



CITY OF CRYSTAL LAKE
AGENDA

CITY COUNCIL
REGULAR MEETING

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

1. **Call to Order**
2. **Roll Call**
3. **Pledge of Allegiance**
4. **Approval of Minutes – August 7, 2012 Regular City Council Meeting**
5. **Accounts Payable**
6. **Public Presentation**
The public is invited to make an issue oriented comment on any matter of public concern not otherwise on the agenda. The public comment may be no longer than 5 minutes in duration. Interrogation of the city staff, Mayor or City Council will not be allowed at this time, nor will any comment from the Council. Personal invectives against city staff or elected officials are not permitted.
7. **Presentation of 40-year Service Plaque to Crystal Lake Rural Fire Protection District President Robert Seegers.**
8. **Public recognition and retirement farewell for Canine Officer Ike.**
9. **Public recognition of Crimestoppers and introduction of Canine Officer Ace.**
10. **Mayor's Report**
11. **Council Reports**
12. **Consent Agenda**
 - a. **4812, 4816, 4818, 4904, 4906, 4912 and 4914 State Street – Annexation Agreement Public Hearing Continuation.**
 - b. **Knights of Columbus Council #3880 Class 16 Temporary Liquor License request.**
13. **Presentation and Resolution of support for the Silver Creek and Sleepy Hollow Creek Watershed Action Plan.**
14. **540 E. Terra Cotta Avenue – Sign Variation to allow an off-premise temporary sign for the On-Target Shooting Range.**
15. **68 Carmella Drive – Special Use Permit to allow an accessory structure over 600 square feet.**
16. **627 Leonard Parkway – Special Use Permit to allow the garage to be approximately 720 square feet; Variation to allow the existing nonconformity (detached garage) to expand; and Variation to allow the dormers to be wider than 40% of the length of the side elevation.**

17. **CVS Pharmacy, 1305 Randall Road – Final Planned Unit Development Amendment to allow additional wall signage and an electronic message center component to the existing freestanding sign, and Special Use Permit and variations to add an electronic message center component to the existing freestanding sign.**
18. **Bid award and resolution authorizing execution of an agreement for the purchase of a boom lift.**
19. **Proposal award and resolution authorizing execution of a service agreement for Submersible Pump rehabilitation and repair work with a 10% contingency for unforeseen expenses.**
20. **Bid award and resolution authorizing execution of a contract for the North Shore Drive Drainage Improvement and allowing for a 10 percent contingency.**
21. **Proposal award and resolution authorizing execution of an agreement for the North Shore Drive Flooding Improvements Phase III Construction Engineering and approval of changes in scope by 10 percent of the original price.**
22. **Rejection of bid and resolution waiving bid requirements and authorizing execution of an agreement for the repair and rebuild of Blower #4 at Wastewater Treatment Plant #2.**
23. **Resolution for a moratorium on electronic message billboards by McHenry County.**
24. **2013 Bikeway Corridor Improvement Preliminary Design Presentation – Discussion Only.**
25. **4908 State Street – Annexation Agreement Public Hearing, Ordinance annexing 0.18 acres located at 4908 State Street, Ordinance authorizing execution of an Annexation Agreement, and approval of the Annexation Agreement as presented.**
26. **5002 State Street - Annexation Agreement Public Hearing, Ordinance annexing 0.18 acres located at 5002 State Street, Ordinance authorizing execution of an Annexation Agreement, and approval of the Annexation Agreement as presented.**
27. **5004 State Street - Annexation Agreement Public Hearing, Ordinance annexing 0.18 acres located at 5004 State Street, Ordinance authorizing execution of an Annexation Agreement, and approval of the Annexation Agreement as presented.**
28. **Council Inquiries and Requests**
29. **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, Executive Session minutes and personnel.**
30. **Reconvene to Regular Session.**
31. **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: 7

**City Council
Agenda Supplement**

Meeting Date: August 21, 2012

Item: Presentation of 40-Year Service Plaque to Crystal Lake Rural Fire Protection District President Robert Seegers

Staff Contact: James Moore, Fire Rescue Chief

Background:

On August 24, 1972, Judge Charles Parker signed the order establishing the Crystal Lake Rural Fire Protection District. Since that order, Robert Seegers has served as a Trustee of the Crystal Lake Rural Fire Protection District.

Discussion:

The Crystal Lake Rural Fire Protection District was originally created to help financially support the Crystal Lake Volunteer Fire Department. Forty years later, under the leadership of Board President Robert Seegers, the Crystal Lake Rural Fire Protection District is a partner in community protection through a collaborative approach to fire protection and life-saving services via an intergovernmental agreement between the City of Crystal Lake and the Crystal Lake Rural Fire Protection District.

We are grateful to Crystal Lake Rural Fire Protection District President Robert Seegers for his forty years of dedicated service to the community.



Agenda Item No: 8

City Council Agenda Supplement

| | |
|-----------------------|---|
| Meeting Date: | August 21, 2012 |
| Item: | Public Recognition and Retirement Farewell for Canine Officer "Ike" |
| Staff Contact: | David Linder, Chief of Police |

Background:

As of June 2012, Canine Officer "Ike" has retired from the Crystal Lake Police Department. During Ike's tenure, he worked alongside his handler, Officer Josh Marshall. Ike has served the Department and community with loyalty and dedication during the past eight years. Ike was a great asset to our City and to the area communities as well. To illustrate, the following is a list of Ike's accomplishments:

- Responsible for searching and locating several lost children and despondent adults, as well as assisting in the recovery efforts for several victims. Most notably on three separate occasions, Canine Ike located persons quickly preventing the situation from becoming fatal.
- Apprehension of over 110 criminals for agencies such as the Crystal Lake Police Department, Immigration Customs Enforcement, US Marshals, Great Lakes Task Force, Federal Bureau of Investigations, and various local municipal, county, and state law enforcement agencies. He accomplished this during area searches for offenses ranging from but not limited to armed robbery, burglary, home invasion, and homicide.
- Was instrumental in seizing over \$32,000 dollars during a search warrant assist to Huntley Police Department. After officers already searched the premises, Ike was brought in for a double check and he revealed \$10,350 next to 30 grams of cocaine hidden inside a vehicle.
- Responsible for seizing a wide variety of illegal narcotics in the area. For example, he located a methamphetamine lab in a vehicle, found several indoor cannabis operations, and located several hundred pounds of cannabis during separate traffic stops.
- Reduced officer injury rates by a mere show of presence. On numerous occasions had Ike not been deployed, officers would have been forced to engage suspects who were willing to fight police, but were unwilling to fight Ike and quickly surrendered.
- Participated in many school searches, which added as a deterrent to help keep schools in the community drug free. In addition, he participated in numerous canine demonstrations helping community relations.

Ike will be greatly missed and his outstanding service exemplifies the Police Department's mission to serve and protect the residents of Crystal Lake.



Agenda Item No: 9

**City Council
Agenda Supplement**

Meeting Date:

August 21, 2012

Item:

Public Recognition of Crimestoppers and Introduction of Canine Officer Ace

Staff Contact:

David Linder, Chief of Police

Background:

With generous donations from Crystal Lake Crimestoppers, the Police Department was able to continue our canine unit program. These funds were used to purchase a new canine, Ace. Ace and his handler, Officer Lucas Behning, completed training on June 15th and are assigned to the Targeted Response Unit.

We would like to introduce Canine Officer Ace as the newest member of the City of Crystal Lake Police Department.



Agenda Item No: 12a

**City Council
Agenda Supplement**

Meeting Date:

August 21, 2012

Item:

State Street lots (various) Annexation Agreement Public Hearing Continuation

4812, 4816, 4818, 4904, 4906, 4912 & 4914 State Street

Recommendation:

Motion to continue public hearings on the annexation agreements to the September 18, 2012, City Council meeting for various Annexation Petitions.

Staff Contact:

Michelle Rentzsch, Director of Planning & Economic Development

Background: The annexation of these lots needs additional time to obtain all the required forms and paperwork for annexation. The staff continues to meet with and discuss annexation with these property owners. The continuation would be beneficial to allow additional time to answer questions and obtain the outstanding paperwork.

It is requested that this matter be continued to the September 18, 2012, City Council meeting for the respective Annexation Agreement Public Hearings.

Votes Required to Pass: A simple majority vote.



Agenda Item No: 12b

City Council Agenda Supplement

Meeting Date: August 21, 2012

Item: Temporary Liquor License – Knights of Columbus Council #3880

Staff Recommendation: Motion to approve issuance of a Class “16” Temporary Liquor License to the Knights of Columbus Council #3880

Staff Contact: George Koczvara, Deputy City Manager

Background:

The City has received a request from the Knights of Columbus Council #3880 for the issuance of a Class “16” Temporary Liquor License in order to sell beer and wine at the Parish Annual Corn Boil being held at the Oak Street Church Grounds and Community Center, located at 451 W. Terra Cotta Avenue, on September 1, 2012 from noon to 4:00 p.m.

Section 329-5-P of the City Code permits the issuance of a Class “16” Temporary Liquor License for the retail sale of beer and wine for consumption upon the premises specified in the license where sold. The license shall be issued to not-for-profit corporations qualified to do business in the State of Illinois. The license shall be for a period not to exceed three (3) days, and shall be issued only for special events sponsored by the not-for-profit corporation requesting the license.

Attached for City Council review is a copy of all support documentation regarding this request.

Votes Required to Pass:

Simple majority



Agenda Item No: 13

**City Council
Agenda Supplement**

- Meeting Date:** August 21, 2012
- Item:** Presentation and Resolution of support for the Silver Creek and Sleepy Hollow Creek Watershed Action Plan.
- Nancy Schietzelt, Sleepy Hollow Silver Creek Watershed Coalition, Presenter
- Staff Recommendation:** Adopt a Resolution supporting the Silver Creek and Sleepy Hollow Watershed Action Plan.
- Staff Contact:** Michelle Rentzsch, Director of Planning and Economic Development
-

Background:

- Chicago Metropolitan Agency for Planning (CMAP) worked with local stakeholders and municipalities from September 2010 to December 2011 to draft the Silver Creek and Sleepy Hollow Creek Watershed Plan.
- The plan was prepared with grant funding from the Illinois Environmental Protection Agency (IEPA). Once completed, the plan was presented to the IEPA in December of 2011 and approved by them in February 2012.
- CMAP utilized the work City Staff did on the Green Infrastructure Vision to help prepare the watershed action plan.
- CMAP or a member of the Sleepy Hollow Silver Creek Watershed Coalition is attending public meetings within the watershed area and presenting the plan to the elected officials and other agencies. The desire is to have local groups such as townships, homeowners associations and municipalities support the plan.
- The following groups have already adopted or provided support for the plan: Village of Bull Valley, Prairie Grove, City of McHenry, McHenry County, Crystal Lake Park District, McHenry County Conservation District and the Environmental Defenders of McHenry County.

Impact to Crystal Lake:

- Nothing in this document is regulatory or would require the City to alter its current practices.
- The support of this document allows the City to seek additional grant funding opportunities. In fact, staff requested technical assistance from the EPA under their Green Infrastructure Technical Assistance grant citing this watershed plan; unfortunately, we were not selected.

- The plan outlines recommendations for habitat protection and restoration, water quality and water quantity protection, green infrastructure identification and connectivity, and the reduction of nutrient and sediment loads.

Votes Required to Pass: A simple majority vote.



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The City of Crystal Lake Illinois

**A RESOLUTION SUPPORTING THE SILVER CREEK
AND SLEEPY HOLLOW CREEK WATERSHED PLAN**

WHEREAS, the Silver Creek and Sleepy Hollow Creek Watershed Plan was developed in a collaborative manner with diverse stakeholder input; and

WHEREAS, stewardship of the watershed resources, including water quality, is important to the prosperity of residents and landowners of the City of Crystal Lake and elsewhere in McHenry County; and

WHEREAS, the Silver Creek and Sleepy Hollow Creek Plan offered reasoned guidance to urban and rural landowners and decision-makers alike for conserving the land, soil, and water resources of the Silver Creek and Sleepy Hollow Creek Watershed area; and

WHEREAS, the corporate limits of the City of Crystal Lake include parts of the Silver Creek and Sleepy Hollow Creek Watershed; and

WHEREAS, the City of Crystal Lake is a certified community as provided for under the McHenry County Storm Water Management Ordinance; and

WHEREAS, on June 5, 2012, the McHenry County Board adopted a similar resolution supporting the Silver Creek and Sleepy Hollow Creek Watershed Plan.

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NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE that the City of Crystal Lake supports a collective effort to implement the Silver Creek and Sleepy Hollow Creek Watershed Plan.

DATED at Crystal Lake, Illinois, this twentieth day of August, 2012.

CITY OF CRYSTAL LAKE, an Illinois Municipal Corporation

BY: _____
AARON T. SHEPLEY, MAYOR

SEAL

ATTEST:

NICK KACHIROUBAS, CITY CLERK

PASSED: August 21, 2012

APPROVED: August 21, 2012

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Agenda Item No: 14

City Council Agenda Supplement

- Meeting Date:** August 21, 2012
- Item:** Sign Variation to allow an off-premise temporary sign for the On-Target shooting range at 540 E. Terra Cotta Avenue.
- Staff Recommendation:** City Council Discretion:
A. Motion to approve an ordinance with the recommended conditions for variation as requested.
B. Motion to deny the variation request.
- Staff Contact:** Michelle Rentzsch, Director of Planning & Economic Development
-

Background:

- In 2010, a Special Use Permit to allow a commercial recreation use for the On-Target shooting range was approved at 560 Beechcraft Lane. The facility has been open since May 2012.
- The petitioner is requesting a sign variation to allow a temporary off-premise sign directing patrons to the facility.
- The sign is proposed to be located at 540 E. Terra Cotta Avenue at the northeast corner of Terra Cotta Avenue and Knaack Boulevard. The petitioner is requesting for the sign to remain at this location from August 21, 2012 through February 21, 2013 (6 months).

Analysis

- The property at 540 E. Terra Cotta Avenue is zoned "B-2" PUD. Per the Unified Development Ordinance, commercial properties are permitted temporary signs up to 6 feet in height and 16 square feet in area.
- There is one existing temporary (real estate) sign and one limited duration sign on this property at this time. The limited duration sign will expire on September 18, 2012.
- Per the UDO, a temporary sign is defined as a sign, with or without frames, intended to be displayed for a short period of time which displays information that is not permanently associated with the use located on the property. A Limited Duration sign is defined as a sign providing information on an event or occurrence. The sign is permitted 30 days prior to and 2 days following the event or occurrence, but in no case longer than 39 days.
- The proposed sign is 15 square feet in area. No height information is provided, but a recommendation to allow the sign to be no taller than 6 feet is included.

- The petitioner is requesting a variation from Section 4-1000 F Commercial Signs in the UDO. The following table illustrates the Ordinance requirements and whether the proposed sign meets requirements:

| Item | UDO Requirement | Proposed Signage | Variation |
|-----------------------------|--|--|-----------|
| Location | All signs must be located on the site which they identify. | Located at 540 E. Terra Cotta Ave. The business is located at 560 Beechcraft Lane. | Yes |
| Quantity of Temporary Signs | Varies | 2 (including the proposed sign) | No |
| Size | 16 square feet | 15 square feet | No |
| Height (feet) | 6 | Information not provided | - |

- An application and details of the proposed signage are included.
- It should be noted that a similar off-premise sign for the Autumn Leaves Alzheimer's and Memory Care facility was approved for a period of 1 year by the City Council in 2010.

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

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

Bo Strom has made the request on behalf of On-Target Shooting Range, and will be in attendance at the meeting to discuss this request with the City Council.

Recommended Conditions:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
 - A. Application, Strom, received 8-10-2012
 - B. Plat of Survey, VSI, dated 10-7-2004, received 8-10-2012
 - C. Sign Details, received 8-10-2012
2. The proposed sign shall be no taller than 6 feet in height.
3. The sign shall be removed 6 months following approval.
4. The proposed signs shall meet all of the other requirements in the UDO, as applicable.

Votes Required to Pass: Simple majority vote



Agenda Item No: 15

**City Council
Agenda Supplement**

- Meeting Date:** August 21, 2012
- Item:** REPORT OF THE PLANNING & ZONING COMMISSION
#2012-50 Rogers Special Use Permit
- Request:** Special Use Permit to allow an accessory structure over 600 square feet.

Brad and Michele Rogers
68 Carmella Drive
- PZC Recommendation:** Motion to approve the petitioners' request and adopt an ordinance approving the Special Use Permit to allow the deck and pool at 758 square feet at 68 Carmella Drive.
- Staff Contact:** Michelle Rentzsch, Director of Planning and Economic Development
-

Background:

- The petitioners would like to construct a deck around their pool.
- The deck is approximately 300 square feet and the pool is approximately 458 square feet. Since the two structures are adjoining they are considered attached. Their total square footage is 758 square feet.
- Accessory structures over 600 square feet require a Special Use Permit.

PZC Highlights:

The Planning and Zoning Commission had no concerns with the request.

The Planning and Zoning Commission recommended **approval (9-0)** of the petitioners' request with the following conditions:

1. Approved plan, to reflect staff and advisory board comments, as approved by the City Council:
 - A. Application (Rogers, received 07/16/12)
 - B. Plat of Survey/Site Plan (Unnamed, undated, received 07/16/12)
2. No structure or attachment shall be constructed between the deck or pool and the principal residence. The pool and deck must remain at least 6 feet from the principal structure.

3. The petitioner shall comply with all of the requirements of the Engineering and Building, 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 SPECIAL USE PERMIT
AT 68 CARMELLA DRIVE

WHEREAS, pursuant to the terms of a Petition (File #2012-50) before the Crystal Lake Planning and Zoning Commission, the Petitioner has requested the issuance of a Special Use Permit to allow a detached accessory structure greater than 600 square feet to allow a pool and deck at 758 square feet for the property located at 68 Carmella Drive; and

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

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

Section I: That a Special Use Permit be issued to allow a detached accessory structure greater than 600 square feet to allow a pool and deck at 758 square feet for the property commonly known as 68 Carmella Drive, Crystal Lake, Illinois.

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

1. Approved plan, to reflect staff and advisory board comments, as approved by the City Council:
 - A. Application (Rogers, received 07/16/12)
 - B. Plat of Survey/Site Plan (Unnamed, undated, received 07/16/12)
2. No structure or attachment shall be constructed between the deck or pool and the principal residence. The pool and deck must remain at least 6 feet from the principal structure.
3. The petitioner shall comply with all of the requirements of the Engineering and Building, 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 issuance of a Special Use Permit in accordance with the provisions of this Ordinance, as provided by law.

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

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

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MAYOR

ATTEST:

CITY CLERK

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



Agenda Item No: 16

**City Council
Agenda Supplement**

Meeting Date: August 21, 2012

Item: REPORT OF THE PLANNING & ZONING COMMISSION

#2012-51 Jenkins, 627 Leonard Parkway

1. Special Use Permit to allow a detached accessory structure greater than 600 square feet to allow the garage to be approximately 720 square feet;
2. Variation from Article 7, Nonconformities, to allow the existing nonconformity (detached garage) to expand;
3. Variation from Article 10, Definitions, to allow the dormers to be wider than 40% of the length of the side elevation.

Julie Jenkins, 627 Leonard Parkway

PZC Recommendation: Motion to approve the Planning and Zoning Commission recommendation and adopt an ordinance granting a Special Use Permit and variations for 627 Leonard Parkway.

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

Background:

- Location: 627 Leonard Parkway, north of Lake Shore Drive
- Zoning: "R-2" Single-Family Residential
- Development: Leonard Manor Addition to Crystal Lake, approved in 1921
- Existing Improvements: 2-story frame residence with detached garage
- Request: Special Use Permit to allow a detached accessory structure greater than 600 square feet to allow 720 square feet on two stories. Variations to allow an existing nonconformity to expand and allow dormers to be wider than 40% of the length of the side elevation.

Key Factors

- Dimensional Standards: The property is a conforming (lake-fronting) lot in the "R-2" district. A Plat of Survey for this property was not available, but the existing detached garage is located within a couple of feet of the property line (yard abutting street) and is considered a non-conforming structure.

- Details: The petitioner has indicated that the roof for the existing garage was damaged during a recent microburst. Because the existing home has no basement, the petitioner would like to add storage to the existing garage while replacing the roof. The petitioner is requesting a special use permit and variations to remodel the garage as presented.
 - The footprint of the existing garage will not be altered and remain as-is. However, the volume of the garage would be increased with the proposed storage.
 - An approximately 320-square-foot attic storage is being proposed with access via a pull-down stair.
 - Two dormers are proposed on the north and south side of the garage. Per the UDO, dormers are allowed to be no wider than 40% of the length of the side elevation, which in this case would be 8.12 feet. The proposed dormers would be 12 feet in width.
- Other Details: The City has received a letter, supportive of the project, from the property owners at 635 Leonard Parkway, immediately to the north.

PZC Highlights

- At the Planning and Zoning Commission meeting, the Commissioners discussed the location of the garage and whether it was possible to relocate it further back from the right-of-way. They also discussed the variation for the dormers to be wider than allowed by the UDO.
- The PZC recommended **approval (6-3)** 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 7-16-2012
 - B. Addition Drawings, Kang Architects, received 7-16-12
2. The following variations are hereby granted:
 - A. Variation from Article 7, Nonconformities, to allow the existing nonconformities (detached garage) to expand.
 - B. Variation from Article 10, Definitions, to allow the dormers to be wider than 40% of the length of the side elevation.
3. A Special Use Permit to allow a detached accessory structure greater than 600 square feet to allow the garage to be approximately 720 square feet on two stories;
4. No habitable second-story is permitted within the garage. The attic area must be used solely for storage.
5. 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.
6. **Blinds or screening shall be used in the windows of the dormers to screen the storage area as well as to keep lights from the storage area from shining into adjacent properties.** (Added by PZC)

Votes Required to Pass:

A simple majority vote.

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ORDINANCE NO. _____
FILE NO. _____

AN ORDINANCE GRANTING A SPECIAL USE PERMIT AND VARIATIONS
AT 627 LEONARD PARKWAY

WHEREAS, pursuant to the terms of a Petition (File #2012-51) before the Crystal Lake Planning and Zoning Commission, the Petitioner has requested the issuance of a Special Use Permit to allow a detached accessory structure greater than 600 square feet to allow the garage to be approximately 720 square feet; Variation from Article 7, Nonconformities, to allow the existing nonconformity (detached garage) to expand; and Variation from Article 10, Definitions, to allow the dormers to be wider than 40% of the length of the side elevation for the property located at 627 Leonard Parkway; and

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

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

Section I: That a Special Use Permit and Variations be issued to allow a detached accessory structure greater than 600 square feet to allow the garage to be approximately 720 square feet; Variation from Article 7, Nonconformities, to allow the existing nonconformity (detached garage) to expand; and Variation from Article 10, Definitions, to allow the dormers to be wider than 40% of the length of the side elevation for the property commonly known as 627 Leonard Parkway, Crystal Lake, Illinois.

Section II: Said Special Use and Variations are issued with the following conditions:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
 - A. Application, received 7-16-2012
 - B. Addition Drawings, Kang Architects, received 7-16-12
2. The following variations are hereby granted:
 - A. Variation from Article 7, Nonconformities, to allow the existing nonconformities (detached garage) to expand.
 - B. Variation from Article 10, Definitions, to allow the dormers to be wider than 40% of the length of the side elevation.
3. A Special Use Permit to allow a detached accessory structure greater than 600 square feet to allow the garage to be approximately 720 square feet on two stories;

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4. No habitable second-story is permitted within the garage. The attic area must be used solely for storage.

5. 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.

6. Blinds or screening shall be used in the windows of the dormers to screen the storage area as well as to keep lights from the storage area from shining into adjacent properties.

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

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

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

MAYOR

ATTEST:

CITY CLERK

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



Agenda Item No: 17

**City Council
Agenda Supplement**

Meeting Date: August 21, 2012

Item: REPORT OF THE PLANNING & ZONING COMMISSION

#2012-49 CVS Pharmacy, 1305 Randall Road

- 1) Final Planned Unit Development Amendment to allow additional wall signage and an electronic message center component to the existing freestanding sign;
- 2) Special Use Permit and variations to add an electronic message center component to the existing freestanding sign.

Don Brooks on behalf of CVS Pharmacy, 1305 Randall Road

PZC Recommendation: Motion to approve the Planning and Zoning Commission recommendation and adopt an ordinance granting a Final PUD Amendment and Special Use Permit at 1305 Randall Road.

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

Background:

- Location: 1305 Randall Road
- Zoning: "B-2 PUD" General Commercial PUD
- Development History: Lot 1 of the 'Crossroads of Crystal Lake' Subdivision
 - 'Crossroads of Crystal Lake' received Preliminary PUD and Plat approval in 2005 and Final PUD and Plat approval in 2005.
 - CVS Pharmacy received a Preliminary PUD as well as a Final PUD approval in 2006.
- Petitioner's Request: Final PUD Amendment to allow additional wall signage and an electronic message center component to the existing freestanding sign. Special Use Permit and variations for the electronic message center component.

Key Factors

- Request Details: The Final PUD Amendment is to add approximately 80.69 square feet of wall signage and replace the existing manual changeable copy portion on the existing freestanding sign with an approximate 32-square-foot electronic message center. CVS Pharmacy was approved for 173 square feet of wall signage with their PUD approval.

- UDO requirements: This project was approved prior to the adoption of the UDO. For buildings or tenant spaces with larger frontages along the right-of-way, additional signage allowances are permitted in the UDO. Additional sign allowances are also permitted for store names with over 9 characters in their name. CVS Pharmacy has approximately 400 linear feet of frontage along Randall Road and 11 characters within their name. Therefore, under the UDO, they would be eligible for 290 SF of total wall signage.

PZC Highlights

- The Planning and Zoning Commission had no concerns with the electronic message component requested for the existing freestanding sign. Most of the Commission members felt that additional wall signage was not warranted.
- There was also discussion regarding the lighting strip around the building. The PZC members felt that since this strip was not approved via the PUD, it should be removed completely.
- The PZC recommended **approval (8-0)** 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 7-11-12
 - B. Sign Details, received 7-11-12
2. A Final Planned Unit Development Amendment, Special Use Permit and variations to allow the proposed changes to the ~~wall and~~ freestanding signage are hereby approved. **(Amended by PZC)**
3. The EMC component must be equipped with both a programmed dimming sequence as well as an additional overriding mechanical photocell that adjusts the brightness of the display to the ambient light at all times of day. Such programming and mechanical equipment shall be set so that the EMC, at night or in overcast conditions, will be no more than 40% of the daytime brightness level.
4. The EMC is not required to be extinguished between the hours of 11:00 p.m. and 7:00 a.m. as long as the store ~~pharmaey~~ is open to customers 24 hours. The sign must be extinguished between the hours of 11:00 p.m. and 7:00 a.m. if the 24-hour operation of the store ~~pharmaey~~ ceases. **(Amended by PZC)**
5. The message area of an EMC must be illuminated by white or amber incandescent lamps, LED (light-emitting diode) or magnetic discs, not red as proposed.
6. The EMC unit must have the “flash” feature disabled and messages shall have a 5-minute “hold” time.
7. The messages displayed on the EMC can only transition from one message to another by either fading or dissolving to black with another message appearing immediately thereafter, without movement or other transition effects between messages.
8. Messages must be static and not reflect movement, flashing, scrolling or changes in shape or size of messages or portions of messages. Streaming and/or live-time video are not permitted.

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

10. The EMC sign must be set in a manner that the display will turn dark in case of a malfunction.

11. The petitioner shall address any comments and requirements from the Engineering and Building, Fire Rescue, Police, Public Works, and Planning and Economic Development Departments.

12. Exterior lighting around the perimeter of the building if not approved shall be completely removed and extinguished immediately. (Added by PZC)

Votes Required to Pass: A simple majority vote.

DRAFT

ORDINANCE NO. _____
FILE NO. _____

AN ORDINANCE GRANTING AN AMENDMENT TO THE FINAL PUD FOR CVS PHARMACY - CROSSROADS

WHEREAS, pursuant to the terms of the Petition (File #2012-49) before the Crystal Lake Planning and Zoning Commission, the Petitioner has requested an Amendment to the Final Planned Unit Development to allow additional wall signage and an electronic message center component to the existing freestanding sign; and Special Use Permit and variations to add an electronic message center component to the existing freestanding sign for CVS Pharmacy – Crossroads; 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 for an electronic message center component to the existing freestanding sign; and Special Use Permit and variations to add an electronic message center component to the existing freestanding sign,

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 an electronic message center component to the existing freestanding sign; and Special Use Permit and variations to add an electronic message center component to the existing freestanding sign for the property located at 1305 Randall 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 7-11-12
 - B. Sign Details, received 7-11-12
2. A Final Planned Unit Development Amendment, Special Use Permit and variations to allow the proposed changes to the freestanding signage are hereby approved.
3. The EMC component must be equipped with both a programmed dimming sequence as well as an additional overriding mechanical photocell that adjusts the brightness of the display to the ambient light at all times of day. Such programming and mechanical equipment shall be set so that the EMC, at night or in overcast conditions, will be no more than 40% of the daytime brightness level.

DRAFT

4. The EMC is not required to be extinguished between the hours of 11:00 p.m. and 7:00 a.m. as long as the store is open to customers 24 hours. The sign must be extinguished between the hours of 11:00 p.m. and 7:00 a.m. if the 24-hour operation of the store ceases.
5. The message area of an EMC must be illuminated by white or amber incandescent lamps, LED (light-emitting diode) or magnetic discs, not red as proposed.
6. The EMC unit must have the "flash" feature disabled and messages shall have a 5-minute "hold" time.
7. The messages displayed on the EMC can only transition from one message to another by either fading or dissolving to black with another message appearing immediately thereafter, without movement or other transition effects between messages.
8. Messages must be static and not reflect movement, flashing, scrolling or changes in shape or size of messages or portions of messages. Streaming and/or live-time video are not permitted.
9. If the EMC unit is equipped to override commercial messages for emergency situations such as an "Amber Alert" or other such acute public emergencies, the owner of the EMC unit is requested to cooperate with the City of Crystal Lake in order to allow the City to exercise its override authority
10. The EMC sign must be set in a manner that the display will turn dark in case of a malfunction.
11. The petitioner shall address any comments and requirements from the Engineering and Building, Fire Rescue, Police, Public Works, and Planning and Economic Development Departments.
12. Exterior lighting around the perimeter of the building if not approved shall be completely removed and extinguished immediately.

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

DRAFT

ATTEST:

CITY CLERK

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



Agenda Item No: 18

**City Council
Agenda Supplement**

Meeting Date: August 21, 2012

Item: Purchase of Self-Propelled Articulating Boom Lift

Staff Recommendation: Motion to award the bid for the purchase of a boom lift to the lowest responsive and responsible bidder, National Lift Truck, Inc., and adopt a resolution authorizing the City Manager to execute a purchase agreement with National Lift Truck, Inc. in the amount of \$34,900.00.

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

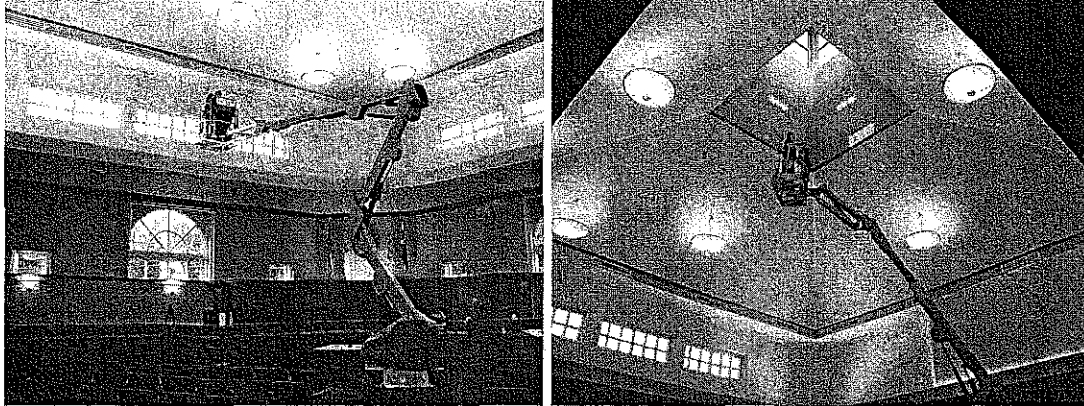
Background:

On July 25, 2012, the City of Crystal Lake publicly opened and read aloud bids received for the purchase of a used self propelled articulating boom lift to be implemented in the Fleet & Facility Services Division fleet. The Public Works Department has identified a significant need for the purchase of a boom lift. The Fleet & Facility Services Division regularly receives requests for the replacement of light bulbs, HVAC equipment, and other regular maintenance & repair requests that are up high throughout the Municipal Complex lobby and City Council Chambers as well as the public works and fire/rescue garages. It will be also used for running cables for surveillance cameras and other luminaries repair and replacement. Many of these requests require specialty equipment to properly perform the work. To date, the Fleet & Facility Services Division has had to compile a list of requests that require a boom lift and rent the equipment when the list is sufficient to justify the rental. In most cases, this means long lead times before requests are completed.

To improve customer service in this area, the Fleet & Facility Services Division has identified a boom lift that will be most efficient and cost effective. The manufacturer's suggested retail price for a new unit would be approximately \$82,000.00. The following is a breakdown of bids received for the purchase of a used boom lift.

| Bidder | Price |
|--|--------------|
| √ National Lift Truck, Inc. Franklin Park, IL | \$ 34,900.00 |
| National Lift Truck, Inc. Franklin Park, IL | \$ 36,500.00 |
| Patten Industries Elmhurst, IL | \$ 47,381.73 |

√ Indicates the lowest responsive and responsive bidder



The Fleet & Facility Services Division has tested this unit in the Municipal Complex. It meets the City's needs for height and compactness to enter doorways.

Recommendation:

After careful examination, it is the recommendation of the Public Works Department to award the purchase of one (1) used Self-Propelled Articulating Boom Lift to the lowest responsible and responsive bidder, National Lift Truck, Inc., in the amount of \$34,900.00. This boom lift has been inspected by the Fleet & Facility Services Division to ensure that it physically and mechanically meets the demands of the Division. Funds have been budgeted for this purchase.

Votes Required to Pass:

Simple Majority

DRAFT

RESOLUTION

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE that the City Manager is authorized to execute a Purchase Agreement between the CITY OF CRYSTAL LAKE and National Lift Truck, Inc. for the purchase of a used self-propelled articulating boom lift in the amount of \$34,900.00

DATED this _____ day of _____, 2012.

CITY OF CRYSTAL LAKE, an
Illinois municipal corporation,

By: _____
MAYOR

SEAL

ATTEST

CITY CLERK

PASSED: _____

APPROVED: _____



Agenda Item No: 19

**City Council
Agenda Supplement**

Meeting Date:

August 21, 2012

Item:

Submersible Pump Rehabilitation & Repair

Staff Recommendation:

Motion to award the proposal for Submersible Pump rehabilitation and repair work to the lowest responsible and responsive proposer, Hydroaire Service, Inc., and adopt a Resolution authorizing the City Manager to execute a service agreement with Hydroaire Service, Inc. to complete rehabilitation and repair work based on the proposal submitted including a 10% contingency for unforeseen expenses.

Staff Contact:

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

Background:

The Public Works Department has implemented a scheduled program to inspect and service the pumps at the City's lift stations, and make repairs to any defects or problem areas that may arise from the inspections that will impair the pumps in the future. The City specified four pumps at two lift stations as the basis for this proposal, with pricing requested for four additional pumps to be serviced as funding allows.

On August 1, 2012, the City received proposals from two qualified vendors to perform rehabilitation and necessary repairs to four pumps at Lift #13 (Crystal Lake Ave) and Lift #20 (Pingree Rd), with optional work to be performed on four pumps at Lift #11 (Oak St), Lift #19 (Tek Dr) and Storm Lift #3 (Knaack Blvd). The rehabilitation and maintenance program includes the inspection and thorough cleaning of the pumps and the basic repair/service of the pump, as well as optional repair services such as replacement of the terminal boards, stators, leakage detectors, volute wear rings and impeller wear rings. The following is a breakdown of the total proposals received.

| Proposer | Base Price (San. Lifts 13 & 20) | Optional Price (San Lifts 11 & 19) (Storm Lift 3) | Total Price |
|---|------------------------------------|---|-------------------|
| | Four Pumps | Four Pumps | Eight Total Pumps |
| √Hydroaire Services, Inc Chicago, IL | \$ 16,226.00 | \$ 18,553.50 | \$ 34,779.50 |
| Xylem Inc. Tinley Park, IL | \$ 16,628.00 | \$ 20,776.00 | \$ 37,404.00 |

√ Indicates the lowest responsive and responsible proposer

The above pricing is based on the repair of four pumps per category. Additional pricing was also solicited for motor cable on a per foot basis as well as shaft resurfacing and volute face resurfacing on an hourly basis.

Recommendation:

Both companies that have submitted proposals are qualified to service, repair and reinstall the pumping equipment from the City's lift stations. Staff has reviewed the proposed cost estimates submitted, and recommends awarding the work to Hydroaire Services, Inc. Hydroaire has performed similar work in the past with favorable results. The maintenance and repair of these pumps will help to assure the longevity of their useful service life.

There are sufficient funds in the FY 2012/2013 Budget for this expense.

Votes Required to Pass:

Simple Majority

DRAFT

RESOLUTION

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE that the City Manager is authorized to execute a service agreement with Hydroaire Service, Inc. for the Submersible Pump rehabilitation and repair work.

DATED this _____ day of _____, 2012.

CITY OF CRYSTAL LAKE, an
Illinois municipal corporation,

By: _____
MAYOR

SEAL

ATTEST

CITY CLERK

PASSED: _____

APPROVED: _____



Agenda Item No: 20

**City Council
Agenda Supplement**

Meeting Date:

August 21, 2012

Item:

North Shore Drive Drainage Improvement Bid Award

Staff Recommendation:

Council Discretion

1. Motion to award the North Shore Drive Drainage Improvement bid to the lowest responsive and responsible bidder, Berger Excavating Contractors, Inc., in the bid amount of \$806,118.19, and adopt a resolution authorizing the City Manager to execute a contract with Berger Excavating Contractors, Inc., allowing for a 10 percent contingency.
2. Motion to reject all bids and rebid the North Shore Drive Drainage Improvement.

Staff Contact:

Erik D. Morimoto, Director of Engineering and Building
Abigail L. Wilgreen, Assistant City Engineer

Background:

The Crystal Lake area experienced some of the heaviest rainfall totals in its recorded history in the summer of 2007. Because of this historic rain, several areas in the City flooded. In March of 2009, a study was completed by the City identifying flooding areas of concern and making recommendations on how to reduce the risk of future flooding.

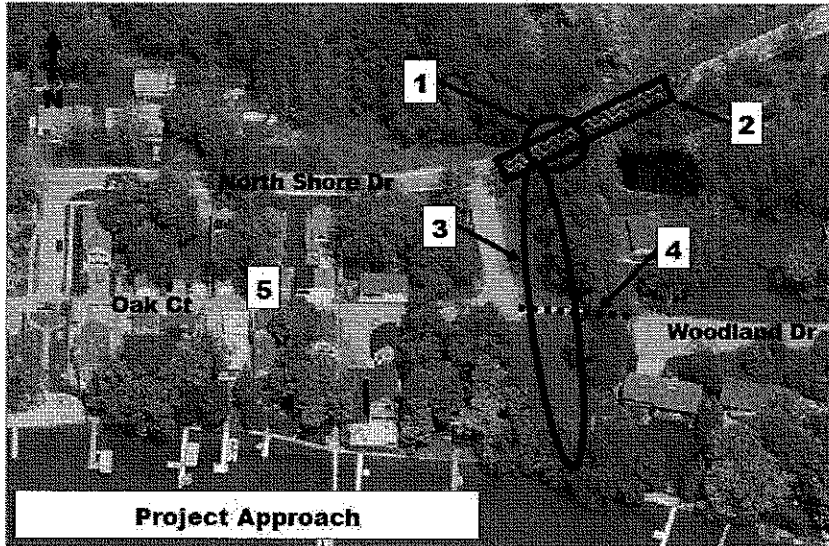
The report divided the flood-prone areas of the City into different study areas. The study area known as Area 1B includes North Shore Drive south of Crystal Lake Avenue, west of Virginia Street, east of East Street, and north of the lake. Area 1D is the area immediately west of East Street extending to Baldwin Avenue.

The 2009 Flood Study recommended an improvement in Area 1B as the top priority, as North Shore Drive is the sole access to over 250 residents north of Crystal Lake. Life-safety issues also exist with water overtopping North Shore Drive, which currently occurs approximately every two to three years. An improvement to Area 1B will also provide some relief to Areas 1A and 1C, north and east of Area 1B.

PROJECT APPROACH FOR AREA 1B AND AREA 1D

As previously presented at the September 20, 2011 City Council meeting, the project approach includes:

1. Adding Three Shallow Box Culverts
2. Raising North Shore Drive
3. Expanding the Existing Overflow Swale
4. Improving the Emergency Access Route at Woodland Drive
5. Improving Drainage West of the Overflow Channel



This improvement would raise the current 2-year level of flood protection for North Shore Drive to a 100-year level of protection upon completion of the project. It will greatly benefit the residents north of the lake, as the roadway will not overtop at the current frequency, allowing for access to homes for both residents and emergency vehicles during severe storm events.

North Shore Drive, just east of East Street to US Route 14 will need to be closed for a short duration of time (10 workable days). The closure will allow the contractor to increase their productivity when installing the new box culverts and water main underneath North Shore Drive and provide a much needed staging area given the limited right-of-way. Traffic will be detoured down Woodland Drive, as it was during the August 2007 storm. Residents along Woodland Drive will be notified via mail and a changeable message sign will be placed along North Shore Drive alerting the residents of the short closure.

CONSTRUCTION BID

Final design and permitting is complete. Nicor Gas will be onsite on August 20 to start the relocation of their facilities in conflict with the improvement. No other known utility conflicts exist.

On August 13, 2012, the City opened and publicly read the bids received for the North Shore Drive Drainage Improvement. Four contractors attended the mandatory pre-bid meeting, though only one firm submitted a bid. The results are tabulated on the next page.

| <i>Firm</i> | <i>Amount of Bid</i> |
|--|---------------------------|
| Berger Excavating Contractors, Inc. ¹ Wauconda, IL | \$806,118.19 ² |
| Campanella and Sons | No Bid Submitted |
| Paulsen Paving | No Bid Submitted |
| Viridian Excavating | No Bid Submitted |

¹ Indicates Recommended Lowest Responsive and Responsible Bidder

² Corrected bid amount based on unit costs provided

Specifications were emailed to over 70 contractors and standard bid advertisement procedures were followed.

This project is included in the proposed FY 2013 budget. Additionally, the City has received a grant of \$482,000 from the Illinois Department of Commerce and Economic Opportunity (DCEO). The City's final cost for the construction would be \$324,118.19.

The following outlines pros and cons as to why the City should consider awarding the contract to Berger Excavating and proceeding with construction this fall, despite receiving just one bid:

- Accept Bid and Proceed with Construction in 2012:
 - The project could begin in early September, taking full advantage of the drought experienced this year to minimize risks associated with groundwater conditions during construction.
 - The project would be completed this year, providing 100-year level of flood protection and addressing the life-safety issues from the roadway flooding in advance of severe weather that could occur in the near future.
 - Bid price is more than \$36,000, or 4.3 percent, less than the Engineer's Estimate of Probable Cost; staff contacted two of the contractors from the pre-bid meeting who originally planned to bid the project and their estimates were both over \$1 million.
 - Berger Excavating is an experienced contractor who has completed, or is in the process of completing, various improvements in the City [Main Street at Crystal Lake Avenue; East Crystal Lake Avenue, Illinois Route 176 at Briarwood Road, US Route 14 at Pingree Road (2006)]
- Re-Bid Project and Construct in 2013:
 - Construction would be delayed until the spring of 2013 due to the length of time required to publish and process a second bid and likelihood of asphalt plants closing before the project could be completed.
 - Uncertain weather for the spring of 2013 could lead to more difficult groundwater conditions during construction that could impact the project schedule and the duration of construction, leading to extended inconveniences for residents.
 - Uncertain weather for 2013 could also lead to higher construction costs if high groundwater conditions necessitate more dewatering operations to complete the project.

STAFF RECOMMENDATION

It is the recommendation of staff to move forward with the award of the North Shore Drive Drainage Improvement to Berger Excavating Contractors and construct this flood mitigation improvement in 2012.



The bid is below the Engineer's Estimate of Probable Cost, and within the available funds budgeted in this fiscal year. Based upon discussions with other contractors who declined to submit a formal bid, Berger Excavating Contractors bid is very competitive, as the other estimates would exceed the City's available budget for this project.

Awarding the contract will also allow the City to move forward with the improvement this fall and take advantage of the drought conditions we have experienced this year. Costs could escalate sharply if we experience an average or wetter than average winter or spring.

Votes Required to Pass:

Simple majority

DRAFT



The City of Crystal Lake Illinois

RESOLUTION

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE that the City Manager be authorized to execute the contract with Berger Excavating Contractors, Inc. for the North Shore Drive Drainage Improvement in the amount of \$806,118.19. The City Manager is additionally authorized to approve up to 10 percent in justifiable contract amendments from a contingency allowance.

DATED this twenty-first day of August, 2012.

CITY OF CRYSTAL LAKE, an Illinois
Municipal Corporation

BY: _____
Aaron T. Shepley, Mayor

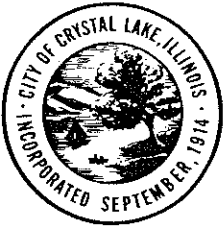
ATTEST:

Nick Kachiroubas, City Clerk

PASSED: August 21, 2012

APPROVED: August 21, 2012

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



Agenda Item No: 21

**City Council
Agenda Supplement**

Meeting Date:

August 21, 2012

Item:

Consultant Selection Approval for the North Shore Drive Flooding Improvements for Phase III Construction Engineering

Staff Recommendation:

Motion to award the proposal for the North Shore Drive Flooding Improvements Phase III Construction Engineering to the lowest qualified, responsible, and responsive proposer, Christopher B. Burke Engineering, LTD, and adopt a resolution authorizing the City Manager to execute an agreement with Christopher B. Burke Engineering, LTD in the amount of \$59,843.01 and approve changes in scope by 10 percent of the original price.

Staff Contact:

Erik D. Morimoto, Director of Engineering and Building
Abigail L. Wilgreen, Assistant City Engineer

Background:

The Crystal Lake area experienced some of the heaviest rainfall totals in its recorded history in the summer of 2007. Because of this historic rain, several areas in the City flooded. In March of 2009, a study was completed by the City identifying flooding areas of concern and making recommendations on how to reduce the risk of future flooding.

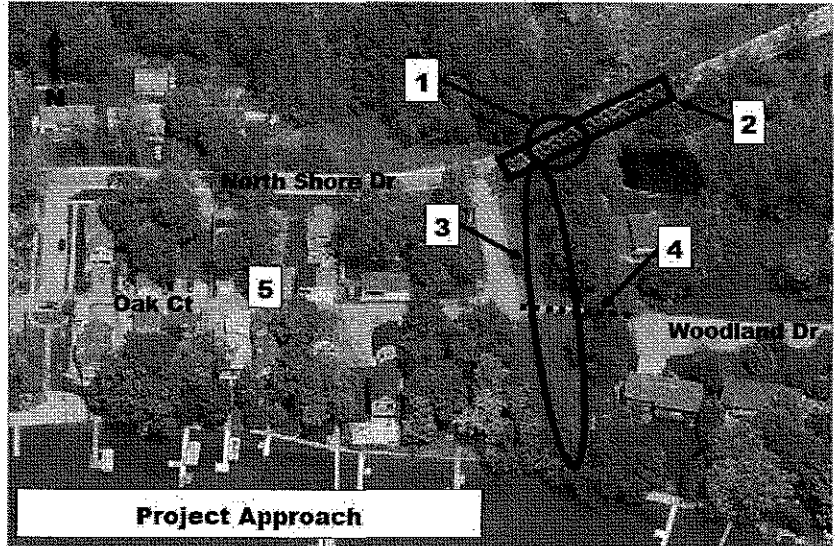
The report divided the flood-prone areas of the City into different study areas. The study area known as Area 1B includes North Shore Drive south of Crystal Lake Avenue and west of Virginia Street, east of Baldwin Avenue and north of the lake. Area 1D is the area immediately west of East Street extending to Baldwin Avenue.

The 2009 Flood Study recommended an improvement in Area 1B as the top priority as North Shore Drive is the sole access to over 250 residents north of Crystal Lake. Life-safety issues also exist with water overtopping North Shore Drive, which currently occurs approximately every two to three years. An improvement to Area 1B will also provide some relief to Areas 1A and 1C, north and east of Area 1B.

PROJECT APPROACH FOR AREA 1B AND AREA 1D

As previously presented at the September 20, 2011 City Council meeting, the project approach includes:

1. Adding Three Shallow Box Culverts
2. Raising North Shore Drive
3. Expanding the Existing Overflow Swale
4. Enhancing the Emergency Access Route at Woodland Drive
5. Improving Drainage West of the Overflow Channel



This improvement would raise the current 2-year level of flood protection for North Shore Drive to a 100-year level of protection upon completion of the project. It will greatly benefit the residents north of the lake, as the roadway will not overtop at the current frequency, allowing for access to homes for both residents and emergency vehicles during severe storm events.

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 seven 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
- Experience of personnel
- Miscellaneous – additional items which made the firm stand out

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

| ENGINEERING FIRM | COST |
|--|-------------|
| CHRISTOPHER B. BURKE ENGINEERING, LTD. | \$59,843.01 |
| PRIMERA ENGINEERS | \$60,346.65 |
| CIORBA GROUP, INC. | \$62,349.00 |

| ENGINEERING FIRM | COST |
|------------------------------|-------------|
| HAMPTON, LENZINI AND RENWICK | \$63,691.19 |
| GEWALT HAMILTON ASSOCIATES | \$82,170.00 |
| ESI CONSULTANTS | \$91,754.00 |

Scheflow Engineers, a smaller-scale firm specializing in site development engineering, also submitted a proposal in the amount of \$42,854.00. Based on a review of their qualifications, reference checks, and past experience with City staff on private development permits, Scheflow Engineers may not have the necessary resources or specialized construction engineering experience in this type of complex flood mitigation improvement.

They are also not pre-qualified by the Illinois Department of Transportation (IDOT) for construction engineering services. The other firms that submitted proposals are pre-qualified by IDOT in construction engineering, and have demonstrated experience in projects of a similar scale and complexity.

Recommendation:

Christopher B. Burke Engineering Ltd. has similar project experience in this type of improvement, with staff specializing in water resources engineering and construction engineering. They are familiar with the complexities of this particular flood mitigation project having prepared the engineering design plans for the City.

In addition, the proposed resident engineer has demonstrated strong communication skills with area residents and technical expertise on two complex projects in the City of Crystal Lake (Pingree Road, between US Route 14 and Rakow Road; and the current improvement at Pingree Road and Congress Parkway).

It is staff's recommendation to select Christopher B. Burke Engineering Ltd. to perform the Phase III construction engineering for the North Shore Drive Flooding 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 Christopher B. Burke Engineering, LTD for the North Shore Drive Flooding Improvements Phase III Construction Engineering for \$59,843.01. The City Manager is additionally authorized to approve up to 10 percent in justifiable contract amendments from a contingency allowance.

DATED this twenty-first day of August, 2012.

CITY OF CRYSTAL LAKE, an Illinois
Municipal Corporation

BY: _____
Aaron T. Shepley, Mayor

ATTEST:

Nick Kachiroubas, City Clerk

PASSED: August 21, 2012

APPROVED: August 21, 2012

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



Agenda Item No: 22

**City Council
Agenda Supplement**

Meeting Date: August 21, 2012

Item: Wastewater Treatment Plant Blower #4 Repair

Staff Recommendation: Motion to reject the bid for Blower #4 Repair Services and adopt a resolution waiving bid requirements and authorizing the City Manager to execute a service agreement with Superior Industrial Equipment for the repair and rebuild of Blower #4 at Wastewater Treatment Plant #2 for \$20,040.00 plus 10% for unforeseen changes to the scope.

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

Background:

On July 19, 2012, the City of Crystal Lake publicly opened and read aloud the bids received for repair services for Blower #4 at Wastewater Treatment Plant #2 (WWTP#2), located at 1100 Coventry Lane. The blower is used in the aeration stage of the wastewater treatment process after the primary clarifiers to convert suspended solids from the settleable solids which settle out in the secondary clarifiers. The blowers provide oxygen for the bacteria to reduce odors and promote mixing of the biomass.

Superior Industrial Equipment submitted the sole bid for this repair at total cost of \$36,267.56. Blower #4 is a necessary piece of equipment to maintain operations at WWTP#2. A new replacement blower would cost approximately \$250,000. After reviewing the sole bid with Superior Industrial Equipment, staff negotiated a revised submittal of \$20,040.00. Services will include the inspection, maintenance, repair, and reassembly of all impellers, gaskets, bearings, and the shaft, in addition to the laser alignment and vibration reading of the blower.

Recommendation:

The Public Works Department has reviewed the scope of this project in-depth with the sole bidder. It is staff's recommendation to reject the bid and enter a separate purchase agreement with Superior Industrial Equipment for Blower #4 Maintenance & Repair. Superior has performed work for the City in the past, and has been very responsive in their dealings with the City.

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 bidding requirements are hereby waived and the City Manager is authorized to execute a service agreement with Superior Industrial Equipment for repair services for Blower #4 at Wastewater Treatment Plant #2.

BE IT FURTHER RESOLVED that the bid for Blower #4 Repair Services is rejected.

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: August 21, 2012

Item: Resolution for a moratorium on electronic message billboards by McHenry County.

Recommendation:

- 1) Motion to approve the resolution requesting that the County adopt a moratorium on electronic message billboards.
- 2) No action.

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

Background:

McHenry County's ordinances currently do not prohibit the construction of electronic billboards. In fact, an electronic billboard sign is not completely defined in the Sign Ordinance, but they are allowed under the general definition of Sign, Changeable Copy Sign, as defined below:

DEFINITIONS

202.30 Sign, changeable copy Sign on which copy is changed manually in the field or a sign, which is electronically or electrically controlled where different copy changes are shown on the same lamp bank.

The McHenry County Sign Ordinance does not provide standards for approving such billboards, such as illumination levels or timing of message displays, as is contained within the City's UDO. It has been learned that the County's draft Unified Development Ordinance is intending to prohibit such electronic billboards, or as an alternative, provide criteria for their consideration and approval. The public comment draft of the County's UDO is supposed to be available for public comment later this month.

Given the concerns that have repeatedly been studied about safety, effects on property values, and lighting effects on nearby residents with electronic billboards, and given the presumption that the County is soon to adopt a UDO that prohibits or limits such electronic billboards, the attached resolution has been provided for the Council's consideration.

Votes Required to Pass: A simple majority vote.

DRAFT

RESOLUTION

WHEREAS, one of the obligations and duties of government entities is to regulate and control the location and specifics of signs in order to enhance the aesthetic environment while promoting the public safety, health and general welfare of the community.

WHEREAS, there have been studies conducted to determine the safety of electronic billboards as they can pose a distraction for motorists on the roadways, specifically in 1994 the Wisconsin Department of Transportation studied the dangers posed by an electronic sign in Milwaukee along I-94, which concluded that "it is obvious that the variable message sign has had an effect on traffic, most notably in the increase of the side swipe crash rate."

WHEREAS, numerous studies have been completed that demonstrate the deleterious effect billboards have on nearby properties and community-wide property values, specifically referencing the latest study, completed in December of 2011, which studied the Philadelphia area and concluded that properties within 500 feet of a billboard have a decreased real estate value of \$30,826. Additionally, homes located farther than 500 feet, but within a community where billboards are present, experience a decrease of \$947 for every billboard in that community.

WHEREAS, the amount of light that is emitted from electronic billboards has been the subject of many studies as to its impact on motorists, the night-sky light pollution impacts, the effect of sleeping patterns for nearby residents and the overconsumption of energy, as detailed in the International Sign Association's publications.

WHEREAS, McHenry County is in the process of updating all their governing ordinances into a Unified Development Ordinance (UDO) that is planned to prohibit or provide limitations to electronic message billboards.

DRAFT

WHEREAS, McHenry County's public input session for the draft UDO is contemplated to be in the near future, sometime in August or September of 2012.

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

SECTION I: That the Mayor and City Council request the County Board adopt a moratorium on all pending and new applications for an electronic billboard.

SECTION II: That the Mayor and City Council request the County's Planning and Development staff work with City staff to incorporate the suggested electronic billboard criteria, if billboards are to be permitted on a limited basis through the County's UDO.

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

Dated at Crystal Lake, Illinois, this 21st day of August, 2012.

CITY OF CRYSTAL LAKE, an
Illinois municipal corporation,

By: _____

MAYOR

SEAL

ATTEST

DRAFT

CITY CLERK

PASSED: _____

APPROVED: _____



Agenda Item No: 24

City Council Agenda Supplement

| | |
|-------------------------------------|--|
| <u>Meeting Date:</u> | August 21, 2012 |
| <u>Item:</u> | 2013 Bikeway Corridor Improvement Preliminary Design Presentation. |
| <u>Staff Recommendation:</u> | Discussion Only |
| <u>Staff Contact:</u> | Erik D. Morimoto, Director of Engineering and Building |

Background:

On March 18, 2011, the Engineering & Building Department applied for a federal Congestion Mitigation & Air Quality (CMAQ) grant to designate bikeway corridors on various streets within the City to connect our local recreational, cultural, economic, and educational destinations. These corridors would be retrofitted with a combination of signed bike routes, striped bike lanes, and other on-street bike facility options. The grant was awarded to the City on September 30, 2011 in the amount of \$60,468.00.

Staff is currently working with the grant coordinators to request additional funding to incorporate roadway surface preparation improvements (pavement resurfacing) on some of the proposed corridor streets prior to the placement of associated pavement markings.

Public Outreach

Prior to developing the recommended bikeway corridor routes and bike facility configurations, several options were considered with public feedback requested from:

- Local Residents - two public meetings (2/16/12 and 5/24/12) with mailed invitations to property owners along the affected routes
- Downtown Business Owners (6/19/12)
- Downtown Crystal Lake / Main Street Board of Directors (7/3/12)
- McHenry County Bicycle Advocacy group (7/12/12)
- Clean Air Counts Committee (8/6/12)

This feedback from each of the project stakeholders was utilized to develop the recommended bikeway corridor improvement.

City Council Update

City staff developed this preliminary design based, in part, on some of the public feedback. An effort was made to ensure that parking is not restricted on Berkshire Drive and that Dartmoor Drive is utilized as part of the corridor. Staff is presenting the preliminary design as an update to the City Council, and is requesting any additional feedback on the recommended bikeway corridor routes and bike facility treatments before proceeding with final engineering design.

Bike Facility Treatment Options:

Utilizing engineering standards and best practices from the Illinois Department of Transportation, and American Association of State Highway and Transportation Officials (AASHTO), City staff developed four alternatives for on-street bike facilities that would be appropriate on the proposed bikeway corridors:

- **Shared Traffic Lanes:** This alternative would establish bike routes on the designated roadways without physically separating motor vehicle traffic from bicycle traffic.
 - No additional striping would be added, with the exception of “sharrow” symbols that would highlight the potential for bicycle traffic to motorists.
 - Bike Route signage and wayfinding signs to nearby destinations would be included.
 - On-street parking, where currently permissible, would be retained using this configuration.
 - Does not promote traffic calming due to the wider traffic lanes that are retained.
 - This alternative is appropriate for low-speed local streets without high volumes of traffic.

- **Shared Parking Lanes:** This alternative would add striping to delineate the on-street parking lane and separate it from through-traffic.
 - Bicyclists would utilize the parking lane except when passing a parked vehicle (same as existing condition without the parking lanes delineated).
 - Bike Route signage and wayfinding signs to nearby destinations would be included.
 - Promotes traffic calming due to the narrowing of the traffic lanes.
 - On-street parking, where currently permissible, would be retained using this configuration.
 - Does not provide complete separation of bicycles from traffic when parked vehicles are present.

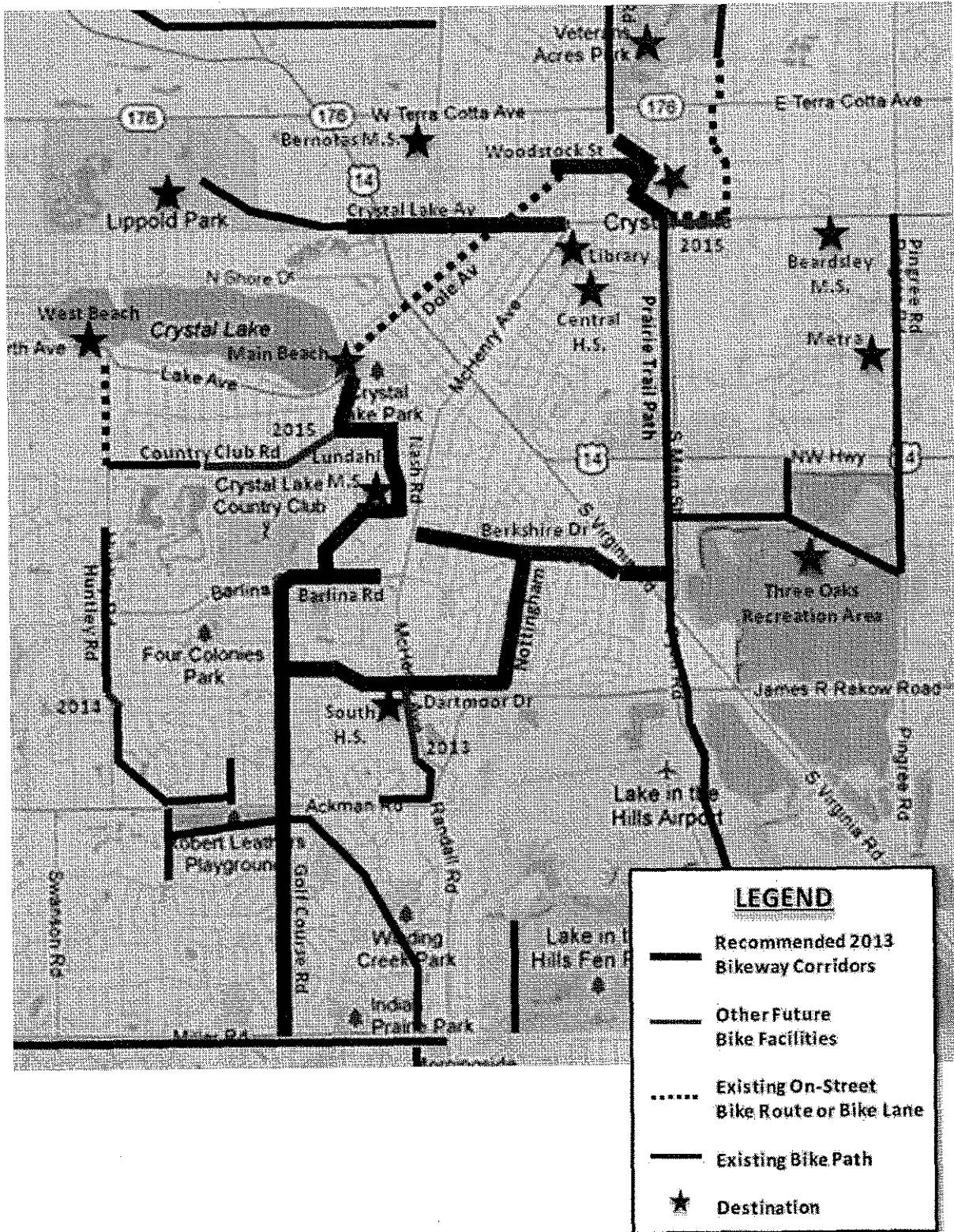
- This alternative is appropriate for lower speed residential collector streets with sufficient pavement width to accommodate on-street parking on both sides of the street without impeding two-way traffic flow, and a relatively low frequency of on-street parking.
- Designated Bike Lanes: This alternative would add striping to designate 5-foot wide bike lanes separate from the through-traffic.
 - Provides best separation of bicycles from traffic.
 - Bike Lane signage and wayfinding signs to nearby destinations would be included.
 - Promotes traffic calming due to the narrowing of the traffic lanes.
 - Depending on the width of the pavement, on-street parking would likely need to be restricted if not already prohibited by ordinance.
 - This alternative is appropriate for residential collector streets with sufficient pavement width to accommodate two five-foot bike lanes, with limited direct driveway access or existing parking restrictions.
- Hybrid: Bike Lane / Shared Parking Lane: This alternative would utilize a designated bike lane on one side of the street and a shared parking lane on the opposite side.
 - Allows on-street parking to remain on one side of the street as a compromise between resident desires for on-street parking and bicycle safety.
 - Bike Route, Bike Lane signage, and wayfinding signs to nearby destinations would be included.
 - This alternative is appropriate for lower speed residential collector streets with sufficient pavement width to accommodate on-street parking on one side of the street and a single 5-foot bike lane on the opposite side.

Recommended Bikeway Corridors:

The bikeway corridors included in the 2013 CMAQ grant improvement are intended to provide a link between the following destinations:

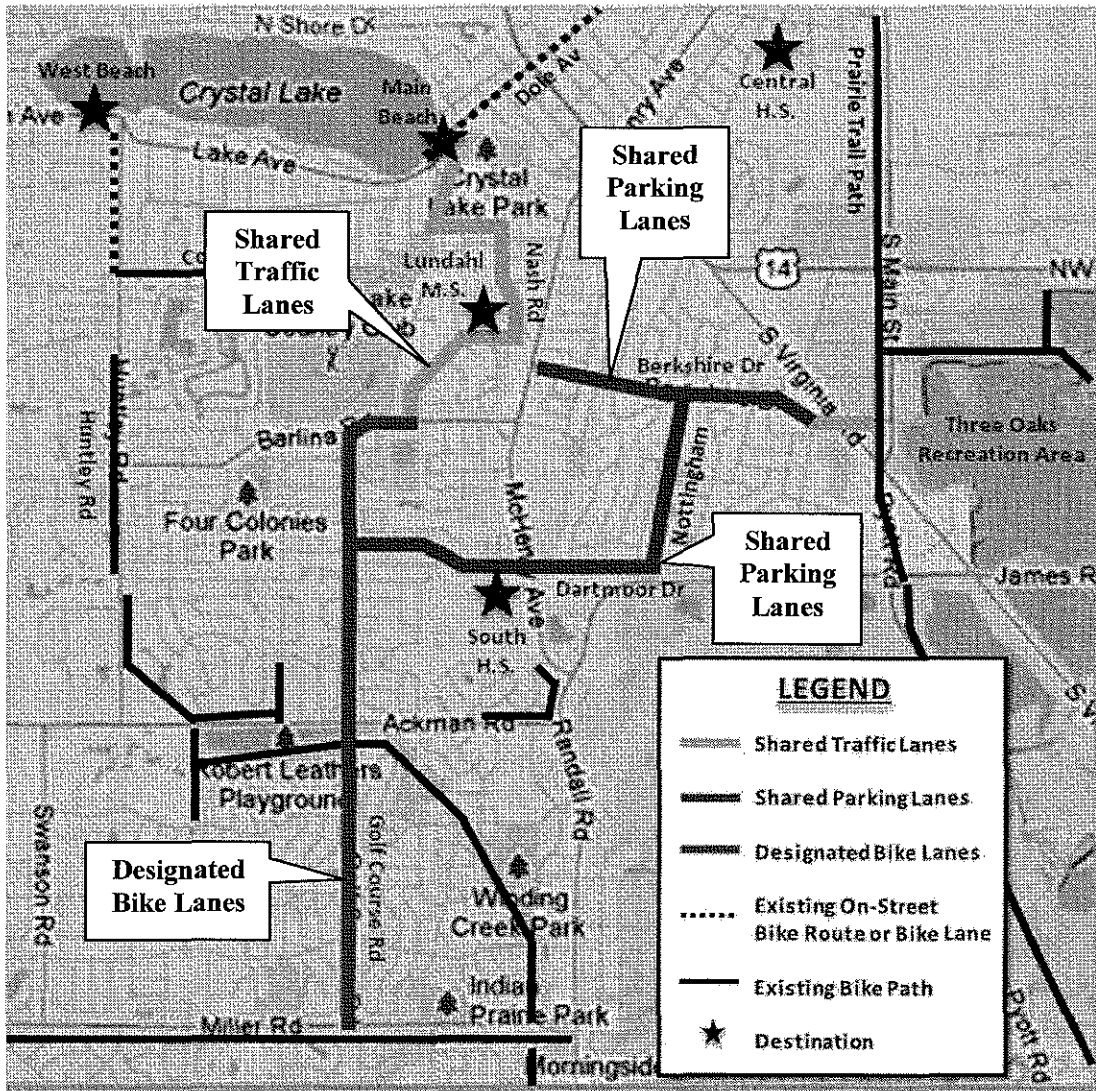
- Downtown Crystal Lake
- Three Oaks Recreation Area
- Lippold Park
- Main Beach
- Veteran Acres Park
- The Prairie Trail Bike Path
- The Miller Road Bike Path

The recommended bikeway corridor routes are shown below.



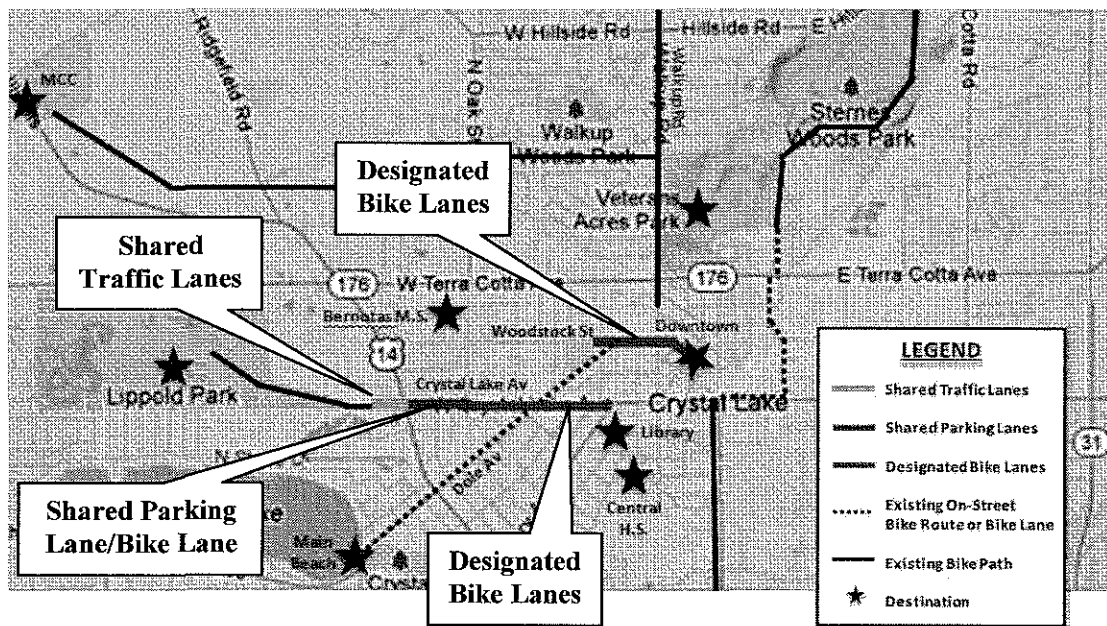
Based on City staff's review of the public comments, applicable engineering standards and requirements, and budgetary constraints, the following bike facilities are recommended:

- **Southern Corridor:** Links Main Beach, Three Oaks Recreation Area, and the Prairie Trail bike path to the southern neighborhoods of the City.



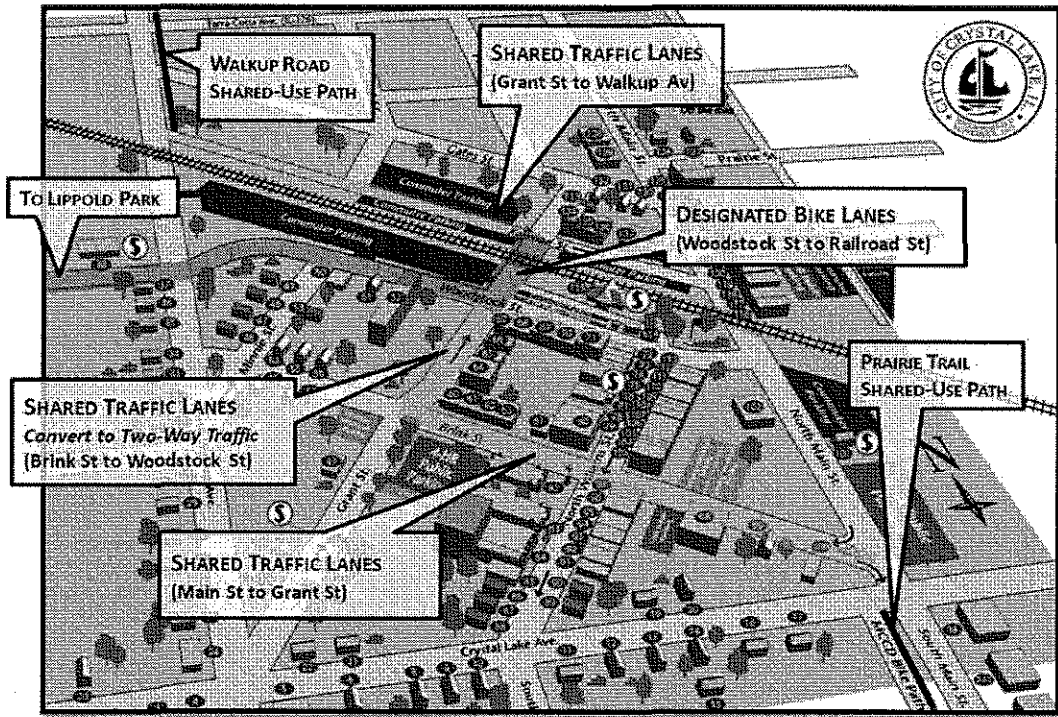
- **Northern Corridor:** Provides a link between Lippold Park, the Crystal Lake Public Library, and Downtown Crystal Lake.

There are existing parking restrictions on Crystal Lake Avenue and Woodstock Street for most of this corridor. The segment of Crystal Lake Avenue between Oak Street and US Route 14 would utilize the hybrid configuration with a shared parking lane on the north side and a designated bike lane on the south side. The section west of US Route 14 leading to the existing gravel trail would be signed for shared traffic lanes.



- **Downtown Corridor:** Provides a link between the Prairie Trail bike path, Veteran Acres Park, and Lippold Park.

In order to facilitate this bike route and enhance downtown traffic flow, Grant Street between Woodstock Street and Brink Street would be converted to two-way traffic flow. There is sufficient pavement width for this change and the existing on-street parallel parking would be re-stripped to add an additional three parallel parking spaces on the northwest side. Downtown business owners along Grant Street were presented with this option and were all supportive of the potential change.



Next Steps:

- Finalize preliminary design (Fall 2012)
- Prepare construction plans (Fall/Winter 2012)
- Submit construction plans to IDOT for review & approval (Winter 2013)
- Bid project through IDOT and select contractor (Spring/Summer 2013)
- Begin construction (Summer/Fall 2013)

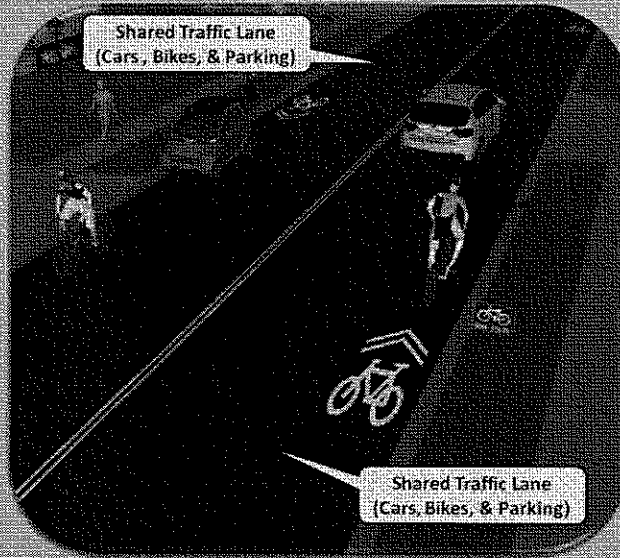
Votes Required to Pass:

Discussion Only



FEATURES:

- **ON-STREET PARKING AVAILABLE**
- **NO SEPARATION OF BICYCLES FROM TRAFFIC**
- **REQUIRES CYCLISTS TO NAVIGATE AROUND PARKED CARS**
- **WIDER TRAFFIC LANES DO NOT PROMOTE TRAFFIC CALMING**

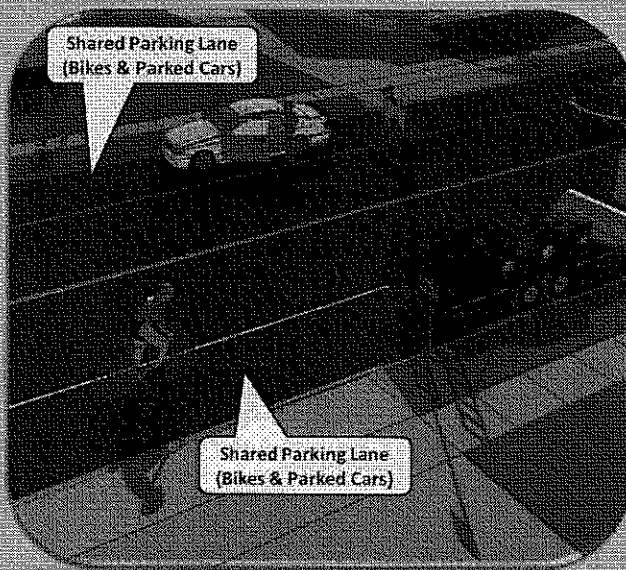


Shared Traffic Lanes



FEATURES:

- **ON-STREET PARKING AVAILABLE ON BOTH SIDES OF ROAD**
- **NARROWER TRAFFIC LANES PROMOTE TRAFFIC CALMING**
- **REQUIRES CYCLISTS TO NAVIGATE AROUND PARKED CARS**

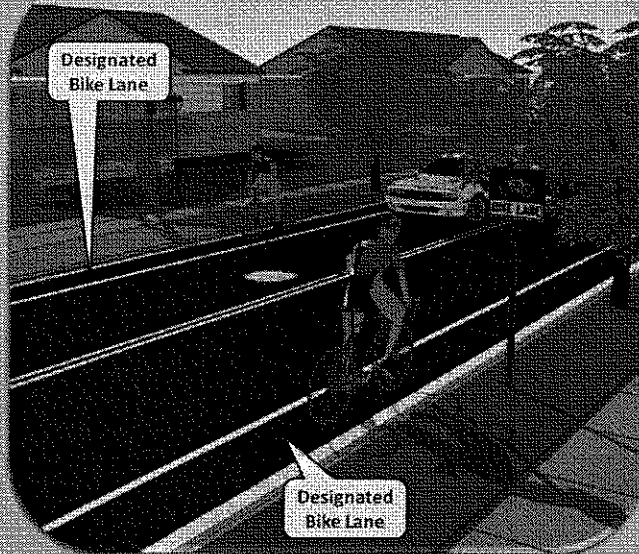


Shared Parking Lanes



FEATURES:

- **BEST SEPARATION OF BICYCLES FROM TRAFFIC**
- **ON-STREET PARKING IS RESTRICTED**
- **DOES NOT PROMOTE TRAFFIC CALMING WITH WIDER LANES**

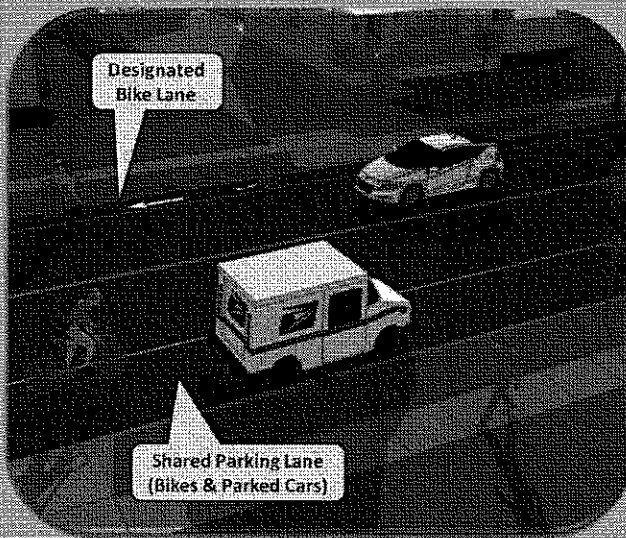


Designated Bike Lanes



FEATURES:

- **ON-STREET PARKING AVAILABLE (1 SIDE)**
- **NARROWER TRAFFIC LANES PROMOTE TRAFFIC CALMING**
- **GOOD SEPARATION OF BICYCLES FROM TRAFFIC ON 1 SIDE ONLY**
- **REQUIRES CYCLISTS TO NAVIGATE AROUND PARKED CARS ON 1 SIDE**



Designated Bike Lane (1) & Shared Parking Lane (1)



Agenda Item No: 25

**City Council
Agenda Supplement**

Meeting Date: August 21, 2012

Item: ANNEXATION AGREEMENT PUBLIC HEARING
Annexation of 4908 State Street (Luna)

Recommendation:

- 1) Motion to adopt an ordinance approving the annexation of 0.18 acres located at 4908 State Street.
- 2) Motion to approve the ordinance authorizing the execution of an annexation agreement and approving the annexation agreement as presented.

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

Background: As is permissible via Illinois State Statute (65 ILCS 5/7-1-8), any municipality by ordinance may annex any territory contiguous to it when the owners of the territory petition for annexation.

The property in question is located at 4908 State Street, contains approximately 0.18 acres, and is improved with a single family residence. The property owners have voluntarily petitioned to annex this property to the City.

The proposed annexation agreement provides stipulations to accommodate the annexation of the several parcels along State Street.

Votes Required to Pass: A super majority vote (5 votes) is required to approve the annexation agreement.

DRAFT

ORDINANCE NO. _____
FILE NO. _____

AN ORDINANCE ANNEXING CERTAIN TERRITORY TO THE CITY OF CRYSTAL LAKE, McHENRY COUNTY, ILLINOIS

WHEREAS, a written Petition, signed by the legal owners of all land within the territory hereinafter described, has been filed with the City Clerk of the City of Crystal Lake, McHenry County, Illinois, requesting that said territory be annexed to the City of Crystal Lake; and

WHEREAS, the said territory is not within the corporate limits of any municipality but is contiguous to the City of Crystal Lake; and

WHEREAS, said territory is not part of any public library district; and

WHEREAS, legal notices regarding the intention of the City to annex said territory have been sent to all public bodies required to receive such notice by State statute; and

WHEREAS, all Petitions, documents and other necessary legal requirements are in full compliance with the requirements of the Statutes of the State of Illinois, specifically 65 ILCS 5/7-1-8; and

WHEREAS, annexation of the territory by the City is also authorized under, and is in compliance with the requirements of, Section 7-1-10 of the Illinois Municipal Code, 65 ILCS 5/7-1-10; and

WHEREAS, it is in the best interests of the City of Crystal Lake that said territory be annexed thereto.

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

DRAFT

SECTION I: The foregoing recitals are hereby incorporated into and made a part of this Ordinance as if fully set forth.

SECTION II: That the territory legally described in Exhibit "A" attached hereto and made a part hereof, be and the same is hereby annexed to the City of Crystal Lake, McHenry County, Illinois.

SECTION III: That the City Clerk of the City of Crystal Lake is hereby directed to record in the Office of the Recorder of Deeds of McHenry County, Illinois, being the County in which the aforesaid annexed territory is situated, a certified copy of this Ordinance together with an accurate map of the territory hereby annexed, said map being attached hereto and made a part hereof and labeled Exhibit "B". Additionally, the City Clerk is authorized and directed to cause a certified copy of this Ordinance, together with an accurate map to be filed in the Office of the County Clerk of McHenry County, Illinois

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

AYES:

NAYS:

ABSENT:

PASSED this 21st day of August, 2012

APPROVED by me this 21st day of August, 2012

MAYOR

ATTEST:

CITY CLERK

DRAFT

EXHIBIT A

LEGAL DESCRIPTION OF ANNEXED TERRITORY

The territory to be annexed (4908 State Street) is legally described as follows:

LOT 12 IN BLOCK 1 IN PLATT DEMARCE SUBDIVISION UNIT NO. 2, A SUBDIVISION OF PART OF THE NORTHWEST QUARTER OF SECTION 10, TOWNSHIP 43 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JUNE 21, 1954 AS DOCUMENT NO. 279705 IN BOOK 11 OF PLATS, PAGE 114, AS AMENDED BY CERTIFICATE RECORDED JULY 22, 1954 AS DOCUMENT NO. 280898 AND CERTIFICATE RECORDED MARCH 11, 1955 AS DOCUMENT NO. 289813, IN MCHENRY COUNTY, ILLINOIS.

Said transfer containing 0.18 acres, more or less, all situated in McHenry County, Illinois.

DRAFT

ORDINANCE NO. _____
FILE NO. _____

**AN ORDINANCE AUTHORIZING THE EXECUTION
OF AN ANNEXATION AGREEMENT**

WHEREAS, it is in the best interests of the City of Crystal Lake, McHenry County, Illinois, that a certain Annexation Agreement, a copy of which is attached hereto and incorporated herein, be entered into; and

WHEREAS, VICENTE AND ARIANA LUNA, Owners, are ready, willing and able to enter into said Agreement and to perform the obligations as required thereunder; and

WHEREAS, the statutory procedures provided in Division 15.1 of Article 11 of the Illinois Municipal Code, as amended, for the execution of said Annexation Agreement have been fully complied with.

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

SECTION I: That the Mayor be and he is hereby authorized and directed to execute, and the City Clerk is directed to attest, the Annexation Agreement, a copy of which is attached hereto and made a part hereof.

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

AYES:

NAYS:

DRAFT

ABSENT:

PASSED this ____ day of _____, 20__.

APPROVED by me this ____ day of _____, 20__.

MAYOR

ATTEST:

CITY CLERK



Agenda Item No: 26

**City Council
Agenda Supplement**

Meeting Date:

August 21, 2012

Item:

ANNEXATION AGREEMENT PUBLIC HEARING
Annexation of 5002 State Street (Steele-Fryer)

Recommendation:

- 1) Motion to adopt an ordinance approving the annexation of 0.18 acres located at 5002 State Street.
- 2) Motion to approve the ordinance authorizing the execution of an annexation agreement and approving the annexation agreement as presented.

Staff Contact:

Michelle Rentzsch, Director of Planning & Economic Development

Background: As is permissible via Illinois State Statute (65 ILCS 5/7-1-8), any municipality by ordinance may annex any territory contiguous to it when the owners of the territory petition for annexation.

The property in question is located at 5002 State Street, contains approximately 0.18 acres, and is improved with a single family residence. The property owners have voluntarily petitioned to annex this property to the City.

The proposed annexation agreement provides stipulations to accommodate the annexation of the several parcels along State Street.

Votes Required to Pass:

A super majority vote (5 votes) is required to approve the annexation agreement.

DRAFT

ORDINANCE NO. _____
FILE NO. _____

**AN ORDINANCE ANNEXING CERTAIN TERRITORY TO
THE CITY OF CRYSTAL LAKE, McHENRY COUNTY, ILLINOIS**

WHEREAS, a written Petition, signed by the legal owners of all land within the territory hereinafter described, has been filed with the City Clerk of the City of Crystal Lake, McHenry County, Illinois, requesting that said territory be annexed to the City of Crystal Lake; and

WHEREAS, the said territory is not within the corporate limits of any municipality but is contiguous to the City of Crystal Lake; and

WHEREAS, said territory is not part of any public library district; and

WHEREAS, legal notices regarding the intention of the City to annex said territory have been sent to all public bodies required to receive such notice by State statute; and

WHEREAS, all Petitions, documents and other necessary legal requirements are in full compliance with the requirements of the Statutes of the State of Illinois, specifically 65 ILCS 5/7-1-8; and

WHEREAS, annexation of the territory by the City is also authorized under, and is in compliance with the requirements of, Section 7-1-10 of the Illinois Municipal Code, 65 ILCS 5/7-1-10; and

WHEREAS, it is in the best interests of the City of Crystal Lake that said territory be annexed thereto.

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

DRAFT

SECTION I: The foregoing recitals are hereby incorporated into and made a part of this Ordinance as if fully set forth.

SECTION II: That the territory legally described in Exhibit "A" attached hereto and made a part hereof, be and the same is hereby annexed to the City of Crystal Lake, McHenry County, Illinois.

SECTION III: That the City Clerk of the City of Crystal Lake is hereby directed to record in the Office of the Recorder of Deeds of McHenry County, Illinois, being the County in which the aforesaid annexed territory is situated, a certified copy of this Ordinance together with an accurate map of the territory hereby annexed, said map being attached hereto and made a part hereof and labeled Exhibit "B". Additionally, the City Clerk is authorized and directed to cause a certified copy of this Ordinance, together with an accurate map to be filed in the Office of the County Clerk of McHenry County, Illinois

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

AYES:

NAYS:

ABSENT:

PASSED this 21st day of August, 2012

APPROVED by me this 21st day of August, 2012

MAYOR

ATTEST:

CITY CLERK

DRAFT

EXHIBIT A

LEGAL DESCRIPTION OF ANNEXED TERRITORY

The territory to be annexed (5002 State Street) is legally described as follows:

LOT 7 IN BLOCK 1 IN PLATT DEMARCE SUBDIVISION UNIT NO. 2, A SUBDIVISION OF PART OF THE NORTHWEST QUARTER OF SECTION 10, TOWNSHIP 43 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JUNE 21, 1954 AS DOCUMENT NO. 279705 IN BOOK 11 OF PLATS, PAGE 114, AS AMENDED BY CERTIFICATE RECORDED JULY 22, 1954 AS DOCUMENT NO. 280898 AND CERTIFICATE RECORDED MARCH 11, 1955 AS DOCUMENT NO. 289813, IN MCHENRY COUNTY, ILLINOIS.

Said transfer containing 0.18 acres, more or less, all situated in McHenry County, Illinois.

DRAFT

ORDINANCE NO. _____
FILE NO. _____

**AN ORDINANCE AUTHORIZING THE EXECUTION
OF AN ANNEXATION AGREEMENT**

WHEREAS, it is in the best interests of the City of Crystal Lake, McHenry County, Illinois, that a certain Annexation Agreement, a copy of which is attached hereto and incorporated herein, be entered into; and

WHEREAS, JEFFREY STEELE AND MELISSA FRYER, Owners, are ready, willing and able to enter into said Agreement and to perform the obligations as required thereunder; and

WHEREAS, the statutory procedures provided in Division 15.1 of Article 11 of the Illinois Municipal Code, as amended, for the execution of said Annexation Agreement have been fully complied with.

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

SECTION I: That the Mayor be and he is hereby authorized and directed to execute, and the City Clerk is directed to attest, the Annexation Agreement, a copy of which is attached hereto and made a part hereof.

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

AYES:

NAYS:

DRAFT

ABSENT:

PASSED this ____ day of _____, 20__.

APPROVED by me this ____ day of _____, 20__.

MAYOR

ATTEST:

CITY CLERK



Agenda Item No: 27

**City Council
Agenda Supplement**

Meeting Date: August 21, 2012

Item: ANNEXATION AGREEMENT PUBLIC HEARING
Annexation of 5004 State Street (Rivera)

Recommendation:

- 1) Motion to adopt an ordinance approving the annexation of 0.18 acres located at 5004 State Street.
- 2) Motion to approve the ordinance authorizing the execution of an annexation agreement and approving the annexation agreement as presented.

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

Background: As is permissible via Illinois State Statute (65 ILCS 5/7-1-8), any municipality by ordinance may annex any territory contiguous to it when the owners of the territory petition for annexation.

The property in question is located at 5004 State Street, contains approximately 0.18 acres, and is improved with a single family residence. The property owners have voluntarily petitioned to annex this property to the City.

The proposed annexation agreement provides stipulations to accommodate the annexation of the several parcels along State Street.

Votes Required to Pass: A super majority vote (5 votes) is required to approve the annexation agreement.

DRAFT

ORDINANCE NO. _____
FILE NO. _____

**AN ORDINANCE ANNEXING CERTAIN TERRITORY TO
THE CITY OF CRYSTAL LAKE, McHENRY COUNTY, ILLINOIS**

WHEREAS, a written Petition, signed by the legal owners of all land within the territory hereinafter described, has been filed with the City Clerk of the City of Crystal Lake, McHenry County, Illinois, requesting that said territory be annexed to the City of Crystal Lake; and

WHEREAS, the said territory is not within the corporate limits of any municipality but is contiguous to the City of Crystal Lake; and

WHEREAS, said territory is not part of any public library district; and

WHEREAS, legal notices regarding the intention of the City to annex said territory have been sent to all public bodies required to receive such notice by State statute; and

WHEREAS, all Petitions, documents and other necessary legal requirements are in full compliance with the requirements of the Statutes of the State of Illinois, specifically 65 ILCS 5/7-1-8; and

WHEREAS, annexation of the territory by the City is also authorized under, and is in compliance with the requirements of, Section 7-1-10 of the Illinois Municipal Code, 65 ILCS 5/7-1-10; and

WHEREAS, it is in the best interests of the City of Crystal Lake that said territory be annexed thereto.

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

DRAFT

SECTION I: The foregoing recitals are hereby incorporated into and made a part of this Ordinance as if fully set forth.

SECTION II: That the territory legally described in Exhibit "A" attached hereto and made a part hereof, be and the same is hereby annexed to the City of Crystal Lake, McHenry County, Illinois.

SECTION III: That the City Clerk of the City of Crystal Lake is hereby directed to record in the Office of the Recorder of Deeds of McHenry County, Illinois, being the County in which the aforesaid annexed territory is situated, a certified copy of this Ordinance together with an accurate map of the territory hereby annexed, said map being attached hereto and made a part hereof and labeled Exhibit "B". Additionally, the City Clerk is authorized and directed to cause a certified copy of this Ordinance, together with an accurate map to be filed in the Office of the County Clerk of McHenry County, Illinois

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

AYES:

NAYS:

ABSENT:

PASSED this 21st day of August, 2012

APPROVED by me this 21st day of August, 2012

MAYOR

ATTEST:

CITY CLERK

DRAFT

EXHIBIT A

LEGAL DESCRIPTION OF ANNEXED TERRITORY

The territory to be annexed (5004 State Street) is legally described as follows:

LOT 6 IN BLOCK 1 IN PLATT DEMARCE SUBDIVISION UNIT NO. 2, A SUBDIVISION OF PART OF THE NORTHWEST QUARTER OF SECTION 10, TOWNSHIP 43 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JUNE 21, 1954 AS DOCUMENT NO. 279705 IN BOOK 11 OF PLATS, PAGE 114, AS AMENDED BY CERTIFICATE RECORDED JULY 22, 1954 AS DOCUMENT NO. 280898 AND CERTIFICATE RECORDED MARCH 11, 1955 AS DOCUMENT NO. 289813, IN MCHENRY COUNTY, ILLINOIS.

Said transfer containing 0.18 acres, more or less, all situated in McHenry County, Illinois.

DRAFT

ORDINANCE NO. _____
FILE NO. _____

**AN ORDINANCE AUTHORIZING THE EXECUTION
OF AN ANNEXATION AGREEMENT**

WHEREAS, it is in the best interests of the City of Crystal Lake, McHenry County, Illinois, that a certain Annexation Agreement, a copy of which is attached hereto and incorporated herein, be entered into; and

WHEREAS, ANTONIO AND CUPERTINA RIVERA, Owners, are ready, willing and able to enter into said Agreement and to perform the obligations as required thereunder; and

WHEREAS, the statutory procedures provided in Division 15.1 of Article 11 of the Illinois Municipal Code, as amended, for the execution of said Annexation Agreement have been fully complied with.

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

SECTION I: That the Mayor be and he is hereby authorized and directed to execute, and the City Clerk is directed to attest, the Annexation Agreement, a copy of which is attached hereto and made a part hereof.

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

AYES:

NAYS:

DRAFT

ABSENT:

PASSED this ____ day of _____, 20__.

APPROVED by me this ____ day of _____, 20__.

MAYOR

ATTEST:

CITY CLERK