



CITY OF CRYSTAL LAKE
AGENDA

CITY COUNCIL
REGULAR MEETING

City of Crystal Lake
100 West Woodstock Street, Crystal Lake, IL
City Council Chambers
June 5, 2012
7:30 p.m.

1. **Call to Order**
2. **Roll Call**
3. **Pledge of Allegiance**
4. **Administration of Oaths of Office**
 - a. **Police Commander of Operations Derek Hyrkas**
 - b. **Police Sergeant Thomas Kotlowski**
5. **Public Recognition of Exceptional Service**
6. **Proclamation**
 - a. **Crystal Lake Public Library Reading Program**
7. **Approval of Minutes – May 15, 2012 Regular City Council Meeting**
8. **Accounts Payable**
9. **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.
10. **Mayor's Report**
11. **Council Reports**
12. **Consent Agenda**
 - a. **McHenry County Council of Governments request to use the parking lot at 121 W. Woodstock Street for an Electronics Recycling Event on July 14, 2012.**
13. **Country Corners Shopping Center/Petco, 230 W. Virginia Street – Final Planned Unit Development Amendment to allow changes to the side and rear façade and to allow signage which does not meet the approved sign criteria of the Planned Unit Development and exceeds the maximum allowable wall signage to allow 181 square feet; and Special Use Permit to allow a dog grooming service within the existing store.**
14. **310 View Street – Variation to allow the replacement of a deck and stairs which will encroach into the required 30-foot corner side yard setback by 17 feet 3 inches.**
15. **145 Regal Drive – Simplified Residential Variation to allow a deck to encroach into the rear yard setback and be as close as 10 feet from the rear property line instead of the required 16 feet.**
16. **County Zoning Request to allow a new accessory building in a yard abutting a street; to allow the building to have a second story mezzanine and be 21 feet in height instead of the 14-foot maximum height allowed, and to allow the proposed 2,560-square-foot accessory building to exceed the floor area of the principal structure at 551 Juanita Vista.**

17. **Resolution authorizing execution of the Brilliance Honda enhanced sales tax incentive agreement for 680 West Terra Cotta Avenue.**
18. **Video Gaming Opt-Out Ordinance.**
19. **Bid award and resolution authorizing execution of an agreement for Police Department uniform pricing.**
20. **Bid award and resolution authorizing execution of a service agreement for sanitary sewer lining services.**
21. **Bid award and resolution authorizing execution of a service agreement for sludge land application services.**
22. **Bid award and resolution authorizing execution of a service agreement for the WTP#3 Water Storage Tank Painting and Maintenance with a 10 percent contingency for justifiable additions.**
23. **Proposal award and resolution authorizing execution of an agreement for Engineering Services to Increase Water Capacity and Test for a New Well #18 and approval of changes in scope by 10 percent of the original price.**
24. **Proposal award and resolution authorizing execution of an agreement for the Terra Cotta Avenue Access Roadway Improvement Phase II Design and Phase III Construction Engineering and approval of changes in scope by 10 percent of the original price.**
25. **Resolution authorizing appropriation of MFT funds for the Terra Cotta Avenue Access Roadway Improvement.**
26. **Resolution authorizing execution of an agreement with the State of Illinois through its Department of Transportation regarding participation in improvements to the Illinois Route 31 and Illinois Route 176 intersection.**
27. **Resolution authorizing appropriation of funding for the City's contribution to the Illinois Department of Transportation Improvement of the intersection of Illinois Route 31 and Illinois Route 176.**
28. **Ordinance implementing no stopping, standing, or parking at any time on Illinois Route 31 within the City of Crystal Lake corporate limits.**
29. **Ordinance prohibiting encroachments within the State of Illinois right of way along Illinois Route 31 and Illinois Route 176 within the City of Crystal Lake corporate limits.**
30. **Ordinance making it unlawful to stop, stand, or park any vehicle at any time on the east side of Edgewater Drive from Lake Avenue northward to Clover Drive.**
31. **Ordinance making it unlawful to stop, stand, or park any vehicle on the east side of Highland Avenue and on the west side of Spruce Lane from Golf Road to Ringling Road.**
32. **Ordinance amending Chapter 226, Drugs and Drug Paraphernalia, of the City Code to incorporate regulations for Synthetic Alternative Drugs.**
33. **City Code amendment adjusting the fee schedule for Chapter 476, Towing.**
34. **Council Inquiries and Requests**
35. **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.**
36. **Reconvene to Regular Session.**
37. **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: 4a & b

**City Council
Agenda Supplement**

Meeting Date: June 5, 2012

Item: Swearing In Ceremony for Newly Promoted Police Commander of Operations Derek Hyrkas and for New Police Sergeant Thomas Kotlowski

Staff Contact: Ann Everhart, Director of Human Resources
David R. Linder, Chief of Police

Background:

Mayor Shepley will be swearing in our newest Police Commander, Derek Hyrkas and our new Police Sergeant, Thomas Kotlowski.

Chief Linder is pleased to appoint Derek Hyrkas as Commander of Operations for the Police Department. Commander Hyrkas began with the Department in 1995 and was promoted to Sergeant in 2007. Commander Hyrkas looks forward to the many challenges of his new position.

Promoting to the rank of Sergeant, Tom Kotlowski has served the City of Crystal Lake as a Police Officer since 2008. Sgt. Kotlowski looks forward to his new role as a Patrol Sergeant.

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



Agenda Item No: 5

**City Council
Agenda Supplement**

Meeting Date:

June 5, 2012

Item:

Public Recognition of Exceptional Service

Staff Contact:

James Moore, Fire Rescue Chief
David Linder, Chief of Police

Background:

On March 15, 2012, Police and Fire personnel responded to a fire reported at 627 Virginia Road. The fire was fully involved with heavy smoke trapping residents inside the congested, three-story building. Despite the obstacles, all public safety personnel proceeded to enter the building and notified numerous residents of the fire and assisted with their evacuation.

The police officers, along with responding fire fighters, demonstrated exceptional expertise in performing their duties by securing the safe evacuation of all residents. Each officer's willingness to work as a team with Fire Rescue personnel ensured every challenge was met and their determination and skill saved lives and property. This remarkable outcome exemplifies our mission to serve and protect the residents of Crystal Lake.



Agenda Item No. 6a

**City Council
Agenda Supplement**

Meeting Date:

June 5, 2012

Item:

Proclamation – Crystal Lake Public Library “Reading is So Delicious” Summer Reading Program

Staff Contact:

Anne O’Kelley, Executive Assistant

Background:

The Crystal Lake Public Library has requested that Mayor Shepley issue the attached proclamation in support of their “Reading Is So Delicious” 2012 Summer Reading Program. Representatives of the Library will be present at the meeting to accept the proclamation.



Agenda Item No: 12a

**City Council
Agenda Supplement**

Meeting Date:

June 5, 2012

Item:

McHenry County Council of Governments request to use the parking lot at 121 W. Woodstock Street (former Public Safety building)

Staff Recommendation:

Motion to approve the McHenry County Council of Governments request to use the parking lot, located at 121 W. Woodstock Street (former Public Safety building), for an Electronics Recycling Event on Saturday, July 14, 2012 from 9:00 a.m. to 1:00 p.m.

Staff Contact:

Brad Mitchell, Assistant to the City Manager

Background:

The City has received a request from the McHenry County Council of Governments (MCCG) for the use of the parking lot, located at 121 W. Woodstock Street (former Public Safety building), for an Electronics Recycling Event on Saturday, July 14, 2012 from 9:00 a.m. to 1:00 p.m. The event will consist of people dropping off their used electronics, which will be loaded onto trucks at the site and hauled away. Vintage Tech Recyclers will staff and run the recycling event and MCCG staff will be on-site to assist in coordination. The petitioner will clean up the site and dispose of trash from the activities.

City staff has reviewed the petitioner's request and does not have concerns regarding the use of the parking lot at 121 W. Woodstock Street, providing the following conditions are met:

- 1) The use shall be valid on Saturday, July 14, 2012 only.
- 2) 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.
- 3) All debris created by the event shall be cleaned up during and after the event.
- 4) Any additional permits or requests for signage shall be made through the Engineering and Building Department.
- 5) Emergency access to the parking lot at 121 W. Woodstock Street must be maintained throughout the event.
- 6) If tents or canopies will be used, the petitioner shall contact the Fire Rescue Department for further review.
- 7) In the case of inclement weather, an alternate date can be approved by the City Manager.

The petitioner has agreed to meet these conditions. Attached for your information is a letter from McHenry County Council of Governments requesting use of the parking lot at 121 W. Woodstock Street.

Votes Required to Pass:

Simple majority vote of the City Council.



Agenda Item No: 13

**City Council
Agenda Supplement**

Meeting Date: June 5, 2012

Item: REPORT OF THE PLANNING & ZONING COMMISSION

#2012-33 Country Corners Shopping Center - Petco

- 1) Final Planned Unit Development Amendment to allow changes to the side and rear façade and to allow signage which does not meet the approved sign criteria of the PUD and exceeds the maximum allowable wall signage to allow 181 square feet;
- 2) Special Use Permit to allow a dog grooming service within the existing store.

Petco Animal Supplies Inc., 230 W. Virginia Street

PZC Recommendation: Motion to approve the Planning and Zoning Commission recommendation and adopt an ordinance granting a Final PUD Amendment and a Special Use Permit at 230 W. Virginia Street.

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

Background:

- Location: 230 W. Virginia Street, north of Keith Avenue
- Zoning: "B-2 PUD" General Commercial PUD
- Development History:
 - Country Corners Shopping Center originally approved in 1970 and purchased by Highland Management in 1992.
 - Several Final PUD Amendments for various façade renovations and signage for the center.
 - Most recently, in 2011, a Final PUD Amendment was granted to allow the addition of a canopy along the front and additional signage for Savers.
- Petitioner's Request: Final PUD Amendment to allow changes to the side and rear façade and to allow additional signage. Special Use Permit to allow a dog grooming service within the existing store.

Key Factors

- Request Details: The petitioner is adding approximately 2,690 square feet of floor area (from the tenant to the west, Hancock Fabrics) to their existing store. The petitioner is requesting a Final Planned Unit Development to:
 - Allow changes to the rear and side façade. Façade changes include adding an egress door, removing the double door at the receiving area along the rear of the property and replacing it with an overhead door and providing a new prefab metal canopy and a new speed lift.
 - Increasing the wall signage at this location to 181 square feet by adding a logo and additional text - 'Grooming', to indicate additional services provided at this location. Per the Design Criteria for Tenant Signs adopted as part of this PUD, tenants with a store width of 75 - 99 feet are allowed a 100-square-foot maximum sign area. The petitioner's request will exceed the allowable signage by approximately 81 square feet. Signage details for other tenants in the Center are appended.
 - A Special Use Permit to allow a dog grooming service within the existing store. Dog grooming is permitted as a Limited Use in the "B-2" district provided the standards listed in the UDO are met. A Special Use Permit is required only where the use abuts residential properties, which is the case at this location.

PZC Highlights

- The Planning and Zoning Commission had no concerns with the façade changes.
- There was discussion about the required signage and some of the Commissioners felt that the total area of the requested signage was too large compared to the floor area occupied by the store. The other Commission members felt that the additional sign advertising a new grooming service and the logo were acceptable additions.
- The PZC recommended **approval (6-2)** of the request.

The following conditions are recommended:

1. Approved plan, to reflect staff and advisory board comments, as approved by the City Council:
 - A. Development Application, received 4-27-12
 - B. Site Plan, Floor Plan, Elevation, Sign Details, Plat of Survey, received 4-27-12
2. A Final Planned Unit Development Amendment to allow the proposed changes to the elevation and signage is approved.
3. The amendment to the Final PUD to allow signage not meeting the Design Criteria for Tenant Signs shall only be applicable to this tenant space (including its future tenants). Other tenant spaces will need to meet the original criteria as approved.
4. This petition must meet the UDO criteria for Pet Care Services (listed in the report above).
5. Fire protection systems may need to be installed or altered during the construction of the overhead door or the new canopy.
6. The petitioner shall address any comments and requirements from the Engineering and Building, Fire Rescue, Police, Public Works, and Planning and Economic Development Departments.

Votes Required to Pass:

A simple majority vote.

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ORDINANCE NO. _____
FILE NO. _____

AN ORDINANCE GRANTING AN AMENDMENT
TO THE FINAL PUD AND SPECIAL USE PERMIT
FOR COUNTRY CORNERS SHOPPING CENTER-PETCO

WHEREAS, pursuant to the terms of the Petition (File #2012-33) before the Crystal Lake Planning and Zoning Commission, the Petitioner has requested an Amendment to the Final Planned Unit Development to allow changes to the side and rear façade and to allow signage which does not meet the approved sign criteria of the PUD and exceeds the maximum allowable wall signage to allow 181 square feet; and Special Use Permit to allow a dog grooming service within the existing store; and

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

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

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

SECTION I: That a Final PUD Amendment be granted to permit changes to the side and rear façade and to allow signage which does not meet the approved sign criteria of the PUD and exceeds the maximum allowable wall signage to allow 181 square feet; and Special Use Permit to allow a dog grooming service within the existing store for the property located at 230 Virginia Road, Crystal Lake, Illinois.

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

1. Approved plan, to reflect staff and advisory board comments, as approved by the City Council:
 - A. Development Application, received 4-27-12
 - B. Site Plan, Floor Plan, Elevation, Sign Details, Plat of Survey, received 4-27-12
2. A Final Planned Unit Development Amendment to allow the proposed changes to the elevation and signage is approved.
3. The amendment to the Final PUD to allow signage not meeting the Design Criteria for Tenant Signs shall only be applicable to this tenant space (including its future tenants). Other tenant spaces will need to meet the original criteria as approved.

4. This petition must meet the UDO criteria for Pet Care Services (listed in the report above).
5. Fire protection systems may need to be installed or altered during the construction of the overhead door or the new canopy.
6. The petitioner shall address any comments and requirements from 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

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Agenda Item No: 14

**City Council
Agenda Supplement**

- Meeting Date:** June 5, 2012
- Item:** REPORT OF THE PLANNING & ZONING COMMISSION
#2012-29 Marquardt Simplified Residential Variation
- Request:** Variation to allow the replacement of a deck and stairs which will encroach into the required 30-foot corner side yard setback by 17 feet 3 inches.

Cindy Marquardt, Petitioner
310 View Street
- PZC Recommendation:** Motion to approve the petitioner's request and adopt an ordinance allowing the front deck and stairs to encroach into the required corner side yard by 17 feet 3 inches for 310 View Street.
- Staff Contact:** Michelle Rentzsch, Director of Planning and Economic Development
-

Background:

- The petitioner needed to do maintenance on their existing deck as the wood was rotting and the deck would have become structurally unsafe over time. The proper maintenance involved removal and reconstruction of the deck.
- Since the non-conforming deck was removed, all new structures need to meet the current UDO requirements. This is what triggers the need for the Simplified Residential Variation rather than typical permitted maintenance.
- The deck will be constructed to current building code requirements and be a replacement of what was previously constructed. The size is not increasing.

PZC Highlights:

The Planning and Zoning Commission could support this request knowing it was really for safety and maintenance and the deck wasn't being expanded.

The Planning and Zoning Commission recommended **approval (8-0)** of the petitioner's request with the following conditions.

1. Approved plan, to reflect staff and advisory board comments, as approved by the City Council:
 - A. Application (Marquardt, received 04/18/12)

B. Plat of Survey/Site Plan (Robert J. Conway/Marquardt, undated, received 04/18/12)

C. Deck Plan (Marquardt, dated 12/10/11, received 04/18/12)

2. A variation to allow encroachment into the required corner side yard setback by 17 feet 3 inches for a second story deck and stairway is granted.
3. The existing stairs and walkway within the right-of-way can remain provided it is not enlarged or removed.
4. The petitioner shall comply with all of the requirements of the Engineering and Building, Fire Rescue, and Planning and Economic Development Departments.

Votes Required to Pass: A simple majority vote.

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ORDINANCE NO. _____
FILE NO. _____

AN ORDINANCE GRANTING A VARIATION AT 310 VIEW STREET

WHEREAS, pursuant to the terms of the Application (File #2012-29) before the Crystal Lake Planning and Zoning Commission, the Applicant has requested the granting of a Simplified Residential Variation from Article 3-200 A. 4 to allow the replacement of a deck and stairs which will encroach into the required 30-foot corner side yard setback by 17 feet 3 inches; and

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

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

SECTION I: That a Variation be granted from the Crystal Lake Unified Development Ordinance Article 3-200 A. 4 to allow the replacement of a deck and stairs which will encroach into the required 30-foot corner side yard setback by 17 feet 3 inches

at the property at 310 View Street, Crystal Lake, Illinois.

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

1. Approved plan, to reflect staff and advisory board comments, as approved by the City Council:
 - A. Application (Marquardt, received 04/18/12)
 - B. Plat of Survey/Site Plan (Robert J. Conway/Marquardt, undated, received 04/18/12)
 - C. Deck Plan (Marquardt, dated 12/10/11, received 04/18/12)
2. A variation to allow encroachment into the required corner side yard setback by 17 feet 3 inches for a second story deck and stairway is granted.
3. The existing stairs and walkway within the right-of-way can remain provided it is not enlarged or removed.
4. The petitioner shall comply with all of the requirements of the Engineering and Building, Fire Rescue, and Planning and Economic Development Departments.

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

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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

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Agenda Item No: 15

**City Council
Agenda Supplement**

Meeting Date: June 5, 2012

Item: REPORT OF THE PLANNING & ZONING COMMISSION

#2012-34 Bonick 145 Regal Drive

Simplified Residential Variation from Article 3, Density and Dimensional Standards, to allow a deck to encroach into the rear yard setback and be as close as 10 feet from the rear property line instead of the required 16 feet.

Gary Bonick, 145 Regal Drive

PZC Recommendation: Motion to approve the Planning and Zoning Commission recommendation and to adopt an ordinance granting a variation for the property at 145 Regal Drive.

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

Background:

- Zoning: "R-2 PUD" Single-Family Residential
- Development: Ashton Pointe, approved in 2005
- Existing Improvements: Two-story residence with attached garage
- Request: Variation to allow a deck to encroach into the rear yard setback and be as close as 10 feet from the rear property line instead of the required 16 feet.

Key Factors

- Details: The request is to allow expansion of the existing deck along the back of the residence.
- Dimensional Standards: For the "R-2" district, a minimum rear yard setback of 20 feet is required. Steps and decks attached to a principal building are permitted a 4-foot encroachment into a setback. The proposed deck will encroach 6 feet into the setback.
- Existing Conditions: There is an existing deck, 4 feet deep and 12 feet wide, along the back of the existing residence. The petitioner is requesting to enlarge the deck to be 10 feet deep and 12 feet wide. There is a 10-foot-PUE along the back of the property. The proposed deck will not encroach into the easement.
- Hardship: The petitioner has indicated that the hardship is related to the greater setbacks for the corner lot.

PZC Highlights

- At the PZC meeting, the Commissioners noted that there were no plat restrictions on the lots when the Ashton Pointe Subdivision was approved.
- The Commissioners commented that the deck would only be expanded in depth, retaining the same width across the house and that this addition would make it useable.
- The PZC recommended **approval (7-1)** 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 4-30-12
 - B. Site Plat/Plat of Survey, TFW Surveying, received 4-30-12.
2. A Variation from the required rear yard setback of 16 feet for a deck to allow 10 feet is hereby granted.
3. A grading plan consisting of existing and proposed grades is required. Existing grading and drainage patterns must be maintained.
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.

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ORDINANCE NO. _____
FILE NO. _____

AN ORDINANCE GRANTING A VARIATION
AT 145 REGAL DRIVE

WHEREAS, pursuant to the terms of the Application (File #2012-34) before the Crystal Lake Planning and Zoning Commission, the Applicant has requested the granting of a Simplified Residential Variation from Article 3, Density and Dimensional Standards, to allow a deck to encroach into the rear yard setback and be as close as 10 feet from the rear property line instead of the required 16 feet; and

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

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

SECTION I: That a Variation be granted from the Crystal Lake Unified Development Ordinance Article 3, Density and Dimensional Standards, to allow a deck to encroach into the rear yard setback and be as close as 10 feet from the rear property line instead of the required 16 feet

at the property at 145 Regal Drive, Crystal Lake, Illinois.

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

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
 - A. Application, received 4-30-12
 - B. Site Plat/Plat of Survey, TFW Surveying, received 4-30-12.
2. A Variation from the required rear yard setback of 16 feet for a deck to allow 10 feet is hereby granted.
3. A grading plan consisting of existing and proposed grades is required. Existing grading and drainage patterns must be maintained.
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

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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

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Agenda Item No: 16

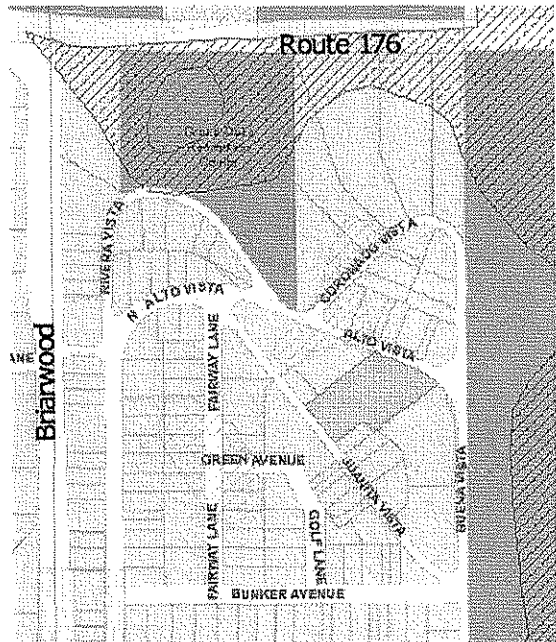
City Council Agenda Supplement

Meeting Date:	June 5, 2012
Item:	County Zoning Request Roger and Jane Otto, petitioners 551 Juanita Vista
Recommendation:	City Council's discretion
Staff Contact:	Michelle Rentzsch, Director of Planning & Economic Development

Background: As is customary with County Zoning requests within the City's mile and a half planning jurisdiction, the City received notice of a zoning request.

The property consists of 1.14 acres with an existing single-family home and 563.8-square-foot detached garage that is located in the Cepek's Crystal Vista.

The petitioners are requesting the following variations: 1) to allow a new accessory building in a yard abutting a street; 2) to allow a new accessory building to have a second story mezzanine; 3) to allow a new accessory building to be 21 feet in height instead of the 14-foot maximum height allowed, and 4) to allow the proposed 2,560-square-foot accessory building (garage) to exceed the floor area of the principal structure (1,500 square feet).



The subject property is located within the Crystal Lake Watershed. City Staff suggests that the City Council's recommendation include the following conditions:

- 1) The petitioner shall meet the Stormwater Ordinance requirements for drainage and wetlands;

- 2) In order to meet the City's Watershed Ordinance requirements, provide infiltration for additional runoff to offset the new impervious areas using a trench drain or another approved BMP.

Votes Required to Pass: A simple majority vote.



Agenda Item No: 17

**City Council
Agenda Supplement**

Meeting Date:

June 5, 2012

Item:

Brilliance Honda Sales Tax Incentive Agreement.

Recommendation:

Motion to approve a resolution authorizing the Mayor to sign the Brilliance Honda enhanced sales tax incentive agreement for 680 West Terra Cotta Avenue.

Staff Contact:

Gary J. Mayerhofer, City Manager
Michelle Rentzsch, Director of Planning and Economic Development
James L. Richter II, Assistant Director of Economic Development

Background: The Brilliance Honda dealership is currently located on four acres at 210 North Route 31. In order to better meet the needs of their existing customers and to provide more inventory storage and display space, the owners of Brilliance Honda are acquiring the former Viking Dodge dealership at 680 West Terra Cotta Avenue. Brilliance Honda will be relocating their entire dealership to the new location. Their plans involve a complete redevelopment of the subject property, including: a new front façade, renovated and expanded showroom, as well as redesigned office and waiting areas, and updated parts and service areas. Finally, the car wash would be renovated and expanded to accommodate additional vehicles using less water than originally designed for the previous user.

In keeping with the City's Enhanced Sales Tax Incentive Program (ESTIP), an incentive agreement is proposed that would aid in ensuring this relocation takes place within the City limits of Crystal Lake. The purpose of the City's Enhanced Sales Tax Incentive Program is to:

- Encourage the recruitment, retention, establishment and/or substantial expansion of sales tax generating businesses within the City, thereby stimulating the economy within the City;
- Provide employment for residents of the City and others, further expanding the goods and services available for purchase and consumption by businesses and residents of the City;
- Further increase the sales taxes collected by the City, which increased sales tax collections will enable the City to provide expanded and improved municipal services to and for the benefit of the residents of the City;
- Allow applicants an opportunity to improve properties which generate sales activities, which improvements make those properties more competitive in the marketplace and

further provide to applicants additional contingent sources of revenues for upgrading said properties.

The proposed redevelopment project would concur with Honda's "Gen-3" showroom facility design. The new façade image has been designed by Honda to be clean and contemporary, with a long glass storefront and aluminum composite metal (ACM) entrance. Brilliance Honda will acquire a total of 13 acres of property, and will provide excess vehicle storage behind the building on paved parking areas. The total estimated project costs, including acquisition will be \$6,497,382 (\$2,200,000 purchase price, plus \$4,297,382 in renovations).

The proposed sales tax agreement would provide the following stipulations:

- The new Honda Gen-3 dealership would be constructed, meeting all the City's codes and ordinances, as approved by the City. Brilliance Honda will be required to seek an Amendment to the Final Planned Unit Development for their changes, which will go before the Planning & Zoning Commission and the City Council in June.
- After its completion, the City would share the enhanced sales tax revenue from this property on a 50/50 basis with its owner. The refund is based on the amount of sales tax that is generated by this dealership.
- The City will not commence the refund schedule until such time as: a) the property is acquired by Brilliance Honda; b) the renovation project has been completed and c) the dealership is fully-operational at its new location.
- The refund schedule would continue for ten years or until up to one million dollars has been rebated, whichever occurs first. Assuming a 3% annual increase in sales over 2010 calendar year sales for Brilliance Honda, it is estimated that the \$1,000,000 max amount will be reached within five years.
- If, for some reason, the dealership were to close or be abandoned, a refund payment schedule has been included that would require repayment of the reimbursement payments that had been made to date, based on a sliding scale.
- The agreement allows for another Honda or a new franchised motor vehicle dealership (a flag currently not operating in the City) to assume the benefits of the proposed incentive agreement, assuming that the new dealership operates at a level that is comparable to the existing Honda dealership.
- This agreement also contains a non-compete provision, not allowing Brilliance Honda to open a competing Honda dealership within 10 air miles during the life of the agreement.

The proposed agreement has been reviewed by legal counsel and is acceptable for presentation to the City Council.

Votes Required to Pass: A simple majority vote.

DRAFT

RES. # _____

RESOLUTION

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE that the Mayor and City Clerk are authorized to sign the Brilliance Honda enhanced sales tax incentive agreement for 680 W. Terra Cotta Avenue, with the contingency that the agreement will not be executed until all required zoning entitlements are secured and the property is acquired by Brilliance Land Management.

DATED this 5th day of June, 2012.

CITY OF CRYSTAL LAKE, an
Illinois Municipal Corporation,

By: _____
MAYOR

SEAL

ATTEST:

CITY CLERK

PASSED: June 5, 2012

APPROVED: June 5, 2012



Agenda Item No: 18

**City Council
Agenda Supplement**

Meeting Date:

June 5, 2012

Item:

Video Gaming Opt-Out Ordinance

Staff Recommendation:

City Council Discretion:

Motion to adopt an ordinance expressly prohibiting gambling.

Staff Contact:

George J. Koczvara, Deputy City Manager

Background:

At the May 1, 2012 City Council meeting, the City Council began discussions regarding video gambling. Based on informal polling from the May 1st City Council meeting, the City Council directed staff to draft an opt-out ordinance for video gaming.

The Illinois Video Gaming Act, 230 ILCS 40/1 *et seq.*, permits the operation of video gaming terminals in certain establishments throughout Illinois, at which players can make cash wagers and play electronic casino-style games such as video poker. Municipalities are authorized under the State Act to regulate video gaming and to prohibit video gaming within their corporate limits. Municipalities that allow video gaming receive a portion of the tax revenue generated by the games. It is difficult to estimate what potential revenue the City would generate from this Act, but when the original legislation was approved in 2009, a figure provided by the Commission on Government Forecasting and Accountability estimated that the City could potentially generate between \$132,762 and \$170,694 annually.

The Illinois Video Gaming Act allows municipalities to prohibit video gaming either by ordinance, 230 ILCS 40/27, or by referendum, 230 ILCS 40/70. Municipalities that do not prohibit video gaming are eligible to receive tax revenues from the Local Government Video Gaming Distributive Fund, pursuant to Section 75 of the Act. The allocation of tax revenues is determined by the proportion of tax revenue generated from video gaming in the municipality compared to that generated statewide. The City has not yet formally taken a stance to prohibit video gambling under the provision of the new Act (opt out), but there are other elements in the City Code that prohibit video gaming.

Several existing sections of the Code restrict or prohibit gambling activities within the City and would need to be amended if the City intended to allow video gaming. These sections include Sec. 162-8 Mechanical amusement devices, Chapter 198 – Carnivals, Chapter 329 – Liquor licenses, Chapter 364 – Nuisances; Article II: Chronic Nuisances, and Chapter 408 – Raffles.

Now that the Illinois Gaming Commission has completed the rules required under the new Act, the City has started receiving inquiries as to the City's position relative to video gaming.

History:

On July 13, 2009, the Governor signed into law the Illinois Jobs Now Program which is a \$31 billion capital improvement bill. Below is a summary of the projects that have been funded specifically to the City of Crystal Lake:

1. \$700,000 for road infrastructure improvements - This project includes the relocation of overhead utilities located along U.S. Route 14 as part of the Virginia Street Streetscape Improvement Project.
2. \$482,000 for North Shore Flooding Improvement Project – This project makes various improvements to the North Shore area to mitigate future flooding.
3. \$100,000 for water and sewer improvements - This series of projects is on the City's five-year Capital Improvement Plan. It includes various improvements to the production and distribution of water to residents as well as wastewater collection and treatment.

The revenue to pay for the \$31 billion capital bill is included in Public Act 96-0034 (House Bill 255) and included legalized video gambling. Legalized video gambling would permit bars, truck stops, fraternal clubs and veterans clubs with a valid liquor license to operate up to five video gambling terminals (including but not limited to video poker, line-up and blackjack). At the time of passage, it was projected that video gambling would bring in at least \$375 million a year to the State, although other estimates varied from as little as \$287 million a year to as much as \$540 million.

Below are some of the basic highlights of the Video Gaming Act:

- Each eligible establishment is allowed to have up to five video poker machines (unless the Illinois Gaming Board allows more).
- A municipality has the right, through passage of an ordinance, to prohibit video gaming within their jurisdiction.
- Residents who oppose video gaming can get a referendum on the ballot with petitions signed by 25% of voters who voted in previous elections.
- Non-home rule municipalities cannot impose fees of more than \$25 per machine. The bill is silent on what fees home rule municipalities can impose. The Northwest Municipal Conference Attorneys Committee believes these fees could be imposed to help with enforcement costs (such as the prohibition against players under age 21).
- A tax of 30% is imposed on net terminal income and shall be collected by the Illinois Gaming Board. Of the tax collected, one-sixth (5% of the total take) shall be deposited into the Local government Video Gaming Distributive Fund, while the rest shall be deposited in the State Capital Projects Fund. The Department of Revenue shall allocate among those municipalities and counties that have not prohibited video gaming the respective amounts allocated to them. The amount of such funds allocable shall be in proportion to the tax revenue generated from video gaming within the eligible municipality. The amounts allocated may be used for any general corporate purpose authorized for that municipality.

The Commission on Government Forecasting and Accountability estimated per machine, per day yield in Illinois of between \$70 and \$90. The Commission said the video gambling tax is likely to yield the State between \$287 million and \$534 million a year. In addition, the State will collect between \$6 million and \$10 million a year in annual fees on the manufacturers, distributors and operators of video gambling terminals. Using those figures, the commission estimated a revenue range of \$345 million (45,000 machines at \$70 in play per day at 109 days per year) to \$640 million (65,000 machines at \$90 in play per day at 109 days per year).

Under this scenario, the City could generate between \$14.00 and \$18.00 per day: This is based on municipalities receiving one-sixth in net terminal income as demonstrated below:

	<u>Yield Estimate 1</u>	<u>Yield Estimate 2</u>
5/6 th State Capital Fund (25% of take)	\$70 per machine	\$90 per machine
1/6 th Municipalities (5% of take)	\$14 per machine	\$18 per machine

In the City of Crystal Lake, there are approximately 55 liquor license holders that allow for consumption on premises. Of these, there are an estimated 29 establishments that are identified establishments that would likely seek approval for a video gaming license. If all 29 establishments added 3 video gaming machines, there would be a total of 87 gaming machines in the City. Based on the Commission's revenue estimates, the City could potentially generate between \$132,762 and \$170,694 annually. However, if each establishment utilized the maximum allowable five gaming machines, then these estimates would increase.

Nevertheless, at this point, it is difficult to estimate what amount of revenue the City could generate under this Act. The Illinois Distilled Spirits Council issued a report arguing that the estimates provided by the State are conservative and that gaming revenue estimates should be higher.

As indicated above, the legislation allows for municipalities to pass an ordinance to prohibit video gaming within their jurisdiction. Also, residents who oppose video gaming can get a referendum on the ballot with petitions signed by 25% of voters who voted in previous elections. A simple majority would need to vote yes to then prohibit video gaming in the community.

Any municipality that passes an ordinance or referendum that prohibits video gaming would not receive video gaming revenue.

Attached please find information received recently from a representative of triple 7, Illinois, a video gaming operator.

Recommendation:

Based on informal polling from the May 1st City Council meeting, the City Council directed staff to draft an opt-out ordinance for video gaming. The attached ordinance (Option 1) would expressly prohibit gambling, except gambling that is legally allowed under the Illinois Charitable Gambling Act. Currently, 147 communities and 6 counties have expressly banned video poker.

If, however, the City Council does not wish to opt out of video gaming, then it is recommended that Option 2 be considered. For video gaming terminal licenses, the annual fees would be \$250 for each machine operated.

Votes Required to Pass:

Simple Majority

OPTION 1

DRAFT



CITY OF CRYSTAL LAKE

ORDINANCE NO.

AN ORDINANCE AMENDING
CRYSTAL LAKE CITY CODE REGARDING GAMBLING

WHEREAS, the Video Gaming Act, 230 ILCS 40/1, *et seq.* (the "*Video Gaming Act*") allows the use of video gaming terminals in certain establishments throughout the State; and

WHEREAS, Section 5 of the Video Gaming Act defines video gaming terminals as "any electronic video game machine that, upon insertion of cash, is available to play or simulate the play of a video game, including but not limited to video poker, line up, and blackjack, as authorized by the Board utilizing a video display and microprocessors in which the player may receive free games or credits that can be redeemed for cash. The term does not include a machine that directly dispenses coins, cash, or tokens or is for amusement purposes only;" and

WHEREAS, Section 27 of the Video Gaming Act provides that a municipality may pass an ordinance prohibiting video gaming within the corporate limits of the municipality; and

WHEREAS, Sections of the Crystal Lake City Code generally prohibit gambling within the City limits; and

WHEREAS, to ensure that the City's current policy extends to video gaming terminals, the Mayor and City Council of the City of Crystal Lake have determined that the best interests of the City and its residents will be served by amending the City Code to expressly prohibit video gaming terminals as defined in the Video Gaming Act.

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 by this reference incorporated into and made a part of this Ordinance as if fully set forth.

SECTION TWO: Amendment of City Code. The City Code is hereby amended to add Chapter 268, titled "Gambling" as follows:

Chapter 268
Gambling

* * *

DRAFT

§ 268-1. Gambling Places and Devices.

It shall be unlawful for any person to keep a place for gambling in any building, booth, yard, garden, boat, or float used or occupied by himself or his agent, or to procure or permit any persons to frequent or to come together to play for money or other valuable things at any game in any such building, booth, yard, garden, boat, or float. It shall also be unlawful for any person to possess or use any table, device, or paraphernalia or other apparatus for playing any game or sport for money or any valuable thing, or keep or allow to be used or rented any such place for gambling purposes. For purposes of the foregoing sentence, a "device" for gambling purposes includes without limitation any video gaming terminal, as defined in the Video Gaming Act, 230 ILCS 40/5; or any mechanism, furniture, fixture, equipment or other device designed primarily for use in a gambling place. A "device" for gambling purposes does not include:

- (a) A coin-in-the-slot operated mechanical device played for amusement which rewards the player with the right to replay such mechanical device, which device is so constructed or devised as to make such result of the operation thereof depend in part upon the skill of the player and which returns to the player thereof no money, property or right to receive money or property.
- (b) Vending machines by which full and adequate return is made for the money invested and in which there is no element of chance or hazard.

§ 268-2. Charitable Games Act.

Nothing in this Chapter will restrict gambling places and devices if authorized under the Charitable Games Act, 230 ILCS 30.

SECTION THREE: Effective Date. This Ordinance shall be in full force and effect following its passage, approval, and publication in pamphlet form in the manner provided by law.

DATED this 5th day of June, 2012

CITY OF CRYSTAL LAKE, an
Illinois municipal corporation,

By: _____
MAYOR

SEAL
ATTEST

CITY CLERK

PASSED: June 5, 2012
APPROVED: June 5, 2012



Agenda Item No: 19

**City Council
Agenda Supplement**

Meeting Date: June 5, 2012

Item: Police Department Uniform Bid

Staff Recommendation: Motion to award the bid for the purchase of Police Department uniform pricing beginning June 17, 2012 and adopt a resolution authorizing the City Manager to execute a purchase agreement with the lowest responsive and responsible bidder, Ray O'Herron Co.

Staff Contact: David Linder, Chief of Police

Background:

On Monday, April 23, 2012, the City of Crystal Lake publicly opened the bids received for Police Department uniform pricing valid through June 16, 2014. The lowest responsive and responsible bidder will furnish dress uniforms, work uniforms, badges, nametags and leather goods purchased throughout the year by the Police Department. Prices for each individual item bid were evaluated for compliance and compared against the other bidders.

Listed below are the costs to outfit a new police officer with uniforms:

<u>Bidder</u>	<u>Original Bid</u>
Ray O'Herron Co. Inc. (Lombard, IL)	\$1,529.50 ✓
Uniformity Inc. (Northbrook, IL)	\$1,695.20
VCG Uniforms (Chicago, IL)	\$1,746.20

✓Lowest responsive and responsible bidder

Recommendation:

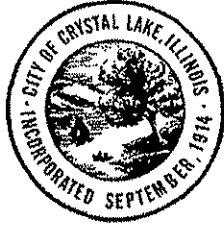
The City Manager's Office and the Police Department have reviewed all bids received for completeness and accuracy in accordance with the invitation to bid document and have checked references. It is staff's recommendation to award the bid for police uniforms to the lowest

responsive and responsible bidder, Ray O'Herron Co., Inc. The bid process received for the aforementioned equipment will be valid for two (2) years, beginning June 17, 2012.

There are sufficient funds in the FY 2012/2013 Budget and anticipated FY 2013/2014 Budget for these items.

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 purchase agreement between the City of Crystal Lake and Ray O'Herron Co. Inc. for Police Department uniform pricing for two (2) years beginning June 17, 2012.

DATED this 5th day of June, 2012

CITY OF CRYSTAL LAKE, an
Illinois municipal corporation,

By: _____
MAYOR

SEAL

ATTEST

CITY CLERK

PASSED: June 5, 2012
APPROVED: June 5, 2012



Agenda Item No: 20

**City Council
Agenda Supplement**

Meeting Date: June 5, 2012

Item: Sanitary Sewer Lining Services

Staff Recommendation: Motion to award the bid for sanitary sewer lining services to the lowest responsive and responsible bidder, Pipevision Products, Inc., and to adopt a resolution authorizing the City Manager to execute a service agreement with Pipevision Products, Inc. in the amount of \$45.00 per foot of sewer lined.

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

Background:

On May 24, 2012, the City of Crystal Lake publicly opened and read aloud the bids received for lining a section of sanitary sewer on Pine Street near the intersection of Oriole Trail. The completion of this project will eliminate documented sources of heavy inflow and infiltration (I&I) to the City's wastewater collections and treatment systems. I&I puts a great burden on the City's wastewater treatment plants during heavy rain events. This project is being done in conjunction with an extensive grouting program in the area. By lining and grouting these critical sections of sewer, the volume of I&I within the sanitary sewer system will be reduced, which will ultimately reduce the operating costs and restore capacity to the collection system and wastewater plant. The following is a breakdown of the bids received with options based on single unit pricing:

Bidders	Price per foot	Expected Total Project (247')
✓ Pipevision Products, Inc. La Salle, IL	\$ 45.00	\$ 11,115.00
Visu-Sewer of Illinois, LLC Bridgeview, IL	\$ 58.00	\$ 14,326.00
Pipeline Solutions/American Pipe Liners West Chicago, IL	\$ 65.00	\$ 16,055.00
Insituform Technologies Inc. Chesterfield, MO	\$ 74.20	\$ 18,327.40

✓ Indicates lowest responsive and responsible bidder

For this phase of the project, the City will be utilizing a common cured-in-place pipe lining process because the pipe structure is failing beyond a point that would be effective to grout. The contract specifically identifies a 247-ft. section for lining; however, the contract will be based on a price-per-foot lined as it is extremely difficult to measure the precise distance of underground infrastructure. The surrounding area was awarded as part of the grouting contract in September 2011, and this lining project will complete the sewer rehabilitation work in this area.

The price-per-foot bid is less than the bid on the Virginia Street project earlier this year.

Recommendation

The Public Works Department has reviewed all bids received for completeness and accuracy in accordance with the invitation to bid document. The Public Works Department recommends that work for Sanitary Sewer Lining Services be awarded to the lowest responsive and responsible bidder, Pipevision Products, Inc. Staff has verified the references submitted by Pipevision Products, Inc. The rehabilitation of this sewer line is a FY 12/13 Budget Goal, and funds are available.

Votes Required to Pass:

Simple majority

RESOLUTION

DRAFT

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE that the City Manager is authorized to execute a service agreement with Pipevision Products, Inc. for lining a section of sanitary sewer on Pine Street near the intersection of Oriole Trail.

DATED this _____ day of _____, 2012.

CITY OF CRYSTAL LAKE, an
Illinois municipal corporation,

By: _____
MAYOR

SEAL

ATTEST

CITY CLERK

PASSED: _____

APPROVED: _____



Agenda Item No: 21

**City Council
Agenda Supplement**

Meeting Date: June 5, 2012

Item: Sludge Land Application

Staff Recommendation: Motion to award the bid for sludge land application services to the lowest responsible and responsive bidder, Synagro Central, LLC, in the base amount of \$85.17 per ton, and adopt a resolution authorizing the City Manager to execute a one-year service agreement with Synagro to provide sludge land application services.

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

Background:

On May 24, 2012, the City of Crystal Lake publicly opened and read aloud the bids received for sludge land application by the Public Works Department. The one-year contract involves the land application of sludge generated at the City's two (2) wastewater treatment facilities. The chart below indicates the breakdown of the bids received.

√	Synagro 7014 East Baltimore Street Baltimore, MD 21224	\$85.17 per dry ton
	Stewart Spreading 3870 North Route 71 Sheridan, IL 60531	\$87.82 per dry ton
	Dahm Enterprises 5707 Miller Road Wonder Lake, IL 60097	\$90.25 per dry ton
*	Walter & Son Waste Hauling N3368 Hwy 14 Darien, WI 53114	\$75.00 per dry ton

√ Indicates recommended lowest responsible and responsive bidder.

* Indicates non-responsive bidder

Discussion:

Walter & Son Waste Hauling could not provide adequate verification that they have sufficient experience to handle and haul such materials. Further, they do not have a location established or landowner agreement in place, which could substantially impact the price they submitted, and the City's ability to haul materials in a timely manner.

Synagro is an established, nationally recognized bio-solids treatment and waste hauler. They have the experience and resources necessary to handle the City's bio-solids materials.

Recommendation:

The Public Works Department has reviewed all bids received for completeness and accuracy with the request for proposal documents. The Public Works Department has verified Synagro's references, and has determined that they are a capable, responsible firm. Therefore, it is the recommendation of the Public Works Department staff to award the contract to Synagro Central, LLC in the amount of \$85.17 per dry ton.

Votes Required to Pass:

Simple Majority

RESOLUTION

DRAFT

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE that the City Manager is authorized to execute a Services Agreement between the CITY OF CRYSTAL LAKE and Synagro Central, LLC for sludge land application services.

DATED this _____ day of _____, 2012.

CITY OF CRYSTAL LAKE, an
Illinois municipal corporation,

By: _____
MAYOR

SEAL

ATTEST

CITY CLERK

PASSED: _____

APPROVED: _____



Agenda Item No: 22

**City Council
Agenda Supplement**

Meeting Date:

June 5, 2012

Item:

Painting & Maintenance of WTP#3 Water Storage Tank

Staff Recommendation:

Motion to award the bid for the WTP#3 Water Storage Tank Painting & Maintenance to the lowest responsive and responsible bidder, Tecorp Inc., and adopt a resolution authorizing the City Manager to execute a service agreement with Tecorp Inc. in the submitted bid amount with a 10 percent contingency for justifiable additions.

Staff Contact:

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

Background:

The City of Crystal Lake's water system includes four elevated water storage tanks and four ground water storage tanks. Seven of these water tanks are constructed of steel and one of concrete. Two of the towers, Ambutal and McCormick Towers, have been recently rehabilitated and repainted. Due to the age of the structures, all of the remaining steel water storage tanks will be due for maintenance in the next several years.

The WTP#3 Water Storage Tank (located adjacent to Fire Station #3) is a 2.5-million-gallon ground steel water storage tank that was constructed in 1974. It has not been repainted since it was installed and contains low levels of lead and chrome. As such, the painting firm will be required to provide full containment during the sandblasting stage.

In April 2012, Dixon Engineering performed an inspection to evaluate the condition of the WTP#3 Water Storage Tank. The evaluation recommended that the tank be sandblasted and painted with containment. In addition, Dixon recommended numerous other repairs/improvements as identified on the attached price breakout sheet.

Following the inspection, Dixon Engineering created a bid document, under the direction of City staff, to perform the required repairs and maintenance to the tank, as well as sandblast and paint it in accordance with the recommendation in the inspection report. However, because the condition of the steel cannot be fully realized until the existing paint is removed, there is a

possibility that additional repair work may be necessary. Dixon's field engineer will inspect the tank and recommend any required additional work, after sandblasting has been completed.

Discussion:

On May 23, 2012, the City received bids from seven contractors to repair and paint the WTP#3 Water Storage Tank. The following is a breakdown of the total prices for the bids received to perform the maintenance and repair work, as well as the sandblasting and painting of the WTP#3 Water Storage Tank:

Co.	√ Tecorp, Inc.	Era Valdivia Contractors, Inc.	American Suncraft Co.	Maxcor, Inc	Classic Protective Coatings	TMI Coatings	Manta Industrial Inc.
	Joliet, IL	Chicago, IL	Medway, OH	New Lenox, IL	Menomonee, WI	St. Paul, MN	Hammond, IN
Total	\$ 684,200.00	\$ 686,200.00	\$ 711,975.00	\$ 735,520.00	\$1,173,972.00	\$1,244,600.00	\$1,495,590.00

√ Indicates the lowest responsive and responsible proposer.

Recommendation:

Tecorp, Inc. submitted the lowest pricing of the seven companies. City staff and Dixon Engineering have reviewed the proposals submitted. Dixon Engineering submitted a written recommendation to the City to use Tecorp Inc. for this project. Tecorp is a prequalified contractor with Dixon for this scope of work, and has successfully completed many similar projects.

It is the recommendation of staff to award the contract for the painting and maintenance of the WTP#3 Water Storage Tank to the lowest responsive and responsible proposer, Tecorp, Inc., in the amount of \$684,200.00, with a contingency of up to 10% of the purchase price for any additional repair work necessary beyond the scope of this project. Budgeted funds, as well as proceeds from the previous Water and Sewer Capital Improvement Bond, will be used to fund this improvement.

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 Tecorp Inc. for the WTP#3 Water Storage Tank Painting & Maintenance.

DATED this _____ day of _____, 2012.

CITY OF CRYSTAL LAKE, an
Illinois municipal corporation,

By: _____
MAYOR

SEAL

ATTEST

CITY CLERK

PASSED: _____

APPROVED: _____



Agenda Item No: 23

**City Council
Agenda Supplement**

Meeting Date:

June 5, 2012

Item:

Consultant Selection Approval for Engineering Services to Increase Water Capacity and Test for a New Well #18

Staff Recommendation:

Motion to award the proposal for Engineering Services to Increase Water Capacity and Test for a New Well #18 to the most qualified, responsible, responsive proposer, Rezek, Henry, Meisenheimer & Gende, Inc, and adopt a resolution authorizing the City Manager to execute an agreement with RHMG in the amount of \$68,849.00 and approve changes in scope by 10 percent of the original price.

Staff Contact:

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

Background

Water Treatment Plant #2 (WTP2) is located at 530 Highland Avenue and houses two of the City's 11 active wells (#6 & #9) and one in-active well (#17). Well #6 is a deep well that produces 500 gallons per minute (GPM), and well #9 is a shallow well that was designed to produce 500 GPM, but can only supply approximately 150 GPM. Well #17 was drilled in 2007 and was projected to produce 350 – 500 GPM by the design engineering firm, but cannot produce more than 150 GPM and is scheduled for abandonment.

Due to the past experience with drilling shallow wells at WTP2, the scope of this project may be difficult. Determination must be made on where to drill a new well, either near the WTP2 site (on the adjacent school or Park District properties), or to drill the new well at WTP5 on Bard Road, which currently has a very productive shallow well. If the new well is drilled at WTP#5, additional treatment capacity will need to be added.

As part of this project, the City must select a consultant that has extensive experience with testing areas to find sufficient sand and gravel beds to drill adequate producing shallow wells. To ensure the project is completed per plan and on time, the Public Works Department recommends the use of the most knowledgeable and experienced firm to work on this project.

Consultant Selection Process

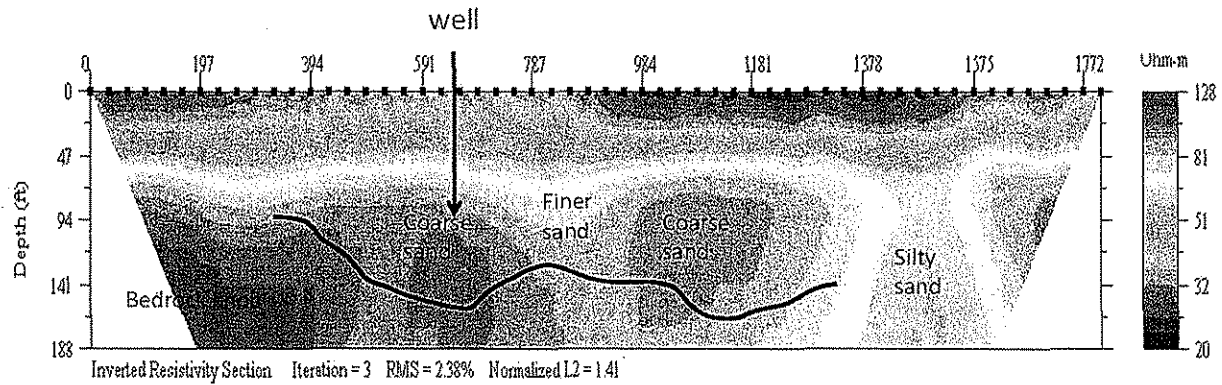
The City received six proposals for this project. All proposals were reviewed completely to determine the most qualified, responsive, and responsible firm. Consideration was given to the following:

1. Proposal completeness
2. Firm's reputation and integrity
3. General experience and history of performance on similar projects
4. Current or past projects within the surrounding area
5. Approach to the management of the project
6. Cost

The following is a breakdown of the proposals received:

	Base Price	Options	TOTAL
RHMG	\$41,713.00	\$27,136.00	\$ 68,849.00
Willett Hoffman	\$38,000.00	\$2,800.00	\$ 40,800.00
Foth	\$39,537.00	\$9,325.00	\$ 48,862.00
Baxter & Woodman	\$52,685.00	\$17,995.00	\$ 70,640.00
CMT	\$85,900.00	Hourly	\$ 85,900.00
Farnsworth Group	\$74,060.00	\$17,020.00	\$ 91,080.00

After reviewing the costs and the qualifications, the Public Works Department determined Rezek, Henry, Meisenheimer & Gende, Inc (RHMG) was the most qualified and responsible proposer. RHMG demonstrated that they have overseen the successful drilling of numerous wells in the Chicagoland area. In addition, they added Dr. John Jansen, a geoscientist and registered professional geologist who has conducted over 200 ground water resource investigations, to their team for the Crystal Lake project. One of Dr. Jansen's key roles will be to create a geophysical model of the water table near WTP#2 and WTP#5 to help determine if ample water is available for a productive new well (example pictured on following page). This is one option that RHMG listed, and given our past well performances at this site, this may also be an invaluable resource. The other option that was listed for RHMG was additional engineering for drilling a deep well if no water can be found for a shallow well. The total of the base bid with both options exercised is the price represented on the table above.



Discussion

During a discussion with City staff, Willett Hoffman & Associates (WHA) did not demonstrate that they would employ any new tactics or methodology from that used on the failed Well #17. Their approach is simply to drill test holes until they discover water. While this method is effective in some areas, the soil under Crystal Lake, particularly in the area of WTP2, is not as conducive to getting accurate reads from such a technique. Furthermore, WHA had no experience dealing with the chlorides issues that they will be required to analyze for the Well #18 project. Finally, WHA provided very limited examples of similar projects. The projects that were referenced utilized questionable tactics, such as going through the expense of drilling a deep well to set the pump at a shallow setting. For these reasons, WHA was removed from consideration for this project.

Foth took a different approach altogether. An interview with this firm revealed that they did not recommend drilling a shallow well at all, but rather focus exclusively on a deep well at the WTP2 site. Foth cited the failed Well #17 as a reason why a shallow well would not work. While a deep well is an option, it would generally not be preferred over a shallow well. Deep wells have a higher capital construction costs and increased operations and maintenance costs, and will potentially contribute to a higher chloride residual at the wastewater treatment plant. Because Foth has predetermined to dig a deep well, they were removed from consideration for this project.

The next most economic option is RHMG, who staff believes also gives the project the best chance for success. The geophysical model will increase the chances of finding a lasting water supply by up to 80%. Due to the glacial movement that formed the rocky soil in the area, water pockets can be found in patches as close as 20 feet away from an area that has no water. The model will be a tremendous aid in determining where those pockets of water are located.

Recommendation:

Based on the proposals received and the experience and qualifications noted, it is the recommendation of the Public Works Department to select Rezek, Henry, Meisenheimer & Gende, Inc. to perform the Engineering Services to Increase Water Capacity and Test for a New Well #18.

Votes Required to Pass:

Simple majority

DRAFT

RESOLUTION

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE that the City Manager is authorized to execute a contract with Rezek, Henry, Meisenheimer & Gende, Inc., for Engineering Services to Increase Water Capacity and Test for a New Well #18, in the amount of \$68,849.00 with a 10% contingency for unforeseen changes to the scope.

DATED this _____ day of _____, 2012.

CITY OF CRYSTAL LAKE, an
Illinois municipal corporation,

By: _____
MAYOR

SEAL

ATTEST

CITY CLERK

PASSED: _____

APPROVED: _____



Agenda Item No: 24

**City Council
Agenda Supplement**

Meeting Date:

June 5, 2012

Item:

Consultant Selection Approval for the Terra Cotta Avenue Access Roadway improvement for Phase II Design and Phase III Construction Engineering

Staff Recommendation:

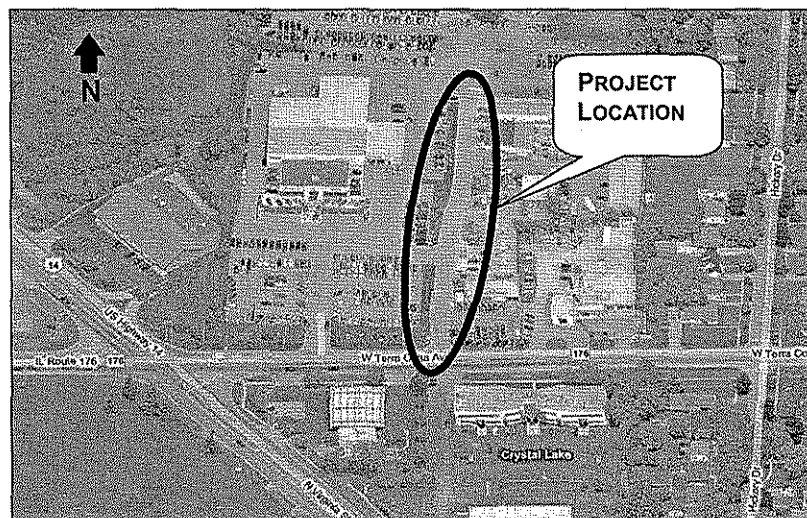
Motion to award the proposal for the Terra Cotta Avenue Access Roadway improvement for Phase II Design and Phase III Construction Engineering to the lowest qualified, responsible, and responsive proposer, Civiltech Engineering, and adopt a resolution authorizing the City Manager to execute an agreement with Civiltech Engineering in the amount of \$65,394.73 and approve changes in scope by 10 percent of the original price.

Staff Contact:

Erik D. Morimoto, Director of Engineering and Building

Background:

To assist with redevelopment of the northeast quadrant of US Route 14 and Illinois Route 176, the City is reconstructing the access roadway leading to Terra Cotta Avenue. The improvement also includes curb and gutter, sidewalk, storm sewer, private lift station and force main relocation, new water main, and a cul-de-sac. The reconstructed access road will be a public street.



CONSULTANT SELECTION PROCESS:

The City sent the Request for Qualifications & Proposal (RFQ&P) directly to qualified engineering firms. An advertisement of the RFQ&P was also placed in the *Northwest Herald* and on the City's webpage. Through this notification process, the City received eleven proposals.

As federal funds are not being utilized for the engineering portion of this project, staff from the Engineering and Building Department reviewed the proposals based on their qualifications and proposed cost. The qualifications criteria considered during the review were:

- Proposal completeness
- Firm's reputation and integrity
- General experience and history of performance on similar projects
- Current or past projects related to the scope of services
- Understanding of the project
- Adherence to the Project Scoping Summary
- Experience of personnel
- Miscellaneous – additional items which made the firm stand out

A summary of the firms who submitted proposals and their costs are as follows:

ENGINEERING FIRM	COST
CIVILTECH ENGINEERING	\$65,394.73
TROTTER & ASSOCIATES	\$66,066.00
GEWALT HAMILTON & ASSOCIATES	\$70,764.09
HAMPTON, LENZINI & RENWICK	\$74,242.34
CHRISTOPHER B. BURKE ENGINEERING	\$78,306.09
REZEK, HENRY, MEISENHEIMER & GENDE	\$85,380.00

ENGINEERING FIRM, CONT	COST
LONCO	\$85,636.96
HOMER L. CHASTAIN & ASSOCIATES	\$92,975.00
THOMAS ENGINEERING	\$129,932.76
MACKIE CONSULTANTS	\$159,314.70
PATRICK ENGINEERING	\$200,394.87

Civiltech Engineering has similar project experience with this type of improvement, is IDOT prequalified, and staff has previously worked with their proposed project team. It is staff's recommendation to select Civiltech Engineering to perform the Phase II design and Phase III construction engineering for the Terra Cotta Avenue Access Roadway improvement.

Votes Required to Pass:

Simple Majority



DRAFT

The City of Crystal Lake Illinois

RESOLUTION

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE that the City Manager be authorized to execute an agreement with Civiltech Engineering, Inc. in the amount of \$65,394.73 for the Phase II Design and Phase III Construction Engineering of the Terra Cotta Avenue Access Roadway improvement. The City Manager is additionally authorized to approve up to 10 percent in justifiable contract amendments from a contingency allowance.

DATED this fifth day of June, 2012.

CITY OF CRYSTAL LAKE, an Illinois
Municipal Corporation

BY: _____
AARON T. SHEPLEY, MAYOR

SEAL

ATTEST:

NICK KACHIROUBAS, CITY CLERK

PASSED: June 5, 2012

APPROVED: June 5, 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:

June 5, 2012

Item:

Appropriation of MFT Funds for the Terra Cotta Avenue Access Roadway Improvement.

Staff Recommendation:

Motion to adopt a resolution appropriating MFT funds for the Terra Cotta Avenue Access Roadway Improvement.

Staff Contact:

Erik D. Morimoto, Director of Engineering and Building

Background:

City staff is requesting that the Council allocate Motor Fuel Tax funds for the improvement to the access roadway at Terra Cotta Avenue, in the northeast quadrant of Illinois Route 176 and U.S. Route 14. This allocation is for Phase II and Phase III Engineering of the project, and a 10 percent contingency. Any funds that are obligated and not spent will be returned to the City's unobligated balance once the project is complete. The City has budgeted for this project, and has sufficient reserves in its MFT fund for the engineering.

Votes Required to Pass:

Simple majority

DRAFT



Illinois Department of Transportation

Resolution for Improvement by Municipality Under the Illinois Highway Code

BE IT RESOLVED, by the Mayor and City Council of the City of Crystal Lake, Illinois that the following described street(s) be improved under the Illinois Highway Code:

Table with 4 columns: Name of Thoroughfare, Route, From, To. Row 1: unnamed roadway, Illinois Route 176, northern terminus.

BE IT FURTHER RESOLVED,

1. That the proposed improvement shall consist of improving the public access road from Illinois Route 176 (Terra Cotta Avenue); the funds appropriated here shall be used for Phase II and Phase III Engineering

and shall be constructed 28 feet wide and be designated as Section 12-00117-00-PV

2. That there is hereby appropriated the (additional Yes No) sum of seventy two thousand Dollars (\$72,000.00) for the improvement of said section from the municipality's allotment of Motor Fuel Tax funds.

3. That work shall be done by Contract ; and, Specify Contract or Day Labor

BE IT FURTHER RESOLVED, that the Clerk is hereby directed to transmit two certified copies of this resolution to the district office of the Department of Transportation.

Approved
Date
Department of Transportation
Regional Engineer

I, Nick Kachiroubas Clerk in and for the City of Crystal Lake County of McHenry, hereby certify the foregoing to be a true, perfect and complete copy of a resolution adopted by the Council at a meeting on June 5, 2012 IN TESTIMONY WHEREOF, I have hereunto set my hand and seal this 5th day of June, 2012 (SEAL) City, Town, or Village Clerk



Agenda Item No: 26

City Council Agenda Supplement

Meeting Date:

June 5, 2012

Item:

Intergovernmental Agreement with the State of Illinois through its Department of Transportation for the Illinois Route 31 and Illinois Route 176 Intersection Improvement.

Staff Recommendation:

Motion to adopt a resolution authorizing the City Manager to execute an agreement between the City of Crystal Lake and the State of Illinois through its Department of Transportation regarding participation in improvements to the Illinois Route 31 and Illinois Route 176 intersection.

Staff Contact:

Erik D. Morimoto, Director of Engineering and Building
Victor C. Ramirez, Director of Public Works

Background:

The Illinois Department of Transportation (IDOT) has been designing the improvements to the intersection of Illinois Route 31 and Illinois Route 176 for several years. The improvements consist of reconstruction to provide two through lanes, dual left-turn lanes, and exclusive right-turn lanes on each leg of the intersection. A fifth leg, Terra Cotta Avenue, will be eliminated in a cul-de-sac with traffic routed to Route 176 along Smith Road. IDOT opened bids for the construction on April 27, 2012. The low bidder was R. W. Dunteman Company of Addison with a bid of \$10,189,282.86.

During the planning and design of the project, the City and IDOT signed a letter of concurrence regarding the funding of certain items. The City agreed to participate in the installation of traffic signal emergency vehicle pre-emption (EVP) systems and the relocation of existing City utilities.

Now that the project is close to construction, IDOT has requested the City to enter into an intergovernmental agreement for the agreed upon improvements. The agreement defines each agency's responsibilities for the improvements. The agreement states that the City is responsible for a number of items, including:

- Funding the EVP system installation, and maintaining the EVP system;

- Relocating the existing underground City utilities, which will be addressed as part of the roadway construction project;
- Enforcing the existing parking restrictions along Illinois Route 176 in the area;
- Enacting a new ordinance restricting parking along Illinois Route 31 in the area;
- Enforcing the existing ordinance that restricts discharge of sanitary sewage into storm sewers; and
- Enacting a new ordinance implementing encroachment restrictions within the State of Illinois right of way along Illinois Route 31 and Illinois Route 176 within the City of Crystal Lake limits.

The agreement has been reviewed by legal counsel and no concerns were reported to staff.

Votes Required to Pass:

Simple majority of City Council present.

DRAFT



The City of Crystal Lake Illinois

RESOLUTION

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE that the City Manager be authorized to execute an intergovernmental agreement between the City of Crystal Lake and the State of Illinois through its Department of Transportation for the improvement of the Illinois Route 31 and Illinois Route 176 intersection.

DATED this fifth day of June, 2012.

CITY OF CRYSTAL LAKE, an Illinois
Municipal Corporation

BY: _____
AARON T. SHEPLEY, MAYOR

SEAL

ATTEST:

NICK KACHIROUBAS, CITY CLERK

PASSED: June 5, 2012

APPROVED: June 5, 2012

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**

Meeting Date: June 5, 2012

Item: Resolution to Appropriate Funding for the City's Contribution to the Illinois Department of Transportation Improvement of the Intersection of Illinois Route 31 and Illinois Route 176

Staff Recommendation: Motion to adopt a resolution appropriating \$285,250 for the City's contribution to the Illinois Department of Transportation improvement of the intersection of Illinois Route 31 and Illinois Route 176.

Staff Contact: Erik D. Morimoto, Director of Engineering and Building
Victor C. Ramirez, Director of Public Works

Background:

As part of the intergovernmental agreement with the Illinois Department of Transportation for the Illinois Route 31 and Illinois Route 176 intersection improvements, the City agreed to pass a resolution committing to the funding of agreed upon elements of the improvement. The City is responsible for funding the following items:

ITEM	ESTIMATED COST
Traffic Signal Emergency Vehicle Pre-emption (EVP)	\$7,000
EVP Design and Construction Engineering (15%)	\$1,050
Adjustment/Relocation of City-Owned Water Main	\$222,000
Water Main Construction Engineering (10%)	\$22,200
Adjustment/Relocation of City-Owned Sanitary Sewer	\$30,000
Sanitary Sewer Construction Engineering (10%)	\$3,000
Total	\$285,250

These costs are estimated and the City will only be required to pay the actual construction cost of each individual item. Public Works has budgeted for the underground utility relocations. The EVP installation will be funded with MFT funds.

Votes Required to Pass:

Simple majority of City Council present.



DRAFT

The City of Crystal Lake Illinois

RESOLUTION

WHEREAS, the City of Crystal Lake (hereinafter called the "CITY") has entered into an agreement with the Illinois Department of Transportation (hereinafter called the "STATE") for the improvement of Illinois Route 31 at Illinois Route 176 and Terra Cotta Avenue, known as FAP Route 336, State Section: 112R-N; and

WHEREAS, in compliance with the aforementioned agreement, it is necessary for the CITY to appropriate sufficient funds to pay its share of the cost of said improvement.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE, that there is hereby appropriated the sum of Two Hundred Eighty Five Thousand Two Hundred Fifty dollars (\$285,250) or so much thereof as may be necessary, from any money now or hereinafter allotted by the CITY to pay its share of the cost of this improvement as provided in the AGREEMENT; and

BE IT FURTHER RESOLVED, that upon award of the contract and receipt of an invoice from the STATE for this improvement, the CITY shall pay to the STATE in a lump sum, 80 percent of its obligation as stated in the AGREEMENT and shall pay to

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the STATE the remainder of the obligation in a lump sum upon completion of the improvement based on final costs.

BE IT FURTHER RESOLVED, that the City agrees to pass a supplemental resolution to provide any necessary funds for its share of the cost of this improvement if the amount appropriated herein proves to be insufficient, to cover said cost.

DATED this fifth day of June, 2012.

CITY OF CRYSTAL LAKE, an Illinois
Municipal Corporation

BY: _____
AARON T. SHEPLEY, MAYOR

SEAL

ATTEST:

NICK KACHIROUBAS, CITY CLERK

PASSED: June 5, 2012

APPROVED: June 5, 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:

June 5, 2012

Item:

Ordinance implementing no stopping, standing, or parking at any time on Illinois Route 31 within the City of Crystal Lake corporate limits.

Staff Recommendation:

Motion to adopt an ordinance to implement no stopping, standing, or parking at any time on Illinois Route 31 within the City of Crystal Lake corporate limits.

Staff Contact:

Erik D. Morimoto, Director of Engineering and Building

Background:

As part of the intergovernmental agreement with the Illinois Department of Transportation for the Illinois Route 31 and Illinois Route 176 improvement, the City agreed to restrict parking throughout the limits of the project. An ordinance restricting parking along Illinois Route 176 was passed in 1963. To date, the City has not enacted any parking restrictions along Illinois Route 31.

Given the high volume and speed of traffic on this major arterial highway, and the predominantly non-residential land uses along this corridor, a parking restriction is proposed for the entire length of Illinois Route 31 within the City's corporate limits.

Votes Required to Pass:

Simple majority of City Council present.



DRAFT

The City of Crystal Lake Illinois

ORDINANCE

WHEREAS, the State of Illinois acting by and through its Department of Transportation is desirous of improving the intersection of Illinois Route 31 and Illinois Route 176 in the City of Crystal Lake; and

WHEREAS, a portion of this project runs through the City of Crystal Lake; and

WHEREAS, in order to facilitate the free flow of traffic and ensure safety to the motoring public, the City of Crystal Lake determines that the parking along Illinois Route 31 shall be prohibited; and

WHEREAS, the City of Crystal Lake and the Illinois Department of Transportation entered into an agreement for the improvement to the intersection of Illinois Route 31 and Illinois Route 176.

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

SECTION I: That there shall be no stopping, standing, or parking at any time on Illinois Route 31 within the City of Crystal Lake corporate limits.

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

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

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

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

DATED at Crystal Lake, Illinois, this fifth day of June, 2012.

CITY OF CRYSTAL LAKE, an Illinois Municipal Corporation

BY: _____
Aaron T. Shepley, Mayor

ATTEST:

Nick Kachiroubas, City Clerk

PASSED: June 5, 2012

APPROVED: June 5, 2012

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



Agenda Item No: 29

**City Council
Agenda Supplement**

Meeting Date:

June 5, 2012

Item:

Ordinance implementing encroachment restrictions within the State of Illinois right of way along Illinois Route 31 and Illinois Route 176 within the City of Crystal Lake corporate limits.

Staff Recommendation:

Motion to adopt an ordinance prohibiting encroachments within the State of Illinois right of way along Illinois Route 31 and Illinois Route 176 within the City of Crystal Lake corporate limits.

Staff Contact:

Erik D. Morimoto, Director of Engineering and Building

Background:

As part of the intergovernmental agreement with the Illinois Department of Transportation (IDOT) for the Illinois Route 31 and Illinois Route 176 intersection improvements, the City agreed to prohibit encroachments within the State of Illinois right of way for Illinois Route 31 and Illinois Route 176 within the City of Crystal Lake limits.

The attached ordinance prevents the construction, installation, placement, or maintenance of any structure that encroaches upon the State of Illinois right of way on these two highways within the boundaries of the City. The ordinance is not limited to the intersection improvement and includes each State route within the City limits.

Note that the City has not permitted new structures to encroach into the State right-of-way historically, without IDOT approval.

Votes Required to Pass:

Simple majority of City Council present.

DRAFT



The City of Crystal Lake Illinois

ORDINANCE

WHEREAS, the State of Illinois acting by and through its Department of Transportation is desirous of improving the intersection of Illinois Route 31 and Illinois Route 176 in the City of Crystal Lake; and

WHEREAS, said project is being constructed in order to facilitate the free flow of traffic and ensure safety to the motoring public; and

WHEREAS, a portion of said project passes through the City of Crystal Lake;

WHEREAS, the City of Crystal Lake and the Illinois Department of Transportation entered into an agreement for the improvement to the intersection of Illinois Route 31 and Illinois Route 176.

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

SECTION I: That no person, firm, corporation, or other entity shall install, place, maintain, or construct any structure that encroaches upon the State of Illinois right of way of Illinois Route 31 within the corporate limits of the City of Crystal Lake.

SECTION II: That no person, firm, corporation, or other entity shall install, place, maintain, or construct any structure that encroaches upon the State of Illinois right of way of Illinois Route 176 within the corporate limits of the City of Crystal Lake.



Agenda Item No: 30

**City Council
Agenda Supplement**

Meeting Date:

June 5, 2012

Item:

Edgewater Drive No Parking Restriction

Staff Recommendation:

Motion to adopt an ordinance making it unlawful to stop, stand, or park any vehicle at any time on the east side of Edgewater Drive from Lake Avenue northward to Clover Drive.

Staff Contact:

Erik D. Morimoto, Director of Engineering and Building
Brad Mitchell, Assistant to the City Manager

Background:

The City's Traffic Safety Committee (TSC) has received several complaints concerning the parking of vehicles on Edgewater Drive, in the vicinity of Naoki Kamijima Park, especially during rowing events held on Crystal Lake.

The parking on both sides of Edgewater Drive presents a problem because the street is only 24-feet wide and is curved along the entire length. Emergency vehicles have difficulty passing between the long row of parked vehicles if they are present on both sides of Edgewater Drive, and residents report on-street pedestrian activity along the east side of the road heading towards the park (sidewalk is only present on the west side of Edgewater due to limited right-of-way and short driveways).

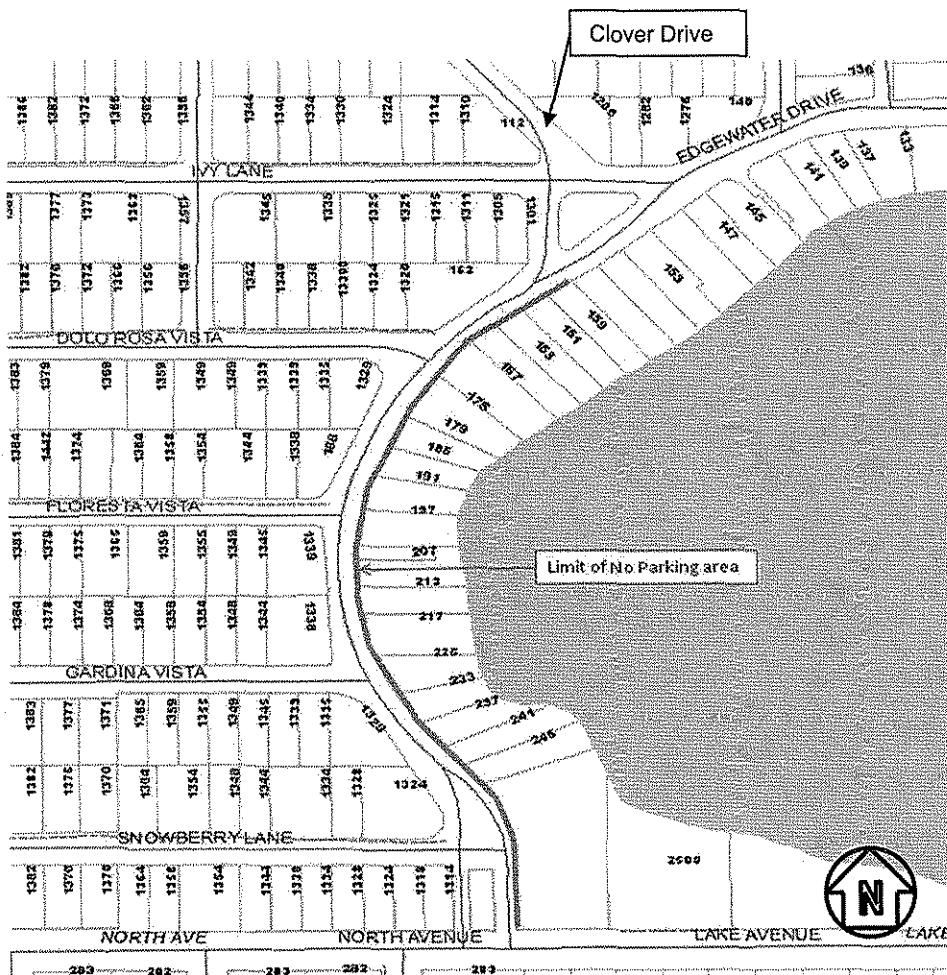


The TSC reviewed the matter and concurs that the parking situation is having an adverse impact on the neighborhood. The TSC evaluated options and sent letters to the area residents requesting

their input on a proposed “No Stopping, Standing, or Parking Anytime” restriction. Seven replies were received and 70 percent of them were in favor of the restriction.

Speed data was also collected at various points along Edgewater Drive and the eighty-fifth percentile speed was at or below the posted 30 mph speed limit.

The TSC is recommending adoption of an ordinance restricting parking on the east side of Edgewater Drive anytime from Lake Avenue northward to Clover Drive. This revision is recommended in order to ensure emergency vehicle access to the neighborhood and address pedestrian safety concerns due to the limited sight lines around the curves.



Votes Required to Pass:

Simple majority of City Council present.



DRAFT

The City of Crystal Lake Illinois

ORDINANCE

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

SECTION I: That it shall be unlawful to stop, stand or park any vehicle on the east side of Edgewater Drive from Lake Avenue to Clover Drive at any time.

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

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

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

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

DRAFT

DATED at Crystal Lake, Illinois, this fifth day of June, 2012.

CITY OF CRYSTAL LAKE, an Illinois Municipal
Corporation

BY: _____
Aaron T. Shepley, Mayor

SEAL

ATTEST:

Nick Kachiroubas, City Clerk

PASSED: June 5, 2012

APPROVED: June 5, 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**

<u>Meeting Date:</u>	June 5, 2012
<u>Item:</u>	Highland Avenue and Spruce Lane No Parking Restriction
<u>Staff Recommendation:</u>	Motion to adopt an ordinance making it unlawful to stop, stand, or park any vehicle on the east side of Highland Avenue and on the west side of Spruce Lane from Golf Road to Ringling Road.
<u>Staff Contact:</u>	Erik D. Morimoto, Director of Engineering and Building Brad Mitchell, Assistant to the City Manager

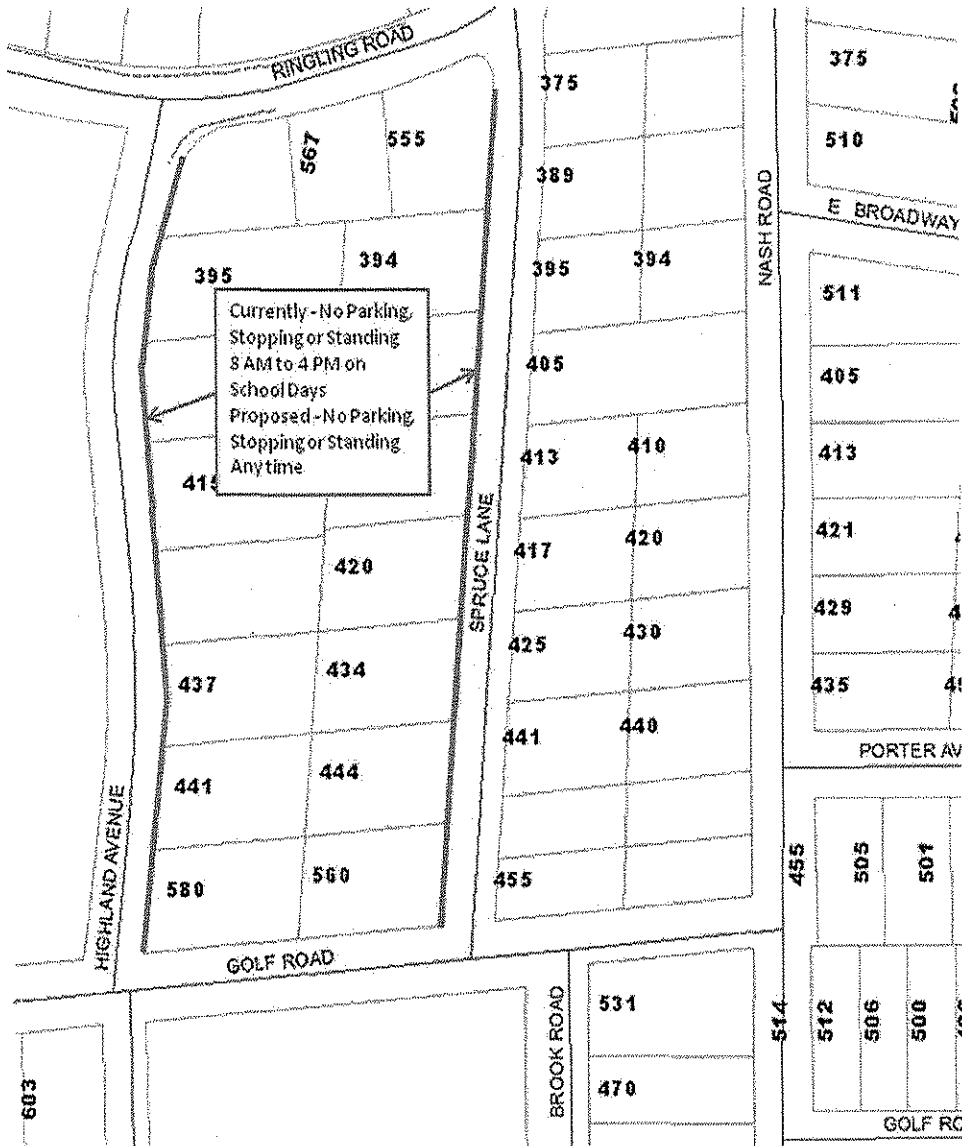
Background:

The parking on the east side of Highland Avenue and on the west side of Spruce Lane was restricted to "No Parking, Stopping or Standing from 8 am to 4 pm on School Days" in the fall of 2011. Since that restriction was implemented, the City's Traffic Safety Committee (TSC) has received calls concerning the parking of vehicles on both sides of Highland Avenue and Spruce Lane outside of the 8 am to 4 pm restriction. The parking on both sides of the roads presents a problem because the street is only 22 feet wide. Emergency vehicles have difficulty passing between rows of parked vehicles and traffic flow is restricted, especially during after-school events and meetings at South Elementary.

The TSC reviewed the matter and concurs that the parking situation is having an adverse impact on the neighborhood and emergency vehicle access. The TSC evaluated options and sent letters to the area residents requesting input on a proposed "No Stopping, Standing, or Parking Anytime" restriction for one side of the street. Of the 22 residents that received the letter, 4 were in favor of the restriction, 6 were against it and 12 had no response.

The TSC feels that the issue of emergency vehicle access is very important and is recommending adoption of an ordinance making it unlawful to stop, stand, or park any vehicle on the east side of Highland Avenue and on the west side of Spruce Lane from Golf Road to Ringling Road. This revision to the parking restrictions is also recommended due to the recurrence of after-school events, and the fact that both these streets previously had parking restricted on both sides prior to

the adjustments made to accommodate the school drop-off queues. On-street parking would still be permitted on the opposite side of the street, as currently posted.



Votes Required to Pass:

Simple majority of City Council present.



DRAFT

The City of Crystal Lake Illinois

ORDINANCE

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

SECTION I: That it shall be unlawful to stop, stand, or park any vehicle on the west side of Spruce Lane between Golf Road and Ringling Road at any time.

SECTION II: That it shall be unlawful to stop, stand, or park any vehicle on the east side of Highland Avenue between Golf Road and Ringling Road at any time.

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

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

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

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

DRAFT

DATED at Crystal Lake, Illinois, this fifth day of June, 2012.

CITY OF CRYSTAL LAKE, an Illinois Municipal
Corporation

BY: _____
Aaron T. Shepley, Mayor

SEAL

ATTEST:

Nick Kachiroubas, City Clerk

PASSED: June 5, 2012

APPROVED: June 5, 2012

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



Agenda Item No: 32

City Council Agenda Supplement

<u>Meeting Date:</u>	June 5, 2012
<u>Item:</u>	Synthetic Alternative Drug Ordinance
<u>Staff Recommendation:</u>	Motion to adopt an ordinance amending Chapter 226, Drug and Drug Paraphernalia, in the City Code to incorporate regulations for Synthetic Alternative Drugs.
<u>Staff Contact:</u>	David R. Linder, Chief of Police

Background:

Synthetic alternative drug abuse is increasing regionally as well as nationally. Since 2010, a 333% increase of synthetic drug related calls to nationwide poison control centers has occurred. Synthetic alternative drugs are divided into two categories based on chemical composition:

- Cannabinoids are most well known as K2 or Spice. These synthetic drugs consist of lab-manufactured Tetrahydrocannabinol (THC) that simulate a chemical version of synthetic marijuana; and
- Cathinones are most commonly known as bath salts. These synthetic drugs contain chemical compounds that imitate stimulant drugs such as cocaine or meth.

Synthetic alternative drug abuse can present a number of negative health effects. Negative effects of synthetic cannabinoid use include: anxiety, nausea, vomiting, increased blood pressure, tremors, seizures, hallucinations, paranoia, and non-responsiveness. Negative effects associated with cathinones use include alertness, psychotic episodes, hallucinations, increased heart rate, and panic attacks. Furthermore, fatal overdoses due to synthetic drug abuse have occurred across the country.

Currently, many of the synthetic drug products (as seen in Exhibit A) target teens and young adults through product name and marketing. In response, to protect the public's health, safety, and welfare, synthetic alternative drug regulations are proposed.

Other area communities have experienced similar issues and enacted local synthetic drug ordinances. Such an ordinance would allow the City to revoke a tobacco retailer's license should

said retailer violate this ordinance. The license revocation or suspension would follow the same procedures found under Chapter 203-14 within the City Code.

An ordinance would also allow police personnel to handle misdemeanor synthetic drug cases by issuing a fine. 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 \$500, 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.

Recommendation:

It is staff's recommendation to adopt an ordinance amending the City Code to incorporate regulations for synthetic alternative drugs.

Votes Required to Pass:

Simple majority

DRAFT



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

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

SECTION I: That Chapter 226, Drugs and Drug Paraphernalia, is hereby amended by adding a new Chapter 226, Article II, to the Crystal Lake City Code as follows:

ARTICLE II Synthetic Alternative Drugs

§ 226-2 Definitions

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

A product containing a synthetic alternative drug means any product containing a synthetic cannabinoid, stimulant or psychedelic/hallucinogen, as those terms are defined herein such as, but not limited to, the examples of brand names or identifiers listed on Exhibit "A" attached hereto and incorporated herein.

Synthetic cannabinoid means any laboratory-created compound that functions similar to the active ingredient in marijuana, tetrahydrocannabinol (THC), including, but not limited to, any quantity of a natural or synthetic material, compound, mixture, preparation, substance and their analog (including isomers, esters, ethers, salts, and salts of isomers) containing a cannabinoid receptor agonist, such as those examples found in the Schedules of Article II of the Illinois Control Substances Act (720 ILCS 570/201 et seq.), as amended from time to time.

Synthetic stimulant means any compound that mimics the effects of any federally controlled Schedule I substance such as cathinone, methcathinone, MDMA and MDEA, including, but not limited to, any quantity of a natural or synthetic material, compound, mixture, preparation, substance and their analog (including salts, isomers, and salts of isomers) containing substances which have a stimulant effect on the central nervous system, such as those examples found in the Schedules of Article II of the Illinois Control Substances Act (720 ILCS 570/201 et seq.), as amended from time to time.

Synthetic psychedelic/hallucinogen means any compound that mimics the effects of any federally controlled Schedule I substance, including but not limited to, any quantity of a natural or synthetic material, compound, mixture, preparation, substance and their analog (including salts, isomers, esters, ethers and salts of isomers) containing substances which have a psychedelic/hallucinogenic effect on the central nervous system and/or brain, such as those examples found in the Schedules of Article II of the Illinois Control Substances Act (720 ILCS 570/201 et seq.), as amended from time to time.

§ 226-3 Sale or Delivery

It shall be unlawful for any person to sell, offer for sale or deliver any product containing a synthetic cannabinoid, cathinone, stimulant or psychedelic/hallucinogen.

§ 226-4 Possession

It shall be unlawful for any person to knowingly possess a product containing a synthetic cannabinoid, cathinone, stimulant or psychedelic/hallucinogen.

§ 226-5 Use

It shall be unlawful for any person to be under the influence of a synthetic cannabinoid, cathinone, stimulant or psychedelic/hallucinogen.

§ 226-6 Penalty

Any person convicted of a violation of any section of this chapter shall be fined as set forth in Chapter 248, Fines. Each violation shall be considered a separate offense; and a separate offense shall be deemed committed on each day during or on which a violation occurs or continues. Upon a finding or plea of guilty or liable, the violator shall be responsible for the lab testing the substance.

Any license for the sale of tobacco products issued in accordance with Chapter 203 of this Code shall be subject to suspension or revocation if a violation of this Chapter is committed by the licensee. Such suspension or revocation shall be in writing, signed by the Mayor and shall be issued in accordance with the procedures for license suspension or revocation set forth in §203-14 and §203-15.

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

§248-2. Fines enumerated

Code Section	Violation	Fine	
		Minimum	Maximum
226-3	Synthetic Drug Sale or Delivery	\$750	\$1,000

226-4	Synthetic Drug Possession	\$500	\$1,000
226-5	Synthetic Drug Use	\$500	\$1,000

SECTION III: That §203-14 of the Code of Ordinances, City of Crystal Lake, Illinois, is hereby repealed and replaced with the following:

§ 203-14 Suspension; revocation of license; fines; costs.

A. The Mayor shall be charged with the administration of this chapter. The Mayor may suspend or revoke any license issued under the provisions of this chapter if he/she determines that the licensee has violated any of the provisions of this Chapter or Chapter 226. In lieu of suspension or revocation of a license, the Mayor may instead levy a fine on the licensee. The fine imposed under this chapter shall not exceed \$500 for each violation. The fine imposed under Chapter 226 shall not exceed \$1,000 for each violation. Each day on which a violation continues shall constitute a separate violation. However, no such license shall be suspended or revoked and no licensee shall be fined except after a public hearing by the Mayor with a seven-day written notice to the licensee affording the licensee an opportunity to appear and defend against the charges contained in such notice. The seven-day notice provisions shall begin the day following delivery by certified mail or by personal service.

B. The Mayor shall, within seven days after such hearing, if he/she determines after such hearing that the license should be revoked or suspended or that the licensee should be fined, state the reason for such determination in a written order and either the amount of the fine, the period of suspension or that the license has been revoked and serve a copy of such order within the seven days upon the licensee.

C. Any licensee determined by the Mayor to have violated any of the provisions of this Chapter or Chapter 226 shall pay to the City the costs of the hearing before the Mayor on such violation. The Mayor shall determine the costs incurred by the City for said hearing including, but not limited to, court reporter's fees, the costs of transcripts or records, attorneys' fees, the costs of preparing and mailing notices and orders and all other miscellaneous expenses incurred by the City or such lesser sum as the Mayor may allow.

D. The licensee shall pay said costs to the City within 30 days of notification of the costs by the Mayor. Failure to pay said costs within 30 days of notification is a violation of this chapter and may be cause for license suspension or revocation or the levy of a fine.

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

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

DRAFT

DATED at Crystal Lake, Illinois, this 5th day of June, 2012.

APPROVED:

Aaron T. Shepley, Mayor

ATTEST:

Nick Kachiroubas, City Clerk

PASSED: June 5th, 2012

APPROVED: June 5th, 2012

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



Agenda Item No: 33

**City Council
Agenda Supplement**

Meeting Date: June 5, 2012

Item: Towing Service Fee Increase

Staff Recommendation: Motion to adopt an ordinance adjusting the fee schedule for Chapter 476, Towing

Staff Contact: David Linder, Chief of Police

Background:

After a comprehensive review of service fees from local communities and towing companies, an increase of police directed towing services is recommended. It should be noted that several surrounding communities do not have such service fees set by their City Code, rather their police departments work exclusively with one towing company. As a result the towing service fees are determined by the towing company. However, as the following graph illustrates, some local communities have towing fees determined by City Code and the review found increasing insurance rates, annual tow truck registration fees, and escalating overhead costs to maintain a towing facility have directly impacted service costs. Also, rising fuel costs paired with idling and standby time for towing services further justifies the need to increase the City's current fees.

Agency	Tow Fee	Special/Winch	Disabled/Service	Storage In	Storage Out	Debris/Clean
Sharp	\$150	\$90/hour	\$60-\$80/+\$3 p/mile	\$80	\$50	\$35
Whitey's	\$150	\$100	\$80	\$60	\$50	\$35
All Star	\$135-\$150	\$85	\$75	\$65	\$55	\$35
Cary	\$150	\$100/hour	\$85+\$3 per mile	\$65	\$55	\$35
McHenry	\$135	\$30+\$25 ¼ hour	\$55	\$35	\$35	\$25
Huntley	\$135	\$75/hour	\$60+\$3 per mile	\$55	\$45	\$25
Island Lake	\$150	\$35/hour	\$65+\$3 per mile	\$75	\$55	\$30
M.C.S.O.	\$150	\$85	\$75	\$60	\$50	\$25
C.L. Current	\$110	\$85	\$70	\$50	\$40	\$35
C.L. Proposed	\$135	\$95	\$75	\$55	\$45	\$40

If approved, these increases will build on revisions that occurred in 2008 and will allow the City to remain competitive with surrounding towing service fees. The following graph illustrates the recommended changes:

Type of Service	Code Section (§476-28)	Current	Proposed	Percent Increase
Tow crash, arrest, etc	A-1-a	\$110	\$135	23%
After hours	A-1-b	\$135	\$150	11%
Disabled tow <12K	A-2-a	\$70	\$75	7%
After hours	A-2-b	\$90	No change	0%
Tow crash, arrest >12K	A-3-a	\$160	\$180	13%
After hours	A-3-b	\$175	\$200	14%
Tow disabled >12K	A-4-a	\$140	\$150	7%
After hours	A-4-b	\$150	\$170	13%
Service Call	B-1-a	\$65	\$75	15%
After hours	B-1-b	\$75	\$85	13%
Recovery Fee	C-1-a	\$160	No change	0%
After hours	C-1-b	\$170	No change	0%
Heavy Under Reach	C-2-a	\$170	No change	0%
After hours	C-2-b	\$180	No change	0%
Special handling	C-4	\$85	\$95	12%
Debris clean up	D-1	\$35	\$40	13%
Oil clean up	D-5	-	\$12	-
Storage <12K Out	E-3-a	\$40	\$45	13%
Storage Inside	E-3-b	\$50	\$55	10%
Storage >12K Out	E-4-a	\$60	No change	0%
Storage Inside	E-4-b	\$70	No change	0%

The City Attorney has reviewed and approved these revisions.

Votes Required to Pass:

A simple majority of the City Council is required for approval.

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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 476, Section 476-28 Fees and charges, by hereby amended in City Code as follows:

§476-28 Fees and charges

A. Tow fee:

(1) Tow of a vehicle with a gross vehicle weight rating (GVWR) up to 12,000 pounds involved in a traffic crash, arrest, or other police impoundment, a flat rate of:

(a) During regular business hours: \$135.

(b) After-hours: \$150.

(2) Tow of a disabled vehicle with a GVWR up to 12,000 pounds, a flat rate of:

(a) During regular business hours: \$75.

(b) After-hours: \$90.

(3) Tow of a vehicle with a GVWR between 12,001 pounds and 26,000 pounds involved in a traffic crash, arrest, or other police impoundment, a flat rate of:

(a) During regular business hours: \$180.

(b) After-hours: \$200.

(4) Tow of a disabled vehicle with a GVWR between 12,001 pounds and 26,000 pounds, a flat rate of:

(a) During regular business hours: \$150.

(b) After-hours: \$170.

(5) All out-of-town mileage charges shall not exceed \$3.50 per mile.

B. Service call fee:

(1) For any service call where no tow is involved:

(a) During regular business hours: \$75.

(b) After-hours: \$85.

(2) Actual retail cost for fuel or parts may be charged in addition to the service call fee.

C. Recovery fee:

(1) For vehicles with a combined GVWR weight of less than 26,000 pounds, the per-hour fee shall be no more than:

(a) During regular business hours: \$160.

(b) After-hours: \$170.

(2) When it is determined that, due to a vehicle's condition, a heavy-duty under-reach is required, the per-hour fee shall not exceed:

(a) During regular business hours: \$170.

(b) After-hours: \$180.

(3) Additional charges of \$80 may be charged to cage brakes and/or remove the drive shaft, if necessary, for the removal of the recovered vehicle.

(4) Special handling charges shall be a rate not to exceed \$95 per hour and shall be measured in fifteen-minute increments. Special handling shall include, but not necessarily be limited to:

(a) Vehicle roll-over.

(b) Vehicle impacted into a building or other structure.

(c) Vehicle immersed in a body of water.

(d) Vehicle that is off the roadway requiring a power winch for retrieval.

(e) Motorcycle or other vehicle requiring special handling considerations.

D. Miscellaneous rates:

(1) Debris clean-up, per vehicle: \$40.

(2) Police vehicles for the City of Crystal Lake will be towed at a fee of \$45 per vehicle.

(3) Standby time may be billed at a rate of \$60 per hour.

(4) Anytime a firm is required to respond outside the corporate limits of the City to recover a vehicle for the Police Department, time shall be charged at a rate not to exceed \$60 per hour, plus mileage at the rate of \$3.50 per mile.

(5) Oil clean-up: \$12.

E. Storage charges.

(1) The towing firm will provide Police Department storage at no charge for vehicles stored for evidentiary, impound or seizure purposes. The owner of record for a vehicle impounded pursuant to statutory requirement shall be liable for storage fees commencing from the date the vehicle was available for release.

(2) No storage charge may be imposed for the first 24 hours.

(3) For any vehicle with a GVWR of 12,000 pounds or less:

(a) For outside storage: \$45 per day.

(b) For inside storage: \$55 per day.

(4) For a vehicle with a GVWR of 12,001 pounds or greater:

(a) For outside storage: \$60 per day.

(b) For inside storage: \$70 per day.

F. For the purposes of establishing fees, regular business hours are considered from 8:00 a.m. to 5:00 p.m. Monday through Friday, excluding observed City holidays. All other times are considered after hours.

G. Revision of rate; notice of hearing.

(1) The City Council shall, upon recommendation from the Chief of Police, determine the maximum chargeable fee and rates for towing services. The fees may be reviewed by the City Council every two years and may be modified as necessary. For towing services under this chapter, the operator shall not charge more than the amounts set by the City Council. The tow service operator shall maintain business records of all charges billed and collected for towing services for a minimum period of four years.

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(2) Prior to a City Council hearing on tow fees and rates, there shall be a publication, at least once, of said hearing in a newspaper of general circulation within the City, at least 10 days before the hearing date.

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 5th day of June 2012.

APPROVED:

Aaron T. Shepley, Mayor

ATTEST:

Nick Kachiroubas, City Clerk

PASSED: June 5, 2012

APPROVED: June 5, 2012

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