



CITY OF CRYSTAL LAKE
AGENDA

CITY COUNCIL
REGULAR MEETING

City of Crystal Lake
100 West Woodstock Street, Crystal Lake, IL
City Council Chambers
February 3, 2015
7:30 p.m.

1. **Call to Order**
2. **Roll Call**
3. **Pledge of Allegiance**
4. **Approval of Minutes - January 20, 2015 Regular City Council Meeting and the January 13, 2015 City Council Workshop Meeting**
5. **Accounts Payable**
6. **Public Presentation**
The public is invited to make an issue oriented comment on any matter of public concern not otherwise on the agenda. The public comment may be no longer than 5 minutes in duration. Interrogation of the city staff, Mayor or City Council will not be allowed at this time, nor will any comment from the Council. Personal invectives against city staff or elected officials are not permitted.
7. **Mayor's Report**
8. **City Council Reports**
9. **Consent Agenda**
10. **Blomsness Thebault, 6813 Sands Road - Annexation Public Hearing and adoption of Ordinances Authorizing execution of the Annexation Agreement, Annexation of the property, and Rezoning of the property upon annexation to the M-Manufacturing district with zoning variations.**
11. **Consideration of Hotel/Motel Tax Funding Allocation Requests.**
12. **Resolution authorizing execution of an Interim Agreement with the McHenry County Conservation District regarding maintenance of the Pedestrian/Bicycle Underpass for Route 14 at Main Street.**
13. **Resolution authorizing execution of a lease agreement with Chicago SMSA Limited Partnership/ dba Verizon Wireless for Wastewater Treatment Plant No. 2.**
14. **Resolution authorizing a Grant Application for federal Community Development Block Grant funding for Lift Station/Sanitary Force Main improvements and execution of an agreement with McHenry County and documentation related to the grant funding in the event of a grant award.**
15. **Bid Award - Country Club Watermain Replacement, Stage 3 Construction.**

16. **Council Inquiries and Requests**
17. **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.**
18. **Reconvene to Regular Session.**
19. **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: 10

**City Council
Agenda Supplement**

Meeting Date: February 3, 2015

Item: REPORT OF THE PLANNING & ZONING COMMISSION
#2012-74 Blomsness Thebault, 6813 Sands Road

ANNEXATION PUBLIC HEARING

Requests:

- 1) Rezoning upon annexation to M-Manufacturing.
- 2) Zoning Variation from Article 2-400 C(8), the requirement for outdoor storage of commercial vehicles and equipment to be screened.
- 3) Zoning Variation from Article 4-200 C, the requirement for off-street parking surfacing, to allow the existing gravel parking lot to remain.

Petitioner: James Bolz on behalf of Steven Thebault

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 adopt an ordinance for rezoning upon annexation to the M- Manufacturing district and the zoning variations.

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

Background:

Existing Use: The property is currently improved with the North American Midway Entertainment Company, the parent company of Blomsness Thebault, and its associated carnival ride/equipment repair business and ancillary outdoor storage. North American Midway Entertainment Company is a carnival management company and hosts a range of carnival events across the country.

History: This property is a county island, surrounded by the City. City staff contacted the property owner and encouraged them to file an application for annexation.

Key Factors:

- The petitioner is requesting to zone the property M-Manufacturing upon annexation and to allow the existing uses and improvements to remain via the annexation agreement. Zoning variations are requested to accommodate the existing gravel parking lot and outdoor storage of commercial vehicles and equipment without screening on the property.

PZC Highlights:

- The PZC stated the Findings of Fact have been met.

The Planning and Zoning Commission recommended **approval (6-0)** 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.



Agenda Item No: 11

**City Council
Agenda Supplement**

<u>Meeting Date:</u>	February 3, 2015
<u>Item:</u>	Hotel/Motel Tax Funding Allocations
<u>Staff Recommendation:</u>	City Council Discretion
<u>Staff Contact:</u>	George Koczvara, Director of Finance

Background:

The City received eleven (11) applications from local organizations for Fiscal Years 2015-2016 & 2016-2017 hotel/motel tax funding. Requests for funding total \$395,000.

Similar to City Council approval for the 2013-2014 & 2014-2015 hotel/motel tax funding allocations, it is proposed that the hotel/motel tax funding allocations for Fiscal Year 2015-2016, to be determined by the City Council at the February 3, 2015 City Council meeting, remain the same for Fiscal Year 2016-2017 hotel/motel tax funding, assuming that proper funds are available. This would ensure these organizations receive the same amount of funding over the next two years, therefore, making it easier for these organizations to budget for these funds.

The City's hotel/motel tax rate is currently at 5.0%. Based on preliminary estimates, the City is projected to collect approximately \$290,000 in hotel/motel tax receipts during the 2015-2016 & 2016-2017 Fiscal Years. Based on remaining hotel/motel tax receipts that the City is anticipated to collect for the 2014-2015 Fiscal Year, the projected year-end balance that the City will have in reserve on April 30, 2015 will be \$84,877.02.

A Hotel/Motel Tax Funding workshop was held on January 13, 2015. At this workshop, applicants were provided the opportunity to present requests to the City Council for consideration and answer questions.

<u>Organization</u>	<u>2015-2016 & 2016-2017 Funding Amount Requested</u>	<u>2013-2014 & 2014-2015 Funding Amount Awarded</u>
*The Alano Club of Crystal Lake	\$6,500	n/a
Berkshire Ballet Theatre	\$2,500	\$1,900
Crystal Lake Babe Ruth Baseball League, Inc.	No Request Received	2,000
Crystal Lake Chamber of Commerce –	\$5,000	\$5,000
Crystal Lake Rowing Club	\$5,000	\$2,500
*Crystal Lake Soccer Federation	\$10,000	n/a
Historic Downtown District of Crystal Lake, Inc.	\$55,000	\$35,000
Lakeside Legacy Foundation	\$70,000	\$35,400 \$10,000 (awarded 2/18/14)
McHenry County Music Center	No Request Received	\$3,600
McHenry County Youth Sports Association	\$60,000	\$52,800
Raue Center for the Arts	\$150,000	\$150,000
Visit McHenry County	\$30,000	\$4,000 \$10,000 (awarded 2/18/14)
Williams Street Repertory Theatre Company	\$1,000	\$1,000 (awarded 2/18/14)
Total	\$395,000	\$292,200 (awarded 2/5/13) \$21,000 (awarded 2/18/14) \$313,200

*New Applicant

Applicants were notified at the recent workshop meeting that the allocation of funding is to be considered at the February 3, 2015 City Council meeting.

Votes Required to Pass:

Simple majority vote of the City Council.



Agenda Item No: 12

**City Council
Agenda Supplement**

Meeting Date: February 3, 2015

Item: Interim Agreement between the McHenry County Conservation District and the City of Crystal Lake regarding specified investigation and maintenance of the Pedestrian/Bicycle Underpass for Route 14 at Main Street

Staff Recommendation: Motion to adopt a resolution authorizing the City Manager to execute an interim agreement between the McHenry County Conservation District and the City of Crystal Lake regarding specified investigation and maintenance of the Pedestrian/Bicycle Underpass for Route 14 at Main Street.

Staff Contact: Abigail Wilgreen, City Engineer

Background:

City staff has been working collaboratively with the McHenry County Conservation District (MCCD) regarding maintenance items for the pedestrian/bicycle underpass (underpass) at Route 14 and Main Street, as no long-term maintenance agreement was created upon completion of the underpass construction in 2002. The concrete retaining walls north and south of the underpass are in need of investigation and maintenance. Soil borings, a soil analysis, and cleaning of the existing weep holes are necessary to ensure the soil behind the concrete retaining walls is properly draining. A structural analysis is recommended to make certain that the structural integrity of the concrete retaining walls remains over the years. The structural analysis also includes outlining three alternatives for corrective action to the concrete retaining walls, if necessary.

Given the recreational value of the underpass to the residents of McHenry County and the interest of the City and MCCD in the safety of its respective residents utilizing the underpass, a long-term intergovernmental agreement should be established to address current and future maintenance and/or repair needs pertaining to the underpass. This long-term intergovernmental agreement would establish the division of responsibility with respect to any of these needs and is the next step after this interim agreement is finalized and the contemplated work is completed.

Pending the negotiation and approval of the long-term intergovernmental agreement, an interim agreement would provide for the immediate investigation and maintenance items stated above. The interim agreement does not create a contractual relationship between the City and MCCD except for the specific items outlined in the interim agreement. MCCD has agreed to the cost sharing of these specific items with 50 percent responsibility of each item for an estimated cost of \$9,995 for each agency. The interim agreement is attached and was signed by MCCD on January 15, 2015. The interim agreement has been reviewed and approved by the legal counsel.

Votes Required to Pass:

Simple majority of City Council present.



DRAFT

The City of Crystal Lake Illinois

RESOLUTION

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE that the City Manager be authorized to execute the "Interim Agreement between the McHenry County Conservation District and the City of Crystal Lake Regarding Specified Investigation and Maintenance of the Pedestrian/Bicycle Underpass for U.S. 14 at Main Street".

DATED this third day of February, 2015

CITY OF CRYSTAL LAKE, an Illinois Municipal Corporation

BY: _____
MAYOR

SEAL

ATTEST:

CITY CLERK

PASSED: February 3, 2015
APPROVED: February 3, 2015



Agenda Item No: 13

**City Council
Agenda Supplement**

Meeting Date: February 3, 2015

Item: Verizon Lease Agreement

Recommendation: Motion to adopt a resolution authorizing the Mayor to execute the lease agreement between the City of Crystal Lake and Chicago SMSA Limited Partnership, d/b/a Verizon Wireless for Wastewater Treatment Plant #2.

Staff Contact: George J. Koczwar, Director of Finance

Background:

On October 19, 2010, the City Council approved an agreement with T-Mobile to place a cell tower at Wastewater Treatment Plant #2 (Dartmoor/McHenry). Unlike the seven (7) other lease agreements approved by the City Council, the agreement with T-Mobile included the construction of a stand-alone cell tower. Under the terms of the agreement, T-Mobile constructed the pole and, after completion, transferred the ownership of the pole to the City. The City is responsible for the maintenance of the pole but is also able to collect all co-location rents.

The pole was constructed to allow the ability for other carriers to collocate onto the pole. The proposed agreement with Verizon is a collocation agreement. Under the terms of the Verizon agreement, they will pay a base rent of \$35,825. This rent will increase 5% each year for the term of twenty years. In total, over the course of 20 years, the City will generate \$1,184,587.81 in rental revenue for this agreement alone.

For this fiscal year, the nine (9) total lease agreements, including the T-Mobile Agreement, and this Verizon Agreement, if approved, will generate approximately \$339,751 in revenue for the City.

As part of the original T-Mobile approval process, T-Mobile received Federal Aviation Administration approval, as well as approval from the Village of Lake in the Hills (LITH), because of its proximity to the airport. LITH approval is required because the Village enacted an airport hazard zoning ordinance, which restricts the height of structures and otherwise regulates the use of property in the vicinity of the Lake in the Hills Airport. LITH has the authority to enact the ordinance through authority conferred by the Illinois Airport Zoning Act.

Included please find a draft of the lease agreement and draft construction plans. In addition to the two carriers, T-Mobile and Verizon, the City has also placed its own public safety radio transmission equipment on the pole at the 89 to 99-foot level.

The agreement includes a requirement that Verizon pay for a City-determined engineering consultant who will review the engineering and structural plans and inspect the equipment installation. The agreement also requires Verizon to pay 50% of the development and construction cost of the tower to T-Mobile. This recapture requirement was included in the T-Mobile agreement. It is staff's recommendation to execute the lease agreement between the City of Crystal Lake and Verizon for Wastewater Treatment Plant #2. The City's legal counsel has reviewed the agreement. Since this agreement will utilize an existing structure, it will not require a recommendation from the Planning and Zoning Commission.

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 Mayor be and he is hereby authorized and directed to execute the Ground Lease Agreement and other required documents between the City of Crystal Lake and Chicago SMSA Limited Partnership, d/b/a Verizon Wireless for Wastewater Treatment Plant #2.

DATED this 3rd day of February, 2015

CITY OF CRYSTAL LAKE, an
Illinois municipal corporation,

By: _____
MAYOR

SEAL

ATTEST

CITY CLERK

PASSED: February 3, 2015
APPROVED: February 3, 2015



Agenda Item No: 14

**City Council
Agenda Supplement**

Meeting Date:

February 3, 2015

Item:

Authorization of an Application for federal Community Development Block Grant Funds from McHenry County

Staff Recommendation:

Motion to adopt a resolution authorizing the City Manager to submit an application for Community Development Block Grant federal funding, execute a contract with McHenry County in the event of grant award, and execute any other documentation related to the Community Development Block Grant funding.

Staff Contact:

Victor C. Ramirez, Director of Public Works
George Koczvara, Director of Finance

Background:

On January 6, 2015, McHenry County sent out notification that they had about \$1 million in Community Development Block Grant Funding (CDBG) from the McHenry County Department of Planning & Development to award. CDBG funding can be used to help offset the costs of infrastructure, housing, and public service projects in low to moderate income housing areas. These areas are defined by the County based on income level by census block. Projects awarded under this year's grant must be completed by October 15, 2015.

City staff looked at several potential projects in areas identified as low to moderate income areas, and determined the greatest need is to replace Lift Station 9 and the associated sanitary force main. Lift Station 9 is located at 493 Pine Street. An analysis by Donohue Engineering showed several operational deficiencies with the lift station, including frequent backups due to inadequate capacity, antiquated electrical wiring, structural problems with the building, and the lack of a backup generator for power outages.

The estimated cost for the repairs is \$340,000. The grant requires a minimum 10 percent local match, so the City will be applying for approximately \$306,000 in grant funding. However, actual funding levels are at the County's discretion, so the amount awarded to the City could be less.

In order to proceed with the application for the grant, the City Council must pass a resolution authorizing the City Manager to submit the application for CDBG funding as well as the grant agreement if the City is successful in obtaining CDBG funding.

Votes Required to Pass:

Simple majority of City Council present.

DRAFT



The City of Crystal Lake Illinois

RESOLUTION

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

1. That the City Manager has the authority to submit a Community Development Block Grant (CDBG) application to McHenry County for the 2015 funding cycle.
2. That the City Manager has the authority to enter into a contract with McHenry County for CDBG funds should funding be awarded.
3. That the City Manager has the authority to sign or execute any other document related to the application for funding or the funding contract for the 2015 CDBG funding cycle.

DATED this third day of February, 2015.

CITY OF CRYSTAL LAKE, an Illinois
Municipal Corporation

BY: _____
MAYOR

SEAL

ATTEST:

CITY CLERK

PASSED: February 3, 2015

APPROVED: February 3, 2015



Agenda Item No: 15

**City Council
Agenda Supplement**

Meeting Date: February 3, 2015

Item: Country Club Area Water Main Replacement Stage 3
Construction Bid Award

Staff Recommendation: Motion to award the Country Club Area Water Main Replacement Stage 3 construction bid to the lowest responsive and responsible bidder, J. Congdon Sewer Service, Inc., in the bid amount of \$767,960.00, and adopt a resolution authorizing the City Manager to execute a contract with J. Congdon Sewer Service, Inc., and allow for a 10 percent contingency.

Staff Contact: Victor C. Ramirez, Director of Public Works
Abigail Wilgreen, City Engineer

Background:

On January 23, 2015 the City opened and publicly read the bids received for the Country Club Area Water Main Replacement Stage 3 Construction. The City received eight bids and the results are tabulated below.

<i>Firm</i>	<i>Amount of Bid</i>
J. Congdon Sewer Service, Inc. ¹ Carol Stream, IL	\$767,960.00
Berger Excavating Contractors, Inc. Wauconda, IL	\$847,551.45 ²
Merryman Excavation, Inc. Woodstock, IL	\$870,174.10
Campanella & Sons, Inc. Wadsworth, IL	\$884,513.80
Patnick Construction Bensenville, IL	\$892,639.50
R.A. Mancini, Inc. Prairie Grove, IL	\$1,036,227.00 ²

Gerardi Sewer and Water Co. Norridge, IL	\$1,043,271.00
Maneval Construction Grayslake, IL	\$1,085,217.22 ²

¹ Indicates Recommended Lowest Responsive and Responsible Bidder

² Corrected Bid Amount Based on Unit Prices Provided

The water mains in the Country Club area were installed in the 1960s and are far beyond their serviceable life. The existing water main sizes range from four inches to eight inches. This improvement has been constructed in three stages over a three-year period.

- Stage 1 was completed in 2013 and included the installation of new water main along Country Club Road from Meridian Lane to Golf Road and along Broadway Avenue from Meridian Lane to Country Club Road.
- Stage 2 was completed in 2014 and included the replacement of water main on Essex Lane, Riverside Drive West, Riverside Drive East, and Lakeside Avenue from Country Club Road to Broadway Avenue.
- Stage 3 includes the replacement of water main on Meridian, Melrose, Cumberland, and Oxford Lanes from Country Club Road to Broadway Avenue, and is the final stage of the overall improvement.

As part of the recent agreement with the Village of Lakewood regarding sanitary sewer service, Lakewood will be contributing 50 percent of the cost for the installation of the sanitary sewer along Meridian Street. Based on the unit prices in the bid, Lakewood's contribution is estimated to be \$90,582.25. Actual quantities for the section on the construction will be tracked separately, and Lakewood will be invoiced for their actual share.

City staff and the City's engineering consultant Hampton, Lenzini & Renwick (HLR) have reviewed the bid submitted by J. Congdon Sewer Service for completeness and accuracy in accordance with the invitation to bid document. In addition, references were verified, and all indicated a positive experience working with the company. It is therefore the recommendation of staff to award the bid for the Country Club Area Water Main Replacement Stage 3 Construction to the lowest responsive, responsible bidder, J. Congdon Sewer Service, in the amount of \$767,960.00 and allow for a 10 percent contingency for unforeseen expenses.

Votes Required to Pass:

Simple majority

DRAFT



The City of Crystal Lake Illinois

RESOLUTION

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE that the City Manager be authorized to execute the contract with J. Congdon Sewer Service, Inc. for Stage 3 of the Country Club Area Water Main Replacement in the amount of \$767,960.00. The City Manager is additionally authorized to approve up to 10 percent in justifiable contract amendments from a contingency allowance.

DATED this third day of February, 2015

CITY OF CRYSTAL LAKE, an Illinois
Municipal Corporation

BY: _____
MAYOR

SEAL

ATTEST:

CITY CLERK

PASSED: February 3, 2015

APPROVED: February 3, 2015