission in the manner and in the form as prescribed by Ordinance and Statute;

WHEREAS, as a result of said hearing, the taking of evidence, and the viewing of exhibits advanced thereat, the Crystal Lake Planning and Zoning Commission did recommend to the City Council of the City of Crystal Lake the granting of the requested text amendment (File #2012-15); and

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE, McHENRY COUNTY, ILLINOIS, that the Crystal Lake Unified Development Ordinance, and such Ordinance as amended, be and the same is hereby amended as follows:

SECTION 1: A Unified Development Ordinance Text Amendment to allow a pawn shop at 457 W. Virginia Street is hereby granted.

SECTION 2: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 3: 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: 26**

**City Council  
Agenda Supplement**

**Meeting Date:** April 17, 2012

**Item:** UDO Text Amendment for various provisions of the Unified Development Ordinance

**PZC Recommendation:** Motion to approve the Planning and Zoning Commission recommendations and to adopt an ordinance amending Chapter 650 of the Code of Ordinances of the City of Crystal Lake for the changes to the UDO.

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

**Background:**

- When the City Council adopted the Unified Development Ordinance (UDO) in 2009, it was intended to be a dynamic document that would be updated periodically.
- The proposed text amendments would address issues observed by staff, based on their day-to-day application of the UDO, and would simplify the requirements and procedures for businesses and residents.

**Key Factors**

The proposed text amendments would address the following provisions of the UDO:

	<b>Current Provisions</b>	<b>Proposed Provisions</b>
Temporary Use Permit requirements for construction, employment and equipment trailers	Currently approved through the Temporary Use Permit process.	To better accommodate the construction work flow, these are proposed to be approved through the building permit process.
Construction and Grand Opening Signage	There are no provisions for special signage during construction or to signify grand openings.	To better accommodate the need of businesses, additional limited duration signs are proposed to be permitted during (street) construction projects and for grand openings.

<p>Approved surface requirements for vehicles</p>	<p>Currently, a recreational vehicle can be stored anywhere in the interior side yards, rear yard or driveway, as long as it does not result in impaired visibility for motorists maneuvering between neighboring properties and the street. Recreational vehicles are not allowed to be stored in the side yard abutting a street or front yard.</p>	<p>The proposed amendment would allow watercrafts to be stored in the front yard, yard abutting a street or the street side yard of a lake front lot from October 1<sup>st</sup> through April 30<sup>th</sup> every year only where the side yard is constrained in size.</p> <p><b><u>The PZC recommended that this provision only be applicable to legal non-conforming lots. Additionally, their recommendation was to require the watercrafts to be stored on an approved surface.</u></b></p> <p><i>Staff is concerned that the approved surface requirement would result in additional impervious surface on lots and may not meet the lot coverage requirements. Difficult to enforce inequitable situation based on your lot status.</i></p>
<p>Sign Variation process</p>	<p>Currently, sign variation requests are handled by the Building Division.</p>	<p>To better accommodate the construction and approval process work flow, a change to the Administration section of the UDO is proposed to allow sign variation applications to be submitted to the Planning and Economic Development Department.</p> <p><b><u>The PZC has recommended that the Commission review and make recommendations on all sign variation requests.</u></b></p> <p><i>This would create an extra step, more time and cost for sign variation requests.</i></p>

Special Use Permit requirements for accessory structures	Currently, the Ordinance specifies that a special use permit is necessary for all accessory structures greater than 600 SF in area.	The proposed amendment would specify that the requirement is applicable to residential accessory structures only.
Separation requirements between principal and accessory structures	Accessory structures are required to be at least 6 feet from the principal structure.	The proposed language would match the International Residential Code to allow a 5-foot separation or closer with the appropriate fire rating.
Trash Enclosures		The proposed language would clarify that the screening requirement for trash dumpsters is applicable to new restaurant uses in existing buildings or new developments.
Food Service Uses	Currently, the sign provisions of the UDO permit one free-standing sign for a menu board for food service drive-through uses.	<p>The proposed amendment would clarify that one menu is permitted for each drive-through lane.</p> <p><b><u>The PZC recommended that while more than one order board was acceptable with ‘double’ drive-through, the total area should remain as currently permitted.</u></b></p> <p><i>Drive-through menu boards are allowed to be 60 square feet in area, which is generally the standard menu order-board size. Double drive-throughs only being permitted 30 square feet per lane would cause variation requests on each of these as they come up.</i></p>
Definitions		A definition for a ‘Pawn Shop’ is proposed to be added.

**PZC Highlights**

- Following discussion, the PZC recommended **approval (6-0)** of the request.

The language in the UDO will be amended as follows:

Article 2-300 Permitted Uses Table

Table 2-300 Permitted Uses Table				
Temporary				
Temporary	<del>Construction Trailers &amp;</del> Sales Office	TEMPORARY USE - All Districts	<del>2-500B-1</del>	-
	<del>Contractor's construction office &amp; Equipment storage trailer (Residential Projects)</del>	<del>TEMPORARY USE - All Districts</del>	<del>2-500B-2</del>	-
	<del>Contractor's construction office, employment &amp; equipment storage trailer (Non-Residential Projects)</del>	<del>TEMPORARY USE - All Districts</del>	<del>2-500B-3</del>	-
	Holiday Tree & Decoration Sales	TEMPORARY USE - All Districts	<del>2-500B-4</del> <del>2-500B-2</del>	-
	Religious Tent Meeting	TEMPORARY USE - All Districts	<del>2-500B-5</del> <del>2-500B-3</del>	-
	Seasonal Sale of Farm and Garden Produce	TEMPORARY USE - All Districts	<del>2-500B-6</del> <del>2-500B-4</del>	-
	All other promotions, events or temporary uses	TEMPORARY USE - All Districts	<del>2-500B-7</del> <del>2-500B-5</del>	-
	Temporary (Portable) Storage Units (including temporary dumpsters)	TEMPORARY USE - All Districts	<del>2-500B-8</del> <del>2-500B-6</del>	-

Section 2-500 Temporary Use Criteria

B. Review Criteria for Temporary Uses

The following standards for specific uses, to be approved as temporary uses are hereby established.

1. Real Estate Sales Office
- ~~2. Contractor's construction, equipment and office trailers for residential projects~~
- ~~3. Employment and construction trailers for non-residential projects~~
2. 4. Holiday Tree and Decoration Sales
3. 5. Religious Tent Meeting
4. 6. Seasonal Sale of Farm and Garden Produce
5. 7. All other promotions, events, or temporary uses
6. 8. Temporary (Portable) Storage Units (including temporary dumpsters)

**Please note that Construction Trailers, Contractor's construction, equipment and office trailers for residential projects and construction, employment and equipment storage trailers for non-residential projects are approved through the building permit process through the Building Division.**

Section 4-1000 F (1) Commercial Signs

TABLE 4-1000 F (1) Commercial Signs				
Sign Type	Quantity	Size (sq. ft.)	Height (Feet)	Notes
Limited Duration <sup>#</sup>	1*	32 (20 <sup>^</sup> )	5 (8) 12 <sup>^</sup>	<p>A sign providing information on an event or occurrence. The sign is permitted 30 days prior to and 2 days following the event or occurrence and is limited to 4 permits per calendar year. For the purpose of this Article, an event is an occurrence lasting no more than 7 days. Signs must be located 10 feet from the property line. (Amended per Ord. 6543)</p> <p><sup>^</sup>Where a feather flag/banner is used as a limited duration sign, they are limited to 20 SF in area and 8 <u>12</u> feet in height.</p>
<p><b><u># In addition to the Limited Duration signage, a total of 2 signs in conformance with the size and height requirements listed above are permitted as part of the construction and grand opening sign package. Constructions signs are permitted where construction activity is underway along the right-of-way in front of the property and are permitted for the duration of the project. Grand Opening signs are permitted 30 days prior and 60 days following a business opening.</u></b></p>				



Section 4-200 Off-street parking and loading

F. Use of Residential Parking Areas

2. Exceptions

(vii) In the case of a legal non-conforming lot, where the side yard is obstructed by restrictive size, trees, uneven grade, poor access, watercrafts may be stored in the front yard, yard abutting a street or the street side yard of a lake front lot on an approved surface. Fences, landscaping or similar obstacles constructed or placed in the access to the interior side yard do not constitute an obstruction. Watercrafts shall only be allowed in these locations from October 1 thru April 30. From May 1<sup>st</sup> through September 30<sup>th</sup>, watercrafts must be parked on the driveway. (Added by the PZC)

Sign Variation process

Article 9-200 SPECIFIC STANDARDS AND OTHER REQUIREMENTS FOR APPLICATIONS FOR DEVELOPMENT APPROVAL

B. Amendments

C. Variations and Simplified Residential Variations

D. Special Use Permits

- E. Planned Unit Development
- F. Watershed Planned Unit Development
- G. Sign Variations
- Ⓔ H. Appeals and Stays of Proceedings
- H I. Withdrawal of Application and Repeated Application
- I J. Notice
- J K. Permits
- Ⓕ L. Fees
- Ⓖ M. Penalties
- M N. Separability

## **G. Sign Variations**

### **1. Application**

Any sign owner in the City of Crystal Lake and/or their authorized representative may submit an application along with the appropriate filing fee to the Zoning Administrator for a variation from the requirements of this Ordinance, as it applies to the proposed sign. Refer to the “Sign Variation Application” handout, available through the Planning & Economic Development Department, for specific explanations of submittal requirements and review procedures.

### **2. Procedure**

Upon receipt of a petition for a sign variation, the Zoning Administrator shall first determine that a complete submittal has been received and then schedule the request on the next available ~~City Council~~ agenda Planning and Zoning Commission agenda. (Changed by PZC)

### **3. Standards**

The ~~City Council~~ Planning and Zoning Commission shall determine, when evidence in a specific case shows conclusively that literal enforcement of any provision of this Ordinance would result in a practical difficulty or particular hardship, based on the standards below:

**Unique Hardship:** The proposed variation, if granted, will not serve merely as a convenience, but alleviate some demonstrable and unusual hardship.

**Not harm public welfare:** The proposed variation, if granted, will not be materially detrimental to the public welfare or injurious to other property or improvements in the neighborhood and will not by itself, or with other signs, contribute to the creation of visual distraction which may lead to personal injury or a substantial reduction in the value of property.

**Consistent with Intent:** The proposed variation is in harmony with the intent, purpose, and objectives of the Ordinance (Changed by PZC)

### **4. Recommendations**

Within 45 days following the public meeting, excluding any continuation of such meeting or extensions requested by the petitioner, the Planning and Zoning Commission shall forward its recommendations to the City Council.

### **5. Conditions**

The City Council, in granting any variation, may impose such conditions or restrictions as appear necessary to minimize possible detrimental effects of such variation upon other properties in the neighborhood, and thus secure substantial justice.



**6. Action by the Council**

**Any proposed variation shall be passed upon a favorable vote by a simple majority of the City Council.**

**L. Fees**

The following fees shall apply:

**Sign Variation \$100**

Article 4-600 Accessory Structures and Uses

D. Special Use Permit required: Any individual structure, **accessory to a single-family detached, single-family attached or a two-family dwelling**, greater than 600 square feet is required to obtain a Special Use Permit.

Section 4-600 Accessory Structures and Uses

**B. General Standards**

**7. Are not located within 6 5 feet of a principal structure, unless the minimum fire-resistance rating requirements per the International Residential Code (IRC) are complied with.**

Section 4-700 Fences, Walls and Screening

C. Required Fences

6. All trash dumpsters, trash pads, loading areas, loading docks and service and maintenance areas as well as all utility equipment, dish antennas, mechanical equipment, air conditioning units or any other visible outside equipment (not classified as outdoor storage) shall be screened from any adjoining lands in a residential zone and all adjacent public rights-of-way. **(The screening requirement for trash dumpsters and trash pads for existing developments that are previously unscreened will be applicable where a new restaurant occupies the building or tenant space. For new developments, this requirement will apply regardless of the proposed use.)**

Article 2-400 Limited and Special Use Criteria

C. Review Criteria for Special Uses


7. Drive-through Uses

d. Required number of stacking spaces for specific uses

(v) Limited Service (Fast Food) Restaurant (All Others): Total 9 stacking spaces with a minimum of 4 stacking spaces between the order board and the pick-up window. **[Please refer to Article 4-1000, Signs as well as the handout –‘Signage for Limited Service (Fast Food) Restaurants for signage requirements]**

Section 4-1000 F (1) Commercial Signs

TABLE 4-1000 F (1) Commercial Signs					
Sign Type	Quantity	Size (sq. ft.)	Height (Feet)	Notes	

Free- Standing	1* (Per drive- through lane)^	60 <u>[The total area for all signs shall not exceed</u> 8 <u>60 SF] (Added by PZC)</u>	Permitted for food service drive-through tenants only. Must be located behind the front building line.	
^ Please refer to the handout – ‘Signage for Limited Service (Fast Food) Restaurants for signage requirements				

ARTICLE 10, DEFINITIONS

**LAND USE, Pawn shop:** A business location at which a pawnbroker conducts business. A pawnbroker is any person who engages in the business of making pawns. A pawn means the advancement of funds on the security of pledged goods (tangible personal property) left in the possession of a pawnbroker by a pledgor of such goods for a stipulated period of time, which goods may be redeemed by the pledgor under terms and conditions as specified in the applicable Illinois Statutes.

The above language reflects the three changes recommended by the PZC, found in change #3, #4, and #7. The attached draft ordinance does not include the three additional changes recommended by the PZC.

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

# DRAFT

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

## AN ORDINANCE AMENDING CHAPTER 650 OF THE CODE OF ORDINANCES OF THE CITY OF CRYSTAL LAKE, ILLINOIS, PROVIDING FOR A TEXT AMENDMENT TO THE UNIFIED DEVELOPMENT ORDINANCE

WHEREAS, a hearing of said Petition was held before the City of Crystal Lake Planning and Zoning Commission in the manner and in the form as prescribed by Ordinance and Statute;

WHEREAS, as a result of said hearing, the taking of evidence, and the viewing of exhibits advanced thereat, the Crystal Lake Planning and Zoning Commission did recommend to the City Council of the City of Crystal Lake the granting of the requested text amendment (File #2012-11); and

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE, McHENRY COUNTY, ILLINOIS, that the Crystal Lake Unified Development Ordinance, and such Ordinance as amended, be and the same is hereby amended as follows:

### SECTION 1

Article 2, Land Use is amended to include the following additions and corrections:

Article 2-300 Permitted Uses Table

Table 2-300 Permitted Uses Table			
Temporary			
	Sales Office	TEMPORARY USE - All Districts	2-500B-1
	Holiday Tree & Decoration Sales	TEMPORARY USE - All Districts	2-500B-2
	Religious Tent Meeting	TEMPORARY USE - All Districts	2-500B-3
Temporary	Seasonal Sale of Farm and Garden Produce	TEMPORARY USE - All Districts	2-500B-4
	All other promotions, events or temporary uses	TEMPORARY USE - All Districts	2-500B-5
	Temporary (Portable) Storage Units (including temporary dumpsters)	TEMPORARY USE - All Districts	2-500B-6

## Section 2-500 Temporary Use Criteria

### B. Review Criteria for Temporary Uses

The following standards for specific uses, to be approved as temporary uses are hereby established.

1. Real Estate Sales Office
2. Holiday Tree and Decoration Sales
3. Religious Tent Meeting
4. Seasonal Sale of Farm and Garden Produce
5. All other promotions, events, or temporary uses
6. Temporary (Portable) Storage Units (including temporary dumpsters)

Please note that Construction Trailers, Contractor's construction, equipment and office trailers for residential projects and Employment and construction trailers for non residential projects are approved through the building permit process through the Building Division.

Article 2, Land Use, Section 2-400 Limited and Special Use Criteria is amended to include the following additions and corrections:

### C. Review Criteria for Special Uses

#### 7. Drive-through Uses

#### d. Required number of stacking spaces for specific uses

(v) Limited Service (Fast Food) Restaurant (All Others): Total 9 stacking spaces with a minimum of 4 stacking spaces between the order board and the pick-up window. [Please refer to Article 4-1000, Signs as well as the handout – 'Signage for Limited Service (Fast Food) Restaurants for signage requirements]

Article 4, Density and Dimensional Standards, Section 4-200, Off-Street Parking and Loading is amended to include the following additions and corrections:

## Section 4-200 Off-street parking and loading

### F. Use of Residential Parking Areas

#### 2. Exceptions

(vii) In cases where the side yard is obstructed by restrictive size, trees, uneven grade, poor access, watercrafts may be stored in the front yard, yard abutting a street or the street side yard of a lake front lot. Fences, landscaping or similar obstacles constructed or placed in the access to the interior side yard do not constitute an obstruction. Watercrafts shall only be allowed in these locations from October 1 thru April 30. From May 1<sup>st</sup> through September 30<sup>th</sup>, watercrafts must be parked on the driveway.

Article 4, Density and Dimensional Standards, Section 4-600, Accessory Structures and Uses is amended to include the following additions and corrections:

B. General Standards

7. Are not located within 5 feet of a principal structure, unless the minimum fire-resistance rating requirements per the International Residential Code (IRC) are complied with.

D. Special use permit required: Any individual structure, accessory to a single-family detached, single-family attached or a two-family dwelling, greater than 600 square feet is required to obtain a special use permit.

Article 4, Density and Dimensional Standards, Section 4-700, Fences, Walls and Screening is amended to include the following additions and corrections:

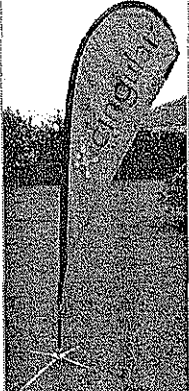

C. Required Fences

6. All trash dumpsters, trash pads, loading areas, loading docks and service and maintenance areas as well as all utility equipment, dish antennas, mechanical equipment, air conditioning units or any other visible outside equipment (not classified as outdoor storage) shall be screened from any adjoining lands in a residential zone and all adjacent public rights-of-way. (The screening requirement for trash dumpsters and trash pads for existing developments that are previously un-screened will be applicable where a new restaurant occupies the building or tenant space. For new developments, this requirement will apply regardless of the proposed use.)

Article 4, Density and Dimensional Standards, Section 4-1000, Signs is amended to include the following additions and corrections:

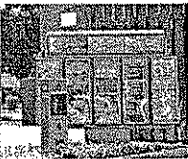
Section 4-1000 F (1) Commercial Signs

TABLE 4-1000 F (1) Commercial Signs					
Sign Type	Quantity	Size (sq. ft.)	Height (Feet)	Notes	-

Limited Duration <sup>#</sup>	1*	32 (20 <sup>^</sup> )	5 (12 <sup>^</sup> )	<p>A sign providing information on an event or occurrence. The sign is permitted 30 days prior to and 2 days following the event or occurrence and is limited to 4 permits per calendar year. For the purpose of this Article, an event is an occurrence lasting no more than 7 days. Signs must be located 10-feet from the property line. <i>(Amended per Ord. 6543)</i></p> <p><i><sup>^</sup>Where a feather flag/banner is used as a limited duration sign, they are limited to 20 SF in area and 12 foot in height.</i></p>	 
-------------------------------	----	-----------------------	----------------------	---	--

<sup>#</sup> In addition to the Limited Duration signage, a total of 2 signs in conformance with the size and height requirements listed above are permitted as part of the construction and grand opening sign package. Construction signs are permitted where construction activity is underway along the right-of-way in front of the property and are permitted for the duration of the project. Grand Opening signs are permitted 30 days prior and 60 days following a business opening.

### Section 4-1000 F (1) Commercial Signs

TABLE 4-1000 F (1) Commercial Signs					
Sign Type	Quantity	Size (sq. ft.)	Height (Feet)	Notes	
Free Standing	1* (Per drive-through lane) <sup>^</sup>	60	8	Permitted for food service drive-through tenants only. Must be located behind the front building line.	

<sup>^</sup> Please refer to the handout – ‘Signage for Limited Service (Fast Food) Restaurants for signage requirements

Article 9, Administration is amended to include the following additions and corrections:

Article 9-200 SPECIFIC STANDARDS AND OTHER REQUIREMENTS FOR APPLICATIONS FOR DEVELOPMENT APPROVAL

- B. Amendments
- C. Variations and Simplified Residential Variations
- D. Special Use Permits
- E. Planned Unit Development
- F. Watershed Planned Unit Development
- G. Sign Variations
- H. Appeals and Stays of Proceedings
- I. Withdrawal of Application and Repeated Application
- J. Notice
- K. Permits
- L. Fees
- M. Penalties
- N. Separability

G. Sign Variations

1. Application

Any sign owner in the City of Crystal Lake and/or their authorized representative may submit an application along with the appropriate filing fee to the Zoning Administrator for a variation from the requirements of this Ordinance, as it applies to the proposed sign. Refer to the "Sign Variation Application" handout, available through the Planning & Economic Development Department, for specific explanations of submittal requirements and review procedures.

2. Procedure

Upon receipt of a petition for a sign variation, the Zoning Administrator shall first determine that a complete submittal has been received and then schedule the request on the next available City Council agenda.

3. Standards

The City Council shall determine, when evidence in a specific case shows conclusively that literal enforcement of any provision of this Ordinance would result in a practical difficulty or particular hardship, based on the standards below:

- a. Unique Hardship: The proposed variation, if granted, will not serve merely as a convenience, but alleviate some demonstrable and unusual hardship.
- b. Not harm public welfare: The proposed variation, if granted, will not be materially detrimental to the public welfare or injurious to other property or improvements in the neighborhood and will not be itself, or with other signs, contribute to the

creation of visual distraction which may lead to personal injury or a substantial reduction in the value of property.

- c. Consistent with Intent: The proposed variation is in harmony with the intent, purpose, and objectives of the Ordinance

4. Conditions

The City Council, in granting any variation, may impose such conditions or restrictions as appear necessary to minimize possible detrimental effects of such variation upon other properties in the neighborhood, and thus secure substantial justice.

5. Action by the Council

Any proposed variation shall be passed upon a favorable vote by a simple majority of the City Council.

L. Fees

The following fees shall apply:

Sign Variation	\$100
----------------	-------

Article 10, Definitions is amended to include the following addition:

LAND USE, Pawn shop: A business location at which a pawnbroker conducts business. A pawnbroker is any person who engages in the business of making pawns. A pawn means the advancement of funds on the security of pledged goods (tangible personal property) left in the possession of a pawnbroker by a pledgor of such goods for a stipulated period of time, which goods may be redeemed by the pledgor under terms and conditions as specified in the applicable Illinois Statutes.



# DRAFT

SECTION 2: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 3: 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: 27**

**City Council  
Agenda Supplement**

---

<b><u>Meeting Date:</u></b>	April 17, 2012
<b><u>Item:</u></b>	Ordinance establishing a City Business Enterprise Plan
<b><u>Staff Recommendation:</u></b>	Motion to approve an ordinance establishing a City Business Enterprise Plan.
<b><u>Staff Contact:</u></b>	Erik D. Morimoto, Director of Engineering and Building George Koczwar, Deputy City Manager

---

**Background:**

In July of 2010, the Illinois State Legislature amended the State Finance Act with Public Act 096-1064. The new amendment requires any entity receiving a grant from the State over \$250,000 to comply with the business enterprise program practices for minority-owned businesses (MBE), female-owned businesses (WBE), and businesses owned by persons with disabilities (PDBE). In 2011, the City was awarded a grant of \$482,000 from the Illinois Department of Commerce and Economic Opportunity (DCEO) for flooding mitigation improvements to the North Shore area of Crystal Lake. Because of the recent State grant awarded to the City, it is now appropriate to codify a business enterprise program plan and remain eligible to receive the \$482,000 DCEO grant.

The proposed City Plan is fully consistent with State law. Under the proposed City Plan, the term "City Contract" is defined as contracts involving \$250,000 or more of State grants or loans. The City would set a goal that not less than 10 percent of the total dollar amount of City contracts in a fiscal year is awarded to MBEs, WBEs, and PDBEs, with at least 50 percent of these dollars awarded specifically to WBEs. As part of the Program, the Engineering and Building Department will be responsible for implementing the City Plan, which involves:

- Creation of a directory of known MBEs, WBEs, and PDBEs;
- Providing information and assistance to MBEs, WBEs, and PDBEs;
- Notifying appropriate trade and professional associations about contracting opportunities with the City; and
- Monitoring contractors under a City contract to assure efforts to meet the City's goals under the City Plan.

The City Plan also would impose standards and requirements on bidders, proposers, and contractors under a City contract to assure that good faith efforts are being made to meet the goals set in the City Plan.

Notably, the proposed City Plan also would require all contractors and subcontractors working on City contracts to comply with the provisions of Section 2-105 of the Illinois Human Rights Act, 775 ILCS 5/2-105, regarding equal employment opportunities. This is another requirement of the amended State Finance Act.

Note that most other contracts engaged by the City do not receive over \$250,000 in State grants or loans and would not be subject to the requirements of this ordinance.

A legal review of this proposed ordinance was also conducted by the City's special counsel.

**Votes Required to Pass:**

Simple Majority of City Council Present

DRAFT



**ORDINANCE AMENDING THE CRYSTAL LAKE CITY CODE  
RELATED TO CITY POLICY TO PROMOTE  
MINORITY AND WOMEN-OWNED BUSINESSES AND  
BUSINESSES OWNED BY PERSONS WITH DISABILITIES**

**WHEREAS**, it is the policy of the City of Crystal Lake (the “City”) to promote and encourage the continuing economic development of businesses owned by minority persons (“*MBE*”), women (“*WBE*”), and persons with disabilities (“*PDBE*”). and that these businesses participate in the City’s process of procuring bids, proposals, and services; and

**WHEREAS**, the Mayor and City Council have determined that it is appropriate and necessary to formally adopt a business enterprise plan that establishes the City’s compliance with Section 45 of the Illinois State Finance Act, 30 ILCS 105/45, for City projects when the City has received a grant or loan of State of Illinois funds of \$250,000 or more for capital construction costs or professional services; and

**WHEREAS**, the Mayor and City Council thus adopt the Crystal Lake Business Enterprise Plan as a new Section 102-4 of the Crystal Lake City Code as set forth in this Ordinance;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and City Council of the City of Crystal Lake, McHenry County and State of Illinois, as follows:

Section 1: Recitals. The foregoing recitals are incorporated into this Ordinance as findings of the Mayor and City Council.

Section 2: Amendment of City Code Chapter 102. Chapter 102, titled “Purchasing,” of the Crystal Lake City Code is hereby amended to add a new Section 102-4 as follows:

Chapter 102  
Purchasing

\* \* \*

**§ 102-4. Business Enterprise Plan for Businesses Owned by Minorities, Women, and Persons with Disabilities.**

A. Policy. It is the policy of the City to promote and encourage the continuing economic development of businesses owned by minority persons (“*MBE*”), women

("WBE"), and persons with disabilities ("PDBE"), and that these businesses participate in the City's process of procuring bids, proposals, and services.

B. Definitions.

- (1) For the purpose of this Business Enterprise Plan, the following terms have the following definitions:

**BUSINESS OWNED BY A PERSON WITH A DISABILITY or PDBE** – A business concern that is at least 51% owned by one or more persons with a disability and the management and daily business operations of which are controlled by one or more of the persons with disabilities who own it. A not-for-profit agency for persons with disabilities that is exempt from taxation under Section 501 of the Internal Revenue Code of 1986 also is considered a "business owned by a person with a disability." *See also* Subsection B(2) below.

**CITY CONTRACT** – A City construction or professional services contract funded in whole or in part by grants or loans from the State of Illinois of \$250,000 or more for capital construction costs or professional services. This definition applies only to the state-funded portion of the project.

**CONTROL** – The exclusive or ultimate and sole control of the business, including, but not limited to, capital investment and all other financial matters, property, acquisitions, contract negotiations, legal matters, officer-director-employee selection and comprehensive hiring, operating responsibilities, cost-control matters, income and dividend matters, financial transactions and rights of other shareholders or joint partners. Control shall be real, substantial, and continuing, not pro forma. Control shall include the power to direct or cause the direction of the management and policies of the business and to make the day-to-day as well as major decisions in matters of policy, management and operations. Control shall be exemplified by possessing the requisite knowledge and expertise to run the particular business, and control shall not include simple majority or absentee ownership.

**MINORITY-OWNED BUSINESS or MBE** – (1) A business that is at least 51% owned by one or more minority persons or, in the case of a corporation, at least 51% of the stock of which is owned by one or more minority persons and (2) the management and daily business operations of which business are controlled by one or more of the minority individuals who own it. *See also* Subsection B(2) below.

**MINORITY PERSON** – A person who is a citizen or lawful permanent resident of the United States and who is:

- (a) American Indian or Alaska Native (a person having origins in any of the original peoples of North and South America, including Central America, and who maintains tribal affiliation or community attachment).
- (b) Asian (a person having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian subcontinent, including, but not limited to, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand, and Vietnam).
- (c) Black or African American (a person having origins in any of the black racial groups of Africa).
- (d) Hispanic or Latino (a person of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin, regardless of race).
- (e) Native Hawaiian or other Pacific Islander (a person having origins in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands).

PERSON WITH A DISABILITY – A person who is a citizen or lawful permanent resident of the United States and who is qualified as being disabled.

- (a) “Disabled” means a severe physical or mental disability that:
  - [1] Results from amputation, arthritis; autism; blindness; burn injury; cancer; cerebral palsy; Crohn’s disease; cystic fibrosis; deafness; head injury; heart disease; hemiplegia; hemophilia; respiratory or pulmonary dysfunction; mental retardation; mental illness; multiple sclerosis; muscular dystrophy; musculoskeletal disorders; neurological disorders, including stroke and epilepsy; paraplegia, quadriplegia, and other spinal cord conditions; sickle cell anemia; ulcerative colitis; specific learning disabilities; or end stage renal failure disease; and
  - [2] Substantially limits one or more of the person’s major life activities.
- (b) Another disability or combination of disabilities also may be considered as a disability for the purposes of this definition if it is determined by an evaluation of rehabilitation potential to cause a comparable degree of substantial functional limitation similar to the specific list of disabilities listed in this definition.

WOMAN – A person who is a citizen or lawful permanent resident of the United States and is of the female gender.

WOMEN-OWNED BUSINESS or WBE – (1) a business concern which is at least 51% owned by one or more women or, in the case of a corporation, at least 51% of the stock of which is owned by one or more women and (2) the management and daily business operations of which business are controlled by one or more of the women who own it. *See also* Subsection B(2) below.

- (2) NOTE: When a business is owned at least 51% by any combination of minority persons, females, or persons with disabilities, then the ownership requirements for purposes of this Business Enterprise Plan is considered to be met, even though none of the three classes alone holds an interest greater than 50%.
- C. The City's goal is that not less than 10% of the total dollar amount of City contracts, as defined in this Business Enterprise Plan, awarded in a fiscal year be awarded to MBEs, WBEs, and PDBEs and that contracts representing 50% of the total dollar amount of City contracts that are awarded to MBEs and WBEs be awarded to WBEs.
  - D. The City Manager, or the City Manager's designee, is charged with overall responsibility for the administration of this Business Enterprise Plan. The City Manager, or the City Manager's designee, shall establish procedures for the purpose of monitoring the City's overall performance with respect to this plan.
    - (1) The duties and responsibilities of the City Manager, or the City Manager's designee, include:
      - (a) Adopting rules and regulations as necessary to effectuate this plan;
      - (b) Developing and distributing a directory of known MBEs, WBEs, and PDBEs;
      - (c) Providing information and assistance, when requested, to MBEs, WBEs, and PDBEs to increase their ability to compete effectively for the award of City contracts as defined in this plan;
      - (d) Investigating alleged violations of this plan and making written recommendations for remedial action when appropriate;
      - (e) Developing and distributing all necessary forms, applications, and documents necessary to comply with this plan;

- (f) Reviewing, on a regular basis, the City's progress toward achieving the goals for the utilization of MBEs, WBEs, and PDBEs and reporting annually on such progress to the City Council;
  - (g) Making recommendations to appropriate City officials regarding methods to further the policies and goals of this plan;
  - (h) Monitoring contractors throughout the duration of a City contract, as defined in this plan, to ensure that all efforts are made to comply with the requirements of this plan; and
  - (i) Certifying that the requirements of this plan have been satisfied before a City contract, as defined in this plan, is signed.
- (2) The City Manager, or the City Manager's designee, shall take the following actions to ensure that MBEs, WBEs, and PDBEs have maximum opportunity to participate on City contracts, as defined in this plan, for which bids or proposals are solicited:
- (a) Send a written notification to minority and women trade and professional associations and contractors' associations about the availability of contracting opportunities on an annual basis;
  - (b) Include a copy of this plan in all City contract solicitations to which this plan applies;
  - (c) Evaluate all contracting opportunities in an effort to divide the total requirements of a City contract to provide reasonable opportunities for MBEs, WBEs, and PDBEs; and
  - (d) Establish guidelines to ensure that a notice to proceed or purchase order is not issued for a City contract until signed letters of intent or executed agreements with MBEs, WBEs, and PDBEs proposed by contractors have been submitted.
- E. It shall be the responsibility of each bidder and proposer on a City contract, as defined in this Business Enterprise Plan, to adhere to the procedures and provisions set forth in this plan. To that end, the following provisions apply:
- (1) Each bidder and proposer must complete a MBE, WBE, and PDBE utilization form and identify therein its commitment, if any, to utilize such businesses. Any failure to complete and sign the utilization form may result in the bid or proposal being declared nonresponsive. In its response to an invitation to bid or request for proposal, the bidder or proposer shall include the names of MBEs, WBEs, and PDBEs to which it intends to award



subcontracts, if any, the dollar value of the subcontracts, and the scope of work to be performed;

- (2) Each bidder and proposer must ensure that all MBEs, WBEs, and PDBEs projected for use have been certified by the City prior to bid opening;
- (3) The successful bidder must submit copies of executed agreements with the MBEs, WBEs, and PDBEs being utilized; and
- (4) The successful bidder must submit reports and documentation verifying payments to the MBEs, WBEs, and PDBEs being utilized.

F. Contractors and subcontractors under a City contract, as defined in this Business Enterprise Plan, shall consider and follow, where appropriate, the following guidelines, which are not all-inclusive, in making their good faith efforts to meet the goals of this plan:

- (1) Attend pre-bid meetings scheduled by the City to inform MBEs, WBEs, and PDBEs of contracting and subcontracting opportunities;
- (2) Formally advertise in general circulation, trade association, and MBE-, WBE-, and PDBE-oriented media regarding subcontracting opportunities;
- (3) Provide written notice to selected MBEs, WBEs, and PDBEs soliciting their bids. Those solicitations should allow sufficient time for the businesses to review the plans and specifications and develop bids;
- (4) Follow up the initial solicitation of interest by contacting those MBEs, WBEs, and PDBEs to determine whether they will submit a bid;
- (5) Package portions of the work to be performed in such a manner as to encourage and increase the likelihood of participation from MBEs, WBEs, and PDBEs;
- (6) Provide interested MBEs, WBEs, and PDBEs with adequate information regarding the plans, specifications, and requirements for bidding on a City contract;
- (7) Negotiate in good faith with MBEs, WBEs, and PDBEs and never disqualify an MBE, WBE, or PDBE without sound reasons based on a thorough investigation of its capabilities;
- (8) Assist interested MBEs, WBEs, and PDBEs in obtaining bonding, lines of credit, and insurance if required;

DRAFT

- (9) Effectively utilize the services of local, state, and federal minority, women, and persons with disabilities business and assistance offices and other organizations that provide assistance in the recruitment and placement of such businesses; and
  - (10) Document all good faith efforts actions taken.
- G. All contractors and subcontractors working on City contracts shall comply with the provisions of Section 2-105 of the Illinois Human Rights Act, 775 ILCS 5/2-105, regarding equal employment opportunities.

Section 3: Effective Date. This Ordinance shall be in full force and effect from and after its passage and approval according to law.

DATED at Crystal Lake, Illinois, this seventeenth day of April 2012.

APPROVED:

\_\_\_\_\_  
Aaron T. Shepley, Mayor

ATTEST:

\_\_\_\_\_  
Nick Kachiroubas, City Clerk

PASSED: April 17, 2012

APPROVED: April 17, 2012

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



**Agenda Item No: 28**

**City Council  
Agenda Supplement**

---

**Meeting Date:**

April 17, 2012

**Item:**

Intergovernmental Agreement with the Village of Lake in the Hills for the storage of 1,000 tons of Road Salt.

**Staff Recommendation:**

Motion to approve the Intergovernmental Agreement with the Village of Lake in the Hills for the storage of road salt and adopt a resolution authorizing the City Manager to execute the Intergovernmental Agreement with the Village of Lake in the Hills for the storage of road salt.

**Staff Contact:**

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

---

**Background:**

As a result of the incredibly mild winter that Chicagoland experienced, the City was not able to use its entire road salt allocation for the year. Furthermore, the City has reached its storage capability to properly store this material. To date, the Public Works Department has taken delivery of 2,847 of the 4,500 tons that were ordered in April 2011, which leaves 1,653 tons to be stored at an off-site location.

The Village of Lake in the Hills has volunteered their salt storage facility to store 1,000 tons of the salt remaining on the City's contract. The City and the Village entered into an intergovernmental agreement following the 2009-10 snow season when the City had a surplus of salt to store. Under the attached agreement, the Village will receive and store 1,000 tons of road salt designated for and paid for by the City of Crystal Lake. In return, the Village will pay for the first 1,000 tons of road salt with delivery designated to the City of Crystal Lake for the 2012-13 snow season. That delivery will occur once we have storage capacity, after the beginning of the snow season.

The Streets Division will construct a three-sided block structure at its cold storage site, where the remaining 653 tons of salt can be tarped and stored for the next winter season. Once this material is used, the block structure can be utilized for storage of other public works materials, such as black dirt.

We are grateful to the Village of Lake in the Hills and its Public Works Director Fred Mullard, for assisting the City in this matter and recommend approval of the attached Intergovernmental Agreement.

The City Attorney has reviewed the attached documents.

**Votes Required to Pass:**

Simple Majority

DRAFT

RESOLUTION

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE that the City Manager is authorized to enter into an intergovernmental agreement with the Village of Lake in the Hills to store 1,000 tons of salt purchased by the City of Crystal Lake until winter season of 2012/2013 whereby the Village of Lake in the Hills will replenish the City of Crystal Lake's salt stockpile with 1,000 tons of salt.

DATED this 17th day of April, 2012.

CITY OF CRYSTAL LAKE, an  
Illinois municipal corporation,

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

SEAL

ATTEST

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

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

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



**Agenda Item No: 29**

City Council  
Agenda Supplement

---

**Meeting Date:** April 17, 2012

**Item:** Major Investigation Assistance Team Agreement

**Staff Recommendation:** Motion to approve a Resolution authorizing the City Manager to execute an Intergovernmental Agreement with the McHenry County Major Investigation Assistance Team.

**Staff Contact:** David R. Linder, Chief of Police

---

**Background:**

Currently, the Police Department is a member of the McHenry County Major Investigation Assistance Team (M.I.A.T). This partnership is designed to overcome potential hardships during major criminal investigations. In the event of a major crime, M.I.A.T members respond to assistance requests by providing personnel, equipment, facilities, and/or services as appropriate. However, it should be noted that a request can be denied by another agency to ensure adequate protection of its own jurisdiction or personnel.

To further evolve M.I.A.T, current members decided to develop a Mutual Aid Agreement. This Agreement further defines terms, responsibilities, and expectations of its members. To confirm the Police Department's commitment to M.I.A.T, an authorized signature is required for the Agreement. Therefore, authorization is requested for the City Manager to sign the Agreement.

IRMA and M.I.A.T's legal counsel have reviewed and approved this Agreement.

**Votes Required to Pass:** A simple majority of the City Council is required for approval.

DRAFT



**RESOLUTION**

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE, of McHenry County, Illinois, that the City Manager be and he is hereby authorized and directed to execute an intergovernmental agreement between police agencies in McHenry County to provide a Major Investigation Assistance Team.

DATED this 17<sup>th</sup> day of April, 2012.

CITY OF CRYSTAL LAKE, an  
Illinois municipal corporation,

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

SEAL

ATTEST

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

PASSED: April 17, 2012  
APPROVED: April 17, 2012



**Agenda Item No: 30**

**City Council  
Agenda Supplement**

---

**Meeting Date:**

April 17, 2012

**Item:**

Authorization to participate in the Illinois Comptroller's Local Debt Recovery Program

**Staff Recommendation:**

Motion to adopt a Resolution Authorizing the City Manager to Execute an Intergovernmental Agreement with the Illinois Office of the Comptroller to participate in the Illinois Comptroller's Local Debt Recovery Program.

**Staff Contact:**

Mark Nannini, Director of Finance

---

**Background:**

The Illinois Office of the Comptroller operates a system, known as the Comptroller's Offset System, for collection of debt owed the State by persons receiving payments from the State. The Illinois legislature amended Section 10.05 and added Section 10.05d to the State Comptroller Act which provided for the ability of the City of Crystal Lake to utilize the debt recovery system. A copy of that Agreement is attached.

Under the new measure signed into law in December of 2011, the Local Debt Recovery Program allows the Illinois Office of the Comptroller to enter into an Intergovernmental Agreement with counties, municipalities, school districts, community colleges public universities and other local governments to collect unpaid debts such as parking tickets, fines, fees, and other types of outstanding obligations.

The program allows for the State Comptroller to deduct amounts owed to the City of Crystal Lake prior to distribution to the respective debtor. Typically, this is connected with the issuance of an income tax refund. If the individual is owed any payments from the State those payments would be eligible for this Program.

Prior to the Comptroller issuing a state tax refund, the amount owed to the City of Crystal Lake, plus an administrative fee of \$15.00 per transaction, will be deducted and deposited in the Comptroller's Local Debt Recovery Trust Fund. The debtor will be notified via a written notice and will have 60 days to protest the deduction with the Illinois Office of the Comptroller. If the deduction is not contested, the amount owed will be forwarded to the City of Crystal Lake at the end of the 60 day period. .

If there is a protest by the individual, an adjudication process will be conducted by the State Comptroller's Office. This adjudication process is based on the evidence submitted by the individual and by the City. The Adjudicator only reviews the evidence submitted, neither party is present at this appeal process. A written decision will be distributed to both parties by the Illinois Comptroller's Office.

The program would be utilized as an extension of our current collection process. Once collection agencies release the files back to the City, the respective debt would be recorded with the State Comptroller's Office. The potential to collect outstanding parking tickets and utility accounts, where the City does not have a correct forwarding address, would be the greatest potential for collections.

**Recommendation:**

It is the recommendation of the Finance Department to adopt a resolution authorizing the City Manager to Execute an Intergovernmental Agreement with the Illinois Office of the Comptroller to participate in the Illinois Comptroller's Local Debt Recovery Program.

**Votes Required to Pass:**

Simple Majority



DRAFT



RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF CRYSTAL LAKE AND THE ILLINOIS OFFICE OF THE COMPTROLLER**

**WHEREAS**, the City of Crystal Lake, Illinois, is a home rule unit of local government under the Illinois Constitution, 1970, Article VII, Section 6; and

**WHEREAS**, pursuant to Article VII, Section 6(a) of the Illinois Constitution, 1970, the City of Crystal Lake may exercise any power and perform any function pertaining to its government and affairs including, but not limited to, the power to regulate for the protection of the public, health, safety, morals and welfare; and

**WHEREAS**, the Illinois Office of the Comptroller (hereinafter "IOC"), as representative of the State of Illinois, has the responsibility to collect debts owed to public bodies; and

**WHEREAS**, the IOC operates a system, known as the Comptroller's Offset System, for collection of debt owed the State by persons receiving payments from the State; and

**WHEREAS**, the General Assembly specifically provided for the ability of the City of Crystal Lake to utilize the System when legislature amended Section 10.05 and added Section 10.05d to the State Comptroller Act [15 ILCS 405/10.05 and 10.05d]; and

**WHEREAS**, the City Council finds that it is in the best interest of the City of Crystal Lake to enter into an Intergovernmental Agreement with the IOC, a copy of which is attached hereto and made a part hereof as Exhibit "A"; and

**WHEREAS**, the City Council authorizes the City Manager to implement the terms of the Intergovernmental Agreement attached hereto as Exhibit "A".

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CRYSTAL LAKE, ILLINOIS, AS FOLLOWS:**

**SECTION 1.** That the City Council approves the adoption of the Intergovernmental Agreement between the City of Crystal Lake and the Illinois Office of the Comptroller for the collection of public debt, a copy of which is attached hereto as Exhibit "A".

**SECTION 2.** That the City Manager is hereby authorized to sign the said Agreement attached hereto as Exhibit "A".

DRAFT

**SECTION 3.** The City Manager is hereby authorized to implement the Intergovernmental Agreement, attached hereto as Exhibit "A".

This Resolution is adopted at a regular meeting of the City Council of the City of Crystal Lake, Illinois on the 17<sup>th</sup> day of April, 2012.

APPROVED:

---

Aaron T. Shepley, Mayor

ATTEST:

---

Nick Kachiroubas, City Clerk

PASSED: April 17, 2012

APPROVED: April 17, 2012

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



**Agenda Item No: 31**

## **City Council Agenda Supplement**

---

**Meeting Date:** April 17, 2012

**Item:** Proposed Lake Safety Program Budget

**Staff Recommendation:** Motion to adopt a resolution approving the proposed Lake Safety Program Budget FY 2012/2013

**Staff Contact:** George Koczvara, Deputy City Manager

---

### **Background:**

Per the terms of the Intergovernmental Agreement for Enforcement and Safety Patrol upon Crystal Lake, attached is a 2012/2013 Budget proposal from the Village of Lakewood. There is a \$435 increase in the overall budget from last year due to increases in personal services.

In addition to the proposed budget, also attached is the 2012 Edition of the Boating and Safety Regulations. There are no changes to the decal fees from those of last year. Also enclosed is a copy of the 2011 Lake Patrol Activity Report, the Intergovernmental Agreement for Enforcement and Safety Patrol, and the Lake Safety Ordinance.

### **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 annual Lake Safety Program budget for the fiscal year May 1, 2012 through April 30, 2013 is hereby approved and adopted.

Dated this 17th day of April, 2012.

CITY OF CRYSTAL LAKE, an  
Illinois Municipal Corporation

By: \_\_\_\_\_  
Mayor

SEAL

ATTEST:

\_\_\_\_\_  
City Clerk

PASSED: April 17, 2012  
APPROVED: April 17, 2012



**Agenda Item No: 32**

## **City Council Agenda Supplement**

---

**Meeting Date:**

April 17, 2012

**Item:**

Three Oaks Recreation Area Concession Lease Agreement Modification

**Staff Recommendation:**

Motion to adopt a resolution authorizing the City Manager to amend the lease agreement with Dobre Lody LLC, DBA Culvers of Crystal Lake for the 2012 concession hours at the Three Oaks Recreation Area.

**Staff Contact:**

Eric T. Helm, Deputy City Manager

---

**Background:**

Culvers experienced a successful first full year of operation in 2011. It is Culver's and the City's goal to build upon this success in 2012. Culvers and the City recommend two changes to the 2012 operations. First, Culvers will expand the menu to include Children's Meals and chicken tenders. Both of these items are in response to customer suggestions. As stipulated in the lease, all prices will reflect the regular Crystal Lake restaurant prices. The menu is attached for the City Council's information.

Second, Culvers and the City recommend a modification of the 2012 concession hours. This change requires a modification of the original lease agreement. The proposed hours are advantageous to the City and Culvers since they are expanded in the summer to reflect greater demand and reduced in the fall to reflect slower demand.

The proposed hours, compared to the 2011 hours, are outlined below:

	<u>2011 Hours</u>	<u>Proposed 2012 Hours</u>
May 1 - Friday before Memorial Day Weekend	Daily 11:00 AM – 6:00 PM	Same
Memorial Day Weekend – Mid August (when beach hours are reduced)	Daily 11:00 AM – 6:00 PM	Daily 10:00 AM – 8:00 PM
Mid-August (when beach hours are reduced) – Friday before Labor Day	Daily 11:00 AM – 6:00 PM	Beach Hours, weekdays 3 PM – 6 PM and weekends 11 AM – 6 PM
Labor Day Holiday Weekend	Daily 11:00 AM – 6:00 PM	Same
Tuesday after Labor Day – October 1	Daily 11:00 AM – 6:00 PM	Weekends Only; and weekdays when a high temperature is, or exceeds, 70 degrees 11 AM – 6 PM
October	No Required Hours	Columbus Day Weekend (Friday, Saturday, Sunday and Monday) 11 AM – 6 PM (In 2012: October 5, 6, 7, 8)

**Votes Required to Pass:**

Simple majority vote of the City Council.

DRAFT



**RESOLUTION**

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE that the City Manager be and he is hereby authorized and directed to amend the lease agreement to modify the 2012 concession hours with Dobre Lody LLC, DBA Culvers of Crystal Lake for the concession operation at the Three Oaks Recreation Area.

DATED this 17<sup>th</sup> day of April, 2012.

CITY OF CRYSTAL LAKE, an  
Illinois municipal corporation,

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

SEAL

ATTEST

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

PASSED:  
APPROVED:



**Agenda Item No: 33**

**City Council  
Agenda Supplement**

---

<b><u>Meeting Date:</u></b>	April 17, 2012
<b><u>Item:</u></b>	Electrical Aggregation Public Hearing on the Plan of Operation and Governance
<b><u>Staff Recommendation:</u></b>	Electrical Aggregation Public Hearing on the Plan of Operation and Governance
<b><u>Staff Contact:</u></b>	George Koczwarra, Deputy City Manager

---

On August 10, 2009, Governor Quinn signed into law Public Act 96-176, amending the Illinois Power Agency Act ("Act") to allow municipalities to arrange for the provision of electricity to residential and small commercial retail customers by alternative electric suppliers (instead of ComEd). Under the new law, the City may seek bids for the provision of aggregate electricity supply services to these customers, in hopes that the selected rate will be lower than the standard rate offered by ComEd. The Act contemplates two types of programs: an "opt-in" program, in which a customer must affirmatively agree to service by the selected alternative supplier; or an "opt-out" program, in which all residential and small commercial retail customers would be switched automatically to the alternative supplier, unless a customer affirmatively opted out of the program and continued service through ComEd or another provider. Under either type of program, ComEd would remain the distributor of electricity in the City; the selected alternative supplier would merely generate the electricity provided and deliver it to ComEd for distribution. ComEd still maintains the infrastructure.

At the December 6, 2011 City Council meeting, an Ordinance was approved initiating the submission of a public question to authorize the City to adopt an "opt-out" program for the supply of electricity to residential and small commercial retail customers on the March 20, 2012 primary election ballot. The ballot measure has subsequently been approved by the voters.

Now that the opt-out referendum has been approved, and in order to comply with the State of Illinois requirements, the City of Crystal Lake must complete the following:

- Public Display of a Plan of Operation and Governance Ordinance (POGO) – March 22, 2012.
- Holding of two public hearings by the City Council concerning the POGO – April 17, 2012 and May 1, 2012.



- Approval of an ordinance formally authorizing an opt-out program for the City – May 1, 2012.
- Adoption of the POGO by the City Council – May 1, 2012.
- Solicitation of bids from alternative electricity suppliers – early to mid-May, 2012
- Award of bid – early to mid-May, 2012
- Power flowing to Crystal Lake residents under this program – late Summer 2012

The Plan of Operation and Governance (POGO) outlines the roles and responsibilities of the City, and the electrical aggregation implementation process. A draft POGO (attachment) describes the City of Crystal Lake plan for:

- Providing universal access to all applicable residential customers and equitable treatment of applicable residential customers;
- Providing demand management and energy efficiency services to each class of customers; and
- Meeting any other legal requirements concerning aggregated electric service.

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



**Agenda Item No: 34**

**City Council  
Agenda Supplement**

---

**Meeting Date:** April 17, 2012

**Item:** Public Hearing/Annual Budget Resolution and Salary Ordinance for 2012/2013 Fiscal Year

**Staff Recommendation:** Motion to adopt a resolution approving and adopting the Annual Budget for the 2012/2013 Fiscal Year and a motion to adopt the Salary Ordinance for the 2012/2013 Fiscal Year.

**Staff Contact:** Gary J. Mayerhofer, City Manager  
Mark F. Nannini, Director of Finance

---

**Background:**

The Council is requested to adopt the budget in accordance with State Statutes, which requires the budget to be adopted prior to the beginning of the Fiscal Year, which begins on May 1, 2012.

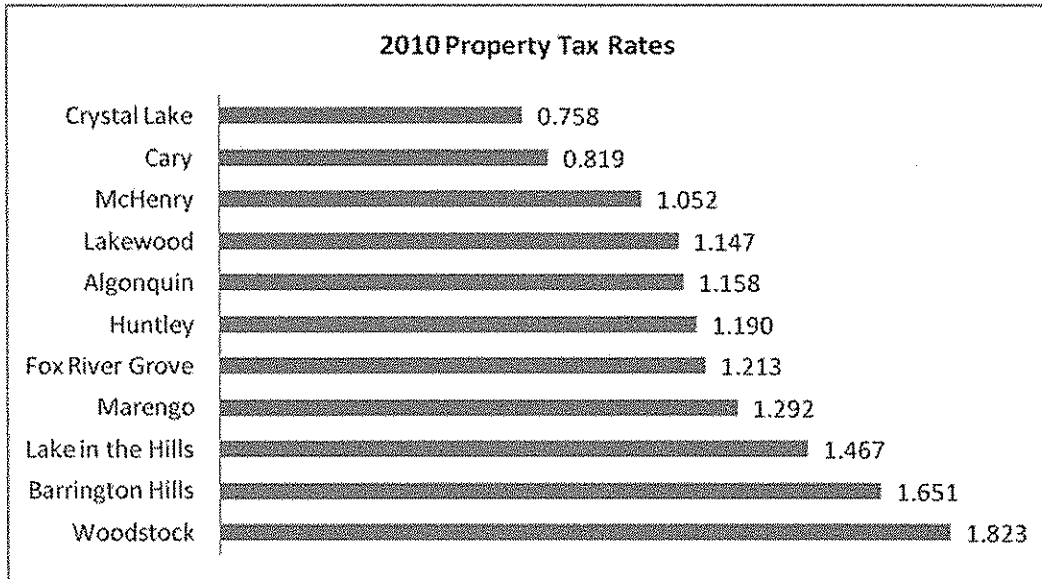
On April 3, 2012, the City Council placed on public display, the proposed balanced fiscal year 2012/2013 Budget that maintains the high quality City services offered to residents while allowing for capital investment in facilities and improvements, as well as the development of other initiatives to help establish a solid foundation for the community for years to come.

Despite the unparalleled economic challenges, the City has worked diligently to present a proposed annual budget that is:

- ✓ Balanced
- ✓ Meets the needs and demands of our community
- ✓ Incorporates the City's long-term strategic commitments
- ✓ Incorporates capital projects
- ✓ Within the parameters of the City's financial policies

The economic climate in the country today is, in many ways, unprecedented and will likely result in fundamental structural changes to the way the economy operates. Because of the leadership of the City Council, residents can be proud in knowing that the City has planned for the future and is in a position to continue to weather any difficult days ahead. Past decisions have given the City the flexibility to maintain excellent services today and into the future.

The 2012/2013 Budget continues the funding of General Fund services without the use of a corporate property tax. City residents enjoy one of the lowest municipal tax rates in the area. The chart below illustrates a comparison of municipal tax rates (excluding libraries).



According to Moody’s Analytics, the U.S. economy appears increasingly solid. Looking beyond temporary factors such as the warm winter, GDP appears to be growing at an annual rate near 2.5%. While hardly a boom pace, this is strong enough to expand employment and reduce joblessness in coming months. The unemployment rate is expected to end below 8% in 2012. Surging gasoline prices pose the most serious immediate threat, but assuming the conflict with Iran doesn’t escalate, fuel prices should moderate and the U.S. economy should hold its own during the upcoming year.

It is anticipated, with the change in the economy, that several revenues will show signs of growth in amounts anticipated to be collected in 2012/2013 as compared to the prior year. These include:

- Sales Tax by 2%
- Home Rule Sales Tax by 2%

Budgeted expenditures and other uses for all funds in FY2012/2013 total approximately \$80.29 million (including the Library) as compared to the prior fiscal year 2011/2012 budget of \$87.13 million.

With the challenges posed by the anemic economic recovery, a number of adjustments were made to balance the budget. These adjustments include:

Personnel

During the past few years, thirteen and three-quarter positions have become vacant. These positions are not anticipated to be filled. These include one full-time position in the City Administration Department, one full-time position in the Police Department, four full-time positions in the Engineering and Building Department, two full-time positions in the Streets Division, one full-time position in the Storm Sewer Division, one full-time position in the Water Division, one full-time and

one part-time position in the Wastewater Division, one full-time position in the Sewers & Lifts Division and one full-time position in the Information Technology Department. Two full-time positions have been reclassified from the Streets Division to the Storm Sewer Division and a full-time position in the Fire Rescue Department was converted to a part-time position.

During the upcoming budget year, positions that become vacant through attrition will be analyzed.

#### Insurance

Through concerted efforts and enhancements in the City's risk management program, the City is able to take advantage of very favorable insurance costs. Increases in the City's liability insurance are budgeted at 0%.

In an effort to better control health care costs, the City joined the Intergovernmental Personnel Benefit Cooperative (IPBC). The IPBC is an entity created under Illinois State laws, which allows municipal groups to band together for the purposes of health insurance. The IPBC was established in 1979 and currently includes 70 municipalities or municipal entities as members.

The purpose of the IPBC is to provide economies of scale and risk pooling that will allow members more financial stability than offered by the commercial insurance market. The proposed FY2012/2013 budget reflects the need to continue to fund a reserve within the IPBC pool. This was contemplated at the time of membership and will continue for the next two years.

#### Capital Expenditures

The FY 2012/2013 City budget reflects capital and technological expenditures of \$16.59 million as compared to FY 2011/2012 capital and technological expenditures of \$19.96 million. Funds have been re-budgeted in FY2012/2013 for one piece of rolling stock, an ambulance for the Fire Rescue Department, in addition to a carry-over of the Fire Station #3 maintenance project and dedicated Emergency Operations Center build-out. Other major capital purchases reflected in this budget are:

- Automotive equipment
- Roadway improvements
- Water and sewer main replacement
- Well and sewer rehabilitation
- Lift Station #1 improvements
- Water Treatment Plant #3 storage tank recoat
- Water Treatment Plant #5 generator, breaker and transfer switch
- Flooding mitigation
- Fire Station #4 maintenance
- Municipal complex emergency backup generator
- Document imaging and management system

The FY 2012/2013 budget reflects \$1,800,000 for the City's annual street resurfacing program. The annual street resurfacing program, combined with other resurfacing and improvement projects budgeted in the MFT and the Road/Vehicle License Funds, total over \$6.97 million. Street improvement costs budgeted in FY 2012/2013 include:

- East Crystal Lake Avenue (Main Street to Pingree Road)
- Pingree Road (Crystal Lake Avenue to Rakow Road)
- IL Route 176 and Briarwood intersection improvements
- IL Route 176 and Walkup intersection improvements
- Crystal Lake Avenue and Main Street intersection improvements
- South Main Street widening
- McHenry Avenue improvements (Route 14 to Randall Road)
- North Shore Drive re-route
- New public access roadway adjacent to the former Viking Dodge site

Streets programmed for resurfacing in FY 2012/2013 are:

STREET NAME	FROM:	TO:
Aberdeen	Surrey	Cardiff
Barberry	Mulberry	Thornwood
Bard	Huntley	City Limits
Beardsley	Main	Illinois
Berkshire	200 Block Patch	
Burr Oak	Edgewater	Thornwood
Caroline	Franklin	Woodstock
Chardonnay	McHenry	Eletson
Clover	Mulberry	Thornwood
Country Hill	Country Lane	End
Country Lane	Oak	End
Darlington	Berkshire	Virginia
Ellsworth Street	Short	IL 176
Elsinoor	Devonshire	Berkshire
Franklin	McHenry	College
Glen	Prairie	IL 176
Golf	Country Club	Nash
Heather	Gardina	Thornwood
Holly	Mulberry	Thornwood
Huntley	Plumtree	Ackman
Illinois	Beardsley	IL 176
Kelly	All	
Lake	McHenry	Lake Shore
Oak	Crystal Lake	Woodstock
Pierson	McHenry	Lake Shore
Plymouth	Devonshire	Elsinoor
Ray	Kelly	160' east
Rockland	US 14	Oak
Sharon	McHenry	Eletson

STREET NAME	FROM:	TO:
Sherman	Main	Glen
Stony Hill	All	
Thornwood	Heather	Honeysuckle
University	McHenry	Wallace
Van Buren	Lake	US 14
Woodbine	Mulberry	Thornwood
Wyndmuir	700 Block Patch	

**Ruekert/Mielke Water and Sewer Rate Study**

Last year, the City Council approved the third year of the Ruekert/Mielke five-year water and sewer rate schedule. In the proposed budget, the only change to revenues is the proposed adoption of year four of the water and sewer rate schedule in order to provide a funding mechanism for operations, as well as funding for a portion of debt service obligations.

As recommended by an independent study completed in February 2009, this year’s budget request reflects a blended rate increase of 5.40% for water and sewer services. This is the fourth year of five consecutive years of rate increases recommended by the Rueker Mielke Study. With the fifth year of the rate increase plan approaching, an update to the Water and Sewer Fund long-term revenue and expenditure plan is warranted.

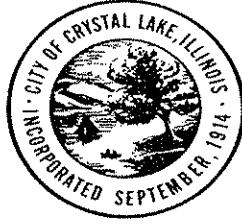
**Financial Stewardship**

The Budget reflects the emphasis the City places on its role as financial steward. The Government Finance Officers Association (GFOA) voted to award the City of Crystal Lake’s budget document the Distinguished Budget Presentation Award for the 2011/2012 fiscal year, for the fourth consecutive year. This award is the highest form of recognition in governmental budgeting. The City again received the Certificate of Achievement for Excellence in Financial Reporting from the Government Finance Officers Association. This is the twenty-first year in a row the City has received this award. Finally, Moody’s Investor Services established the City’s bond rating as an Aa2. Standard and Poor’s rated the City as having an AA+ rating. These enhanced ratings are a direct reflection of the financial strength and management of the City of Crystal Lake.

Included as part of the adoption of the proposed Annual Budget for Fiscal Year 2012/2013 is the salary ordinance. Non-union employees do not receive an automatic adjustment to their pay, rather the ordinance provides for an annual review of the pay plan and an adjustment to the pay ranges if deemed necessary. Employees’ ability to receive increases to their pay is based on the availability of budgeted funds and their individual performance as documented in performance evaluations.

**Votes Required to Pass:**

Simple majority



DRAFT

**The City of Crystal Lake**

**RESOLUTION**

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

**SECTION 1:** WHEREAS, the City of Crystal Lake has adopted the statutory procedure of utilizing a budget officer, which procedure requires that an annual budget be adopted by the corporate authorities before the beginning of the fiscal year to which it pertains, and further authorizes the budget officer to obtain such additional information from boards of the municipality as the officer determines may be useful for purposes of compiling a municipal budget, and which further provides that the budget shall contain actual or estimated revenues and expenditures for the fiscal year for which the budget is prepared, all to be itemized in a manner which is in conformity with a chart of accounts, and further, which budget shall show specific funds from which each anticipated expenditure shall be made; and

**SECTION 2:** WHEREAS, that the annual budget for the City of Crystal Lake for the fiscal year May 1, 2012 through April 30, 2013 is hereby approved and adopted.

**SECTION 3:** That the City Clerk is directed to file a copy of the annual budget with the McHenry County Clerk.

**DATED** this 17th day of April, 2012.

CITY OF CRYSTAL LAKE, an Illinois Municipal Corporation

BY: \_\_\_\_\_  
Aaron T. Shepley, Mayor

ATTEST:

\_\_\_\_\_  
Nick Kachiroubas, City Clerk

**AN ORDINANCE ESTABLISHING CERTAIN ANNUAL, DAILY OR HOURLY PAY RATES AND PAY RANGES AND THE SALARY ADMINISTRATION SCHEDULE FOR THE CITY OF CRYSTAL LAKE EMPLOYEES**

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE, ILLINOIS;

SECTION I: ANNUAL, DAILY OR HOURLY RATES

That the ranges of annual, daily or hourly rates for the employees of the City are hereby to read as follows on attached chart:

SECTION II: SALARY ADMINISTRATION PROCEDURES

- A. The City Manager shall develop procedures and direct the administration of those procedures to ensure that individual employee's wages are determined and allocated in an equitable manner in keeping with the goals and requirements of this policy.
- B. New employees and newly promoted employees shall be paid a salary within their new salary range that is not less than the minimum of the range and does not exceed the maximum of their new pay range. Salary increases for individual employees will be timed and salary increase amounts will be determined following the specific criteria below:
  - 1. Quality of performance since the employee's last salary adjustment.
  - 2. Comparison of current salary to pay of other employees of like duties, responsibilities and performance.
  - 3. Position of an employee's current salary within the pay range in terms of overall ability and overall performance since the employee first entered the range.
- C. The City Manager shall annually direct the review and survey of certain positions and their salary ranges in comparison with other communities in proximity to the City of Crystal Lake or of like size and comparable composition.
- D. The City Manager shall annually approve salary rates and their effective dates for all employees.
- E. The City Manager may initiate exceptions to this policy when, in his judgment, such action is for the good of the organization.

SECTION III: JOB CLASSIFICATION:

That all positions of the City shall be separated into classifications and each classification shall have a pay range and the designation of an annual or hourly rate of pay. The classifications of positions may be modified as deemed appropriate by the City Manager.



All employees, including department directors, part-time and seasonal employees, shall receive such compensation as shall be determined from time to time by the City Manager provided, however, no expenditure shall be made on account of or pursuant to appointment or employment by the City Manager unless sufficient funds have been appropriated in the annual budget.

SECTION IV: REPEALER

That all ordinances or parts of ordinances, rules and regulations in conflict with this ordinance shall be and are hereby repealed.

SECTION V: EFFECTIVE DATE

That this Ordinance shall be in full force and effect from and after the first day of May 2012.

APPROVED:

---

Aaron T. Shepley, Mayor

ATTEST:

---

Nick Kachiroubas, City Clerk

PASSED:

APPROVED:

PUBLISHED: In pamphlet form by the authority of the Mayor and City Council.

(SEAL)