



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

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

City of Crystal Lake  
100 West Woodstock Street, Crystal Lake, IL  
City Council Chambers  
March 19, 2013  
7:30 p.m.

1. **Call to Order**
2. **Roll Call**
3. **Pledge of Allegiance**
4. **Administration of Oaths of Office**
  - a. **Fire Lieutenant Darrell Cook**
  - b. **Firefighter Paramedics Matthew Klug and Matthew Newton**
5. **Approval of Minutes – March 5, 2013 Regular City Council Meeting**
6. **Accounts Payable**
7. **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.*
8. **Mayor's Report**
  - a. **Recognition of the Crystal Lake Central High School Pom Squad**
9. **Council Reports**
10. **Consent Agenda**
  - a. **Ordinance approving the 2013 Crystal Lake Zoning Map.**
11. **Hotel/Motel Tax Funding Request for Prairie State Cycling Series.**
12. **Prairie State Cycling Series Temporary Use Permit request to allow temporary closure of Williams Street, Crystal Lake Avenue, Grant Street, Brink Street, Minnie Street, and Woodstock Street and vendor/activity tents for a bike race.**
13. **Home of the Sparrow request to hold a special event at the Three Oaks Recreation Area on October 5, 2013 and waiver of fees request.**
14. **Ordinance amending Chapter 329 of the Crystal Lake City Code to allow for the retail sale and consumption of alcoholic liquor within a tent erected adjacent to the premises specified for Class 22 Liquor Licenses.**
15. **Spence Management, 7624 Route 14 – Annexation Public Hearing and ordinances authorizing execution of the annexation agreement, annexation of the property, and rezoning of the property upon annexation to W PUD Watershed Planned Unit Development.**
16. **5111 E. Terra Cotta Avenue/Northside Community Bank – Annexation Public Hearing, and ordinances authorizing execution of the annexation agreement, annexation of the property, and rezoning of the property upon annexation to B-2 General Commercial.**

17. **The Rib House/Northside Community Bank, 5111 E. Terra Cotta Avenue – City Code amendment increasing the number of Class 9 liquor licenses from the current 5 licenses to 6 licenses.**
18. **Title Max, 6319 Northwest Highway – Sign Variation request to allow a freestanding sign that is 48 sq. ft. in area and 8 feet in height.**
19. **McHenry County College deferral of watershed requirements for renovated parking lot and sign variation for temporary signage.**
20. **Bid award and resolution authorizing execution of a contract for grass and landscaping maintenance on City-owned properties and contract extensions of up to two additional years.**
21. **Bid award and resolution authorizing execution of a contract for dredging at the Three Oaks Recreation Area and approval of up to 10 percent in justifiable contract amendments from a contingency allowance.**
22. **Proposal award and resolution authorizing execution of a contract for the Master Address Repository with a contingency of up to 10% of the contract value for any unforeseen work required beyond the scope of the project.**
23. **Proposal award and resolution authorizing execution of an agreement for engineering services for a Water System Master Plan Study and approval of changes in scope by up to 10 percent of the original price.**
24. **Proposal award and resolution authorizing execution of an agreement for the Topographic Survey of Various City Infrastructure and approval of changes in scope by 10 percent of the original price.**
25. **Resolution appropriating MFT funds for the Topographic Survey for Various City Streets.**
26. **Resolution authorizing execution of an agreement for Parking Citation Processing and Collection Services.**
27. **Resolution authorizing execution of an agreement for the purchase of a Sewer Camera through the Houston-Galveston Area Council (HGAC) Joint Purchase Program.**
28. **Ordinance reserving the State of Illinois volume cap for private activity bonds.**
29. **Resolution accepting planning assistance from the Chicago Metropolitan Agency for Planning to review the City’s codes and ordinances to suggest amendments to implement the recommendations of the Silver and Sleepy Hollow Creeks Watershed Action Plan.**
30. **Council Inquiries and Requests.**
31. **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.**
32. **Reconvene to Regular Session.**
33. **Library Board Appointment.**
34. **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: 4**

**City Council  
Agenda Supplement**

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**Meeting Date:** March 19, 2013

**Item:** Swearing In Ceremony for Newly Promoted Fire Lieutenant Darrell Cook and for New Firefighter Paramedics Matthew Klug and Matthew Newton

**Staff Contact:** Ann Everhart, Director of Human Resources  
James P. Moore, Chief of Fire Rescue

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**Background:**

Mayor Shepley will be swearing in our newest Fire Lieutenant, Darrell Cook and our two newest Firefighter Paramedics, Matthew Klug and Matthew Newton.

A proud member of our department since 2004, Lieutenant Cook was promoted on February 4, 2013. He is pleased to serve in this important role and he has been enjoying new challenges as a Lieutenant on the Red shift.

Firefighter Paramedics Matthew Klug and Matthew Newton joined the Crystal Lake Fire Rescue Department on December 17, 2012 and they have just graduated from the Fire Training Academy at NIPSTA on March 15<sup>th</sup>.

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



**Agenda Item No: 8a**

**City Council  
Agenda Supplement**

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**Meeting Date:**

March 19, 2013

**Item:**

Crystal Lake Central High School Pom Squad – Illinois  
High School Association State Champions

**Contact:**

Anne O’Kelley, Executive Assistant

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**Background:**

During the Mayor’s Report, the City will recognize the Crystal Lake Central High School Pom Squad, which recently won first place in the Illinois High School Association State competition. The coach and members of the squad will be present at the Council meeting and will share a video of their winning routine at that time. A *Daily Herald* article regarding the event is attached for your information.



**Agenda Item No: 10a**

**City Council  
Agenda Supplement**

**Meeting Date:** March 19, 2013

**Item:** Annual adoption of the Zoning Map

**Recommendation:** Motion to adopt an ordinance approving the 2013 Crystal Lake Zoning Map, as presented.

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

**Background:** Attached is the 2013 updated Zoning Map, which reflects the current zoning and the zoning amendment within the City that was approved by the City Council prior to December 31, 2012. As required by State Statute 65 ILCS 5/11-13-19, the updated map should be published no later than March 31 of each year. The GIS based zoning map, which is available on the City's website and provides a convenient reference material for customers, is attached for the Council's information.

Below is a brief summary of the parcels that were rezoned. The \* represents a rezoning upon annexation.

Petition	Location	Acreage	From	To
Honda Northwest, et all	4911, 4901, 6250 Northwest Hwy	1.73 acres*	County	E
Theofanus	4814 State Street	0.178 acres	E	R-2
Theofanus	4902 State Street	0.178 acres	E	R-2
Theofanus	4910 State Street	0.178 acres	E	R-2
Theofanus	4916 State Street	0.178 acres	E	R-2
Theofanus	5006 State Street	0.178 acres	E	R-2
Steele-Fryer	5002 State Street	0.178 acres	E	R-2
Luna	4908 State Street	0.178 acres	E	R-2
Geron	4914 State Street	0.178 acres	E	R-2
Rivera	5004 State Street	0.178 acres	E	R-2
Switzer	7109 Pingree Road	1.76 acres	M	B-2
<b>Total Acreage</b>		<b>5.092 acres</b>		

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

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

ORDINANCE

**DRAFT**

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

SECTION I: That the City of Crystal Lake Zoning Map, a copy of which is attached hereto, marked Exhibit "A" by reference made a part hereof, including all revisions effective the 31st day of December, 2012, is hereby approved as the official Zoning Map for the City of Crystal Lake.

SECTION II: That the City Clerk is hereby authorized to publish said Zoning Map in pamphlet form by the authority of the Mayor and City Council of the City of Crystal Lake.

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

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

Dated 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**

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**Meeting Date:** March 19, 2013

**Item:** Hotel/Motel Tax Request for Prairie State Cycling Series –  
Downtown Crystal Lake

**Recommendation:** A motion to allocate up to \$18,000 from hotel motel reserve funds to the McHenry County Convention and Visitor's Bureau to be utilized for the July 2013 Prairie State Cycling event in Downtown Crystal Lake.

**Staff Contact:** Aaron T. Shepley, Mayor

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**Background:** Prairie State Cycling Series has approached the City about creating an all-day family event for our community. This kind of event draws people from all over the Chicagoland area, as well as nationally, to watch the exciting professional sport of criterion racing. Criterion racing is a growing sport that draws people of all ages to watch racers of varying skill levels complete the circuit.

Prairie State Cycling Series would like to include Crystal Lake in their 2013 race series. For the July events, the series would include

- Kenosha, WI, July 12
- Chicago, IL July 13 (proposed)
- Crystal Lake, IL July 14 (proposed)
- Sharon, WI, July 17 (road race)
- Beverly/Chicago, July 18
- Elmhurst, July 19
- Lake Bluff, July 20
- St. Charles, July 21

This kind of event is directly responsible for overnight stays in our community hotels. The time delay from our event to the next event in a very small town would also translate into additional hotel stays as the racers and their families stay in area hotels before the Sharon, WI event.

The feedback we have received from other Illinois and Wisconsin communities that have hosted these events is that they create tremendous exposure for downtown businesses and the community and boost sales for the businesses, particularly restaurants and other eateries.

This event has also precipitated an evolving partnership with Crystal Lake Park District and the McHenry County Convention and Visitor's Bureau (McCVB) to utilize our respective strengths and make the most of this event day. An alternative to the funding request would be to make a contribution from the City's reserve hotel/motel tax fund to the McCVB, which would open the door to a matching contribution from the State of Illinois, as they offer matching funds for sporting events. So, although the original amount requested is \$18,000, the City could contribute only \$9,000 through the McCVB and the remaining funds would be met with State dollars after July 1<sup>st</sup>.

My recommendation is to fund this event for this upcoming year and see how it works in our downtown. I believe it will be a fabulous draw for the businesses, an exciting event for spectators and another world-class recreational event that this community can boast about for years to come.

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





**Agenda Item No: 12**

**City Council  
Agenda Supplement**

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**Meeting Date:**

March 19, 2013

**Item:**

Prairie State Cycling Series Temporary Use Permit request to allow temporary closure of Williams Street, Crystal Lake Avenue, Grant Street, Brink Street, Minnie Street, and Woodstock Street and vendor/activity tents for a bike race.

**Recommendation:**

City Council's discretion:

- A. Motion to approve the Temporary Use Permit, pursuant to the recommendations listed below.
- B. Motion to deny the applicant's request.

**Staff Contact:**

Michelle Rentzsch, Director of Planning & Economic Development

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**Background:** The Prairie State Cycling Series is requesting a Temporary Use Permit to hold a racing event in Downtown Crystal Lake on Sunday, July 14, 2013. This request is using the same layout as the bike race held by the American Bicycle Racing Association on August 23, 1998.

The applicant is proposing to completely close Williams Street, Crystal Lake Avenue, Grant Street, Brink Street, Minnie Street, and Woodstock Street from 2 hours prior to the race to allow time to set up the course until 1 hour after the last race is completed for cleanup. The roads will be closed from approximately 7 a.m. to approximately 7:30 p.m.

The Downtown Main Street/Crystal Lake has reviewed this request and is in support of this event with several conditions. The letter of support is attached.

The Crystal Lake Park District will be partnering with the applicant to provide activities between races for the spectators and families of the participants.

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

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

1. The Temporary Use Permit shall be valid on Sunday, July 14, 2013.
2. Provide staff with a site plan for the expo area, stage, games/carnival area(s), participant parking, temporary resident/business parking, etc.

3. Provide an emergency action plan specific to Crystal Lake for the race.
4. The entire race course shall be closed off from spectators to eliminate hazards from uncontrolled pedestrian crossings due to the speed and format of this race. Controlled crossings of the race course are also needed so pedestrians can safely navigate through downtown.
5. Signs indicating the "Road Closed" and "No Parking – Tow Zone" are to be posted a Minimum of 24 hours prior to the event and in the locations designated by the Police Department. Traffic control and signage may be required throughout the race course. The applicant shall meet with the City's Police, Engineering and Building, and Public Works Departments to discuss signage needed.
6. Organizers are to contact the Police Department for official "No Parking" signs. The "No Parking" signs are not to be posted on telephone poles and are to be removed immediately after the race.
7. The race organizers shall provide or rent additional traffic control (MUTCD compliant barricades, cones, detour signs, etc.)
8. The barricades on Brink Street east of Williams Street shall be placed near the alley entrances, instead of the Williams Street intersection, to avoid cars getting trapped at the closure points with no room to turn around.
9. A dedicated Crystal Lake Ambulance with staff may be required. An evaluation of the emergency action plan and past races will be needed to determine the requirement. Please contact the Fire Rescue Department by June 3, 2013 to arrange for ambulance coverage.
10. All directly affected businesses and residents along and immediately adjacent to the race route shall be notified 2 weeks prior to the event. Alternate parking locations shall also be provided and these locations provided to staff.
11. An insurance and hold harmless agreement needs to be provided to the City of Crystal Lake.
12. Work with the Police Department as to positioning of volunteers, as well as the number of officers required for this event. If no volunteers are willing and/or able to participate, the additional locations will need to be covered by officers. Volunteers must wear traffic safety vests, and have the ability to communicate via radio or cellular telephone with organizers and police in the event of an emergency. Please contact the Police Department by June 3, 2013 to determine/arrange for police officers for traffic control, lead vehicle, etc.
13. Placement of the emergency command post is to be determined. One (1) person representing the race organizers who has immediate contact with volunteers and officials shall be positioned in the command post at all times. If an emergency arises, it can be communicated immediately to the volunteers.
14. Streets are not to be marked with paint or any permanent materials.
15. The site shall be inspected the morning of the race for compliance with canopy spacing (if applicable) and electrical connections. A site visit on July 8 is recommended to address any problems prior to race day, including but not limited to spacing of the canopies/tents, positioning of the garbage cans, etc.
16. Should the Raue Center be used for the award ceremony, the occupancy limit shall not be exceeded during the award ceremony.
17. All trash shall be picked up along the race route, as well as in the downtown area.
18. The use of the downtown lighting system to provide electrical power for the sound system is prohibited.

19. A temporary sign permit shall be obtained from the Building Division for any signage/banners.
20. Comply with the requirements of the 2005 National Electrical Code.
21. No smoking, as well as cooking or open flames shall be permitted under the canopies/tents.
22. If there is to be any food preparation and/or cooking, please contact the McHenry County Department of Health for their requirements.
23. Provide off-site parking for the race participants and volunteers and indicate this location(s) on the site plan.

The applicant has been made aware of these recommended conditions and will be attending the March 19, 2013, City Council meeting to answer any questions.

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



**Agenda Item No: 13**

**City Council  
Agenda Supplement**

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**Meeting Date:** March 19, 2013

**Item:** Home of the Sparrow Benefit Walk

**Staff Recommendation:** Motion to approve the Home of the Sparrow request to hold a special event at the Three Oaks Recreation Area from 6:30 a.m. to Noon on Saturday, October 5, 2013.

**Staff Contact:** Eric T. Helm, Deputy City Manager

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**Background:**

The City has received a request from the Home of the Sparrow for the use of the Three Oaks Recreation Area picnic grove and trails for a "1<sup>st</sup> Annual Zombie 5K run, 1 Mile Walk" event from 6:30 a.m. to Noon on Saturday, October 5, 2013. Approximately 169 people will participate in this event, including attendees, volunteers and staff. The attendees will participate in a fundraising walk on the trails at the Three Oaks Recreation Area. The walkers will begin in the picnic grove and proceed along each of the trails. Walk sponsor information tables and registration booths will be set up in the picnic pavilion.

The event will also include a "Zombie Area" on the south lake trail, to the east of the marina. This portion of the event will be supervised by Home of the Sparrow Staff to ensure that no participants are physically touched or chased and that members of the general public are informed of this event. Considering the time of the year, and area of the park utilized, it is not anticipated that this would be a major disruption to the public's enjoyment of the park.

Based on the anticipated attendance and that the event occurs late in the year, parking is not anticipated to be an issue for the event attendees or general public. In addition, the petitioner may utilize small tents or canopies. The petitioner is also requesting the exclusive use of the picnic grove pavilion. All other areas of the park would be open to the public.

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

- Comply with all City Code regulations, Special Event requirements, and Pavilion rental requirements, including all insurance requirements.
- The use of tents or canopies is subject to review by the Fire Prevention Bureau. The petitioner shall provide a detailed site plan for tents or canopies prior to the event.
- Non-Resident vehicles will be subject to the \$5.00 per vehicle parking fee.
- Maintain access to all fire lanes and the south lake marina boat ramp.
- Provide a plan for all on-site signage prior to the event, which shall be reviewed by the City and approved prior to placement.
- Per the petitioner's letter, none of the Home of the Sparrow volunteers or staff members participating in the "Zombie Walk" shall be allowed to physically touch or chase any of the walk or run participants.
- The petitioner will also ensure that all members of the public along this trail are informed of the event and the activities pertaining to the "Zombie Walk".
- The event organizers shall be subject to the following fees.

<i>Non-Refundable</i>	<i>Fee</i>
Application Fee	\$75
Out of City Organization	\$150
Pavilion Rental Fee	\$200
City Staff Prep/Restore Fee	\$120
<b>Total Non-Refundable Fee</b>	<b>\$545</b>
<i>Refundable Deposits</i>	<i>Fee</i>
Refundable Pavilion Damage	\$200
Refundable Event Damage	\$500
<b>Total Refundable Fee</b>	<b>\$700</b>

Attached is the petitioner's request, along with the course route. The City's Police Department and Fire Rescue Department have reviewed the request.

**Home of the Sparrow Fee Waiver Request**

The petitioner is requesting a waiver of the following fees:

1. \$150 fee for out of City organizations
2. \$200 fee for rental of the pavilion
3. \$5.00 per vehicle parking fee for vehicles without a valid Crystal Lake vehicle sticker.

**Previous Fee Waiver Requests for Charity Events**

For the City Council's reference, in previous years, the City Council has taken the following actions:

<b><u>Benefit Event</u></b>	<b><u>Fees Waived by City Council</u></b>	<b><u>Fees Paid by Petitioner</u></b>
Scott Milliman Benefit Run, 2011	\$50 (Application Fee)	\$60 (Staff Prep Fee)
American Heart Association, 2011	\$150 (Out of City Fee)	\$50 (Special Event Application Fee) \$120 (Staff Prep Fee) \$200 (Pavilion Rental Fee)
Alzheimer Walk, 2012	None (Petitioner did not request fee waiver)	\$75 (Special Event Application Fee) \$150 (Out of City Fee) \$120 (Staff Prep Fee) \$200 (Pavilion Rental Fee)

\*The City Council has never waived the \$5.00 per vehicle non-resident parking requirement.

**Votes Required to Pass:**

Simple majority vote of the City Council.



**Agenda Item No: 14**

**City Council  
Agenda Supplement**

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**Meeting Date:**

March 19, 2013

**Item:**

Ordinance amending Chapter 329 of the Crystal Lake City Code to allow for the retail sale and consumption of alcoholic liquor within a tent erected adjacent to the premises specified for Class 22 Liquor Licenses.

**Staff Recommendation:**

Council Discretion:

1. Motion to amend Chapter 329 of the Crystal Lake City Code to allow for the retail sale and consumption of alcoholic liquor within a tent erected adjacent to the premises specified for Class 22 Liquor Licenses.
2. Motion to deny the petitioner's request.

**Staff Contact:**

George Koczwara, Deputy City Manager

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**Background:**

The City has received a request from the Cottage, located at 6 E. Crystal Lake Avenue, to amend the Class 22 liquor license classification to allow for the retail sale and consumption of alcoholic liquor within a tent erected adjacent to their premises. The Cottage is currently the only establishment to hold a Class 22.

The Class 22 liquor license allows for the sale and consumption of liquor inside the building as well as in an open unroofed area immediately contiguous to the building. By making this change, the Cottage would be able to also serve liquor in a tent erected in their parking lot during special occasions, including their annual Beatles Blast event. The attached draft ordinance would allow for the use of a tent for special events, subject to the approval of the Liquor Commissioner, for two events per year, with each event not exceeding more than two days.

**Votes Required to Pass:**

Simple majority



**DRAFT**

**AN ORDINANCE AMENDING CHAPTER 329 OF THE CODE OF THE CITY OF CRYSTAL LAKE PERTAINING TO CLASS 22 LIQUOR LICENSES**

**WHEREAS**, the City of Crystal Lake, (the "City") is a home rule municipality as contemplated under Article VII Section 6 of the Constitution of the State of Illinois and the passage of this Ordinance constitutes an exercise of the City's home rule powers; and

**WHEREAS**, pursuant to the Illinois Liquor Control Act of 1934 (235 ILCS 5/ 1-1 *et seq.*) and its home rule authority, the City has adopted Chapter 329 of the City Code, which Chapter authorizes the issuance of liquor licenses in various classes; and

**WHEREAS**, Section 329-5 of the City Code identifies various classes of liquor licenses; and

**WHEREAS**, the Mayor and City Council have found and determined that it is in the best interest of the City and its residents to amend the Class 22 License.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CRYSTAL LAKE:**

**SECTION I:** Recitals.

The foregoing recitals are hereby incorporated as though fully restated herein.

**SECTION II:** Amendment to Chapter 329-5 of the City Code. Section 329-5 of the City Code is hereby amended to provide as follows

- (additions are shown as underlined and deletions are shown as strikethrough)

Class 22 license which shall authorize the retail sale, on the premises specified, of alcoholic liquor, for consumption, on the premises as well as the retail sale of alcoholic liquor in the original package between the hours of 11:00 a.m. and 1:00 a.m. Monday, Tuesday, Wednesday, Thursday; 11:00 a.m. and 2:00 a.m. Friday and Saturday; and 12:00 p.m. on Sunday and 1:00 a.m. on Monday. The Mayor and City Council may authorize the license holder to be open at 10:00 a.m. on Sunday upon the license holder submitting a list of the dates that it requests the earlier Sunday opening hours to the Mayor and City Council for approval. A Class A type restaurant may be located on the premises. For the purposes of this license, premises shall include not only the interior of any building or structure but also an open unroofed area



immediately contiguous to the building or structure where alcoholic beverages are served or consumed.

(1) Any open unroofed area in which alcoholic beverages are served or consumed pursuant to this license shall conform to the following:

(a) The open unroofed area shall be particularly described and adjacent to and operated as a part of the premises licensed to sell alcoholic liquor on the premises and shall have obtained all permits or approvals required by the ordinances of the City Code, City or other governmental authority.

(b) The open unroofed area shall be no greater than 1/2 the other floor space of the licensed premises.

(c) The open unroofed area shall have a maximum capacity as defined by the Liquor Commissioner which shall be separately posted at the entrance to the open unroofed area.

(d) Except as provided by subparagraph 2 of this Section Any part of the open unroofed area not blocked by a building shall be surrounded by a fence or other barrier approved by the Liquor Commissioner which shall contain the required number of fire exits. All fences or other barriers shall comply with the ordinances of the City regarding vision, clearance and required distances from corners.

(e) All electrical wiring shall comply with the codes of the City.

(f) All combustible rubbish shall be stored in a noncombustible container, and the license holder shall be responsible for keeping the area in a clean and sightly condition.

(g) The noise emanating from any open unroofed area where alcoholic beverages are served pursuant to this license shall not violate any of the provisions of the City Code of Ordinances pertaining to noise.

(h) The license holder shall be responsible for preventing violations of this chapter.

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

(2) The retail sale, on the premises specified, of alcoholic liquor, for consumption, on the premises may include the retail sale and consumption of alcoholic liquor within a tent erected adjacent to the premises specified, subject to the following conditions:

(a) Such sale and consumption within a tent shall only be permitted two times during any calendar year over not more than two consecutive days per event and only during the hours specified for retail sale of alcoholic liquor pursuant to this license.

(b) Such sale and consumption shall only be allowed pursuant to application made to and approved by the Liquor Commissioner.

(c) Any application made pursuant to this subsection shall be made to the Liquor Commissioner not less than ninety (90) days prior to the date requested for the tent sale.

(d) All of the conditions applicable to the retail sale and consumption of alcoholic liquor pursuant to subparagraphs 1(a) through 1(c) and 1(e) through 1(i) of this section shall be applicable to the retail sale and consumption of alcoholic liquor pursuant to this Section 2.

(e) The Liquor Commissioner may impose such reasonable conditions and restrictions upon retails sales and consumption of alcoholic liquor within a tent as may be deemed necessary by the Liquor Commissioner to assure that such sale and consumption can be conducted in a safe manner without posing any material risk to patrons of the licensed

premises or others. Such conditions may include mandating a minimum number of BASSETT trained personal to secure the perimeter of the tent and assure that no patron of the premises attempts to leave from the premises while holding open alcoholic liquor.

(f) The applicant must provide proof of ownership of the property on which the tent will be located or provide documentation confirming the ability to utilize the property for the tent event.

(2)(3) The annual fee for such license shall be the sum of \$1,825.

(3) (4) All persons making application for a license shall first deposit 1/2 of the total license fee amount with the City Clerk of the City. The balance of the license fee shall be due and payable on or before December first of the year in which the license is issued. All persons desiring licenses shall be required to pay the full amount of the license fee whether the license is to be issued for a full year or a part of the year. There shall be no rebate of any portion of the license fee due to the fact the application is made after the beginning of the fiscal year. Failure to pay the license fee or any portion thereof shall result in the immediate revocation of the license. All persons requesting a Class 16 license shall be required to pay the full amount of the license fee at the time of application. In the event an application is not accepted, the license fee shall be refunded.

SECTION III: This ordinance shall be in full force and effect from and after its passage and approval according to law.

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

DATED at Crystal Lake, Illinois, this 19<sup>th</sup> day of March, 2013

APPROVED:

\_\_\_\_\_  
MAYOR

ATTEST:

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

PASSED:

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



**Agenda Item No: 15**

**City Council  
Agenda Supplement**

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**Meeting Date:**

March 19, 2013

**Item:**

REPORT OF THE PLANNING & ZONING COMMISSION

#2012-116 Spence Management, 7624 Route 14

**ANNEXATION PUBLIC HEARING**

**Request:**

Rezoning from B-1 County to W PUD Watershed Planned Unit Development upon annexation.

Tom Zanck, attorney

**PZC Recommendation:** Motion to:

- 1) adopt ordinances authorizing execution of the annexation agreement and annexation of the property;
- 2) approve the Planning and Zoning Commission recommendations and approving an ordinance for rezoning upon annexation to W PUD Watershed Planned Unit Development; and
- 3) approve the annexation agreement as provided, for the property located at 7624 Route 14.

**Staff Contact:**

Michelle Rentzsch, Director of Planning and Economic Development

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**Background:**

- **Existing Use:** The property is currently vacant. Historically, it was the site of the Royal Oaks Antique Museum.
- **History:** Back in 2000, the property owner requested rezoning in the County. When the City objected due to this property's location within the Crystal Lake Watershed, the City and the property owner entered into a pre-annexation agreement, to provide for better protection for the Watershed. In 2010, the property owner asked for an extension to the pre-annexation agreement, which was granted by the City Council. Recently, a permit for an electronic billboard was requested at the County for this property, which caused the City to send a letter to the property owner reminding them of the requirement for annexation upon contiguity to the City limits. The current request is in response to this letter.

**Key Factors:**

- Request: Annexation public hearing and the approval of the Annexation Agreement. Also the request to rezone the property from B-1 in McHenry County to W-PUD Watershed Planned Unit Development.
- Land Use: The Land Use Map shows the property as Commerce. The proposed zoning designation of W PUD and allowing the uses in B-2, except car wash, outdoor sales lot, parking lot/commercial garage and oil service station, is appropriate for this land use designation.

**PZC Highlights:**

- The Planning and Zoning Commission were glad that the petitioner signed the pre-annexation agreement when it was requested by the City. They are also happy that the property is now being annexed into the City.
- The Commission wanted to restrict additional uses, such as auto repair, as part of the annexation agreement. The attorney stated those uses were already agreed upon in the pre-annexation agreement.

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

The draft annexation agreement is attached. This document has been reviewed by an attorney and staff and is an acceptable format.

**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 all of the legal owners and all of the electors of record 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, Spence Group Service, Inc., f/k/a Spence Management Service, Inc., has entered into a valid and binding Annexation Agreement relating to said territory; and

WHEREAS, all Petitions, documents and other necessary legal requirements are in full compliance with the requirements of said Annexation Agreement and with the Statutes of the State of Illinois, specifically 65 ILCS 5/7-1-8; 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: That the following described territory:

Part of the Northwest Quarter of Section 31, Township 44 North, Range 8 East of the Third Principal Meridian, described as follows: Beginning at a point on the North and South Quarter Section line, 18 chains and 36 links South of the Northeast corner of Lot 1 of the Northwest Quarter of Section 31 and running thence South 87 degrees West, 1,035 feet to a point in range with the center line of the highway known as the Crystal Lake and Woodstock Road; thence South 21 degrees 24 minutes East along the center of said highway, 530.5 feet; thence South 32 degrees 56 minutes East along the center of said highway, 244 feet; thence South 38 degrees and 21 minutes East along the center line of said highway, 845 feet, more or less, to the East and West Quarter Section line; thence East along said East and West Quarter Section line to the center of said Section 31; thence North along the North and South Quarter Section line to the place of beginning excepting therefrom that part thereof described as follows: commencing at the Northeast corner of said Northwest Quarter; thence South 2,150.2 feet along the East line of said Northwest Quarter for a place of beginning; thence South 56 degrees 42 minutes West, 409.7 feet to a point in the center line of a public highway (U.S. Route No. 14); thence South 37 degrees 42 minutes East along said center line, 303.2 feet to the East and West Quarter Section line; thence East along said Quarter Section line to the center of said Section 31; thence North 2 degrees and 26 minutes East, 461.7 feet along the East line of said Northwest Quarter to the place of beginning; also excepting therefrom that part dedicated for right of way by instrument recorded in Book 8 of Miscellaneous Records, Page 125; also excepting therefrom that part of the Northwest Quarter of Section 31, Township 44 North, Range 8 East of the Third Principal Meridian, described as follows: Beginning at a point on the North and South Quarter Section line that is 1,211.76 feet South of the North Quarter corner thereof; thence South on a continuation of the last described line, a distance of 367.78 feet to a point; thence West on a line forming an angle at 84 degrees 22 minutes to the right, with a prolongation of the last described line, a distance of 876.78 feet to an intersection with the center line of a public highway running in a Northwesterly and Southeasterly direction; thence Northwesterly along said center line, being on a line forming an angle of 71 degrees 36 minutes to the right, with a prolongation of the last described line, a distance of 385.48 feet to a point; thence Easterly on a line forming an angle of 108 degrees 24 minutes to the right with a prolongation of the last described line a distance of 1,035 feet to the place of beginning; also excepting therefrom any portion of the land taken for road purposes in Case No. 82ED3, in McHenry County, Illinois.

be and the same is hereby annexed to the City of Crystal Lake, McHenry County, Illinois.

SECTION II: 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

# DRAFT

map of the territory hereby annexed, said map being attached hereto and made a part hereof and labeled Exhibit "I".

SECTION III: That this Ordinance shall be in full force and effect from the after its passage and approval, and when a certified copy thereof, together with an accurate map is recorded in the Office of the Recorder of Deeds of McHenry County, Illinois, and filed in the Office of the County Clerk of McHenry County, Illinois; and thereupon said territory shall be subject to the jurisdiction of the City of Crystal Lake.

AYES:

NAYS:

ABSENT:

PASSED this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

APPROVED by me this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

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MAYOR

ATTEST:

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CITY CLERK

**DRAFT**

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

**AN ORDINANCE ZONING CERTAIN PROPERTY  
“W-PUD” WATERSHED PLANNED UNIT DEVELOPMENT**

WHEREAS, certain territory is the subject of a certain Annexation Agreement; and

WHEREAS, said territory has been duly annexed by ordinance to the City of Crystal Lake;

and

WHEREAS, by the terms of said Annexation Agreement, said territory is to be zoned “W-PUD” Watershed Planned Unit Development; and

WHEREAS, it is in the best interests of the City of Crystal Lake that the property legally described hereinbelow be classified and zoned as indicated.

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 the same is hereby zoned and classified “W-PUD” Watershed Planned Unit Development:

Part of the Northwest Quarter of Section 31, Township 44 North, Range 8 East of the Third Principal Meridian, described as follows: Beginning at a point on the North and South Quarter Section line, 18 chains and 36 links South of the Northeast corner of Lot 1 of the Northwest Quarter of Section 31 and running thence South 87 degrees West, 1,035 feet to a point in range with the center line of the highway known as the Crystal Lake and Woodstock Road; thence South 21 degrees 24 minutes East along the center of said highway, 530.5 feet; thence South 32 degrees 56 minutes East along the center of said highway, 244 feet; thence South 38 degrees and 21 minutes East along the center line of said highway, 845 feet, more or less, to the East and West Quarter Section line; thence East along said East and West Quarter Section line to the center of said Section 31; thence North along the North and South Quarter Section line to the place of beginning excepting therefrom that part thereof described



# DRAFT

as follows: commencing at the Northeast corner of said Northwest Quarter; thence South 2,150.2 feet along the East line of said Northwest Quarter for a place of beginning; thence South 56 degrees 42 minutes West, 409.7 feet to a point in the center line of a public highway (U.S. Route No. 14); thence South 37 degrees 42 minutes East along said center line, 303.2 feet to the East and West Quarter Section line; thence East along said Quarter Section line to the center of said Section 31; thence North 2 degrees and 26 minutes East, 461.7 feet along the East line of said Northwest Quarter to the place of beginning; also excepting therefrom that part dedicated for right of way by instrument recorded in Book 8 of Miscellaneous Records, Page 125; also excepting therefrom that part of the Northwest Quarter of Section 31, Township 44 North, Range 8 East of the Third Principal Meridian, described as follows: Beginning at a point on the North and South Quarter Section line that is 1,211.76 feet South of the North Quarter corner thereof; thence South on a continuation of the last described line, a distance of 367.78 feet to a point; thence West on a line forming an angle at 84 degrees 22 minutes to the right, with a prolongation of the last described line, a distance of 876.78 feet to an intersection with the center line of a public highway running in a Northwesterly and Southeasterly direction; thence Northwesterly along said center line, being on a line forming an angle of 71 degrees 36 minutes to the right, with a prolongation of the last described line, a distance of 385.48 feet to a point; thence Easterly on a line forming an angle of 108 degrees 24 minutes to the right with a prolongation of the last described line a distance of 1,035 feet to the place of beginning; also excepting therefrom any portion of the land taken for road purposes in Case No. 82ED3, in McHenry County, Illinois.

That the City agrees to grant W – PUD, Watershed District Planned Unit Development permitting all those uses allowed in the B-2 Business District of the Crystal Lake Unified Development Ordinance, except for the following uses and subject to the conditions set forth below:

- a. Car wash
- b. Outdoor sales lot
- c. Parking lot/commercial garage
- d. Oil service station

SECTION II: That the City Clerk be and he 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 zoning and classification of the above-described property 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.

DRAFT

AYES:

NAYS:

ABSENT:

PASSED this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

APPROVED by me this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

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MAYOR

ATTEST:

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CITY CLERK

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, Spence Group Service, Inc., f/k/a Spence Management Services, Inc., is 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:

DRAFT

NAYS:

ABSENT:

PASSED this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

APPROVED by me this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

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MAYOR

ATTEST:

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CITY CLERK



**Agenda Item No: 16**

**City Council  
Agenda Supplement**

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**Meeting Date:**

March 19, 2013

**Item:**

REPORT OF THE PLANNING & ZONING COMMISSION

#2012-87 Northside Community Bank, 5111 E. Terra Cotta Avenue  
(Route 176)

**ANNEXATION PUBLIC HEARING**

**Request:**

Rezoning from B-1 County to B-2 General Commercial upon  
annexation.

Tom Zanck, attorney

**PZC Recommendation:** Motion to:

- 1) adopt ordinances authorizing execution of the annexation agreement and annexation of the property;
- 2) approve the Planning and Zoning Commission recommendations and approve an ordinance for rezoning upon annexation to B-2 General Commercial; and
- 3) approve the annexation agreement as provided, for the property located at 5111 E. Terra Cotta Avenue (Route 176).

**Staff Contact:**

Michelle Rentzsch, Director of Planning and Economic Development

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**Background:**

- Existing Use: The property contains the Crystal Lake Rib House and two vacant parcels one with a billboard sign.
- History: The City approached the petitioner to annex the property as part of the City's comprehensive annexation program. The petitioner is amenable to annexation, provided the existing uses are approved as is and allowed to remain.

**Key Factors:**

- Request: Annexation public hearing and the approval of the Annexation Agreement. Also the request to rezone the property from B-1 in McHenry County to B-2 General Commercial.

- Land Use: The land use map shows the property as Commerce. The suggested zoning and the existing use are appropriate in this land use designation.

**PZC Highlights:**

- The Planning and Zoning Commission discussed the existing billboard sign. They would like the sign to comply with the UDO; however, the UDO does not permit billboards. Also, the PZC suggested if the billboard were damaged or removed, it should need a variation to be reconstructed.
- The Commission also discussed the shared drive between the Rib House and the barn lot, which is already incorporated into the City limits. The bank owns both properties now, but if they are sold separately in the future an access easement should be granted.

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

The draft annexation agreement is attached. This document has been reviewed by an attorney and staff and is an acceptable format.

**City Council Considerations:**

- The billboard lease expires in 2019. The owner has agreed to not renew the lease and have the sign company remove the billboard at that time. A legal review confirmed that the best course of action for removal of the existing billboard on the property would be to allow for the existing lease to expire and prohibit any extensions. This is reflected in the draft annexation agreement on page 6, paragraph 7.
- The petitioner also has two liquor licenses with McHenry County. The City would issue liquor licenses that are similar to those held in the County at a future meeting, once the application requirements have been met.

**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 all of the legal owners and all of the electors of record 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, NORTHSIDE COMMUNITY BANK, has entered into a valid and binding Annexation Agreement relating to said territory; and

WHEREAS, all Petitions, documents and other necessary legal requirements are in full compliance with the requirements of said Annexation Agreement and with the Statutes of the State of Illinois, specifically 65 ILCS 5/7-1-8; 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: That the following described territory:

Lots 1 and 2 in Geraci Acres Subdivision, being a subdivision of part of the Northeast Quarter of the Southeast Quarter of Section 33, together with an undivided percentage interest in the common elements 44 North, Range 8 East of the Third Principal Meridian, according to the plat thereof recorded July 27, 1981 as Document No. 820587, in McHenry County, Illinois.

be and the same is hereby annexed to the City of Crystal Lake, McHenry County, Illinois.

SECTION II: 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 "I".

SECTION III: That this Ordinance shall be in full force and effect from the after its passage and approval, and when a certified copy thereof, together with an accurate map is recorded in the Office of the Recorder of Deeds of McHenry County, Illinois, and filed in the Office of the County Clerk of McHenry County, Illinois; and thereupon said territory shall be subject to the jurisdiction of the City of Crystal Lake.

AYES:

NAYS:

ABSENT:

PASSED this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

APPROVED by me this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
MAYOR

ATTEST:  
  
\_\_\_\_\_



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CITY CLERK

DRAFT

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

**AN ORDINANCE ZONING CERTAIN PROPERTY  
"B-2" GENERAL COMMERCIAL ZONING DISTRICT**

WHEREAS, certain territory is the subject of a certain Annexation Agreement; and

WHEREAS, said territory has been duly annexed by ordinance to the City of Crystal Lake;

and

WHEREAS, by the terms of said Annexation Agreement, said territory is to be zoned "B-2"  
General Commercial zoning district; and

WHEREAS, it is in the best interests of the City of Crystal Lake that the property legally  
described hereinbelow be classified and zoned as indicated.

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 the same is hereby zoned and  
classified "B-2" General Commercial Zoning district:

Lots 1 and 2 in Geraci Acres Subdivision, being a subdivision of part of the  
Northeast Quarter of the Southeast Quarter of Section 33, together with an undivided  
percentage interest in the common elements 44 North, Range 8 East of the Third  
Principal Meridian, according to the plat thereof recorded July 27, 1981 as Document  
No. 820587, in McHenry County, Illinois.

SECTION II: That the City Clerk be and he 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

DRAFT

zoning and classification of the above-described property 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.

AYES:

NAYS:

ABSENT:

PASSED this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

APPROVED by me this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

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MAYOR

ATTEST:

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CITY CLERK

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, NORTHSIDE COMMUNITY BANK, Owner, is 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\_\_.

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MAYOR

ATTEST:

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CITY CLERK



**Agenda Item No: 17**

**City Council  
Agenda Supplement**

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**Meeting Date:** March 19, 2013

**Item:** City Code Amendment to Increase the Number of Class "9" Liquor Licenses— Applicant: Northside Community Bank/The Rib House, 5111 E. Terra Cotta Avenue

**Staff Recommendation:** Motion to adopt an ordinance increasing the number of Class "9" Liquor Licenses from the current permitted 5 licenses to 6 licenses, with approval contingent upon successful background requirements.

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

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**Background:**

The City has received a request from Northside Community Bank/The Rib House, 5111 E. Terra Cotta Avenue, for the Council to consider the adoption of an ordinance providing for an amendment to the liquor license restriction provisions of the City Code, increasing the number of Class "9" liquor licenses from the current 5 licenses to 6 licenses. The Rib House currently holds a Class "A" and a Class "D" liquor license with McHenry County. The County's Class "A" liquor license allows the retail sale on the premises of alcoholic liquor for consumption on the premises or the retail sale of unbroken packaged liquor for consumption off the premises on all days, from 6:00 a.m. to 2:00 a.m. The County's Class "D" liquor license allows the retail sale of alcoholic beverages for consumption beyond the confines of the premises specified in the license but within the property lines of the property upon which the premises is located. The issuance of an equivalent liquor license with the City of Crystal Lake upon annexation to the City of Crystal Lake is being requested.

Section 329-5-I of the City Code permits the issuance of a Class "9" liquor license, which authorizes the retail sale, on the premises specified, of alcoholic liquor, for consumption, on the premises as well as the retail sale of alcoholic liquor in the original package between the hours of 11:00 a.m. and 1:00 a.m. Monday, Tuesday, Wednesday, Thursday; 11:00 a.m. and 2:00 a.m. Friday and Saturday; and 10:00 a.m. on Sunday and 1:00 a.m. on Monday. For the purposes of this license, premises shall include not only the interior of any building or structure but also an open unroofed area immediately contiguous to the building or structure where alcoholic beverages are served or consumed. In addition, an exception has been included in the annexation agreement for this property to accommodate the County's Class D authorization of the retail sale of alcoholic beverages for consumption beyond the confines of the premises specified in the license but within the property lines of the property upon which the premises is located.

**Votes Required to Pass:**

Simple majority



DRAFT

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

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

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

1. Class 9 License shall be increased from 5 to 6.

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 19th day of March, 2013.

APPROVED:

\_\_\_\_\_  
MAYOR

ATTEST:

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

PASSED: March 19, 2013

APPROVED: March 19, 2013

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:** March 19, 2013

**Item:** Sign Variation to allow a freestanding sign that is 48 SF in area and 8 feet in height for Title Max at 6319 Northwest Highway.

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

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

**Background:**

- Existing Use: The site is currently an existing single-story building.

**Key Factors:**

- Request: The petitioner is requesting a variation from the maximum permitted square feet and height of the freestanding sign, Section 4-1000 E Office Signs, in the UDO.
- UDO Standard: Title Max is considered a Financial Institution, which is an office use. There are several office uses which are also permitted in the Commercial zoning districts. Signage is based on the use of the property not the zoning. Since Title Max is considered an office use, it is permitted office size signage.
- UDO Standard: Article 4-100 establishes street standards and also sight visibility standards. Exhibit A illustrates the required sight visibility triangle from the driveway. It is measured 445 feet back from the drive, per the formula based on the posted speed limit.
- Analysis: The following table illustrates the proposed sign, versus the ordinance requirement:

Sign Type	UDO Requirement	Proposed Sign	Meets Ord. Y/N
Wall Sign	75 SF max. for 1 sign or façade 150 SF total for all wall signage	71.5 SF	Yes
Freestanding Sign	32 SF 6 feet in height	48 SF 8 feet in height	No – 16 SF over No – 2 feet in height over



**Review Criteria:**

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:

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

**Recommended Conditions:**

1. Approved plan, to reflect staff and advisory board comments, as approved by the City Council:
  - A. Application (TMX Finance, received 03/08/13)
  - B. Sign Plans (Atlantic Sign & Graphics, dated 10/24/12, received 03/08/13)
2. The sign shall not be located within the sight visibility triangle.
3. The petitioner shall provide an accurate plat of survey. The sign shall be located a minimum of 10 feet behind the property line or 10 feet behind the future location of the back of sidewalk whichever is farther back.
4. 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.

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

AN ORDINANCE GRANTING A SIGN VARIATION FOR THE  
TITLE MAX, 6319 NORTHWEST HIGHWAY

WHEREAS, pursuant to the terms of the request (File #2013-04-D) before the City of Crystal Lake, the Petitioner has requested a sign variation to allow a freestanding sign that is 48 square feet in area and 8 feet in height for Title Max; and

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

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

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

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

SECTION I: That a sign variation be granted to allow a freestanding sign that is 48 square feet in area and 8 feet in height for Title Max located at 6319 Northwest Highway, Crystal Lake, Illinois with the following conditions:

1. Approved plan, to reflect staff and advisory board comments, as approved by the City Council:
  - A. Application (TMX Finance, received 03/08/13)
  - B. Sign Plans (Atlantic Sign & Graphics, dated 10/24/12, received 03/08/13)
2. The sign shall not be located within the sight visibility triangle.
3. The petitioner shall provide an accurate plat of survey. The sign shall be located a minimum of 10 feet behind the property line or 10 feet behind the future location of the back of sidewalk whichever is farther back.
4. The petitioner shall comply with all of the requirements of the Engineering and Building and Planning and Economic Development Departments.

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

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

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

\_\_\_\_\_  
MAYOR

ATTEST:

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

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



**Agenda Item No: 19**

**City Council  
Agenda Supplement**

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**Meeting Date:**

March 19, 2013

**Item:**

McHenry County College deferral of watershed requirements for renovated parking lot and sign variation for temporary signage.

**Recommendation:**

City Council discretion:

- A) Motion to approve the deferral of the watershed requirements for the renovated parking lots and a sign variation for temporary signage, subject to the recommended staff conditions.
- B) Motion to deny the petitioner's request.

**Staff Contact:**

Michelle Rentzsch, Director of Planning & Economic Development  
Erik Morimoto, Director of Engineering & Building

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**Background:**

*Watershed Deferral*

An analysis of the existing parking lots located on the south side of McHenry County College reveal that they are in substandard condition and need to be completely removed, the base rebuilt, and replaced.

- These original parking lots were built in 1974 and have reached the end of their service life.
- A simple grind and overlay is not an option, due to the resulting thickness of pavement, and the need to address water ponding in areas that are causing surface degradation.
- The plan is to reconstruct parking lots B and D and to modify the traffic pattern to improve parking efficiency and the safety of pedestrians.
- The Watershed Design Manual requires tiers of filtration for the impervious surface. The areas that are intended to be used for these tiers of filtration are shown on the College's Master Plan, but are not available at this time, as they are being utilized by sports fields and parking lots.
- The College is requesting a deferral of installing the tiered best management practices required in the Crystal Lake Watershed until such time as this phase of the Master Plan is implemented.
- In the interim, the parking lot improvements will meet the typical stormwater ordinance requirements that would apply anywhere within the City. The overall intent of filtering

and recharging the stormwater is being met; however, the extra provisions in the Watershed Ordinance, such as tiered filtration and monitoring requirements, would be deferred.

*Sign Variation*

Due to the Route 14 road widening construction project that is slated to begin in the summer of 2013, the College's existing freestanding sign will be removed. The College is requesting a temporary sign, to be located at the southeast corner of Route 14 and the ring road that connects with Lucas Road.

- For civic uses, the UDO would permit two temporary signs, 16 square feet in area and up to six feet tall.
- The proposed sign would be 104 square feet in area and 10.5 feet tall, necessitating a variation, as indicated in the chart below.

Item	UDO Requirement	Proposed Signage	Variation
Location	Signs must be setback 10 feet from the property line	Setback ~3 feet	Yes
Size	16 square feet	104 square feet	Yes
Height	6 feet	10.5 feet	Yes

The City Council can grant a variation from the requirements of the Ordinance to overcome an exceptional condition which poses practical difficulty or particular hardship in such 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 variations will not by itself, or with other signs, contribute to the creation of a 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.

If the request is approved, staff recommends the following conditions:

1. The full requirements of the Crystal Lake Watershed Stormwater Design Manual and

Watershed Ordinance must be provided within 8 years or when the next phase of the Master Plan is implemented, whichever occurs first.

2. The interim stormwater improvements shall meet all the current standard stormwater ordinance requirements for this type of development.

The applicant has been made aware of these recommended conditions and advised to attend the March 19, 2013, City Council meeting to present their request and answer any questions.

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

DRAFT

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

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

AN ORDINANCE GRANTING A SIGN VARIATION  
AND DEFERRAL FROM THE WATERSHED ORDINANCE  
FOR McHENRY COUNTY COLLEGE, 8900 ROUTE 14

WHEREAS, pursuant to the terms of the request (File #2013-12) before the City of Crystal Lake, the Petitioner has requested a sign variation to allow a temporary freestanding sign and deferral from the Watershed Ordinance for McHenry County College; and

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

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

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

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

SECTION I: That a sign variation be granted to allow a temporary freestanding sign and deferral from the Watershed Ordinance for the parking lot improvements for McHenry County College located at 8900 Route 14, Crystal Lake, Illinois with the following conditions:

1. The full requirements of the Watershed Design Manual and Ordinance must be provided within 8 years or when the next phase of the Master Plan is implemented, whichever occurs first.
2. The interim stormwater improvements shall meet all the current standard stormwater ordinance requirements for this type of development.

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

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

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

DRAFT

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MAYOR

ATTEST:

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CITY CLERK

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





**Agenda Item No: 20**

**City Council  
Agenda Supplement**

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**Meeting Date:** March 19, 2013

**Item:** Landscape Care

**Staff Recommendation:** A motion awarding the bid for landscaping and adopting a resolution authorizing the City Manager to execute a three-year contract with the lowest responsive and responsible bidder, Landscape Concepts, for landscaping based on submitted prices for 2013, 2014 and 2015, and authorizing the City Manager to execute contract extensions of up to two additional years.

**Staff Contact:** Larry Zurek, Superintendent, Streets Division  
Eric T. Helm, Deputy City Manager

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**Background:**

On Wednesday, March 6, 2013, the City of Crystal Lake publicly opened and read aloud the bids received for landscaping. The City requested prices to maintain the grass and landscaping on City-owned properties, including the Three Oaks Recreation Area. Specifically, these services will include:

1. *Mowing services:* A price per mow was requested.
2. *Maintenance of plantings at City Hall:* The contractor will maintain all the shrub beds, tree rings and flowerbeds.
3. *Watering and maintenance of downtown flowers:* The contractor will water 108 hanging flower baskets, 24 flower beds, and 12 planter urns a minimum of five times per week, from May 17<sup>th</sup> through October 15<sup>th</sup>, or at an agreed upon date.

Also, the contractor will perform the following at the Three Oaks Recreation Area:

1. *Mowing Services:* A price per mow was requested.
2. *Turf fertilization, aeration and over-seeding:* Due to poor soils and heavy pedestrian traffic, the turf will receive extensive treatment and care. At the City's discretion, the contractor would also utilize a slit seeder to re-seed areas of heavy use.
3. *Yearly tree fertilization:* All trees and bushes will receive fall root fertilization.
4. *Plant bed and tree ring maintenance:* Weekly, the contractor will maintain all the shrub beds, tree rings and flowerbeds.

5. *Watering and maintenance of hanging flower baskets:* The contractor will water 28 hanging flower baskets a minimum of five times per week, from May 17<sup>th</sup> through October 15<sup>th</sup>, or at an agreed upon date.
6. *Lawn sprinkler service maintenance:* The contractor will winterize and perform the springtime activation of the lawn sprinkler system. This includes the maintenance and repair of the system.

**Recommendation**

The City Manager's Office and Public Works Department have reviewed all bids received for completeness and accuracy in accordance with the Invitation to Bid document and have checked references. It is staff's recommendation to award the contract for landscaping to Landscape Concepts based on submitted prices for 2013, 2014 and 2015, with an option for the City Manager to execute contract extensions of up to two additional years. Funds are available for the landscape services contract.

**Votes Required to Pass:**

Simple majority vote of the City Council.

DRAFT



**RESOLUTION**

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE that the City Manager be and he is hereby authorized and directed to execute a contract for landscaping between the City of Crystal Lake and Landscape Concepts for 2013, 2014 and 2015, and authorizing the City Manager to execute contract extensions of up to two additional years.

DATED this 19<sup>th</sup> day of March, 2013

CITY OF CRYSTAL LAKE, an  
Illinois municipal corporation,

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

SEAL

ATTEST

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

PASSED:  
APPROVED:



**Agenda Item No: 21**

**City Council  
Agenda Supplement**

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**Meeting Date:** March 19, 2013

**Item:** Three Oaks Recreation Area Dredging

**Staff Recommendation:** A motion awarding the bid for dredging at the Three Oaks Recreation Area and adopting a resolution authorizing the City Manager to execute a contract with the lowest responsive and responsible bidder, PirTano Construction, for the amount of \$22,500 and authorizing the City Manager to approve up to 10 percent in justifiable contract amendments from a contingency allowance.

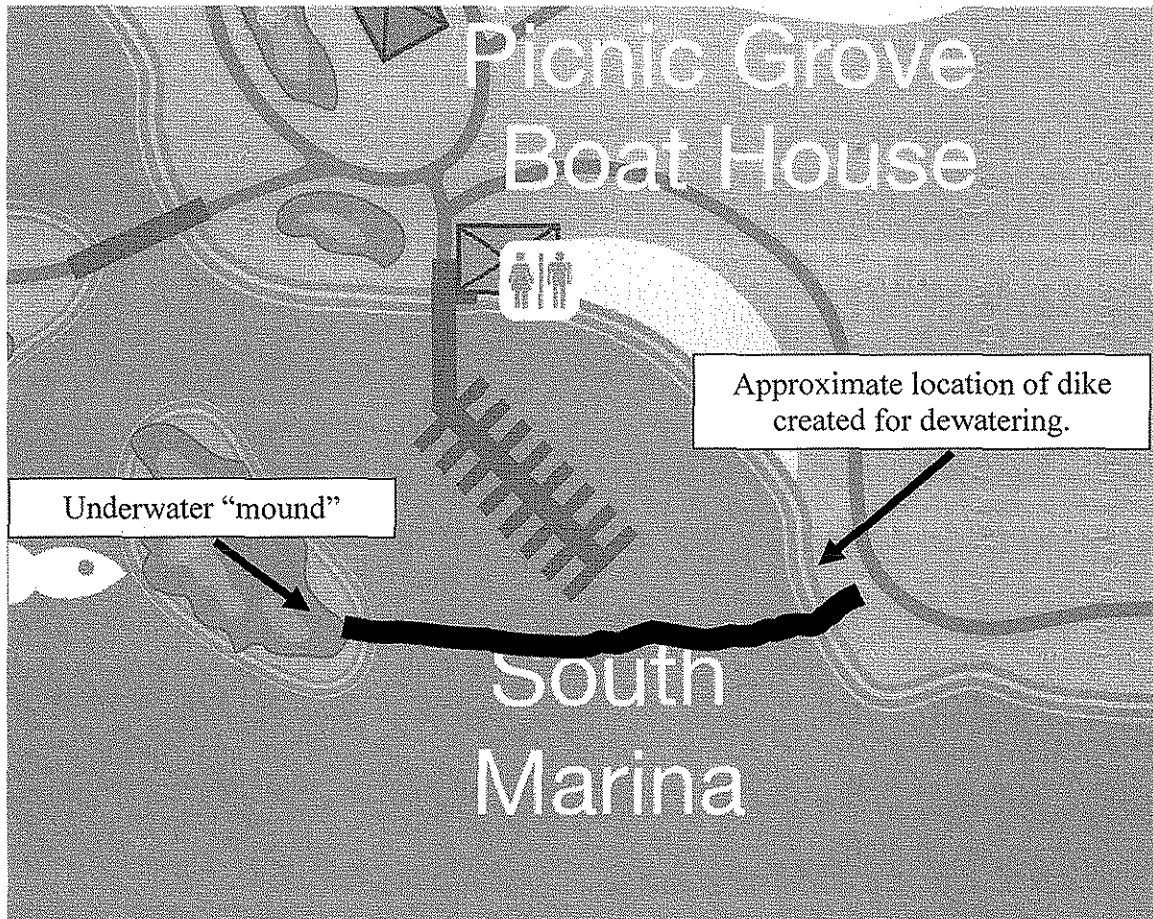
**Staff Contact:** Eric T. Helm, Deputy City Manager

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**Background:**

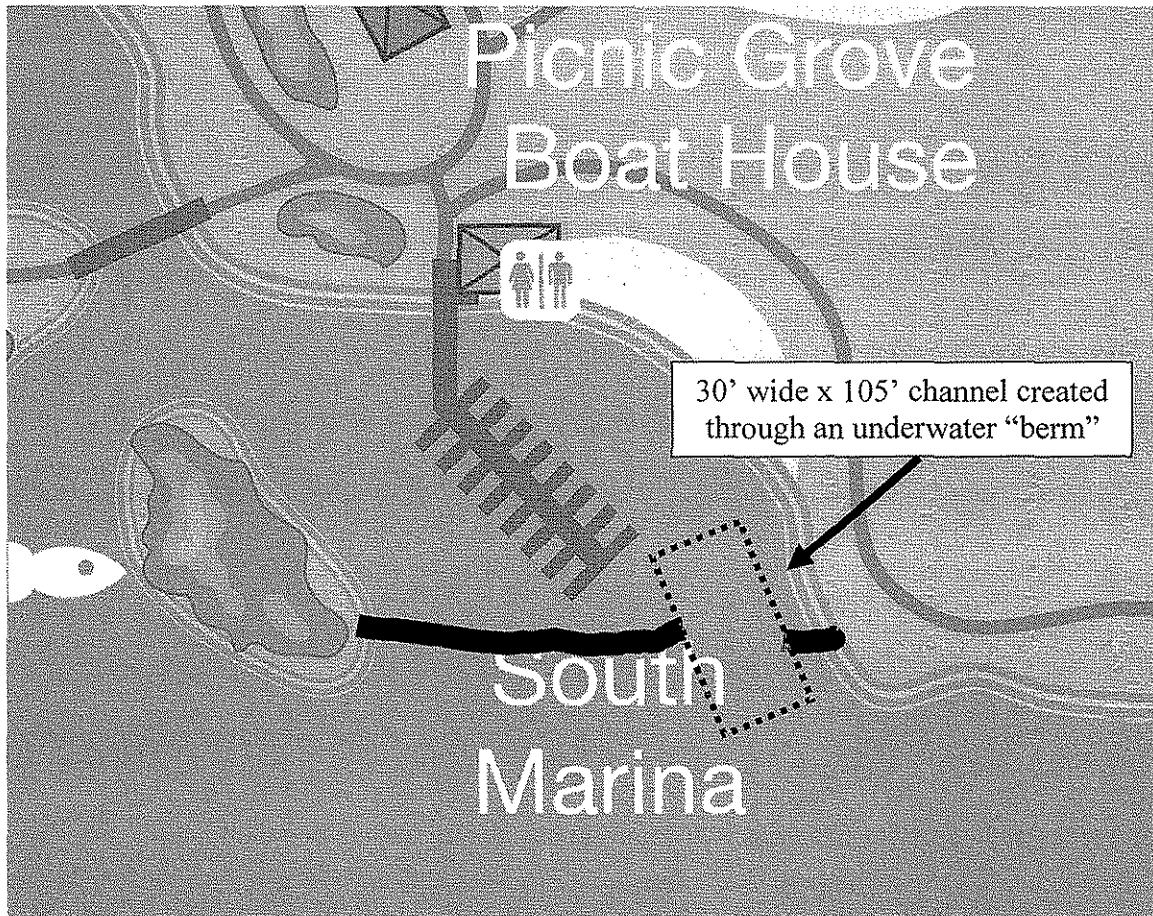
On Tuesday, March 12, 2013, the City of Crystal Lake publicly opened and read aloud the bids received for dredging of the south lake marina area at the Three Oaks Recreation Area. Since the beginning of drought conditions in 2012, the water levels at the Three Oaks Recreation Area have continually fallen. The customers' enjoyment of the park has not been significantly impacted by the low water levels in most areas of the park. One area where the falling water level has impacted the customers' use of the park is in the marina.

The “mouth” of the marina is particularly susceptible to the hazards of low water level. As depicted on the below map, during the construction of the park, a dike was created at the “mouth” of the marina to encapsulate the area. Once the dike was created, the area was dewatered so that the pier, boat house, and marina beach could be built. Even though the contractor removed the dirt used to create the dike, a slight mound still remained under the water. Now that water levels are at historically low levels, this mound has become a hazard to watercraft leaving the marina. At certain areas, the water is no more than 1’ deep.



### Proposed Solution

In order to keep the rental marina open during times of low water levels, it is proposed that a 30' wide x 105' long channel be created. This channel would be about 8'-10' deep. This will allow boats to pass out of the marina without damaging the boats and motors.



The area and size of the channel was designed so that it could be constructed by an earthwork excavator working close to the shore. This keeps the cost of construction lower than using other alternative dredging methods (i.e. using a barge). The specifications require that the contractor remove approximately 687 cubic yards of materials and move these materials closer to the shore of the lake, or further out into the lake.

The breakdown of the bids received is shown below:

<i>Contractor</i>	<i>Price</i>
√ <i>PirTano Construction Addison, IL</i>	<i>\$22,500</i>
Copenhaver Construction Gilberts, IL	\$27,000
Maneval Construction Grayslake, IL	\$35,112
Merryman Excavation, Inc. Woodstock, IL	\$52,405
Berger Excavating Contractors Wauconda, IL	\$117,000

√ - Indicates lowest responsive and responsible bidder

**Recommendation:**

The City Manager's Office and Engineering Division have reviewed all bids received for completeness and accuracy in accordance with the Invitation to Bid document and have checked references. It is staff's recommendation to award the contract for dredging to PirTano Construction in the total bid amount of \$22,500 and approve up to 10 percent in justifiable contract amendments from a contingency allowance.

**Votes Required to Pass:**

Simple majority vote of the City Council.



DRAFT

## RESOLUTION

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE that the City Manager be and he is hereby authorized and directed to execute a contract for dredging between the City of Crystal Lake and PirTano Construction in the amount of \$22,500. The City Manager is additionally authorized to approve up to 10 percent in justifiable contract amendments from a contingency allowance.

DATED this 19<sup>th</sup> day of March, 2013

CITY OF CRYSTAL LAKE, an  
Illinois municipal corporation,

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

SEAL

ATTEST

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

PASSED:  
APPROVED:





**Agenda Item No: 22**

**City Council  
Agenda Supplement**

**Meeting Date:** March 19, 2013

**Item:** Master Address Repository

**Staff Recommendation:** Motion to award the Master Address Repository Request for Proposal to the lowest responsive and responsible bidder, Baxter & Woodman, Inc., in the bid amount of \$34,888.00, and adopt a resolution authorizing the City Manager to execute the contract with Baxter & Woodman, Inc., allowing for a 10 percent contingency.

**Staff Contact:** Gregory A. Fettes, Director of Information Technology

**Background:**

On February 8, 2013, Proposals received for the Master Address Repository were opened and publicly read. The City received four bids and the results are tabulated below:

<i>Firm</i>	<i>Amount of Bid</i>
Baxter & Woodman, Inc. Crystal Lake, IL	\$34,888.00 <sup>1</sup>
Arcbridge Consulting Herndon, VA	\$65,000.00
Timmons Group Richmond, VA	\$97,230.00
Spatial Focus, Inc. University Park, MD	\$144,970.00

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

Over the course of many years, the City has developed various databases which contain address information for many purposes. City databases have been developed that assist in billing for Water & Sewer services, Community Development project tracking, citizen request management, and multi-family unit addressing, among others. The City's Geographic Information System (GIS) utilizes data developed by the McHenry County GIS department in our addressing layer that provides addressing information for the entire County. Finally, public safety databases have been developed by the McHenry County Emergency Telephone Board, which are used by our Police and Fire Rescue Departments, as well as SEECOM. Because these databases have been developed by different entities over time, using differing requirements for the development of the addressing information, various differences exist between the databases that can sometimes complicate proper addressing techniques within the community, as well as proper data tracking within the City's data processing systems that rely on address information.

The Request for Proposal was designed to select a vendor who would take all of the City's (and other entities') databases and combine them into one Master Address Repository (MAR) that would provide not only a master addressing database for the City to utilize in all its functions, but to allow data exchange between the City and other entities in a standardized data format. In the furtherance of that goal, the MAR data will be standardized to the Federal Geographic Data Committee (FGDC) Thoroughfare, Landmark and Postal Address Data standard. This standard was adopted and is in use by the U.S. Census Bureau as of February of 2011 and is designed to provide a nation-wide standard for how addresses are implemented and used throughout the United States. The objectives for this standard are the following:

- Provide a statement of best practices for street address data content and classification.
- Provide standard terms and definitions of the content and applicability of an address dataset or data element, to reduce inconsistencies in the use and organization of address data elements.
- Define standard tests and means of describing street address data quality and accuracy.
- Provide a method for documenting the content of address information to facilitate address data exchange and offer a migration path from legacy formats to standards compliant ones.
- Recognize, as a practical matter, that different users may require different levels of standardization.

As a result of normalizing our Master Address Repository database, we will be able to more easily exchange addressing information with other entities such as the McHenry County Emergency Telephone Board, SEECOM, public utilities, and within our various data processing packages.

As a part of this project, the vendor will create a Master Address Repository database housed in a Microsoft SQL database on City servers, and will also create a data layer on our Geographic Information System that will maintain our addressing up-to-date on that system. In addition, the vendor will review our addressing procedures for new properties and make recommendations to those procedures to ensure that future new addresses are consistent throughout the Community and to identify current addressing anomalies. Finally, as a part of the database development, the vendor will create a custom software interface for the creation of new addresses in the MAR and GIS databases that will ensure that the new addresses conform to the City's new procedures and the FGDC standards.

The City sent notice to several different vendors and standard RFP advertisement procedures were followed. Sufficient funds for this project were provided in the 2013 budget.

**Recommendation:**

This project was sent out for proposals for a January opening but was subsequently re-bid due to a discrepancy in the opening date and time in the original documents.

It is the recommendation of City staff to award the contract for the Master Address Repository to the lowest responsive and responsible bidder, Baxter & Woodman, Inc., in the amount of \$34,888.00, with a contingency of up to 10% of the contract value for any unforeseen work required beyond the scope of this project.

**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 authorized to execute the contract with Baxter & Woodman, Inc. for the Master Address Repository project in the amount of \$34,888.00. The City Manager is additionally authorized to approve up to 10 percent in justifiable contract amendments from a contingency allowance.

**DATED** this 19<sup>th</sup> day of March, 2013.

CITY OF CRYSTAL LAKE, an  
Illinois municipal corporation,

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

SEAL

ATTEST

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

PASSED: March 19, 2013

APPROVED: March 19, 2013



**Agenda Item No: 23**

**City Council  
Agenda Supplement**

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**Meeting Date:**

March 19, 2013

**Item:**

Consultant Selection Approval for the completion of a Water System Master Plan Study

**Staff Recommendation:**

Motion to award the proposal for engineering services for a Water System Master Plan Study to the most responsible and responsive proposer, Baxter & Woodman, and adopt a resolution authorizing the City Manager to execute an agreement with Baxter & Woodman in the amount of \$101,950.00 and approve changes in scope by up to 10 percent of the original price.

**Staff Contact:**

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

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**Background:**

The City is in need of updating its master plan for the potable water system. The last comprehensive report was created in 1997 and does not account for the current maintenance needs of the City's five treatment facilities, new EPA regulations, or the water distribution system model. The primary purpose of the updated master plan will be to correct current infrastructure issues, prioritize capital expenditures, increase efficiencies, and help the City keep in compliance with new and upcoming EPA regulations. The new master plan will serve as the primary water infrastructure guide for the long-term future.

Staff also requested that the engineering firms pay particular attention to key equipment or processes that have generated concerns. Such equipment and processes include:

1. Water Treatment Plant #2 (WTP2) equipment improvements – This plant will require near-term significant equipment improvements, and has one well with low water production. The current equipment is more than 25 years old.
2. Chlorides Discharge – The chloride discharge from the City's five water treatment plants is the most significant factor of the wastewater treatment plants' challenge to meet the EPA chlorides discharge limits. To date, the City has replaced its old softening vessels at WTP1 and WTP4. In addition, a chlorides lift station was installed at WWTP3 to divert WTP4 softener regeneration waste water (concentrated chlorides) from WWTP#3 to WWTP#2 as part of the WWTP chlorides compliance plan. The City has not experienced the success that was originally projected from these improvements. Options must be included to further reduce chlorides waste from the water treatment plants to meet wastewater treatment plant

discharge limits. All options provided should quantify the reductions of chlorides discharged.

3. Alternative Treatment Analysis – Use the information collected in this report to perform a cost and operational analysis of alternate system operations which may include altering the treatment process at one or more treatment plants (converting the current ion exchange system to reverse osmosis or lime softening for example), and/or abandoning or transferring water from Well 7 (WTP1), Wells 6 and 9 (WTP2), Wells 10, 11, 14 (WTP4) to other water treatment facilities.
4. Ammonia at WTP3 – The two shallow wells at WTP3 contain high levels of ammonia (1.5 – 2 mg/l) which requires elevated amounts of chlorine to treat the raw water. Consideration should be given to future treatment alternatives that address the ammonia issue and new EPA drinking water regulations.
5. Efficiencies – Consumption of chemicals and energy are a large expense for the water treatment plant operations. Consideration should be given to potential chemical and energy efficient upgrades and operational changes to all treatment plants. The final report shall contain cost estimates of implementation and projected payback periods.
6. Distribution Water Quality – The City has areas throughout the distribution system with poor water quality, including four areas where automatic flushing hydrants are installed. Consideration should be given to make the water quality more consistent throughout the community.

The full scope of the project includes correcting current infrastructure issues, prioritizing capital expenditures, and increasing efficiencies, as well as a thorough analysis of all structures, electrical systems and specific components of the water treatment plants, some of which are noted above. The selected firm will also identify potential grant opportunities available for each aspect of the project. Below is a summary of the proposals received with optional tasks.

Firm	Total
Baxter & Woodman Crystal Lake, IL	\$101,950.00
Clark-Dietz Kenosha, WI	\$104,400.00
Crawford, Murphy, Tilly, Inc Aurora, IL	\$115,210.00
HR Green McHenry, IL	\$122,800.00
RHMG Mundelein, IL	\$207,413.00
Engineering Enterprises, Inc. Sugar Grove, IL	\$240,206.00

***Consultant Selection Process***

The Public Works Department followed the City’s Purchasing Policy to secure a qualified engineering firm to address this project. The City received proposals from six firms in response to the request.

Staff from the Public Works Department reviewed each of the proposals and ranked the firms based on their qualifications and the overall cost to the City. The qualifications criteria that were considered during the review were:

1. Proposal completeness
2. Firm's reputation and integrity
3. General experience and history of performance on similar projects
4. Current or past projects related to the scope of services
5. Understanding of the unique project design challenges
6. Adherence to the Project Scoping Summary
7. Experience of personnel
8. Cost

The Public Works Department identified Baxter & Woodman as being the most responsive and responsible proposer for reasons including:

- Proposal was detailed and adequately addressed each of the many aspects of this project.
- Proposal identified past projects of a similar scope to the Crystal Lake project.
- Proposal included coordination and communication elements necessary for the success of the project.
- Proposal provided a competitive cost and feasible schedule that will be beneficial to the City.

**Recommendation:**

Based upon the qualifications, cost, and analysis of each firm's project approach relative to the RFP&Q requirements, staff's recommendation is to select Baxter & Woodman to perform the Water System Master Plan Study. Work will begin immediately, with the final report to be completed in July 2013. Funds have been budgeted for this project.

**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 between the CITY OF CRYSTAL LAKE and Baxter & Woodman for the engineering services for a Water System Master Plan Study in the amount of \$101,950.00 and approve changes in scope by up to 10 percent of the original price.

DATED this 19<sup>th</sup> day of March, 2013.

CITY OF CRYSTAL LAKE, an  
Illinois municipal corporation,

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

SEAL

ATTEST

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

PASSED:  
APPROVED:





**Agenda Item No: 24**

**City Council  
Agenda Supplement**

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**Meeting Date:**

March 19, 2013

**Item:**

Consultant Selection Approval for the Topographic Survey of Various City Infrastructure.

**Staff Recommendation:**

Motion to award the proposal for the Topographic Survey of Various City Infrastructure to the lowest qualified, responsible, and responsive proposer, FluidClarity, LTD, and adopt a resolution authorizing the City Manager to execute an agreement with FluidClarity, LTD in the amount of \$37,240.00 and approve changes in scope by 10 percent of the original price.

**Staff Contact:**

Erik Morimoto, Director of Engineering and Building  
George Koczwara, Deputy City Manager

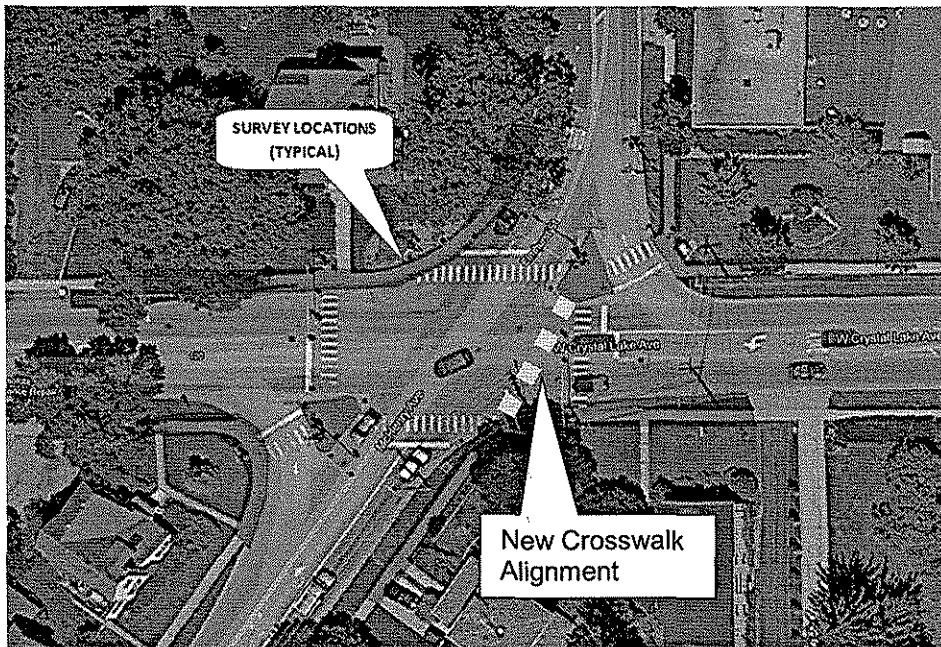
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**Background:**

As part of the City's planning for its Capital Improvement Program, detailed topographic survey data is required to prepare preliminary designs and detailed construction plans for various projects. This data will provide survey-grade horizontal and vertical positioning of the existing conditions, as well as the necessary CADD file deliverables for the following projects:

- **Street Reconstruction Program.** Some local streets in the City were originally built prior to the 1950's and approaching the end of their serviceable life. These roads can no longer be rehabilitated with traditional milling and resurfacing techniques and require reconstruction of the sub base in addition to the upper layers of pavement. The survey information obtained under this contract would provide the base maps and engineering data necessary to begin prioritizing future road reconstruction and utility needs.
- **Fiber Optic Network Corridor Survey.** The City is exploring potential options to connect critical infrastructure via high speed broadband using fiber optic lines. This survey would provide design information necessary to determine the feasibility for installing conduit for this future improvement. The State of Illinois will be constructing a fiber optic "trunk line" from I-90 to McHenry County College this year, and the City's local fiber optic initiatives would potentially connect into this system.

- Crystal Lake Avenue @ McHenry Avenue Pedestrian Safety Improvement. This year, a modification to an existing crosswalk is planned to address pedestrian safety concerns at the east approach. Currently the crosswalk is aligned perpendicular to Crystal Lake Avenue, which results in a significant offset from McHenry Avenue due to the skew of the intersection. Motorists travelling northbound and turning right onto Crystal Lake Avenue may not easily see pedestrians in the crosswalk, or those waiting to step into the crosswalk. The City plans to realign the crosswalk parallel to McHenry Avenue and shorten the offset for enhanced visibility. The survey would provide the information necessary to ensure that accessibility requirements are met for the new curb ramp and pedestrian signal modifications.



- Three Oaks Recreation Area As-Built Survey. In an effort to better prepare for future improvements or maintenance to Three Oaks Recreation Area, an as-built survey is included in this survey contract for the core facility, access roads, and detention basin.

#### *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*. Through this notification process, the City received ten 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 ten qualified firms who submitted proposals and their costs are as follows:

ENGINEERING FIRM	COST
FLUIDCLARITY	\$37,240.00
BAXTER & WOODMAN	\$43,429.60
PAVIA-MARTING	\$46,383.40
POSTL-YORE	\$50,904.00
VANDERSTAPPEN	\$61,374.80

ENGINEERING FIRM	COST
MG2A	\$78,238.20
HAMPTON, LENZINI & RENWICK	\$98,015.96
TROTTER	\$105,692.52
THOMSON	\$128,574.46
CHRISTOPHER B BURKE ENGINEERING	\$204,564.80

**Recommendation:**

Staff has contacted the references provided and received positive recommendations. It is staff's recommendation to select FluidClarity Ltd. to perform the topographic survey of various City infrastructure as specified in this contract.

**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 FluidClarity, Ltd for the topographic survey of various City infrastructure for \$37,240.00. The City Manager is additionally authorized to approve up to 10 percent in justifiable contract amendments from a contingency allowance.

**DATED** this nineteenth day of March, 2013.

CITY OF CRYSTAL LAKE, an Illinois  
Municipal Corporation

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

ATTEST:

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

PASSED: March 19, 2013

APPROVED: March 19, 2013

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



**Agenda Item No: 25**

**City Council  
Agenda Supplement**

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**Meeting Date:**

March 19, 2013

**Item:**

Appropriation of MFT Funds for the Topographic Survey for Various City Streets.

**Staff Recommendation:**

Motion to adopt a resolution appropriating MFT funds for the Topographic Survey for Various City Streets.

**Staff Contact:**

Erik D. Morimoto, Director of Engineering and Building

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**Background:**

City staff is requesting that the Council allocate \$17,250 in Motor Fuel Tax funds for the topographic survey for various City Streets. This allocation is for field survey work, generation of topographic cross sections, and a 10 percent contingency. Any funds that are obligated and not spent will be returned to the City's unobligated balance once the project is complete. The City has budgeted for this project, and has sufficient reserves in its MFT fund for the construction.

**Votes Required to Pass:**

Simple majority



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

Table with 4 columns: Name of Thoroughfare, Route, From, To. Row 1: Various Local Streets

BE IT FURTHER RESOLVED, 1. That the proposed improvement shall consist of field survey work and creation of topographic cross sections for various local streets in the City of Crystal Lake.

and shall be constructed wide and be designated as Section 13-00120-00-EG

2. That there is hereby appropriated the (additional Yes No) sum of seventeen-thousand two-hundred fifty Dollars ( \$17,250.00 ) for the improvement of said section from the municipality's allotment of Motor Fuel Tax funds.

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

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

Approved Date Department of Transportation Regional Engineer

I, Nick Kachiroubas Clerk in and for the City of Crystal Lake County of McHenry, hereby certify the foregoing to be a true, perfect and complete copy of a resolution adopted by the Council at a meeting on March 19, 2013 IN TESTIMONY WHEREOF, I have hereunto set my hand and seal this 19th day of March, 2013 (SEAL) City, Town, or Village Clerk



**Agenda Item No: 26**

**City Council  
Agenda Supplement**

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**Meeting Date:**

March 19, 2013

**Item:**

Parking Citation Processing, Procedures, Penalties, Collection Services and Amnesty Program Contract Extension

**Staff Recommendation:**

Motion to adopt a resolution authorizing the City Manager to execute a three (3) year agreement, renewable for an additional three (3) years, with Duncan Solutions, Inc.

**Staff Contact:**

George Koczwar, Deputy City Manager  
Mark Nannini, Director of Finance

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**Parking Citation Processing:**

At the February 2, 2010 City Council meeting, following a competitive proposal process, the City Council approved a contract with Duncan Solutions, Inc. for Parking Citation Processing and Collection Services for the Police Department.

The contract provides for software and enforcement hardware used by the City with a web-based, outsourced system of citation issuance and processing, payment acceptance, and administrative adjudication. The contract operates on a cost-per-service-per-ticket basis. The benefits for outsourcing the processing and collection of parking violations include state of the art equipment without capital outlay, and reducing the need to increase personnel to keep pace with this high demand workload.

The contract, which was approved in 2010, was for an initial three-year period, with the option to renew for another three-year period. The scope of services for the outsourcing of the processing and collection of parking violations include:

- Automated citation issuance
- Provision, operation and maintenance of a web-based (browser), automated citation management system delivered to existing City desktop PC's via the Internet
- Data entry of citation (manual) and disposition data
- One integrated database to track events in citation and administrative adjudication processes

- Information retrieval from the Department of Motor Vehicles (DMV), local and nationwide
- Fine escalation and late fee assessment
- The generation and mailing of notices related to hearings, late payments, intent to immobilize vehicle and license suspension
- Placement and release of DMV registration suspensions/holds (where applicable)
- On-line inquiry and update
- Provision of a Customer Service Call Center
- Receipt and posting of mail payments
- Optional on-line cashiering
- Internet payment capability
- Interactive Voice Response (IVR) System
- Ticket book inventory and control
- Court/Review Adjudication management and reporting
- Management and statistical reporting for the issuing agencies
- Boot/Tow functionality
- Ad Hoc query and reporting
- Complete citation processing activity audit trail
- Digital Imaging
- Provide information on Adjudication process and scheduling of Hearings and follow-up correspondence
- Local address ticket mailing
- Follow-up collection on delinquent parking citations
- Coordination of files and collection with State of Illinois Local Debt Recovery Program

**Recommendation**

In addition to the processing of parking tickets, the contract included collections services. In preparation for the renewal of the additional three-year period, City staff negotiated a lower collection rate with Duncan solutions. Instead of a collection rate of 32%, Duncan Solutions, Inc. has agreed to a 25% collection rate. It is staff's recommendation to adopt a resolution authorizing the City Manager to execute a three (3) year agreement, renewable for an additional three (3) years, with Duncan Solutions, Inc.

**Votes Required to Pass:**

Simple majority





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## 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 three (3) year agreement, renewable for an additional three (3) years, with Duncan Solutions, Inc. for Parking Citation Processing and Collection Services.

Dated this 19<sup>nd</sup> day of March, 2013.

CITY OF CRYSTAL LAKE, an  
Illinois municipal corporation,

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

ATTEST

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

PASSED: March 19, 2013

APPROVED: March 19, 2013



**Agenda Item No: 27**

**City Council  
Agenda Supplement**

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**Meeting Date:** March 19, 2013

**Item:** Sewer Camera Purchase

**Staff Recommendation:** Motion to adopt a resolution authorizing the City Manager to execute an agreement with Standard Equipment for the purchase of an Envirosight Rovver X Portable Sewer Camera in the amount of \$90,076.85 through the Houston-Galveston Area Council (HGAC) Joint Purchase Program.

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

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**Background:**

In FY12/13, the Public Works Department budgeted for the replacement of the Sewer & Lifts Division's televising camera. The City current has a Cobra sewer camera which was purchased in 2000. In 2006, the crawler unit for this piece of equipment failed, and was subsequently replaced with an Aeries brand crawler. The camera unit now is in complete disrepair and is unusable.

The camera unit is used during regular operations in the Sewer & Lifts Division to verify the effectiveness of routine cleaning operations, but also to identify areas that require advanced maintenance, such as sewer lining, grouting, or root foam treatment.

After a thorough review process of the sewer camera technologies available on the market, staff identified a market shift toward portable camera units. These units do not require the transport and storage space that traditional camera units have demanded. They are self-contained in a box that is capable of being operated out of the bed of a pickup truck, which would eliminate the need for the wash-down ambulance unit for televising operations. Further, the operations have been condensed and simplified to only require one operator. Traditionally, two people would be required, one to operate the camera and a second to spot the manhole and manually operate the reel.

In addition, based on past experiences with operations, maintenance, and repairs of sewer camera equipment, staff determined a set of criteria that would further enhance the efficiency and effectiveness of televising operations. Such criteria included:

1. The presence of a backup camera. When driving the camera out of a sewer, it is important to see the direction that the unit is driving to avoid hazards that may result in the unit becoming stuck, such as low services, large cracks, and masses of debris.

2. The availability of a boom lift. In larger pipes, or in pipes that are over 50% submerged in water, it is important to be able to lift the head of the camera in and out of the water to fully inspect the condition of the infrastructure.
3. The availability of a sonde transmitter. The sonde transmitter omits a radio frequency which can be located from the surface to pinpoint areas that may require excavations, or to definitively identify lengths of lining/grouting work to be completed.
4. The presence of local maintenance/service. Mailing a camera unit across the country for service and repairs is not an efficient use of time or monetary resources. Having a service technician within a short drive of the City, or available to come to the City is a significant benefit to the Department.
5. Use of non-proprietary software. The use of a software system that is specific to a particular manufacturer is constricting as the sewer cameras have a typical service life of approximately 10 years. A non-proprietary software system will allow integration of different camera units over an extended period of time.

**Discussion:**

After a careful review of the different manufacturers, staff determined that EnviroSight's Rovver X Portable Sewer Camera system best meets the needs of the Department. The Rovver X system is currently available through the Houston-Galveston Area Council joint purchasing program for \$90,076.85. This unit has front and rear cameras, a sonde transmitter, and a lift. Maintenance and repairs for the Rovver X unit can be provided through the local dealer, Standard Equipment, located in Chicago. The software provided with the equipment is not exclusive to EnviroSight and allows basic reporting. However, base platform will allow for the future integration with a more detailed asset management system.

The Houston-Galveston Area Council (HGACBuy) is a government-managed, public, national, municipal contracting agency that facilitates the bidding and contracting process on behalf of its members.

Most states in the United States have either "inter-local cooperation" or "joint powers" authority similar to the Illinois Intergovernmental Cooperation Act to allow local governments in those states to join and participate in programs like HGACBuy.

In 1971, the Texas Legislature passed the Inter-local Cooperation Act [Texas Government Code, Title 7, Chapter 791] to promote activities among local governments. Any local government or non-profit providing government services may contract or agree with one or more local governments under the terms of this Act to conduct purchasing and other administrative functions. The Board of Directors of HGACBuy is composed of 35 elected officials who award all HGAC cooperative purchasing contracts. Because HGACBuy is a political subdivision of the State of Texas, its Board agendas are publicly posted in advance of its public meetings.

**Recommendations:**

After detailed examination, it is the recommendation of the Public Works Department to replace the Sewer & Lifts Division camera unit with one (1) new EnviroSight Rovver X Portable Camera System from Standard Equipment, Inc., through the Houston-Galveston Area Council (HGAC) joint purchasing program in the amount of \$90,076.85.

Funds have been budgeted for this purchase.

**Votes Required to Pass:**

Simple Majority



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## 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 Standard Equipment, Inc for the provision of one (1) new Envirosight Rovver X Portable Camera System for \$90,076.85. Funds to purchase this equipment will be from the Fiscal Year 2012/2013 Budget.

DATED this 19<sup>th</sup> day of March, 2013.

CITY OF CRYSTAL LAKE, an  
Illinois municipal corporation,

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

SEAL

ATTEST

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

PASSED:  
APPROVED:



**Agenda Item No: 28**

**City Council  
Agenda Supplement**

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**Meeting Date:** March 19, 2013

**Item:** Private activity bond volume cap reservation.

**Recommendation:** Motion to adopt an ordinance reserving the State of Illinois volume cap for private activity bonds.

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

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**Background:** The City of Crystal Lake received notification from the Governor's office regarding the reservation of Crystal Lake's volume cap. Private activity bonds can be issued as Industrial Revenue Bonds using the volume cap allocation. The State requires that all eligible municipalities pass an Ordinance to reserve their volume cap for the fiscal year.

For 2013, each home rule municipality is authorized a volume cap amount equal to \$95 per capita. Using this formula, Crystal Lake's allocation equals \$3,872,770, based upon the State's assigned population of 40,766.

At this time, there have been no official applications from private businesses for the City to allocate our volume cap in the form of Industrial Revenue Bonds. However, staff has had discussions with several businesses recently regarding the issuance of Industrial Revenue Bonds for pending or prospective developments. According to the State Office of Management and Budget, after the volume cap has been reserved, the municipality is supposed to allocate the amount allocated for private activity bonds by December 31 of that year. If the City does not allocate our volume cap by December 31, we can request to carry-over our allocation for up to three years for a variety of different projects, but not for qualified small issue bonds (Industrial Revenue Bonds). The attached ordinance reserves the City's allocation for possible future use.

There is no obligation to the municipality in issuing Industrial Revenue Bonds. All the payment responsibility rests with the private party. The lien is on the property, secured by the Industrial Revenue Bonds. Under Federal law, the City can utilize the authorized volume cap as additional incentive for industrial firms to relocate or expand facilities within its jurisdiction. Industrial Revenue Bonds can be attractive to industrial firms because of the difference to the bond buyers between the tax-free interest rates and the prevailing taxable interest rates.

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

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



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AN ORDINANCE RESERVING VOLUME CAP IN CONNECTION WITH  
PRIVATE ACTIVITY BOND ISSUES, AND RELATED MATTERS.

WHEREAS, the City of Crystal Lake, McHenry County, Illinois (*the "Municipality"*), is a Municipality and a home rule unit of government under Section 6 of Article VII of the 1970 Constitution of the State of Illinois; and

WHEREAS, Section 146 of the Internal Revenue Code of 1986, as amended (*the "Code"*), provides that the Municipality has volume cap equal to \$95.00 per resident of the Municipality in each calendar year, which volume cap may be reserved and allocated to certain tax-exempt private activity bonds; and

WHEREAS, the Illinois Private Activity Bond Allocation Act, *30 Illinois Compiled Statutes 1998, 345/1 et seq.*, as supplemented and amended (*the "Act"*), provides that a home rule unit of government may transfer its allocation of volume cap to any other home rule unit of government, the State of Illinois or any agency thereof or any non-home rule unit of government; and

WHEREAS, it is now deemed necessary and desirable by the Municipality to reserve all of its volume cap allocation for calendar year 2013 to be applied toward the issuance of private activity bonds (*the "Bonds"*), for unidentified projects, as provided in this Ordinance, or to be transferred, as permitted by this Ordinance.

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

SECTION I: That, pursuant to Section 146 of the Code and the Act, the entire volume cap of the Municipality for calendar year 2013, in the amount of \$3,872,770, based upon the State of Illinois assigned population of 40,766, is hereby reserved by the Municipality, which shall issue Bonds using such volume cap, or shall transfer such cap, without further action required on the part of the Municipality; and the adoption of this Ordinance shall be deemed to be an allocation of such volume cap to the issuance of the Bonds or such other bonds, provided that any such transfer shall be evidenced by a written instrument executed by the Mayor or any

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other proper officer or employee of the Municipality.

SECTION II: That the City of Crystal Lake shall maintain a written record of this Ordinance in its records during the term that the Bonds or any other such bonds to which such volume cap is allocated remain outstanding.

SECTION III: That the Mayor, the City Clerk and all other proper officers, officials, agents and employees of the Municipality are hereby authorized, empowered and directed to do all such acts and things and to execute all such documents and certificates as may be necessary to further the purposes and intent of this Ordinance.

SECTION IV: That the provisions of this Ordinance are hereby declared to be separable, and if any section, phrase, or provision of this Ordinance shall for any reason be declared to be invalid, such declaration shall not affect the remainder of the sections, phrases, and provisions of this Ordinance.

SECTION V: 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 19<sup>th</sup> day of March, 2013.

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MAYOR

ATTEST:

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CITY CLERK

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**Agenda Item No: 29**

**City Council  
Agenda Supplement**

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**Meeting Date:** March 19, 2013

**Item:** Resolution accepting planning assistance from CMAP to review the City's codes and ordinances to suggest amendments to implement the recommendations of the Silver and Sleepy Hollow Creeks Watershed Action Plan.

**Staff Recommendation:** Adopt a Resolution accepting the Planning Assistance from CMAP according to the Memorandum of Understanding (MOU).

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

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**Background:**

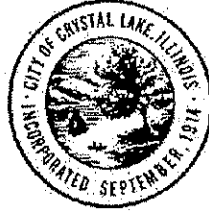
- Chicago Metropolitan Agency for Planning (CMAP) worked with local stakeholders and municipalities from September 2010 to December 2011 to draft the Silver and Sleepy Hollow Creeks Watershed Plan.
- The City adopted this Watershed Plan in August of 2012. The watershed plan lists ideas for water conservation, water quality improvements, green infrastructure and other ideas that help protect and preserve the watershed.
- The City partnered with the Village of Oakwood Hills, the Village of Prairie Grove, and the City of McHenry on this local technical assistance grant.

**Impact to Crystal Lake:**

- Nothing from this local technical Planning Assistance would require the City to change its codes or ordinances or to alter its current practices.
- The support of this assistance would allow the City to have an outside agency review the UDO, City Code and Comprehensive Plan to suggest amendments to implement the recommendations of the Silver and Sleepy Hollow Creeks Watershed Plan goals.

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





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**The City of Crystal Lake Illinois**

**A RESOLUTION ACCEPTING PLANNING STAFF ASSISTANCE SERVICES BY THE  
CHICAGO METROPOLITAN AGENCY FOR PLANNING**

WHEREAS, the City of Crystal Lake (“the City”), through the Silver & Sleepy Hollow Creeks Watershed Coalition, has applied for staff assistance services through the Chicago Metropolitan Agency for Planning (“CMAP”), to review land development regulations and outline specific amendments to implement the recommendations of the Silver & Sleepy Hollow Creeks Watershed Action Plan; and

WHEREAS, THE City’s request for such assistance has been recommended by CMAP as a priority project; and

WHEREAS, CMAP has adopted the GO TO 2040 Plan as the long-range regional comprehensive plan for the seven-county Chicago region, encompassing Cook, DuPage, Kane, Kendall, Lake, Crystal Lake and Will counties, and is providing staff assistance as a means of advancing the plan’s implementation; and

WHEREAS, the City and CMAP have agreed on the general contents of a Memorandum of Understanding (“MOU”) and a Scope of Services that will guide staff assistance services to be provided by CMAP;

**NOW, THEREFORE BE IT RESOLVED BY THE CITY OF CRYSTAL LAKE:**

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- Section 1:** The City Council supports this project to review land development regulations and outline specific amendments to implement the recommendations of the Silver & Sleepy Hollow Creeks Watershed Action Plan.
- Section 2:** The City Council accepts the offer of staff assistance services by CMAP.
- Section 3:** The City Council authorizes staff as designated by the (mayor/city manager) to finalize and execute a Memorandum of Understanding with an attached Scope of Services.
- Section 4:** The City Council recognizes that provisions that govern the administration of staff assistance services, and, if necessary, the discontinuance of such services, are included in the Memorandum of Understanding.
- Section 5:** This resolution shall be effective as of the date of its adoption.

DATED at Crystal Lake, Illinois, this nineteenth day of March, 2013.

CITY OF CRYSTAL LAKE, an Illinois Municipal Corporation

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

SEAL

ATTEST:

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

PASSED:

APPROVED:

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