



CITY OF CRYSTAL LAKE
AGENDA

CITY COUNCIL
REGULAR MEETING

City of Crystal Lake
100 West Woodstock Street, Crystal Lake, IL
City Council Chambers
November 18, 2014
7:30 p.m.

1. **Call to Order**
2. **Roll Call**
3. **Pledge of Allegiance**
4. **Proclamation**
 - a. **Gulgren Appliance**
5. **Approval of Minutes – November 4, 2014 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**
9. **Council Reports**
10. **Consent Agenda**
 - a. **Doherty Properties Annexation Public Hearing Continuation**
 - b. **Resolution determining the 2014 tax levy in compliance with the Truth in Taxation Procedural Requirement.**
 - c. **Smith-Cartage, 7013 Sands Road – Annexation Referral to the December 3, 2014 Planning & Zoning Commission meeting for zoning consideration and the January 6, 2015 City Council meeting for the annexation public hearing.**
11. **Martin Chevrolet, 5220 Northwest Highway – Sign Variation to allow 269.04 square feet of wall signage.**
12. **McHenry County Gun Show/Holiday Inn, 800 S. Route 31 – Temporary Use Permit request to hold a series of gun shows at the Holiday Inn.**
13. **Auto Tech, 350 Virginia Street – Special Use Permit to allow major automotive repair for Auto Tech.**
14. **Amendment to the City Code, modifying Chapter 446, Smoking, with an exception to allow e-cigarette use in e-cigarette retail locations; and amendment to the City Code, modifying Chapter 446, Smoking, prohibiting the use of e-cigarettes in public places.**

15. **Resolution designating a centrifugal blower as surplus equipment and authorizing execution of an agreement for the sale of the centrifugal blower.**
16. **Resolution authorizing execution of grant agreements with the Illinois Clean Energy Community Foundation and the Illinois Department of Commerce and Economic Opportunity for the purchase and installation of two turbo blowers at Wastewater Treatment Plant #2; and waiver of formal proposal requirements, proposal award, and resolution authorizing execution of an agreement for Wastewater Treatment Plant #2 Aeration System Improvements – Phase 2 with a 10% contingency for unforeseen expenses.**
17. **Council Inquiries and Requests**
18. **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.**
19. **Reconvene to Regular Session.**
20. **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: 10a

**City Council
Agenda Supplement**

Meeting Date: November 18, 2014

Item: Doherty Properties Annexation Public Hearing Continuation
Patrick Doherty, petitioner

Recommendation: Motion to continue the petitioner's request to the January 6, 2015, City Council meeting for the Annexation Public Hearing.

Staff Contact: James Richter II, Planning & Economic Development Manager

Background: The petitioner is requesting annexation of four parcels that total approximately 2.5 acres, located north and south of Route 176, east of Route 31. The parcels are improved and unimproved, with Discount Flooring Warehouse, commercial buildings and a vacant parcel.

City staff and the petitioner are finalizing details concerning recapture and utility locations. In addition, there are garage additions and storage buildings that are being designed for two of the parcels and the petitioner would like to have these details finalized before annexation. Due to these reasons, the petitioner respectfully requests that this matter be continued to the January 6, 2015, City Council meeting for the Annexation Public Hearing.

Votes Required to Pass: A simple majority vote.



Agenda Item No: 10b

**City Council
Agenda Supplement**

<u>Meeting Date:</u>	November 18, 2014
<u>Item:</u>	Truth in Taxation Compliance Procedural Requirement
<u>Staff Recommendation:</u>	Motion to adopt a resolution determining the 2014 tax levy in compliance with the Truth in Taxation Law
<u>Staff Contact:</u>	Gary J. Mayerhofer, City Manager George Koczwarra, Director of Finance Laura Herrig, Assistant Director of Finance

Background:

Adoption of this resolution is merely a procedural requirement as the actual levy ordinance will be considered during the public hearing at the December 16, 2014 City Council meeting. The process in determining the actual tax levy is challenging because the actual dollars collected from the 2014 tax levy are not received until fiscal year 2015/2016, for which the City has not yet considered an annual budget. The actual tax levy ordinance will be placed on the December 16, 2014 City Council agenda for consideration.

Recommendation:

It is staff's recommendation to approve the attached resolution determining the maximum 2014 tax levy.

Votes Required to Pass:

Simple majority



DRAFT

RESOLUTION

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

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

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

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

The Corporate Authorities determine the amount of money estimated to be necessary to be raised by taxation for the 2014 tax levy is approximately \$16,342,323 which is no more than 105% of the aggregate extensions for the 2013 tax levy, which was approximately \$16,015,366.

DATED at Crystal Lake, Illinois this 18th day of November, 2014.

CITY OF CRYSTAL LAKE,
an Illinois municipal corporation,

By: _____
MAYOR

SEAL

ATTEST

CITY CLERK

PASSED: November 18, 2014

APPROVED: November 18, 2014



Agenda Item No: 10c

**City Council
Agenda Supplement**

Meeting Date: November 18, 2014

Item: Smith Cartage- Annexation Referral
7013 Sands Road

Recommendation: Motion to refer the petitioner's request to the December 3, 2014, Planning & Zoning Commission meeting for zoning consideration and to the January 6, 2015, City Council meeting for the annexation public hearing.

Staff Contact: James Richter II, Planning & Economic Development Manager

Background: The petitioner is requesting annexation of a single parcel that totals approximately 5.35 acres, located on Sands Road, north of Route 14. The parcel is improved with Smith Cartage and its associated truck yard, underground fuel storage and ancillary outdoor storage.

The petitioner respectfully requests that this matter be referred to the December 3, 2014, Planning & Zoning Commission meeting for zoning consideration and the January 6, 2015, City Council meeting for the annexation public hearing.

Votes Required to Pass: A simple majority vote.



Agenda Item No: 11

**City Council
Agenda Supplement**

Meeting Date: November 18, 2014

Item: Sign Variation to allow 269.04 square feet of wall signage for Martin Chevrolet at 5220 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: James Richter II, Planning & Economic Development Manager

Background:

- On February 4, 2014, Martin Chevrolet received approval for their Special Use Permit and Variations. As a condition of approval, they were required to meet the previously granted sign variation of 215 sq. ft. of wall signage, and any modifications could be reviewed through the sign variation process.
- The petitioner is requesting a sign variation to allow up to 270 sq. ft. of wall signage.

Analysis

- The UDO permits a maximum of 150 sq. ft. of wall signage for a free-standing building. The original occupant received a variation to allow up to 215 sq. ft. The applicant is currently requesting an additional 54.04 sq. ft. of wall signage, requiring a sign variation to allow up to 270 sq. ft. The chart below summarizes the proposed signs:

Wall Sign Description	Proposed Area (Sq. ft.)	Requirement
Chevrolet Bowtie (logo)	41.4	>75 SF per sign/elevation, 215 SF total
Chevrolet Signature "Chevrolet"	141.62	>75 SF per sign/elevation, 215 SF total
Dealer Name "Martin"	52.22	>75 SF per sign/elevation, 215 SF total
"Certified Service Lettering"	33.8	>75 SF per sign/elevation, 215 SF total
Total	269.04 sq. ft.	215 sq. ft. (previous approval)

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

- A. The proposed variation will not serve merely as a convenience, but alleviate some demonstrable and unusual hardship.
- B. The proposed variation will not be materially detrimental to the public welfare or injurious to other property or improvements in the neighborhood. The proposed variation will not by itself, or with other signs, contribute to the creation of 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.

Recommended Conditions:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
 - A. Application, (Martin Chevrolet, received 10/31/14)
 - B. Sign Details, (Pattison Sign Group, dated 06/16/14, received 11/03/14)
2. If the area of wall signage exceeds 270 square feet, then a further sign variation would be necessary.
3. The signs shall meet all of the other requirements in the UDO.

Votes Required to Pass: Simple majority vote

DRAFT

ORDINANCE NO. _____
FILE NO. _____

AN ORDINANCE GRANTING A SIGN VARIATION FOR MARTIN CHEVRLOLET, 5220 NORTHWEST HIGHWAY

WHEREAS, pursuant to the terms of the request (File #2014-04-H) before the City of Crystal Lake, the Petitioner has requested a sign variation to allow a 270 square feet of signage for Martin Chevrolet; 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 270 square feet of signage for Martin Chevrolet located at 5220 Northwest Highway (PIN 19-04-476-009), Crystal Lake, Illinois with the following conditions:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
 - A. Application, (Martin Chevrolet, received 10/31/14)
 - B. Sign Details, (Pattison Sign Group, dated 06/16/14, received 11/03/14)
2. If the area of wall signage exceeds 270 square feet, then a sign variation would be necessary.
3. The sign shall meet all of the other requirements in the UDO.

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.

DRAFT

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: 12

**City Council
Agenda Supplement**

<u>Meeting Date:</u>	November 18, 2014
<u>Item:</u>	McHenry County Gun Show/Holiday Inn Temporary Use Permit request for a Special Promotion (gun shows).
<u>Recommendation:</u>	Motion to approve the Temporary Use Permit, pursuant to the recommendations listed below.
<u>Staff Contact:</u>	James Richter II, Planning & Economic Development Manager

Background: D & J Guns is requesting a Temporary Use Permit to allow a Special Promotion to hold a series of gun shows (selling and trading of accessories and firearms) at the Holiday Inn, 800 S. Route 31, on Sunday, January 18, 2015, February 22, 2015, March 15, 2015, April 19, 2015, May 17, 2015, June 14, 2015, September 20, 2015, October 18, 2015, November 8, 2015, and December 20, 2015. The original zoning approval for the Holiday Inn does not include hosting such events. The applicant received TUP approval for the past 4 years to hold gun shows at the Holiday Inn. The layout of the show and procedures will be the same as previous shows. The shows were well run with no issues arising from these events.

The applicant has submitted a permit to the Illinois State Police pursuant to 720 ILCS 5/24-3(a)(g) and 430 ILCS 65/2(b)(8) for the above-referenced dates (copy of the application is attached). All residents of the State of Illinois are subject to the provisions in the Illinois Criminal Code and the Illinois Firearm Owners Identification Card Act (mandatory waiting period for acquiring firearms). Those same provisions do not cover out-of-state purchasers.

The Unified Development Ordinance (UDO) allows special promotions for not more than 72 consecutive hours per calendar month and not more than 4 promotions each calendar year.

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

1. The Temporary Use Permit shall be valid on Sunday, January 18, 2015, February 22, 2015, March 15, 2015, April 19, 2015, May 17, 2015, June 14, 2015, September 20, 2015, October 18, 2015, November 8, 2015, and December 20, 2015.
2. The approval letter from the Illinois State Police is required prior to the first gun show.
3. All exits must be unobstructed.
4. A firearms inspection area must be separate from the main entry.
5. An unloading barrel or bullet trap must be set up for the clearing of all firearms entering the event, preferably near the main entrance but at a safe distance from the public walkway.

6. Schedule a meeting with the Fire Prevention Bureau (815-359-3640 ext. 4147) and Police Department at least 1 week prior to the first event. Contact the Police Department and Fire Prevention Bureau to schedule a time for inspection of the room setup prior to the event.
7. The event must be staffed with either licensed private security, or by Crystal Lake police officer(s).

The applicant has been made aware of these recommended conditions and will be attending the November 18, 2014 City Council meeting to answer any questions.

Votes Required to Pass: A simple majority vote.



Agenda Item No: 13

**City Council
Agenda Supplement**

- Meeting Date:** November 18, 2014
- Item:** REPORT OF THE PLANNING & ZONING COMMISSION
#2014-44 Auto Tech Special Use Permit
- Requests:** Special Use Permit to allow Major Automotive Repair for Auto Tech.
- Petitioner:** Mark Saladin, Attorney
Ed Miculinich, Petitioner
- PZC Recommendation:** To approve the PZC recommendations and adopt an ordinance granting the Special Use Permit for Auto Tech at 350 Virginia Street.
- Staff Contact:** James Richter II, Planning and Economic Development Manager
-

Background:

- **Existing Use:** The property is located at the northwest corner of McHenry Avenue and Route 14, and was formerly occupied by Crystal Lake Home Furnishings. The property is currently vacant.
- **Proposed Use:** Auto Tech is an automotive repair shop, which has been located in Crystal Lake for 27 years. They do maintenance and repair work on engines, exhaust, suspensions and electrical systems, as well as oil and fluid changes, brakes, and tires.

Key Factors:

- **Request:**
 - The petitioner is requesting a Special Use Permit for Automotive Repair, Major as defined in the UDO.
 - In response to the Planning & Zoning Commission's concerns regarding the proposed building's compliance with the Virginia Street Corridor and Unified Development Ordinance architectural design standards, the petitioner revised their architectural plans and resubmitted them for Staff review. Staff's review has confirmed that the revised elevations would now meet both the VSC and UDO design criteria.

PZC Highlights:

- The PZC discussed the architecture. The elevations originally submitted to the City did not meet the Virginia Street Corridor and UDO Design Standards. In the motion, the PZC removed many of the conditions and opted to have the petitioner work with staff to meet the standards. After the Planning & Zoning Commission meeting, the petitioner revised their architectural plans to incorporate the following changes:
 - The architects created additional window bays in the south elevation along Virginia Street. These windows also have a full knee wall along that sidewalk.
 - Awnings have been added over the storefront windows, which face McHenry Avenue.
 - A course of Brik (brick veneer product) has been added across all elevations to provide a consistent banding strip adding to the pedestrian scale of the building.
 - **The revisions to the elevations now meet the VSC and UDO Design Standards.**
- The PZC reviewed the Findings of Fact and found that the petitioner met the criteria for the Special Use Permit, with the exception of Commission member Batastini who voted no.
- Mr. Esposito voted no for the project because he felt that the Commission should see the elevations again with all of the review comments incorporated.

The PZC recommended **approval (5-2)** of the petitioner's request with the following conditions:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
 - A. Application (Edward Miculinich, received 05/30/14)
 - B. Plan Set (Studio 222 Architects, dated 10/27/14, received 10/28/14)
 - C. Engineering Plan (Schmitt Engineering, dated 10/08/14, received 10/28/14)
2. ~~Staff has provided recommended revisions to the plans attached as Exhibits 1, 2 and 3.~~
(Deleted by PZC)
3. Site Improvements
 - A. Provide a Plat of Dedication for the 13 feet of additional right-of-way along McHenry Avenue including the corner for the future intersection improvements. The building shall maintain a 5-foot setback from the new property line.
 - B. The existing back-to-back left-turn lanes on McHenry Avenue should be modified to allow for a southbound left-turn lane (McHenry Avenue to US 14) with a minimum 125 feet of storage and a bi-directional left-turn lane to service the proposed development, as well as the existing entrances to Aldi's, Coventry Motors and Oriole Trail, as illustrated in the engineering review comments.
 - C. All requirements of the Crystal Lake Watershed Design Manual must be met.
 - D. This project's stormwater drainage area is tributary to a known drainage problem area. Additional runoff cannot result in additional adverse drainage impacts to the downstream area.
 - E. All parking lot lights shall meet the VSC Design Standards and Exterior Lighting requirements in the UDO.
 - F. Signs shall be installed at the McHenry Avenue drive restricting left turns during peak p.m. times. The times shall be determined by staff.

- G. The ground-mounted signage shall be located outside the dedicated right-of-way.
4. Elevations. There will be discussions between the City and petitioner that there will be design elements added to the building that meet the Virginia Street Corridor and UDO Design Standards, which specifically include the following: (Modified by the PZC).
- A. Provide a full knee-wall and increase the bottom block course levels to be at the same height as the soldier course brick, for the Virginia Street elevation. (Added by the PZC).
 - ~~B. A public entrance shall be provided from Virginia Street at the corner of the building. (Deleted by the PZC).~~
 - C. All windows shall be real see-through windows, as opposed to, faux windows.
 - ~~D. Exterior metal doors shall be 6-panel decorative doors. (Deleted by the PZC).~~
 - E. The exterior wall lights shall be a style similar to the VSC lighting standards. Provide wall lighting cut sheets for review.
 - F. The soldier course top brick band shall continue along all elevations.
 - ~~G. All windows shall have an awning over them. The proposed metal awning over the back public entrance should be duplicated over each window bay. Awnings shall be over the sales area windows. (Modified by the PZC).~~
 - ~~H. The large windows along the South elevation shall be broken into two distinct windows with a brick section in-between. (Deleted by the PZC).~~
 - ~~I. Columns shall project a minimum of 2 feet from the face of the building. (Deleted by the PZC).~~
 - J. The top of the building shall be finished with a top stone cap.
5. Landscape Plan
- A. Provide a complete landscape plan for staff review and approval which meets the requirements of Article 4-400.
 - B. Parkway trees are required along McHenry Avenue.
 - C. To better screen the overhead doors, a substantial amount of landscape should be added to the parking lot landscape areas.
 - D. It is recommended to use the VSC landscape materials.
 - E. An 8-foot landscape buffer is required between parking lots and interior side lot lines.
6. No signage information has been provided; all signs shall meet the requirements in the VSC Design Standards and then those of Article 4-1000 of the UDO.
7. The petitioner shall address all of the review comments and requirements of the Police, Fire Rescue, and Community Development Departments, as well as those by the City's Stormwater Consultant.

Votes Required to Pass: A simple majority vote.

DRAFT

ORDINANCE NO. _____
FILE NO. _____

AN ORDINANCE GRANTING A SPECIAL USE PERMIT
AT 350 VIRGINIA STREET

WHEREAS, pursuant to the terms of a Petition (File #2014-44) before the Crystal Lake Planning and Zoning Commission, the Petitioner has requested the issuance of a Special Use Permit to allow Automotive Repair, Major, for Auto Tech for the property located at 350 Virginia Street; and

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

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

Section I: That a Special Use Permit be issued to allow Automotive Repair, Major, for the property commonly known as 350 Virginia Street (19-05-302-020), Crystal Lake, Illinois.

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

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
 - A. Application (Edward Miculinich, received 05/30/14)
 - B. Plan Set (Studio 222 Architects, dated 10/27/14, received 10/28/14)
 - C. Engineering Plan (Schmitt Engineering, dated 10/08/14, received 10/28/14)
2. Site Improvements
 - A. Provide a Plat of Dedication for the 13 feet of additional right-of-way along McHenry Avenue including the corner for the future intersection improvements. The building shall maintain a 5-foot setback from the new property line.
 - B. The existing back-to-back left-turn lanes on McHenry Avenue should be modified to allow for a southbound left-turn lane (McHenry Avenue to US-14) with a minimum 125 feet of storage and a bi-directional left-turn lane to service the proposed development, as well as, the existing entrances to Aldi's, Coventry Motors and Oriole Trail, as illustrated in the engineering review comments.
 - C. All requirements of the Crystal Lake Watershed Design Manual must be met.
 - D. This project's stormwater drainage area is tributary to a known drainage problem area. Additional runoff cannot result in additional adverse drainage impacts to the downstream area.
 - E. All parking lot lights shall meet the VSC Design Standards and Exterior Lighting requirements in the UDO.

- F. Signs shall be installed at the McHenry Avenue drive restricting left turns during peak p.m. times. The times shall be determined by staff.
- G. The ground-mounted signage shall be located outside the dedicated right-of-way.

3. Elevations. There will be discussion between the City and petitioner that there will be design elements added to the building that meet the Virginia Street Corridor and UDO design standards, which specifically include the following:

- A. Provide a full knee-wall and increase the bottom block course levels to be at the same height as the soldier course brick, for the Virginia Street elevation.
- B. All windows shall be real see-through windows, as opposed to, faux windows.
- C. The exterior wall lights shall be a style similar to the VSC lighting standards. Provide wall lighting cut sheets for review.
- D. The soldier course top brick band shall continue along all elevations.
- E. Awnings shall be over the sales area windows.
- F. The top of the building shall be finished with a top stone cap.

4. Landscape Plan

- A. Provide a complete landscape plan for staff review and approval which meets the requirements of Article 4-400.
- B. Parkway trees are required along McHenry Avenue.
- C. To better screen the overhead doors; a substantial amount of landscape should be added to the parking lot landscape areas.
- D. It is recommended to use the VSC landscape materials.
- E. An 8-foot landscape buffer is required between parking lots and interior side lot lines.

5. No signage information has been provided; all signs shall meet the requirements in the VSC Design Standards and then those of Article 4-1000 of the UDO.

6. The petitioner shall address all of the review comments and requirements of the Police, Fire Rescue, and Community Development Departments, as well as, those by our Stormwater Consultant.

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

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

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

DRAFT

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: 14

**City Council
Agenda Supplement**

Meeting Date:

November 18, 2014

Item:

Municipal Code Update for Electronic Cigarettes

Recommendations:

City Council's discretion:

1. Motion to adopt an amendment to the City Code modifying Chapter 446, Smoking, with an exception to allow e-cigarette use in e-cigarette retail locations.
2. Motion to adopt an amendment to the City Code, modifying Chapter 446, Smoking, prohibiting the use of e-cigarettes in public places.
3. Motion to deny the amendment.

Staff Contact:

Michéle Rentsch, Director of Community Development
Jim Black, Chief of Police

Background:

- The City Code, Chapter 446, *Smoking*, currently bans the smoking of tobacco products in certain locations, including within public buildings.
- The City has already adopted amendments to the City Code, Chapter 203, *Cigarette Sales*, to include the regulation of e-cigarettes and bans the sale of e-cigarettes to minors.
- The Unified Development Ordinance prohibits Smoking Lounges or Hookah Bars in the City. Many of the City's e-cigarette sales shops also operate as smoking lounges, wherein patrons are inhaling and exhaling vapors emitted by e-cigarettes or similar devices. Our current Code only considers the lighting (i.e. "burning") of tobacco to be "smoking."
- The City Code could be updated to include e-cigarettes or any other similar device to be under the same prohibitions as any other lighted tobacco product. The proposed amendment does this by re-defining the term "smoking" to include the usage of e-cigarettes or other similar devices.

E-Cigarette Discussion:

Pros

- There are only a dozen or fewer chemicals in the average e-cigarette compared to the 4,000 chemicals in typical cigarettes.
- E-cigarettes have helped people quit smoking traditional tobacco cigarettes and are a safer alternative to traditional cigarettes.
- The level of tobacco-specific nitrosamines in conventional cigarettes is at least 300 to 1,400 times higher than what has been detected in e-cigarettes. You would have to smoke as many as 1,400 e-cigarettes to be potentially exposed to the same amount of these carcinogens as smoking 1 cigarette.
- Electronic cigarettes are not burning and would not cause fire related deaths.
- The propylene glycol and nicotine are largely absorbed and little is exhaled.

Cons

- There are concerns about liquid nicotine's concentration and potential poisoning. Calls to Poison Control for accidental poisoning of children has increased 47% in the past 4 years.
- Nicotine is a poison. Liquid nicotine in the water system could be fatal to people, pets and wildlife. Wastewater treatment plants do not treat for prescription drugs or nicotine in the water system.
- In August of 2014, the U.N. Health Agency recommended that nations regulate electronic cigarettes and ban them from use indoors until the exhaled vapor is proven not to harm bystanders.
- Researchers find that e-cigarette users experienced diminished lung function, airway resistance and cellular changes when using the higher nicotine concentrations.
- E-cigarettes and similar devices are being modified to smoke liquid Cannabis. It has little or no odor, which makes it nearly impossible for the Police to enforce.

Other Regulations:

- Numerous states and cities have started to ban electronic cigarettes indoors or within 15 feet of a public entrance similar to tobacco cigarettes.
- The City of Chicago has banned the use of electronic cigarettes indoors unless it is for a theater performance. Also, Schaumburg, Evanston, Arlington Heights, Oak Park, Wilmette and Elk Grove Village have banned electronic cigarettes indoors.
- The Village of Deerfield and St. Charles are in the process of enacting a ban on the indoor use of e-cigarettes.

Survey Results:

To provide information and to gather public input on this topic, a public input forum was held on November 7th. In addition, for those with access to the City's website, all the education information, sample community ordinances, and an on-line survey were also provided. There were 1,400 surveys received, 339 of those responses were from Crystal Lake residents. A summary of the survey results is attached.

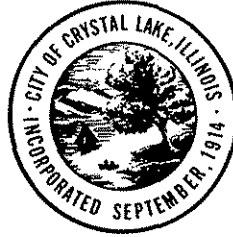
Council Options:

1. Motion to adopt an amendment to the City Code modifying Chapter 446, Smoking, with an exception to allow e-cigarette use in e-cigarette retail locations.
2. Motion to adopt an amendment to the City Code, modifying Chapter 446, Smoking, prohibiting the use of e-cigarettes in public places.
3. Motion to deny the amendment.

Votes Required to Pass:

Simple Majority

DRAFT



AN ORDINANCE ADDING CHAPTER 446-SMOKING

WHEREAS, the City of Crystal Lake is a home rule unit of government pursuant to Article VII, Section 6(a) of the Illinois Constitution; and

WHEREAS, pursuant to its home rule authority, the City of Crystal Lake may exercise any power and perform any function pertaining to its government and affairs, including promoting the health, safety, and welfare of its citizens; and

WHEREAS, cigarette smoking has been linked to various cancers and lung diseases; and

WHEREAS, many states, including Illinois, have adopted protective clean indoor air laws that eliminate workers', patrons' and visitors' exposure to secondhand smoke; and

WHEREAS, numerous economic analyses examining restaurant and hotel receipts and controlling for economic variables have shown either no difference or a positive economic impact after enactment of laws requiring workplaces to be smoke-free; and

WHEREAS, creation of smoke-free workplaces is sound economic policy and provides the maximum level of employee health and safety; and

WHEREAS, while many struggle with their nicotine and tobacco addiction, those seeking to quit their "habit" have sought several modes of treatment; medicine from their doctors, nicotine patches, and, in recent years, e-cigarettes; and

WHEREAS, e-cigarettes, which first entered the United States market in 2007, are electronic inhalers meant to simulate cigarette smoking. E-cigarettes use a heating element that vaporizes a liquid solution. Some e-cigarettes release nicotine, while some merely release flavored vapor. They are designed to mimic traditional smoking implements in their use and appearance; and

WHEREAS, though e-cigarettes have been advertised as a "safe" alternative to smoking, they are not currently regulated by the United States Food and Drug Administration (FDA), leaving states and cities to adopt their own regulations; and

WHEREAS, several states, including Illinois, have adopted legislation banning the sale of e-cigarettes to minors; and

WHEREAS, the Center for Disease Control and Prevention (CDC) in a report released on September 5, 2013, stated that ten percent of high school students surveyed reported using e-cigarettes in 2012, up from 4.7 percent in 2011; and

WHEREAS, included in its study, the CDC also reported that these same minors also admitted to smoking conventional cigarettes at the same time; and

WHEREAS, CDC Director Tom Frieden, M.D., M.P.H. stated the “increased use of e-cigarettes by teens is deeply troubling. Nicotine is a highly addictive drug. Many teens who start with e-cigarettes may be condemned to struggling with a lifelong addiction to nicotine and conventional cigarettes.”; and

WHEREAS, according to Tim McAfee, M.D., M.P.H. the Director of the CDC Office on Smoking and Health “it should be the goal of all to protect the health of our youth and to keep them from experimenting or using any tobacco product. These dramatic increases in usage suggest that developing strategies to prevent marketing, sales, and use of e-cigarettes among youth is critical.”; and

WHEREAS, the City of Crystal Lake finds that e-cigarettes with their flavored sweet cartridges and/or nicotine content represent a calculated attempt by e-cigarette manufacturers to entice children and young adults to purchase and use their devices and constitute an indirect marketing campaign which targets youth; and

WHEREAS, the City of Crystal Lake finds that the public health and safety of its citizens, particularly its children, is being endangered by the lack of comprehensive regulation of e-cigarettes; and

WHEREAS, e-cigarettes are devices that convert liquid nicotine into a gas that is inhaled by the consumer; and

WHEREAS, the National Institute for Occupational Safety and Health and the Center for Disease Control and Prevention have prepared emergency response information addressing the dangers associated with liquid nicotine. Nicotine affects the nervous system and heart and is addictive. Exposure to relatively small amounts of liquid nicotine can rapidly be fatal; and

WHEREAS, the potential harmful effects of inhaling second-hand vapor from e-cigarettes, including liquid nicotine and other toxins, have not been fully studied and are currently unknown; and

WHEREAS, a study authored by scientists from the University of California, San Francisco was published on May 12, 2014 in the American Heart Association’s journal *Circulation*. The study noted that “E-cigarettes do not burn or smolder the way conventional cigarettes do, so they do not emit side-steam smoke: however, bystanders are exposed to aerosol exhaled by the user”. The authors note that the aerosol emitted includes toxins and nicotine including formaldehyde, acetaldehyde acetic acids and other items. The authors of the study recommend a number of policies that should be implemented to protect public health including a

recommendation to “[p]rohibit the use of e-cigarettes anywhere that use of conventional cigarettes are prohibited (“E-Cigarettes. A Scientific Review” Rachel Grana, PhD, Neal Benowitz, MD, Stanton A. Glantz, PhD); and

WHEREAS, the City of Crystal Lake finds that for the health and welfare of its citizens, that is in the City’s best interest to regulate e-cigarette usage; and

WHEREAS, the potential risks of e-cigarettes, when used as intended, to both primary users as well as those inhaling second-hand vapors, are currently unknown, including how much nicotine or other potentially harmful chemicals are being inhaled during use; and

WHEREAS, pursuant to voluntary adverse event reports, allegedly involving e-cigarettes, received by the FDA from consumers, health professionals and concerned members of the public, adverse events associated with e-cigarettes may include hospitalizations for illnesses such as pneumonia, congestive heart failure, disorientation, seizure, hypotension and other health problems; and

WHEREAS, regulation of the distribution, sale, and use of e-cigarettes is a legitimate role of government relating to the welfare of its citizens; and

WHEREAS, the Crystal Lake City Council finds and declares that the purposes of this Ordinance are (1) to protect the public health and welfare by prohibiting smoking in all public places and places of employment, (2) to guarantee the right of nonsmokers to breathe smoke-free air which shall have priority over the desire to smoke.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Crystal Lake, as follows:

SECTION 1: Recitals: The foregoing recitals are repeated and incorporated as though fully set forth herein.

SECTION 2: Amendment to Section 446-1. Section 446-1 of Chapter 446 of the Code of Ordinances of the City of Crystal Lake is hereby deleted, in its entirety and replaced with the following:

446-1 Definitions.

“Department” means the Crystal Lake Police Department.

“Electronic cigarette” or “e-cigarette” means any electronically actuated device which in operation causes the user to exhale any smoke, vapor, or other substance other than those produced by unenhanced human exhalation. “Electronic cigarette” or “e-cigarette” includes any such device, whether manufactured, distributed, marketed, or sold as an electronic cigarette, an

electronic cigar, an electronic cigarillo, an electronic pipe, an electronic hookah, or under any other product name or descriptor. The term “electronic cigarette” does not include any asthma inhaler or other device that has been specifically approved by the United States Food and Drug Administration

“Public place” means that portion of any building or vehicle used by and open to the public, regardless of whether the building or vehicle is owned in whole or in part by private persons or entities, the City of Crystal Lake, or any other public entity and regardless of whether a fee is charged for admission, including a minimum distance of 15 feet from entrances, exits, windows that open, and ventilation intakes that serve an enclosed area where smoking is prohibited. A “public place” does not include a private residence unless the private residence is used to provide licensed child care, foster care, or other similar social service care on the premises. A “public place” includes, but is not limited to, hospitals, restaurants, retail stores, including those in which e-cigarettes are sold, offices, commercial establishments, elevators, indoor theaters, libraries, museums, concert halls, public conveyances, educational facilities, nursing homes, auditoriums, enclosed or partially enclosed sports arenas, meeting rooms, schools, exhibition halls, convention facilities, polling places, private clubs, gaming facilities, all government owned vehicles and facilities, including buildings and vehicles owned, leased, or operated by the City of Crystal Lake or City subcontract, healthcare facilities or clinics, enclosed shopping centers, retail service establishments, financial institutions, ticket areas, public hearing facilities, public restrooms, waiting areas, lobbies, bars, taverns, bowling alleys, skating rinks, reception areas, and no less than 75% of the sleeping quarters within a hotel, motel, resort, inn, lodge, bed and breakfast, or other similar public accommodation that are rented to guests, but excludes private residences.

“Retail electronic cigarette store” means a retail establishment that derives more than 80% of its gross revenue from the sale of Electronic Cigarettes and related products, and in which the sale of other products is merely incidental. “Retail Electronic Cigarette store” does not include a tobacco department or section of a larger commercial establishment or any establishment with any type of liquor, food, or restaurant license.

“Smoke” or “smoking” means the burning or carrying of any lighted cigarette, cigar or other form of device containing tobacco or the use of any electronic cigarette.

SECTION 3: Amendment to Section 446-2 Section 446-3 Sections 446-2 and 446-3 of Chapter 446 the Code of Ordinances of the City of Crystal Lake are hereby deleted, in their entirety and replaced with the following:

446-2 Smoking in public places, places of employment and governmental vehicles prohibited.

Unless an exemption contained in Section 446-6 of this chapter specifically applies, no person shall smoke in a public place or in any place of employment. No person may smoke in any vehicle owned, leased, or operated by the City of Crystal Lake.

SECTION 4: Amendment to Section 446-4. Sections 446-4 of Chapter 446 of the Code of Ordinances of the City of Crystal Lake is hereby deleted, in its entirety and replaced with the following:

446-4 Enforcement; Complaints.

- (a) Chapter 446 shall be enforced by the Police Department, or their authorized designees.
- (b) Notice of the provisions of this chapter shall be given to all applicants for a business license in the City of Crystal Lake.
- (c) The Department or its designees shall, while an establishment is undergoing otherwise mandated inspections, inspect for compliance with this chapter.
- (d) An owner, manager, operator or employee of an establishment regulated by this chapter shall inform persons violating any provision of this chapter of the appropriate provisions thereof.
- (e) In addition to the remedies provided by this chapter, the Department or any person aggrieved by the failure of the owner, operator, manager or other person in control of a public place or a place of employment to comply with the provisions of this chapter may apply for injunctive relief to enforce those provisions in any court of competent jurisdiction.

SECTION 5: Amendment to Section 446-5. Sections 446-5 of Chapter 446 of the Code of Ordinances of the City of Crystal Lake is hereby deleted, in its entirety and replaced with the following:

446-5 Posting of signs; removal of ashtrays.

- (a) "No Smoking" signs or the international "No Smoking" symbol, consisting of a pictorial representation of a burning cigarette enclosed in a red circle with a red bar across it, shall be clearly and conspicuously posted in each public place and place of employment where smoking is prohibited by this chapter by the owner, operator, manager, or other person in control of that place.
- (b) Each public place and place of employment where smoking is prohibited by this chapter shall have posted at every entrance a conspicuous sign clearly stating that smoking is prohibited.

SECTION 6: Addition of Section 446-6 Chapter 446 of the Code of Ordinances of the City of Crystal Lake is hereby amended by adding Section 446-6, which shall hereinafter read as follows:

446-6 Designation of other nonsmoking areas.

Notwithstanding any other provision of this chapter, any employer, owner, occupant, lessee, operator, manager, or other person in control of any public place or place of employment may designate a non-enclosed area of a public place or place of employment, including outdoor areas, as an area where smoking is also prohibited provided that such employer, owner, lessee or occupant shall conspicuously post signs prohibiting smoking in the manner described in subsections (a) and (b) of Section 446-4 of this chapter.

SECTION 7: Addition of Section 446-7 Chapter 446 of the Code of Ordinances of the City of Crystal Lake is hereby amended by adding Sections 446-7 through 446-11, which shall hereinafter read as follows:

446-7 Exemptions.

Notwithstanding any other provision of this chapter, smoking is allowed in the following areas:

(1) Private residences or dwelling places, except when used as a child care, adult day care, or healthcare facility or any other home-based business open to the public.

(3) Electronic Cigarette Stores, as defined in Section 446-2 in operation prior to January 1, 2015. Any electronic cigarette store that begins operation after January 1, 2015 may only qualify for an exemption if located in a freestanding structure occupied solely by the business or if smoke from the business does not migrate into an enclosed area where smoking is prohibited in a multi-tenant building.

(4) Hotel and motel sleeping rooms that are rented to guests and are designated as smoking rooms, provided that all smoking rooms on the same floor must be contiguous and smoke from these rooms must not infiltrate into nonsmoking rooms or other areas where smoking is prohibited. Not more than 25% of the rooms rented to guests in a hotel or motel may be designated as rooms where smoking is allowed. The status of rooms as smoking or nonsmoking may not be changed, except to permanently add additional nonsmoking rooms.

(5) Theater actors shall be allowed to use nicotine-free electronic cigarettes within performance spaces.

446-8 Violations.

(a) A person, corporation, partnership, association or other entity who violates any provision of this chapter shall be fined pursuant to this section. Each day that a violation occurs is a separate violation.

(b) A person who smokes in an area where smoking is prohibited under any provision of this chapter shall be fined in an amount that is not less than \$100 and not more than \$250. A person who owns, operates, or otherwise controls a public place or place of employment that violates any provision of this chapter shall be fined (i) not less than \$250 for the first violation, (ii) not less than \$500 for the second violation within one year after the first violation, and (iii) not less than \$2,500 for each additional violation within one year after the first violation and a sixty (60)

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day suspension or revocation of any permit or license issued to the person for the premises on which the violation occurred.

446-9 Discrimination prohibited.

No individual may be discriminated against in any manner because of the exercise of any rights afforded by this chapter. No person or employer shall discharge, refuse to hire, or in any manner retaliate against an employee, applicant for employment, or customer because that employee, applicant, or customer exercises any rights afforded by this chapter or reports or attempts to prosecute a violation of this chapter.

446-10 Construction with other code provisions.

No reference or omission in this chapter shall be construed to allow smoking if otherwise restricted or prohibited by other law or code provisions.

446-11 Rules.

The Police Department is authorized to adopt rules necessary for the administration of this chapter.

SECTION 8. Severability . If any part of this ordinance is found invalid, then the remainder shall continue in full force and effect.

SECTION 9. Effective Date. This ordinance shall be enforced from and its passage approval and publication in pamphlet form, in the manner provided by law.

DATED at Crystal Lake, Illinois, this _____ day of November, 2014.

APPROVED:

Aaron Shepley, Mayor

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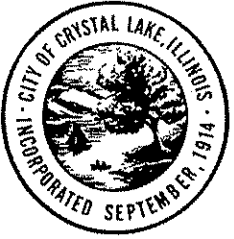
ATTEST:

Nick Kachiroubas 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**

Meeting Date:

November 18, 2014

Item:

Designation of Surplus Equipment and Sale of Centrifugal Blower

Staff Recommendation:

Motion to adopt a resolution to designate one Hoffman four-stage blower as surplus equipment, and authorize the City Manager to execute an agreement with Berryman Equipment for the sale of the Hoffman blower

Staff Contact:

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

Background:

Wastewater Treatment Plant #2 (Coventry Lane) currently has five blowers used in the aeration process. One four-stage Hoffman blower was replaced as part of a grant program in May with a more efficient turbo blower, which has become the industry standard. The City has not realized a vibrant market for industrial equipment at the last several auctions. Staff acquired pricing to scrap the existing Hoffman blower and motor, which was valued at approximately \$406.70 +/- depending on daily market changes (Motor: 4,440 pounds at 0.18 per pound; Blower: 3,140 pounds at .055 per pound). Berryman Equipment has offered to buy the blower from the City for \$1,000.00.

The designation of equipment as surplus provides the following benefits to the City:

- 1) Designating equipment as surplus would allow the City the ability to make space available that is currently being occupied by the non-utilized equipment.
- 2) Completing the sale to Berryman Equipment would minimize the costs and time required to sell the equipment through a bidding process. Staff has analyzed historical listings on similar types of equipment in both industry trade magazines and professional organizations. There is no demand for this old blower technology. The wastewater field has moved to more efficient turbo and magnetic-type blower applications.

Discussion:

The Hoffman blower has been replaced and is no longer needed in operations. It has been replaced with a more efficient turbo-type blower saving the City energy costs.

Recommendation:

It is the recommendation of staff that the Hoffman blower be designated as surplus and authorize the City Manager to execute an agreement with Berryman Equipment for the sale of the Hoffman blower in the amount of \$1,000.00.

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

1. The Hoffman Blower removed from Wastewater Treatment Plant #2 is hereby designated as surplus; and
2. The City Manager be and he is hereby authorized and directed to execute an agreement with Berryman Equipment Company for the sale of one used Hoffman blower in the amount of \$1,000.00

DATED this 18th day of November, 2014.

CITY OF CRYSTAL LAKE, an
Illinois municipal corporation,

By: _____
MAYOR

SEAL
ATTEST

CITY CLERK

PASSED: November 18, 2014
APPROVED: November 18, 2014



Agenda Item No: 16

**City Council
Agenda Supplement**

Meeting Date: November 18, 2014

Item: Wastewater Treatment Plant #2 Turbo Blower Grant
Acceptance & Consultant Engineer Selection

Staff Recommendation:

1. Motion to adopt a Resolution authorizing the City Manager to execute grant agreements with the Illinois Clean Energy Community Foundation in the amount of \$0.12 per kilowatt hour saved, and with the Illinois Department of Commerce and Economic Opportunity in the amount of \$0.36 per kilowatt hour saved for purchase and installation of two (2) turbo blowers at Wastewater Treatment Plant #2.
2. Motion to waive formal proposal requirements and award the proposal for engineering services for Wastewater Treatment Plant #2 Aeration System Improvements – Phase 2 to Baxter & Woodman Inc., and adopt a resolution authorizing the City Manager to execute a service agreement with Baxter and Woodman Inc. in the amount proposed with a 10% contingency for unforeseen expenses.

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

Summary:

The City has been awarded two separate grants whose proceeds will be used to replace two blowers used as part of the City's wastewater treatment process. Each of the two grants is calculated based on how much energy will be saved with the new blowers. The **first grant is from the Illinois Clean Energy Community Foundation**. The Illinois Clean Energy Community Foundation was established as an independent foundation with an endowment provided by Commonwealth Edison. These grant proceeds will be used to pay for installation and engineering services for the replacement of the turbo blowers. The **second grant is from the Illinois Department of Commerce and Economic Opportunity (DCEO)**. The DCEO grant will be used to pay for the cost of equipment and materials for the turbo blowers.

The proceeds from both of these **grants are expected to reimburse nearly 100%** of the cost to engineer, purchase and install the two new turbo blowers. The grants will be provided on a reimbursement basis with an anticipated **total value of \$453,616**. Baxter and Woodman assisted City staff in completing the grant applications and staff is recommending that they be awarded the contract for engineering services for this project because of their successful experience and knowledge with similar projects.

Background:

Wastewater Treatment Plant #2 (WWTP #2) currently has five blowers that are used to produce air which is piped into the aeration tanks. The air is needed at this point in the treatment process to keep the “bugs” that breakdown the solids alive. This project will replace two of the centrifugal blowers with an energy efficient turbo blower.

The City was able to replace one centrifugal blower with a turbo blower last year by taking advantage of a grant opportunity through the Illinois Department of Commerce and Economic Opportunity (DCEO). Typical DCEO energy improvement grants for public agencies pay at a rate of \$0.12 per kw hour saved. Due to the magnitude and immediacy of the energy reduction generated by this equipment, turbo blowers were funded at a rate of \$0.36 per kw hour saved, which covered the full cost of the equipment (\$167,250.00). The DCEO extended the \$0.36 per kw hour rate during the new program year, and awarded the City a grant for the replacement of two additional blowers.

In conjunction with the DCEO grant application, staff submitted an application for a grant from the Illinois Clean Energy Community Foundation (ICECF) that reimburses expenses up to \$0.12 per kw hour saved. The DCEO limits grant funding to the cost of equipment and materials; however, the ICECF allows for installation and engineering services to be reimbursed under their grant program. The proceeds from both of these grants are expected to reimburse nearly 100% of the cost to purchase and install these two new turbo blowers.

The main caveat to the project is the May 15, 2015 deadline imposed on the DCEO grant. Since turbo blowers generally have a 14-20 week lead time across the industry, the deadline makes the design and installation timeframes very tight.

City received three proposals in 2013 to perform the engineering services necessary for the installation of the first turbo blower installed at WWTP #2. The following is a breakdown of the total proposals received.

Proposer	Price
√ Baxter & Woodman Inc Crystal Lake, IL	\$37,710.34
Donohue & Associates Chicago, IL	\$39,420.00
Christopher Burke, Engineering LTD Rosemont, IL	\$ 30,740.00

√ Indicates the lowest responsive and responsible proposer

The Christopher B. Burke proposal did not identify any notable experience with turbo blower installations and their proposed timeline did not meet the grant timeline. They were subsequently considered non-responsive to this project.

Baxter & Woodman did an excellent job of meeting the City’s needs in terms of project scope and timeliness. The project was a great success, and the City received the full reimbursement afforded by the grant.

Baxter & Woodman has submitted a proposal for the replacement of two additional centrifugal blowers with turbo blowers under the purview of the new grant agreements. The knowledge that is afforded to them through their work on the initial turbo blower project has allowed B&W to submit

an aggressively priced proposal for the design and construction oversight of the two new blowers, not to exceed \$19,900.00.

There are sufficient funds in the FY 2014/2015 Water & Sewer fund for this expense. Funds will be reimbursed upon project closeout.

Votes Required to Pass:

Simple Majority



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A RESOLUTION EXECUTING A GRANT AGREEMENT WITH THE ILLINOIS
DEPARTMENT OF COMMERCE AND ECONOMIC OPPORTUNITY (DCEO)

WHEREAS, the City maintains five centrifugal blowers at Wastewater Treatment Plant #2 (WWTP#2) to provide air to the aeration tanks as part of the treatment process; and

WHEREAS, the City previously replaced one of the centrifugal blowers with an energy efficient turbo blower at the WWTP pursuant to a grant awarded by the DCEO; and

WHEREAS, the replacement of two additional centrifugal blowers with turbo blowers will allow the plant to operate at optimal efficiency during normal demand periods; and

WHEREAS, the City has applied for and been notified of awards from the DCEO in order to assist in the funding of the purchase and installation of the replacement centrifugal blowers; and

WHEREAS, the Mayor and City Council have found and determined that it would be in the best interests of the City to accept the grant award from the DCEO.

NOW THEREFORE, BE IT RESOLVED that the City Manager be and he is hereby authorized and directed to execute an agreement with the Illinois Department of Commerce and Economic Opportunity for the participation in the Turbo Blowers for Wastewater Treatment Plant #2 Grants;

BE IT ALSO RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE to amend the 2014-2015 City Budget to authorize payment for the replacement of the turbo blowers from proceeds of the DCEO Turbo Blowers Installation at the Wastewater Treatment Plant #2 Grant.

DATED at Crystal Lake, Illinois, this 18th day of November, 2014.

APPROVED:

Aaron T. Shepley, Mayor

ATTEST:

Nick Kachiroubas, City Clerk

PASSED: November 18, 2014

APPROVED: November 18, 2014



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A RESOLUTION EXECUTING A GRANT AGREEMENT WITH THE ILLINOIS CLEAN ENERGY COMMUNITY FOUNDATION (ICECF)

WHEREAS, the City maintains five centrifugal blowers at Wastewater Treatment Plant #2 (WWTP#2) to provide air to the aeration tanks as part of the treatment process; and

WHEREAS, the City previously replaced one of the centrifugal blowers with an energy efficient turbo blower at the WWTP pursuant to a grant awarded by the ICECF; and

WHEREAS, the replacement of two additional centrifugal blowers with turbo blowers will allow the plant to operate at optimal efficiency during normal demand periods; and

WHEREAS, the City has applied for and been notified of awards from the ICECF in order to assist in the funding of the purchase and installation of the replacement centrifugal blowers; and

WHEREAS, the Mayor and City Council have found and determined that it would be in the best interests of the City to accept the grant award from the ICECF.

NOW THEREFORE, BE IT RESOLVED that the City Manager be and he is hereby authorized and directed to execute an agreement with the Illinois Clean Energy Community Foundation for the participation in the Turbo Blowers for Wastewater Treatment Plant #2 Grants;

BE IT ALSO RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE to amend the 2014-2015 City Budget to authorize payment for the replacement of the turbo blowers from proceeds of the ICECF Turbo Blowers Installation at the Wastewater Treatment Plant #2 Grant.

DATED at Crystal Lake, Illinois, this 18th day of November, 2014.

APPROVED:

Aaron T. Shepley, Mayor

ATTEST:

Nick Kachiroubas, City Clerk

PASSED: November 18, 2014

APPROVED: November 18, 2014



DRAFT

A RESOLUTION EXECUTING AN AGREEMENT WITH BAXTER & WOODMAN, INC. FOR
DESIGN & CONSTRUCTION OVERSIGHT OF TURBO BLOWER INSTALLATION AT
WASTEWATER TREATMENT PLANT #2

WHEREAS, the City maintains five centrifugal blowers at Wastewater Treatment Plant #2 (WWTP#2) to provide air to the aeration tanks as part of the treatment process; and

WHEREAS, the City previously replaced one of the centrifugal blowers with an energy efficient turbo blower at the WWTP pursuant to a grant awarded by the DCEO; and

WHEREAS, the replacement of two additional centrifugal blowers with turbo blowers will allow the plant to operate at optimal efficiency during normal demand periods; and

WHEREAS, the City has applied for and been notified of awards from the DCEO & ICECF in order to assist in the funding of the purchase and installation of the replacement centrifugal blowers; and

WHEREAS, the Mayor and City Council have found and determined that it would be in the best interests of the City to retain the services of Baxter & Woodman, Inc. to perform certain design and construction observations services in connection with the installation of the new centrifugal blowers.

NOW THEREFORE, BE IT RESOLVED that the City Manager be and he is hereby authorized and directed to waive formal proposal requirements and execute an agreement with Baxter & Woodman, Inc. for Wastewater Treatment Plant #2 Aeration System Improvements – Phase 2 in the amount proposed with a 10% contingency for unforeseen expenses.

DATED at Crystal Lake, Illinois, this 18th day of November, 2014.

APPROVED:

Aaron T. Shepley, Mayor

ATTEST:

Nick Kachiroubas, City Clerk

PASSED: November 18, 2014

APPROVED: November 18, 2014