



CITY OF CRYSTAL LAKE
AGENDA

CITY COUNCIL
REGULAR MEETING

City of Crystal Lake
100 West Woodstock Street, Crystal Lake, IL
City Council Chambers
November 20, 2012
7:30 p.m.

1. **Call to Order**
2. **Roll Call**
3. **Pledge of Allegiance**
4. **Approval of Minutes – November 6, 2012 Regular City Council Meeting**
5. **Accounts Payable**
6. **Public Presentation**
The public is invited to make an issue oriented comment on any matter of public concern not otherwise on the agenda. The public comment may be no longer than 5 minutes in duration. Interrogation of the city staff, Mayor or City Council will not be allowed at this time, nor will any comment from the Council. Personal invectives against city staff or elected officials are not permitted.
7. **Mayor's Report**
8. **Council Reports**
9. **Consent Agenda**
 - a. **Cancellation of the January 1, 2013 Regular City Council meeting.**
 - b. **Resolution determining the 2012 tax levy in compliance with the Truth in Taxation Procedural Requirement.**
 - c. **Resolution authorizing the continued implementation of the City's Personal Information Protection Act Procedures and Red Flag Policy.**
 - d. **4812, 4816, 4818, 4904, 4906 and 4912 State Street – Annexation Agreement Public Hearings Continuation.**
10. **39 N. Williams Street – Special Use Permit for a Used Merchandise Store.**
11. **Whitey's Towing, 710 Eastgate Alley – Variation to construct an 8-foot-high fence 17 feet into the required 30-foot corner side yard setback along Commercial Road.**
12. **Walmart, 1205 S. Route 31 – Final Planned Unit Development Amendment to allow elevation changes to alter the approved color scheme.**
13. **Factory Plaza Subdivision, Lot 3, 7109 Pingree Road – Rezoning for Lot 3 from "M" Manufacturing to the "B-2" General Commercial district.**
14. **Designation of the Streets Division Spaulding hot box trailer as surplus, bid award and resolution authorizing execution of an agreement for the purchase of a Three-Ton Dump Style Hot Patch Trailer.**
15. **Proposal award and resolution authorizing execution of an agreement for Professional Auditing Services.**
16. **Proposal award and resolution authorizing execution of an agreement for Utility Bill Printing and Mailing Services.**

17. **Resolution designating two City Councilmembers as liaisons to the Crystal Lake Public Library Expansion Planning Group.**
18. **Council Inquiries and Requests**
19. **Adjourn to Executive Session for the purpose of discussing matters of pending and probable litigation, the sale, purchase or lease of real property, collective bargaining, and personnel.**
20. **Reconvene to Regular Session.**
21. **Ordinance amending Section 295-4 of the City Code to increase the number of Historic Preservation Commission voting members to up to nine members from the current seven members, and Historic Preservation Commission Reappointments/Appointment.**
22. **Police Pension Board Reappointment.**
23. **Appointment of a new Councilmember to fill the vacancy created by the resignation of Councilmember Schofield.**
24. **Adjourn**

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



Agenda Item No. 9a

**City Council
Agenda Supplement**

Meeting Date: November 20, 2012

Item: Cancellation of January 1, 2013 Regular City Council meeting.

Staff Recommendation: City Council Discretion

Staff Contact: Gary J. Mayerhofer, City Manager

Background:

The first Tuesday in January will be January 1, 2013. It appears that the January 1st City Council agenda would be brief and any pending items could be deferred to the January 15th meeting. According to State Statute (5 ILCS 120/2.01) no meeting required by the Illinois Open Meetings Act "shall be held on a legal holiday unless the regular meeting day falls on that holiday." In recognition of the legal holiday, it is recommended that the January 1, 2013 City Council meeting be cancelled.

Votes Required to Pass:

Simple Majority.



Agenda Item No: 9b

**City Council
Agenda Supplement**

Meeting Date:

November 20, 2012

Item:

Truth in Taxation Compliance Procedural Requirement

Staff Recommendation:

Motion to adopt a resolution determining the 2012 tax levy in compliance with the Truth in Taxation Procedural Requirement

Staff Contact:

Gary J. Mayerhofer, City Manager
Mark F. Nannini, Director of Finance

Background:

Adoption of this resolution is merely a procedural requirement as the actual levy ordinance will be considered during the public hearing at the December 18, 2012 City Council meeting. The process in determining the actual tax levy is challenging because the actual dollars collected from the 2012 tax levy are not received until fiscal year 2013/2014, for which the City has not yet considered an annual budget. The actual tax levy ordinance will be placed on the December 18, 2012 City Council agenda for consideration.

Recommendation:

It is the recommendation of the City Manager and Director of Finance to approve the attached resolution determining the maximum 2012 tax levy.

Votes Required to Pass:

Simple majority



DRAFT

RESOLUTION

WHEREAS, the City Council of the City of Crystal Lake, McHenry County, Illinois, a home rule corporation, herein referred to as Council, wishes to comply with the Truth in Taxation Act, ILCS Chapter 35:200/18-55 and 35: 200/18-100; and

WHEREAS, this determination is made more than twenty (20) days prior to the proposed adoption of the City's aggregate levy and is in compliance with the Truth in Taxation Act; and

WHEREAS, in compliance with the Truth in Taxation Act, a notice will be published in a general circulation newspaper published in the taxing district and a public hearing will be held prior to the adoption of the tax levy ordinance.

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

The Corporate Authorities determine the amount of money estimated to be necessary to be raised by taxation for the 2012 tax levy is approximately \$14,783,056 which is less than 105% of the aggregate extensions for the 2011 tax levy, which was approximately \$14,407,692.

DATED at Crystal Lake, Illinois this 20th day of November, 2012.

CITY OF CRYSTAL LAKE, an
Illinois municipal corporation,

By: _____
MAYOR

SEAL

ATTEST

CITY CLERK

PASSED: November 20, 2012

APPROVED: November 20, 2012



Agenda Item No: 9c

**City Council
Agenda Supplement**

Meeting Date: November 20, 2012

Item: Personal Information Protection Act & Red Flag Rules

Staff Recommendation: Motion to adopt a resolution authorizing the continued implementation of the City's Personal Information Protection Act Procedures & Red Flag Policy

Staff Contact: Mark F. Nannini, Director of Finance

Background:

Review of the City's Red Flag policies and procedures and the adoption of a resolution authorizing the continued implementation of these policies and procedures on an annual basis is a requirement of the Fair and Accurate Credit Transaction Act. City Council approval of the attached resolution fulfills the City's annual compliance requirements for the Act.

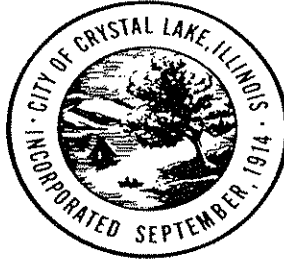
In October 2008, the City Council approved implementation of the Fair and Accurate Credit Transactions Act of 2003 regulations, which require financial institutions and creditors to develop and implement written identity theft prevention programs. Municipalities that provide a service to customers and collect payments later are considered creditors under this regulation and are, therefore, required to comply.

In order to comply with the regulatory requirements of the Act and avoid fines or penalties, the City must provide a written program that includes reasonable policies and procedures, known as Red Flag rules, that are designed to detect, prevent and mitigate identity theft in connection with existing accounts and with the opening of new accounts. These policies and procedures also include guidelines concerning who is to be notified and how they will be notified of any compromise of any information, as well as recommended actions to be taken to prevent a breach of information and ensure the integrity and security of the system.

Votes Required to Pass:

Simple majority.

DRAFT



RESOLUTION

WHEREAS, the City Council of the City of Crystal Lake, McHenry County, Illinois will apply the Personal Information Protection Act and Red Flag Rules.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CRYSTAL LAKE, MCHENRY COUNTY, ILLINOIS, that the City of Crystal Lake will apply the Personal Information Protection Act and Red Flag Rules, effective November 20, 2012.

DATED this 20th day of November, 2012.

CITY OF CRYSTAL LAKE, an Illinois Municipal Corporation

By: _____
Aaron T. Shepley, Mayor

ATTEST:

Nick Kachiroubas, City Clerk



Agenda Item No: 9d

**City Council
Agenda Supplement**

Meeting Date:

November 20, 2012

Item:

State Street lots (various) Annexation Agreement Public Hearings Continuation

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

Recommendation:

Motion to continue public hearings on the annexation agreements to the January 15, 2013, 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. This final continuation would be beneficial to allow additional time to answer questions and obtain the outstanding paperwork.

It is requested that this matter be continued a final time to the January 15, 2013, City Council meeting for the respective Annexation Agreement Public Hearings.

Votes Required to Pass:

A simple majority vote.



Agenda Item No: 10

**City Council
Agenda Supplement**

- Meeting Date:** November 20, 2012
- Item:** Special Use Permit for a Used Merchandise Store
- Staff Recommendation:** Motion to approve the Planning and Zoning Commission recommendation and adopt an ordinance granting a Special Use Permit for the property at 39 N. Williams Street.
- Staff Contact:** Michelle Rentzsch, Director of Planning and Economic Development
-

Background:

- Location: 39 N. Williams Street (Tenant space adjacent to Dalzell Jewelers)
- Zoning: "B-4" Downtown Business
- Existing Use: Currently vacant. Formerly J. Scott Menswear
- Request: Special Use Permit for a Used Merchandise store

Key Factors:

- Details: The 3,400-square-foot retail space was formerly occupied by J. Scott Menswear and is adjacent to Dalzell Jewelers. The request is to locate Dalzell Estate Sales at this location, which would retail estate items such as watches, costume jewelry, furniture, lighting, coins, stamps and other collectibles. The petitioner has indicated that firearms will not be sold.
- Use: Used Merchandise stores are permitted as a limited use in the "B-4" district as long as they meet the established criteria. There are other used merchandise stores in this immediate area, including The Carriage House and the Antique Mall, that are within 1,000 feet of this use, thereby, requiring a Special Use Permit approval.

PZC Highlights

- At the PZC meeting, there was discussion relative to the proposed use. The Commission discussed the Ordinance requirement for used merchandise stores to be located 1,000 feet from a similar use. They felt that locating the uses closer together would create a destination for shoppers in the Downtown. There was also discussion regarding items that the Commission felt should be prohibited for sale at used merchandise stores.
- The petitioner indicated at the meeting that their merchandise will come from different sources - from people that want to downsize or items they purchased from others. The petitioner indicated that at this time they were not considering selling on consignment, but may do so at a later date.

- The Commission felt that the request met the Findings of Fact for an SUP and recommended approval of the request (9-0).

Recommended Conditions:

1. Approved plan, to reflect staff and advisory board comments, as approved by the City Council:
 - A. Application (Dalzell, received 10/22/12)
 - B. Site Plan (Dalzell, received 10/22/12)
2. The petitioner shall be responsible to ensure that any inspection requirements from the Police Department are met.
3. The petitioner shall address all of the review comments of the Engineering and Building, Fire Rescue, Planning and Economic Development, Police and Public Works Departments.

4. **The sale of the following items is prohibited at Used Merchandise Stores: (Added by PZC)**

Counterfeit: No counterfeit trademark, copyright, license & logo violating or diluting (i.e. confusingly similar to actual logos) merchandise (new or used) including, but not limited to, DVDs, CDs, purses, shoes, clothing, perfume, sunglasses, electronics, toys, jewelry, etc.

Alcohol (including old products in collectible bottles)

Tobacco (including old products in collectible containers)

Fireworks, ammunition, weapons and parts of weapons (guns, air guns, real, decorative or collectible)

Pellet guns, pellets, BB/air guns, paintball guns, crossbows, arrows, bows, etc. (All toys guns - new/used/collectible must have a permanently fastened orange tip which indicates that they are toys) – all fire arms that requires a FFL (Federal Firearm License).

Animals

Drug paraphernalia, hookahs, pepper spray/mace, stun guns, tasers

X-rated or pornographic material including, but not limited to, magazines and movies

Items requiring prescriptions or controlled substances (e.g. pseudoephedrine)

Novelty lighters (Lighters that look like toys - banned in Illinois)

Other illegal items.

Baby items: Used infant/child car & booster seats, cribs, crib mattresses, crib bumper pads, portable cribs, sleep positioning devices, bassinets, playpens, folding playpens, strollers, jogging strollers, highchairs, walkers, baby seats, bouncy seats, clip/strap on table booster seats, baby swings, baby formula, etc.

Votes Required to Pass:

A simple majority vote.

DRAFT

ORDINANCE NO. _____
FILE NO. _____

AN ORDINANCE GRANTING A SPECIAL USE PERMIT
AT 39 N. WILLIAMS STREET

WHEREAS, pursuant to the terms of a Petition (File #2012-109) before the Crystal Lake Planning and Zoning Commission, the Petitioner has requested the issuance of a Special Use Permit to allow a Used Merchandise Store for the property located at 39 N. Williams Street; 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 Used Merchandise Store for the property commonly known as 39 N. Williams Street, 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 (Dalzell, received 10/22/12)
 - B. Site Plan (Dalzell, received 10/22/12)
2. The petitioner shall be responsible to ensure that any inspection requirements from the Police Department are met.
3. The petitioner shall address all of the review comments of Engineering and Building, Fire Rescue, Planning and Economic Development, Police and Public Works Departments.
4. The sale of following items is prohibited at Used Merchandise Stores:
 - Counterfeit: No counterfeit trademark, copyright, license & logo violating or diluting (i.e. confusingly similar to actual logos) merchandise (new or used) including, but not limited to, DVDs, CDs, purses, shoes, clothing, perfume, sunglasses, electronics, toys, jewelry, etc.
 - Alcohol (including old products in collectible bottles)
 - Tobacco (including old products in collectible containers)
 - Fireworks, ammunition, weapons and parts of weapons (guns, air guns, real, decorative or collectible)
 - Pellet guns, pellets, BB/air guns, paintball guns, crossbows, arrows, bows, etc. (All toys guns - new/used/collectible must have a permanently fastened orange tip which indicates that they

are toys) – all fire arms that requires a FFL (Federal Firearm License).

Animals

Drug paraphernalia, hookahs, pepper spray/mace, stun guns, tasers

X-rated or pornographic material including, but not limited to, magazines and movies

Items requiring prescriptions or controlled substances (e.g. pseudoephedrine)

Novelty lighters (Lighters that look like toys - banned in Illinois)

Other illegal items.

Baby items: Used infant/child car & booster seats, cribs, crib mattresses, crib bumper pads, portable cribs, sleep positioning devices, bassinets, playpens, folding playpens, strollers, jogging strollers, highchairs, walkers, baby seats, bouncy seats, clip/strap on table booster seats, baby swings, baby formula, etc.

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: 11

**City Council
Agenda Supplement**

<u>Meeting Date:</u>	November 20, 2012
<u>Item:</u>	REPORT OF THE PLANNING & ZONING COMMISSION #2012-100 Whitey's Towing
<u>Request:</u>	Variation to construct an 8-foot-high fence 17 feet into the required 30-foot corner side yard setback along Commercial Road.
<u>Petitioner:</u>	Patrick Blank 710 Eastgate Alley
<u>PZC Recommendation:</u>	To approve the petitioner's request and adopt an ordinance granting the variation to allow the 8-foot fence in the corner side yard setback along Commercial Road for Whitey's Towing at 710 Eastgate Alley.
<u>Staff Contact:</u>	Michelle Rentzsch, Director of Planning and Economic Development

Background:

- Existing Use: The property is currently unoccupied. It was previously the UPS building.

Key Factors:

- Request: The petitioner is requesting a variation to allow an 8-foot-high fence in the corner side yard. The fence will be 13 feet from the edge of the right-of-way, encroaching 17 feet into the required 30-foot setback.
- Code Requirement: The UDO requires that any fence in the corner side yard be no higher than 3 feet.
- Hardship: The petitioner operates a towing business and is required to have a screened and secured lot for the towed vehicles. The petitioner would like to install the fence to the edge of the existing parking lot area, so a small 15-foot by 100-foot strip of asphalt is not orphaned outside of the fence area.

PZC Highlights:

The Planning and Zoning Commission discussed the following during the public hearing:

- The PZC felt that the wood fence would look nice, provided it is maintained and that it would be good to have a higher fence to screen the vehicles in the yard.
- The PZC felt that the findings of fact were met in this case, given the nature of the lot and the condition of the property upon its involuntary annexation many years ago.

The PZC recommended **approval (9-0)** of the petitioner's request for a variation to the fence height in the corner side yard with the following conditions:

1. Approved plan, to reflect staff and advisory board comments, as approved by the City Council:
 - A. Application (Blank, received 09/18/12)
 - B. Site Plan (Stahl survey, dated 10/17/05, received 09/18/12)
2. The following variation is granted:
 - A. A variation from the requirement that a fence not exceed 3 feet in height in the front or corner side yard to allow an 8-foot high solid fence that would be located 17 feet into the required 30-foot corner side yard along Commercial Road.
3. The petitioner shall comply with all of the requirements of the Engineering and Building, Fire Rescue, and Planning and Economic Development Departments.
4. **The petitioner shall maintain the fence structurally and aesthetically.** (Added by PZC)

Votes Required to Pass:

A simple majority vote.

ORDINANCE NO. _____
FILE NO. _____

AN ORDINANCE GRANTING A VARIATION
AT 710 EASTGATE ALLEY

WHEREAS, pursuant to the terms of a Petition (File #2012-100) before the Crystal Lake Planning and Zoning Commission, the Petitioner has requested the granting of a Variation from Article 4 Section 4-700 3.a from the requirement for a fence not to exceed 3 feet in height in the corner side yard, to allow an 8-foot high fence; and

WHEREAS, it is in the best interests of the CITY OF CRYSTAL LAKE that the Variation be granted as requested in said Petition.

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

Section I: That a Variation be granted from Article 4 Section 4-700 3.a from the requirement for a fence not to exceed 3 feet in height in the corner side yard, to allow an 8-foot high fence.

at the property commonly known as 710 Eastgate Alley, City of Crystal Lake.

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

1. Approved plan, to reflect staff and advisory board comments, as approved by the City Council:
 - A. Application (Blank, received 09/18/12)
 - B. Site Plan (Stahl survey, dated 10/17/05, received 09/18/12)
2. The following variation is granted:
 - A. A variation from the requirement that a fence not exceed 3 feet in height in the front or corner side yard to allow an 8-foot high solid fence that would be located 17 feet into the required 30-foot corner side yard along Commercial Road.
3. The petitioner shall comply with all of the requirements of the Engineering and Building.
4. The petitioner shall maintain the fence structurally and aesthetically.

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

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

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

MAYOR

ATTEST:

CITY CLERK

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Agenda Item No: 12

City Council Agenda Supplement

Meeting Date:

November 20, 2012

Item:

Final PUD Amendment to allow elevation changes to alter the approved color scheme.

Staff Recommendation:

Motion to approve the Planning and Zoning Commission recommendation and adopt an ordinance granting a Final PUD Amendment for Walmart at 1205 S. Route 31

Staff Contact:

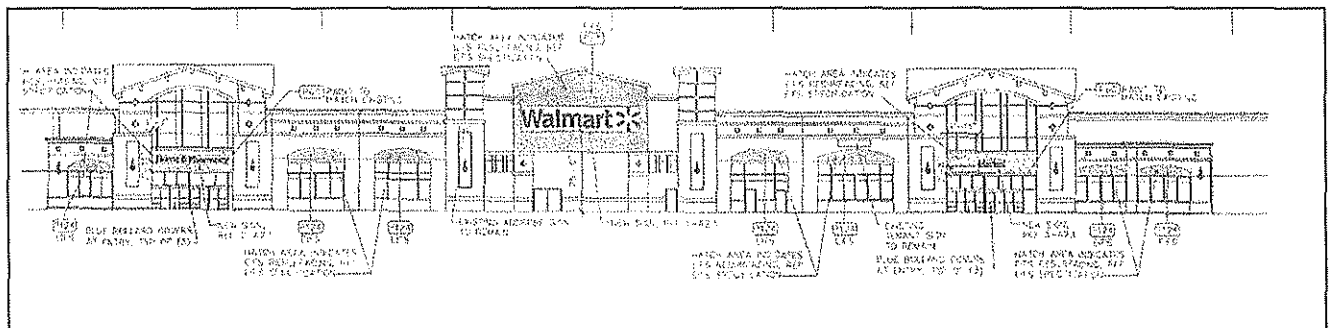
Michelle Rentzsch, Director of Planning and Economic Development

Background:

- Development: Lutter Center PUD
- Request: Final PUD approval to allow elevation changes to alter the approved color scheme and signs along the west (front) elevation.

Key Factors:

- History: The Final PUD approval for Walmart at this location was granted in October 2005. The approval was very specific with respect to the elevations and signage that were approved.
- Request: To alter the color scheme on the west (front) elevation to match their prototype nationwide. Proposed color change areas on the west façade are illustrated in the elevation below. The existing Shamrock (green) color on the façade is proposed to be changed to 'Meadowlark' and 'Cobble Brown' colors (brown color scheme).



Also, a change to the existing signage by reducing the total number of signs on the west façade and updating the panel on the freestanding sign with 'current' prototype colors. The proposed signage changes do not need a Final PUD amendment approval.

For the Council's information, Walmart will be removing the Pharmacy, 1-Hr Photo, Optical, Bakery, Deli, Meat and Produce signs (a total reduction of 75.59 square feet). The 'Garden Center' sign will be replaced with 'Outdoor Living', 'Tire and Lube Express' with 'Auto Center', 'Retail Center' with 'Home and Pharmacy' and 'Food Center' with 'Market'. 'Walmart Supercenter' will be replaced with 'Walmart'. The Subway sign that was approved via a Final PUD Amendment will remain as-is.

PZC Highlights

- At the PZC meeting, the Commissioners had no concerns with the proposed request, liking the change of colors and appreciative of the reduction in signage.
- The Commissioners felt that the request met the Findings of Fact for a PUD Amendment and **recommended approval of the request (9-0)**

Recommended Conditions:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
 - A. Development Application, received 10-16-12
 - B. Elevation Graphics, SGA Architects received 10-12-11
2. Color samples for the proposed colors shall be presented to the Planning and Zoning Commission and City Council for review and approval.
3. The petitioner shall address all of the review comments and requirements of the Engineering & Building, Fire Rescue, Police, Public Works, and Planning & Economic Development Departments.

Votes Required to Pass:

A simple majority vote.

DRAFT

ORDINANCE NO. _____
FILE NO. _____

AN ORDINANCE GRANTING AN AMENDMENT
TO THE FINAL PUD FOR WALMART – LUTTER CENTER

WHEREAS, pursuant to the terms of the Petition (File #2012-108) before the Crystal Lake Planning and Zoning Commission, the Petitioner has requested an Amendment to the Final Planned Unit Development for WalMart-Lutter Center to allow elevation changes to alter the approved color scheme; and

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

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

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

SECTION I: That a Final PUD Amendment be granted to permit elevation changes to alter the approved color scheme for the property located at 1205 S. Route 31, Crystal Lake, Illinois.

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

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
 - A. Development Application, received 10-16-12
 - B. Elevation Graphics, SGA Architects received 10-12-11
2. Color samples for the proposed colors shall be presented to the Planning and Zoning Commission and City Council for review and approval.
3. The petitioner shall address all of the review comments and requirements of the Engineering & Building, Fire Rescue, Police, Public Works, and Planning & Economic Development Departments.

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

DRAFT

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: 13

City Council Agenda Supplement

- Meeting Date:** November 20, 2012
- Item:** Rezoning for Lot 3 of the Factory Plaza Subdivision from “M” Manufacturing to the “B-2” General Commercial district
- Staff Recommendation:** Motion to approve the Planning and Zoning Commission recommendation and adopt an ordinance granting a rezoning for the property at 7109 Pingree Road
- Staff Contact:** Michelle Rentzsch, Director of Planning and Economic Development
-

Background:

- Existing Uses: American Mattress, American Mattress Clearance Center, ReMax, Ferguson Plumbing
- Request: Rezoning to reclassify Lot 3 of the Factory Plaza Subdivision from the “M” Manufacturing to the “B-2” General Commercial district

Key Factors:

- History: The property in question is Lot 3 of the Factory Plaza Subdivision, platted in 1989. Lots 1 and 2 of the Factory Plaza subdivision are zoned “B-2” General Commercial. Lot 3 is zoned “M” Manufacturing and contains a 30,000-square-foot multi-tenant building.
- Land Use: The property is located at the intersection of Pingree Road and Northwest Highway - a heavily traversed intersection with average daily counts of 27,100 trips along Northwest Highway and 8,500 trips along Pingree Road. Most of the properties along Northwest Highway are zoned for commercial uses. The Three Oaks Recreation Area, immediately to the south of this property is zoned ‘M’ Manufacturing, but the property is used for recreation purposes.

The Manufacturing district is intended as the primary location for heavy industries, serving uses that are visually obtrusive, generate nuisances such as noise and odors, or have excessive exterior operations or storage of equipment and materials. It is unlikely that heavy manufacturing uses would locate at this location. Other uses that are permitted in the ‘B-2’ district would have to seek a use variation to locate here.

- Future Land Use: The 2030 Comprehensive Land Use Plan delineates this property for Commerce. The proposed rezone would be in line with the future land use plan.

PZC Highlights

- At the Planning and Zoning Commission meeting, the Commissioners had no concerns with the proposed request.
- The Commission felt that the request met the Findings of Fact for a rezoning and **recommended approval of the request (9-0 vote).**

Votes Required to Pass: A simple majority vote.

DRAFT

ORDINANCE NO. _____
FILE NO. _____

AN ORDINANCE GRANTING REZONING
AT 7109 PINGREE ROAD

WHEREAS, pursuant to the terms of a Application (File #2012-104) before the Crystal Lake Planning and Zoning Commission, the Applicant has requested Rezoning for Lot 3 of the Factory Plaza Subdivision from "M" Manufacturing to the "B-2" General Commercial district; and

WHEREAS, it is in the best interests of the CITY OF CRYSTAL LAKE that the Rezoning be granted as requested in said Application.

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

Section I: That the following described property be and same is rezoned from "M" Manufacturing to the "B-2" General Commercial district

at the property legally described as follows:

Lot 3 of Factory Plaza – a subdivision of the North 330 feet of the East 726 feet of the Northeast Quarter of Section 9, Township 43 North, Range 8 East of the Third Principal Meridian, in McHenry County, Illinois.

commonly known as 7109 Pingree Road, located in Crystal Lake, McHenry County, Illinois.

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

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

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

MAYOR

ATTEST:

DRAFT

CITY CLERK

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



Agenda Item No: 14

**City Council
Agenda Supplement**

Meeting Date: November 20, 2012

Item: Purchase of Three-Ton Dump Style Hot Patch Trailer

Staff Recommendation: Motion to declare the Streets Division Spaulding hot box trailer as surplus, award the bid for the purchase of a new Hot Patch Trailer to the lowest responsive and responsible bidder, Bonnell Industries, Inc., and adopt a resolution authorizing the City Manager to execute a purchase agreement with Bonnell Industries, Inc. in the amount of \$25,134.85.

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

Background:

On November 13, 2012, the City of Crystal Lake publicly opened and read aloud bids received for the purchase of a new Three-Ton Dump Style Hot Patch Trailer to be implemented in the Streets Division fleet. The Public Works Department has identified a significant need for the replacement of its existing 2000 Spaulding hot box trailer, which, despite repeated attempts to make the unit functional, is in disrepair and is no longer operational. Prices were solicited for the trade-in of this unit with the purchase of the new hot patch trailer. The Streets Division regularly receives requests for pothole patching and roadway repairs, making the replacement unit essential to the operations of the Division.

The following is a breakdown of bids received.

Bidder	Price	Trade In-Value	Total Price after Trade-In
√ Bonnell Industries, Inc. Dixon, IL	\$ 25,634.85	\$ (500.00)	\$ 25,134.85
Stepp Manufacturing Company North Branch, MN	\$ 28,753.35	\$ (500.00)	\$ 28,253.35
* Falcon Road Maintenance Equipment, Inc. Galva, IL	\$24,000.00	\$ (500.00)	\$ 23,500.00

√ Indicates the lowest responsive and responsive bidder

*Indicates the bidder did not meet minimum specifications

Falcon Road Maintenance Equipment, Inc. bid their Falcon P3D1XIDO model. Falcon identified six deviations from the specifications with this unit, two of which are critical features that the Streets Division operators identified as safety hazards. First, the unit was required to be low-profile, no more than 5'6" tall from the ground, so that an average height operator could see oncoming traffic over the unit while working. The Falcon unit stands 6'1" tall from the ground. Second, the specification required the burner on the unit to have a safety tilt switch so that the burner is disabled when the unit is raised. The Falcon unit continues to heat while the unit is raised. The other four items were deviations from the technical specifications.

Recommendation:

Public Works staff has reviewed the references of Bonnell Industries, and tested a similar unit owned by Nunda Township. After careful examination, it is the recommendation of the Public Works Department to declare the existing hot patcher as surplus and award the purchase of one (1) new Three-Ton Dump Style Hot Patch Trailer to the lowest responsible and responsive bidder, Bonnell Industries, Inc., in the amount of \$25,134.85 after the \$500.00 credit for trade-in. Funds have been budgeted for this purchase.

Votes Required to Pass:

Simple Majority

RESOLUTION

DRAFT

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE that the City Manager is hereby authorized and directed to execute, and the City Clerk is hereby directed to attest, the contract between the City of Crystal Lake and Bonnell Industries, Inc., in Dixon, IL, for the purchase of a new Hot Patch Trailer in the amount of \$25,134.85 and declare the Streets Division Spaulding hot box trailer as surplus.

DATED this _____ day of _____, 2012.

CITY OF CRYSTAL LAKE, an Illinois municipal corporation,

By: _____
MAYOR

SEAL

ATTEST

CITY CLERK

PASSED: _____

APPROVED: _____



Agenda Item No: 15

**City Council
Agenda Supplement**

Meeting Date: November 20, 2012

Item: Professional Audit Services

Staff Recommendation: A motion awarding the proposal for Professional Auditing Services and adopting a resolution authorizing the City Manager to execute an agreement based on the submitted proposal from Selden Fox, Ltd.

Staff Contact: Mark F. Nannini, Director of Finance

Background:

On Friday, November 2, 2012, six (6) proposals received from firms desiring to provide professional auditing services to the City were opened. Each proposal was submitted in response to the City's request for bids from qualified firms of certified public accountants to audit the City's financial statements for the fiscal years ending April 30, 2013, 2014, 2015, 2016 and 2017 with the option of auditing the financial statements for fiscal years 2018 and 2019 at the request of the City and, to express an opinion on the fair presentation of the City's financial position. If prescribed by federal law, the City would further require the auditor to perform audit services ("Grant Audit"), associated with an expenditure of federal financial assistance above amounts specified by the Office of Management and Budget.

Following is a schedule of proposed fees relative to the performance of the annual audit and, if necessary, the grant audit:

Firm:		2013	2014	2015	2016	2017	Total
1.) Selden Fox, LTD	Financial Audit & Report	\$26,000	\$26,000	\$26,750	\$26,750	\$27,250	\$132,750
	Grant Audit (Optional)	\$2,600	\$2,600	\$2,700	\$2,700	\$2,700	\$13,300
		\$28,600	\$28,600	\$29,450	\$29,450	\$29,950	\$146,050
2.) Lauterbach & Amen, LLP	Financial Audit & Report	\$26,600	\$26,600	\$27,200	\$27,800	\$28,400	\$136,600
	Grant Audit (Optional)	\$3,000	\$3,000	\$3,090	\$3,180	\$3,270	\$15,540
		\$29,600	\$29,600	\$30,290	\$30,980	\$31,670	\$152,140
3.) Clifton, Larson, Allen, LLP	Financial Audit & Report	\$26,280	\$26,810	\$27,350	\$27,900	\$28,460	\$136,800
	Grant Audit (Optional)	\$4,500	\$4,590	\$4,680	\$4,770	\$4,870	\$23,410
		\$30,780	\$31,400	\$32,030	\$32,670	\$33,330	\$160,210
4.) Wolf & Company, LLP	Financial Audit & Report	\$28,200	\$28,700	\$29,300	\$30,000	\$30,600	\$146,800
	Grant Audit (Optional)	\$3,600	\$3,700	\$3,800	\$3,900	\$4,000	\$19,000
		\$31,800	\$32,400	\$33,100	\$33,900	\$34,600	\$165,800
5.) Sikich, LLP	Financial Audit & Report	\$37,275	\$38,400	\$39,550	\$40,725	\$41,950	\$197,900
	Grant Audit (Optional)	\$3,500	\$3,600	\$3,700	\$3,800	\$3,900	\$18,500
		\$40,775	\$42,000	\$43,250	\$44,525	\$45,850	\$216,400
6.) WIPFLI, LLP	Financial Audit & Report	\$47,700	\$49,100	\$50,100	\$51,100	\$52,200	\$250,200
	Grant Audit (Optional)	\$6,500	\$6,600	\$6,700	\$6,800	\$6,900	\$33,500
		\$54,200	\$55,700	\$56,800	\$57,900	\$59,100	\$283,700

Each proposal was evaluated based on the following criteria:

- The audit firm is independent of the City of Crystal Lake as defined by generally accepted auditing standards and is licensed to practice in Illinois.
- The firm's qualifications and experience (size of the firm and of its governmental audit staff, results of the firm's last external quality control review report and pending litigation (if any), dealing with the firm's quality of audit work or pricing of audit services rendered).
- The firm's partner, supervisory and staff qualifications and experience (license to practice as certified public accountants in Illinois, government audit experience and relevant continuing education).
- Similar engagements with other government entities and those receiving the Certificate of Achievement for Excellence in Financial Reporting from the Government Finance Officers' Association (GFOA).
- Specific audit approach (type and extent of analytical procedures to be used, approach and extent in drawing samples for testing, approach to understanding the City's internal control structure and systems, number of staff and hours to be assigned to the engagement, etc.).
- Price (although an important factor, cost of services alone is not the sole factor in the recommendation of an audit firm).

Recommendation:

Staff has determined that Selden Fox, Ltd is the most responsive to the City's requirements and, based on ability and fee, appears to best be able to serve the City. Selden Fox Ltd has extensive experience, which includes services rendered to several municipalities as well as numerous park districts, libraries and special purpose governments in the most recent two (2) years. Selden Fox, Ltd has been providing audit services to the City of Crystal Lake since 2007.

Votes Required to Pass:

Simple majority.

DRAFT



RESOLUTION

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE that the City Manager be and he is hereby authorized and directed to execute an agreement between Selden Fox, Ltd. and the City of Crystal Lake for professional audit services for fiscal years ended April 30, 2013, 2014, 2015, 2016 and 2017, with the option of auditing the financial statements for fiscal years ended April 30, 2018 and 2019 at the request of the City.

DATED this 20th day of November, 2012.

CITY OF CRYSTAL LAKE, an
Illinois Municipal Corporation,

By: _____
MAYOR

SEAL

ATTEST

CITY CLERK



Agenda Item No: 16

**City Council
Agenda Supplement**

Meeting Date: November 20, 2012

Item: Utility Bill Printing and Mailing Services

Staff Recommendation: Motion awarding the proposal for Utility Bill Printing and Mailing Services and adopting a resolution authorizing the City Manager to execute an agreement, based on the submitted proposal to Matrix Imaging Solutions, Inc.

Staff Contact: Mark F. Nannini, Director of Finance

Background:

On Tuesday, November 6, 2012, seven (7) proposals received from firms desiring to provide utility bill printing and mailing services to the City were opened. Each proposal was submitted in response to the City's request for bids from qualified firms to print and mail monthly utility bills for calendar years 2013, 2014, 2015 and 2016 with the option of printing and mailing utility bills for calendar years 2017, 2018, 2019 and 2020 at the request of the City.

In its request for proposals, the City required that each proposer include pricing for printing an inventory of utility bill stock and envelopes in addition to costs related to printing, folding and mailing monthly water and sewer bills to Crystal Lake residents and businesses.

Following is a schedule of proposed fees relative to the performance of printing and mailing services:

	MATRIX IMAGING SOLUTIONS INC					INFOSEND				
	2013	2014	2015	2016	Total	2013	2014	2015	2016	Total
Initial design & set-up fee:	Waived	Waived	Waived	Waived	\$0	Waived	\$175/hr	\$175/hr	\$175/hr	\$0
Printing services (14,000 pieces per month):										
Water Bill Statement	\$5,880	\$6,048	\$6,048	\$6,216	\$24,192	\$8,232	\$8,232	\$8,467	\$8,551	\$33,482
Statement Stock	Included	Included	Included	Included	\$0	\$2,184	\$2,184	\$2,234	\$2,285	\$8,887
Mailing (Outer) Envelope	\$4,200	\$4,368	\$4,368	\$4,536	\$17,472	\$2,772	\$2,772	\$2,839	\$2,923	\$11,306
Return (Inner) Envelope	\$2,520	\$2,520	\$2,520	\$2,688	\$10,248	\$2,604	\$2,604	\$2,671	\$2,738	\$10,618
Folding & Insertion services (14,000 pieces per month):										
Water Bill Statement & Return Envelope	\$2,520	\$2,688	\$2,688	\$2,856	\$10,752	Included	Included	Included	Included	\$0
Mailing Services (ie. NCOA, CASS, etc.):	\$840	\$840	\$840	\$840	\$3,360	Included	Included	Included	Included	\$0
Warehousing (annual cost):	Included	Included	Included	Included	\$0	Included	Included	Included	Included	\$0
Other Miscellaneous Costs (describe below):										
Programming (monthly message board)	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
NCOA-per "hit" (500 NCOA hits per month, currently)	\$0	\$0	\$0	\$0	\$0	\$1,800	\$1,800	\$1,800	\$1,800	\$7,200
	\$15,960	\$16,464	\$16,464	\$17,136	\$66,024	\$17,592	\$17,592	\$18,012	\$18,298	\$71,494

	CREEKSIDE PRINTING					THIRD MILLENNIUM ASSOC INC				
	2013	2014	2015	2016	Total	2013	2014	2015	2016	Total
Initial design & set-up fee:	\$200	\$25	\$25	\$25	\$275	Included	Included	Included	Included	\$0
Printing services (14,000 pieces per month):										
Water Bill Statement	\$8,808	\$8,984	\$9,164	\$9,137	\$36,093	\$18,312	\$18,312	\$18,312	\$18,312	\$73,248
Statement Stock	\$2,292	\$2,338	\$2,385	\$2,433	\$9,448	Included	Included	Included	Included	\$0
Mailing (Outer) Envelope	\$3,660	\$2,734	\$2,789	\$2,845	\$12,028	Included	Included	Included	Included	\$0
Return (Inner) Envelope	\$3,606	\$3,679	\$3,753	\$3,828	\$14,866	Included	Included	Included	Included	\$0
Folding & Insertion services (14,000 pieces per month):										
Water Bill Statement & Return Envelope	Included	Included	Included	Included	\$0	Included	Included	Included	Included	\$0
Mailing Services (ie. NCOA, CASS, etc.):	Included	Included	Included	Included	\$0	Included	Included	Included	Included	\$0
Warehousing (annual cost):	Included	Included	Included	Included	\$0	Included	Included	Included	Included	\$0
Other Miscellaneous Costs (describe below):										
Programming (monthly message board)	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
NCOA-per "hit" (500 NCOA hits per month, currently)	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
	\$18,566	\$17,760	\$18,116	\$18,268	\$72,710	\$18,312	\$18,312	\$18,312	\$18,312	\$73,248

	DATAMAX INC					STRAHM AUTOMATION				
	2013	2014	2015	2016	Total	2013	2014	2015	2016	Total
Initial design & set-up fee:	\$550	\$0	\$0	\$0	\$550	\$0	\$0	\$0	\$0	\$0
Printing services (14,000 pieces per month):										
Water Bill Statement	\$5,544	\$5,544	\$5,544	\$5,544	\$22,176	\$5,040	\$5,040	\$5,040	\$5,040	\$20,160
Statement Stock	\$2,520	\$2,520	\$2,520	\$2,520	\$10,080	\$4,368	\$4,536	\$4,536	\$4,536	\$17,976
Mailing (Outer) Envelope	\$4,368	\$4,368	\$4,368	\$4,368	\$17,472	\$4,368	\$4,452	\$4,536	\$4,620	\$17,976
Return (Inner) Envelope	\$2,520	\$2,520	\$2,520	\$2,520	\$10,080	\$4,200	\$4,284	\$4,368	\$4,452	\$17,304
Folding & Insertion services (14,000 pieces per month):										
Water Bill Statement & Return Envelope	\$3,024	\$3,024	\$3,024	\$3,024	\$12,096	\$4,368	\$4,368	\$4,368	\$4,368	\$17,472
Mailing Services (ie. NCOA, CASS, etc.):	\$336	\$336	\$336	\$336	\$1,344	\$840	\$840	\$840	\$840	\$3,360
Warehousing (annual cost):	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Other Miscellaneous Costs (describe below):										
Programming (monthly message board)	\$600	\$600	\$600	\$600	\$2,400	\$0	\$0	\$0	\$0	\$0
NCOA-per "hit" (500 NCOA hits per month, currently)	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
	\$19,462	\$18,912	\$18,912	\$18,912	\$76,198	\$23,184	\$23,520	\$23,688	\$23,856	\$94,248

AMP ENTERPIZE LLC

	2013	2014	2015	2016	Total
Initial design & set-up fee:	\$2,000	\$2,000	\$2,000	\$2,000	\$8,000
Printing services (14,000 pieces per month):					
Water Bill Statement	\$13,200	\$13,200	\$13,200	\$13,200	\$52,800
Statement Stock	\$5,300	\$5,200	\$5,200	\$5,200	\$20,900
Mailing (Outer) Envelope	\$15,400	\$15,400	\$15,400	\$15,400	\$61,600
Return (Inner) Envelope	\$14,200	\$14,200	\$14,200	\$14,200	\$56,800
Folding & Insertion services (14,000 pieces per month):					
Water Bill Statement & Return Envelope	\$400	\$400	\$400	\$400	\$1,600
Mailing Services (ie. NCOA, CASS, etc.):	\$0	\$0	\$0	\$0	\$0
Warehousing (annual cost):	\$8,000	\$8,000	\$8,000	\$8,000	\$32,000
Other Miscellaneous Costs (describe below):					
Programming (monthly message board)	\$0	\$0	\$0	\$0	\$0
NCOA-per "hit" (500 NCOA hits per month, currently)	\$0	\$0	\$0	\$0	\$0
	\$58,500	\$58,400	\$58,400	\$58,400	\$233,700

Each proposal was evaluated based on the following criteria:

- The vendor is independent of the City of Crystal Lake.
- The vendor's qualifications and experience (size of the firm and most recent comparable engagements).
- Specific approach (methodology to be followed to perform services required and time line for initial setup and implementation).
- Security (measures employed to assure that an electronic transfer of data is secure and confidential information is protected).
- Price (although an important factor, cost of services alone is not the sole factor in the recommendation of an audit firm).

Recommendation:

Staff has determined that Matrix Imaging Solutions Inc. is the most responsive to the City's requirements and, based on ability and fee, appears to be best able to serve the City. Matrix Imaging Solutions Inc. has extensive experience in providing document management solutions to utilities markets, including Washoe County (Reno, NV), National Fuel Gas (Buffalo, NY), Clermont County Water Department (Batavia, OH) and Orange Water & Sewer Authority (Carrboro, NC) and has previously provided utility bill printing and mailing services to the City of Crystal Lake (January, 2007 through December, 2009).

Votes Required to Pass:

Simple Majority

DRAFT



RESOLUTION

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE that the City Manager be and he is hereby authorized and directed to execute an agreement between Matrix Imaging and the City of Crystal Lake for utility bill printing and mailing services for calendar years 2013, 2014, 2015 and 2016 with the option of printing and mailing utility bills for calendar years 2017, 2018, 2019 and 2020 at the request of the City.

DATED this 20th day of November, 2012.

CITY OF CRYSTAL LAKE, an
Illinois Municipal Corporation,

By: _____
MAYOR

SEAL

ATTEST

CITY CLERK



Agenda Item No: 17

**City Council
Agenda Supplement**

Meeting Date:

November 20, 2012

Item:

Designation of two City Councilmembers as liaisons to the Crystal Lake Public Library Expansion Planning Group

Recommendation:

Motion to adopt a resolution designating two City Councilmembers as liaisons to the Crystal Lake Public Library Expansion Planning Group.

Staff Contact:

Aaron T. Shepley, Mayor

Background:

At the November 6, 2012 City Council meeting, the City Council adopted a Resolution providing direction for the planning of the future expansion of the Crystal Lake Public Library. An element of that resolution was the designation of two Councilmembers as liaisons to the working group that will plan options for any potential future library expansion.

As indicated in the Resolution previously approved, the Crystal Lake City Council will choose amongst itself two members that will serve as liaisons to the Crystal Lake Library Board for the purpose of transmitting information as part of planning for the future direction of the library expansion. The two City Council representatives shall have no authority to act or give direction on behalf of the entire City Council, but shall periodically provide updates to the full City Council.

It is anticipated that the two City Council representatives will be designated at the November 20, 2012 City Council meeting.

Votes Required to Pass:

Simple majority



DRAFT

RESOLUTION

WHEREAS, at the November 6, 2012 City Council meeting, the City Council adopted a Resolution providing direction for the planning of the future expansion of the Crystal Lake Public Library; and

WHEREAS, an element of that Resolution was the designation of two Councilmembers as liaisons to the working group that will plan options for any potential future library expansion.

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

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

Section 2: Library Expansion Working Group City Council Representation. The Crystal Lake City Council designates: 1. _____ and 2. _____ as liaisons to the Crystal Lake Library Board for the purpose of transmitting information as part of planning for the future direction of the library expansion. The two City Council representatives shall have no authority to act or give direction on behalf of the entire City Council, but shall periodically provide updates to the full City Council.

DATED this 20th day of November, 2012

CITY OF CRYSTAL LAKE, an
Illinois municipal corporation,

By: _____
MAYOR

SEAL
ATTEST

CITY CLERK

PASSED: November 20, 2012
APPROVED: November 20, 2012



Agenda Item No: 21

**City Council
Agenda Supplement**

Meeting Date:

November 20, 2012

Item:

Historic Preservation Commission

Staff Recommendation:

1. Motion to adopt an Ordinance amending Section 295-4 of the City Code to increase the number of Historic Preservation Commission voting members to up to nine (9) members from the current seven (7) members, and
2. Motion to reappoint Diana Kenney, Michelle Rozovics and Austin Taylor to the Historic Preservation Commission and to appoint Brenda Sompolski as a new member of the Historic Preservation Commission.

Staff Contact:

Anne O'Kelley, Executive Assistant

Background:

On June 30, 2012, the terms of Historic Preservation Commission Members Diana Kenney, Michelle Rozovics and Austin Taylor expired. Ms. Kenney, Ms. Rozovics, and Mr. Taylor have all expressed interest in reappointment to another three-year term on the Historic Preservation Commission. Historic Preservation Commission reappointments are made and confirmed by the Mayor and City Council.

In addition, Brenda Sompolski has expressed an interest in being appointed to the Commission. The City Code currently stipulates that the Historic Preservation Commission shall consist of seven members, and with the above-mentioned reappointments, there are seven active members on the Commission. If the City Council so chooses, the number of voting members on the Historic Preservation Commission can be increased from seven to up to nine, allowing for additional membership, including Brenda Sompolski.

Votes Required to Pass:

Simple majority vote of the City Council.



DRAFT

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

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

SECTION I: That Section 295-4, Historic Preservation Commission membership, be hereby amended in the City Code as follows:

§295-4 Membership

The City of Crystal Lake Historic Preservation Commission shall consist of up to nine voting members who shall be residents of the City and appointed by the City Council.

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

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

DATED at Crystal Lake, Illinois, this 20th day of November 2012.

APPROVED:

Aaron T. Shepley, Mayor

ATTEST:

Nick Kachiroubas, City Clerk

PASSED: November 20, 2012

APPROVED: November 20, 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:

November 20, 2012

Item:

Police Pension Board Reappointment

Recommendation:

Motion to reappoint a member to the Police Pension Board as indicated below.

Staff Contact:

Anne O'Kelley, Executive Assistant

Background:

The term of Patricia Philpot on the Police Pension Board has expired. Mayor Shepley is recommending the reappointment of Ms. Philpot to the Police Pension Board for another two-year term expiring on June 30, 2014. Appointments to the Police Pension Board are made by Mayor Shepley and confirmed by City Council.

Votes Required to Pass:

Simple majority.



Agenda Item No: 23

**City Council
Agenda Supplement**

Meeting Date: November 20, 2012

Item: Appointment of new Councilmember to fill vacancy created by the resignation of Councilmember Schofield.

Recommendation: Motion to approve resolution appointing a new Councilmember to fill the vacancy created by the resignation of Councilmember Schofield.

Staff Contact: Aaron T. Shepley, Mayor

Background:

Attached please find a letter of resignation from Councilmember Carolyn Schofield as a result of her recent election to the McHenry County Board. Ms. Schofield will be sworn in as a new Member of the County Board on Monday, December 3, 2012, at which time her resignation from her office as City Councilmember will take effect.

Councilmember Schofield was sworn into the office of Councilmember on May 5, 2009, for a four-year term. Ms. Schofield's term of office runs until May 2013. Her resignation effective on December 3 will create a vacancy that may be filled for the balance of the unexpired term of her office.

The Illinois Municipal Code provides the mechanism for filling a vacant City Council position. Because in this instance Councilmember Schofield's term has fewer than 28 months left, the vacancy that will be created on December 3 may be filled by appointment. State law provides that the Mayor and City Council must make the appointment within 60 days after the vacancy occurs (65 ILCS 5/5-2-12(g)).

Votes Required to Pass:

Simple majority



DRAFT

RESOLUTION NO. 2012-

**RESOLUTION OF THE MAYOR AND COUNCIL OF THE
CITY OF CRYSTAL LAKE, MCHENRY COUNTY, ILLINOIS
APPOINTING _____ AS CITY COUNCILMEMBER
TO FILL THE VACANCY CREATED
BY THE RESIGNATION OF CAROLYN SCHOFIELD**

WHEREAS, at the November 2012 general election, Crystal Lake Councilmember Carolyn Schofield was elected to the office of Member of the McHenry County Board, with her term of office commencing on December 3, 2012; and

WHEREAS, Councilmember Schofield was previously sworn in as a City Councilmember on May 5, 2009, for a four-year term running through May 2013; and

WHEREAS, Councilmember Schofield submitted a letter to the Crystal Lake Mayor and City Council resigning from her office of Councilmember effective when she takes the oath of office as Member of the McHenry County Board on December 3, 2012; and

WHEREAS, Councilmember Schofield's resignation on December 3 will create a vacancy on the City Council; and

WHEREAS, pursuant to Subsection 5-2-12(g) of the Illinois Municipal Code, 65 ILCS 5/5-2-12(g), because Councilmember Schofield's term has fewer than 28 months left, the vacancy that will be created on December 3, 2012, as a result of Councilmember Schofield's resignation, is to be filled by appointment made by the Mayor and the City Council of a person to serve the balance of Councilmember Schofield's unexpired term of office; and

WHEREAS, the Mayor and Council of the City of Crystal Lake desire to appoint _____ to fill the balance of Councilmember Schofield's unexpired term of office;

DRAFT

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the City of Crystal Lake that _____ is hereby appointed to fill the vacancy created by Councilmember Schofield's resignation from office effective when she takes the oath of office as Member of the McHenry Count Board on December 3, 2012, which appointment will be for the balance of Councilmember Schofield's unexpired term of office, pursuant to Subsection 5-2-12(g) of the Illinois Municipal Code, 65 ILCS 5/5-2-12(g).

DATED this 20th day of November, 2012

CITY OF CRYSTAL LAKE, an
Illinois municipal corporation,

By: _____
MAYOR

SEAL
ATTEST

CITY CLERK

PASSED: November 20, 2012
APPROVED: November 20, 2012