

**MINUTES**  
**WOODSTOCK CITY COUNCIL**  
January 19, 2016  
City Council Chambers

The regular meeting of the Woodstock City Council was called to order at 7:00 PM by Mayor Brian Sager on Tuesday, January 19, 2016 in Council Chambers at City Hall. Mayor Sager explained the consent calendar process and invited public participation.

A roll call was taken.

**COUNCIL MEMBERS PRESENT:** Daniel Hart, RB Thompson, Maureen Larson, Mark Saladin, Joseph Starzynski, and Mayor Brian Sager

**COUNCIL MEMBERS ABSENT:** Michael Turner

**STAFF PRESENT:** City Manager Roscoe Stelford, City Attorney Ruth Schlossberg, Finance Director Paul Christensen, Public Works Director Jeff Van Landuyt, Building and Zoning Director Joe Napolitano, Deputy Chief of Police John Lieb, and Circulation Manager Pamela Moorhouse.

**OTHERS PRESENT:** Transportation Commission Chairman Andrew Celantano and City Clerk Cindy Smiley.

**A. FLOOR DISCUSSION**

**Groundhog Day Proclamation**

Mayor Sager stated he was pleased to be acknowledging something this evening that the City keeps doing over and over again, namely celebrating Groundhog Day. He noted there will be a host of activities surrounding this day and invited representatives from the Groundhog Days Committee to come forward. Pam Moorhouse, Rick Bellairs, Craig Krandel, and Woodstock Willie came forward and provided Groundhog Day cookies and coffee mugs to the Council. At the invitation of Mayor Sager, Mr. Krandel approached the podium and thanked the Police Department and the Public Works Department for their hard work and assistance in helping ensure this event is successful each year.

Mayor Sager, with the approval of the City Council, then proclaimed February 2, 2016 Groundhog Day in the City of Woodstock, reading the proclamation and presenting it to the Committee members. He thanked them for their many years of hard work in putting on this celebration.

**Public Comments**

Lydia Baltalbos, 621 Dean Street, noted there is a question that will come up later this evening, but wished to begin by saying the reason why citizens need to speak out is a matter of fact. She referenced an article that appeared in the Chicago Tribune on Sunday, September 9, 2012, Section 1. She stated she appreciates that the Tribune decided to do an investigative report on Illinois and the effects the direction that towns decide to take once they become Home Rule have on the communities. She noted that later there is a possibility that there will be a discussion of an issue that connects to Home Rule and she would like to ask that a specific item on the Consent Agenda be removed to have that discussion.

Ms. Baltalbos stated that the Tribune article stated very simply with the Tribune review of Bellwood which became Home Rule by referendum that nobody in State government has been

required to question why Bellwood's tax rate and bills have escalated. She stated in Illinois that job is left to the voters. She stated if residents had been able to keep close tabs they could have computed figures that make the experts gasp.

Ms. Baltalbos stated the article goes on indicating Bellwood's GO Debt was 3% of the equalized assessed value typical of most Chicago suburbs but doubled within two years of becoming Home Rule and continued to double. Quoting from the article, Ms. Baltalbos stated, "In Illinois Home Rule municipalities, the onus is on voters to decipher the financial ramifications of what our officials are doing and only have a say at election time." She noted if Woodstock becomes 25,000 the concept of Home Rule is automatic as she understands it and that people can say they don't want that through referendum. She stated that at this point the Special Census is the primary reason that the citizens of Woodstock are going to be asked to participate in the Census so they can be part of a Home Rule community.

Ms. Baltalbos requested that item E-6 be removed from the Consent Agenda in order to outline the process including that a referendum was an option and because so many of the people are uncomfortable with the Home Rule process because there is no State official overseeing the community.

Ms. Baltalbos then referenced some information that students from Northwestern University compiled which found that with Home Rule taxes skyrocket.

### **Council Comments**

M. Saladin reported that the Enterprise Zone Board had another meeting, and there are various entities interested in sites in Woodstock and in the Enterprise Zone process.

Mayor Sager stated he is excited about the opportunities the Enterprise Zone can create and expressed his gratitude to Mr. Saladin for serving as Chairman of the Enterprise Zone Board and his appreciation of his work as President of the McHenry County Economic Development Corporation.

### **CONSENT AGENDA**

The following items were removed from the Consent Agenda:

- Item E-1 at the request of D. Hart
- Item E-6 at the request of Lydia Baltalbos, with the concurrence of J. Starzynski

Motion by M. Larson, second by M. Saladin, to approve Consent Agenda Items B through D, E-2 through E-5, and E-7 through E-11.

Mayor Sager opened the floor to questions from Council members and the Public concerning those items remaining on the Consent Agenda.

### **Item E-4 – Event Request – Dick Tracy Day**

M. Larson expressed her appreciation to the group of volunteers who have stepped up to plan Dick Tracy Day.

Mayor Sager also expressed his appreciation to this group noting there is excitement in the community surrounding bringing Dick Tracy Day back to Woodstock.

Item E-2 – Loan Agreement – Woodstock Chamber of Commerce – Mayor Sager

Mayor Sager noted this evening provides the opportunity for the City to continue its partnership with and support of the Chamber of Commerce. He stated the Chamber will be moving to City Hall and that the City looks forward to other opportunities to partner with them as well.

Item E-3 – Creative Services Incubator – Mayor Sager

Mayor Sager stated he is very pleased to have Cary Granat and Laura Witlox Middaugh from EMH Consulting present this evening to talk about their new project and invited them to say a few words about this unique opportunity that has a tremendous amount of potential.

Mr. Granat stated he is excited to be working closely with the City to launch a creative incubator program to take advantage of the creative vibrancy of Woodstock, including everything from Dick Tracy to Orson Welles. He stated they are launching a free workshop that will train and teach residents of Woodstock who wish to become writers of screen plays, teleplays, and books. He stated the program will be mentored by himself as well as professional authors, screen writers, and show runners. Mr. Granat stated that in addition to helping the participants find the inner joy and validation that comes from writing, they will have an opportunity to monetize their talent and earn an additional income. He noted that, unlike college and other professional programs, this program will be free and will be taught by industry professionals who will create a path to have the participants' work seen by studios and show runners.

Mr. Granat stated writers come from anywhere and told the story of a writer in the UK who was living on public assistance and got into a similar program. As a result, her works were developed and the Harry Potter novels were published.

Mr. Granat once again thanked the City for its generous support, not only financial support but also the support of the arts in Woodstock and specifically for welcoming this program into the community.

Mayor Sager thanked Mr. Granat for making this investment and bringing this unique program to Woodstock, noting that it is a perfect fit for this incredibly strong arts community to help many talented people profit from those talents.

In response to a request from Mayor Sager, Ms. Witlox-Middaugh introduced three local young people who are the first to take part in the program.

A roll call vote was taken on the following items remaining on the Consent Agenda:

**B. MINUTES OF PREVIOUS MEETINGS**

December 7, 2015 Special Council Workshop

December 15, 2015 Regular City Council Meeting

December 15, 2015 Executive Session

**C. WARRANTS:           3694   3695   3696   3697**

**D. MINUTES AND REPORTS:**

Department of Public Works Monthly Report – December 2015

Human Resources Report – December 2015

Opera House Report – December 2015

Police Department Report – November 2015

Police Pension Minutes – July 21, 2015

Cultural & Social Awareness/Environmental Commissions Joint Minutes –  
December 10, 2015

Environmental Commission Minutes – January 7, 2016

**E. MANAGER'S REPORT NO. 60**

**2. Loan Agreement – Woodstock Chamber of Commerce -** Adoption of Resolution No. 16-R-1, identified as Document No. 1, *A Resolution Authorizing a Loan Agreement between the City of Woodstock and the Woodstock Chamber of Commerce and Industry.*

**3. Creative Services Incubator –** Adoption of Resolution No. 16-R-2, identified as Document No 2, *A Resolution Approving an Agreement with EMH Consulting Group to Establish a Creative Services Incubator Program in the City of Woodstock.*

**4. Event Request – Dick Tracy Day –** Approval of a request from the Dick Tracy Day Committee for the City of Woodstock to provide support services in conjunction with events related to Dick Tracy Day 2016.

**5. Professional Services – Legislative Advocate –** Adoption of Resolution No. 16-R-3, identified as Document No. 4, *A Resolution Approving an Agreement with Joyce Nardulli, LLC for Intergovernmental and Legislative Advocacy Professional Services.*

**7. Purchase – Police Sedans –** Approval of the purchase of two (2) Ford Interceptor Police Sedans through the Northwest Municipal Conference Suburban Purchase Cooperative from Currie Motors at a cost of \$26,574 each and the necessary equipment retrofit.

**8. Purchase – Police Radios -** Approval to purchase eight (8) Motorola Radios and related accessories through Chicago Communications, at a total price not to exceed \$18,300.

**9. Waiver of Competitive Bids and Award of Contract – Well #9 –** Approval to waive the requirement for competitive bids and award the contract for the provision of materials, labor, and equipment for maintenance services for Well #9 to Layne Christensen at a cost not to exceed \$17,336.50.

**10. Waiver of Competitive Bids and Award of Contract – LED Retrofit Kits -** Approval to waive the requirement for competitive bids and award the contract for the provision of 24 LED Retrofit Kits to complete the Main Street LED Lighting Conversion Project to Steiner Electric at a total cost not to exceed \$16,588.23.

**11. Five-Year Capital Improvement Program** – Transmittal of the five-year CIP for FY2016/2017 through FY2020/2021.

Ayes: D. Hart, M. Larson, M. Saladin, J. Starzynski, RB Thompson, and Mayor Sager. Nays: none. Abstentions: None. Absentees: M. Turner. Motion carried.

**Item E-1 – Liquor Application Moratorium Waiver**

D. Hart recused himself and left the Chambers at 7:33PM

Mayor Sager stated he has had the opportunity to meet with the petitioners who are interested in investing in the City of Woodstock. He introduced them and invited them to step forward.

Bryan Sterbenz, Jeremy Oliphant, Kathy Leavitt, and William Volkmar approached the podium. Mr. Sterbenz introduced his partners and served as spokesperson for the petitioner.

Mr. Sterbenz thanked the Council for allowing them the opportunity to provide information about the restaurant which they hope to open in Woodstock. He stated the restaurant would be a fine deli operated as a family business with a family-friendly atmosphere. He stated they would serve Boar's Head meats and that the sandwiches would include one pound of meat and cheese. He noted it is their wish to serve craft beer and wines from small, select vineyards. He stated the deli would provide seating for 40 and would offer both dine-in and carry-out service. Mr. Sterbenz stated their plan is to use high-end finishes throughout the deli and provided photos to the Council of their current deli which has been open in Round Lake since August.

Mr. Sterbenz stated the petitioner would also be seeking a video gaming license to supplement expenses. He noted they understand the requested license requires a certain percentage of sales based upon food and stated his confidence that the deli would exceed that required percentage.

Mayor Sager expressed his appreciation and gratitude for the petitioner's interest in investing in the City of Woodstock. He reminded those present that the item being considered this evening is the waiver of the moratorium on liquor license applications, noting that, if approved, the petitioners would be required to submit a completed application and all required documentation and then would be placed on a future Council agenda for consideration of approval and issuance of a Class A-6 liquor license.

Mayor Sager then noted the reason Council is being asked to go through a somewhat longer process for the waiver request this evening is its previously-expressed wish to be certain the City is considering the moratorium when approached by individuals or businesses wishing to obtain a liquor license. He called Council's attention to the Staff Report which provides information on the other requests which have been received, noting there were a total of eight requests, only one of which, the one presented this evening, was forwarded to Council, with all others being turned down.

Motion by M. Saladin, second by RB Thompson, to waive the moratorium on the acceptance of applications for a Class A-6 (Restaurant/Caterer) Liquor License for the 11606 Catalpa Lane location only with the understanding this is not a guarantee of license approval and that it is a one-time waiver for this location only.

A roll call vote was taken. Ayes: M. Larson, M. Saladin, J. Starzynski, RB Thompson, and Mayor Sager. Nays: none. Abstentions: none. Absentees: D. Hart and M. Turner. Motion carried.

D. Hart re-entered the Chambers and rejoined the proceedings at 7:45PM.

**Item E-6 – Special Census Agreement**

J. Starzynski noted he asked for removal of this item at the request of Lydia Baltalbos.

Lydia Baltalbos, 621 Dean Street, stated this issue goes back many years and that she is nervous about it. She stated Mr. Clifton had previously talked about putting another train station in the gravel area and expressed her feeling that things of this type are why many towns seek Home Rule and why those towns struggle. Mayor Sager reminded Ms. Baltalbos that Woodstock would have nothing to do with the construction of another train station and that this would be a decision of Metra who would also be responsible for funding its construction.

Ms. Baltalbos stated there is a dichotomy here and asked that people look at what happens with other towns, specifically noting Rosemont. She stated they built all kinds of things including a special event venue. She noted Councilman Turner's previous support of providing \$100,000 to District 200 for its turf project and of building a concert venue off the Square. She stated for some reason our current train station is not open and has people standing outside. She stated her opinion there are all kinds of ramifications to Home Rule. She further stated even though it was started by Democrats, they regret it because they feel the towns didn't use it with good sense and gave Rosemont as an example. She stated they built everything and their citizens have to pay for everything and their store fronts go empty.

Ms. Baltalbos stated this was part of the discussion when the Special Census came on board. She stated she feels she will be part of something she doesn't agree with and asked what the requirements for participation are, whether residents are required to answer, and whether they must answer a lot of questions.

Mayor Sager stated the Special Census will identify specific areas of the city that have experienced growth since the last Census so the Census takers can count the residents in those areas provide an accurate count of the city's population. He noted the City can request a Special Census to accurately reflect the current population, which is important because the amount of money that comes back to Woodstock from the State is based on population. He stated that by approving the Special Census, the Council is doing the best possible job in managing the finances of the City.

RB Thompson stated this is the fourth Special Census that has been requested and held since he has been on the City Council. He stated the City does not see any additional monetary return from the State until the year following the Census, stating no additional funds were received from the 2010 Census until 2011. He further stated the City currently receives \$154.00 per capita from the State so if the Special Census would identify an additional 1,000 in population that would mean an additional \$154,000 per year that the City would not have gotten until 2021. He also noted this would mean the City would receive \$750,000 that it never would have received if not for the Special Census. He stated his opinion that Council would be irresponsible not to take advantage of getting this additional \$750,000 for our residents. Mr. Thompson noted

the City, at one time, did two Special Censuses in three years in order to get this extra income. He acknowledged this year is different because the City is on the threshold of 25,000, which would mean reaching Home Rule status, but the primary reason is the additional money the City will receive from the State.

Mayor Sager stated the next opportunity for a decennial Census would be in 2020 and agreed that it would be irresponsible not to get the funds that a Special Census would provide prior to that time.

In response to a statement from Ms. Baltalbos that Bellwood raised taxes a lot after attaining Home Rule status, Mayor Sager stated that Woodstock is not Bellwood and cautioned Ms. Baltalbos not to generalize from one community to another.

M. Larson reminded Ms. Baltalbos that she is talking to a Council which has held the property tax levy for five years, choosing not to take the PTELL and not to raise the taxes when allowed to.

In response to further comments concerning the actions of Bellwood, J. Starzynski reiterated that Bellwood is not Woodstock and echoed that the Council has not taken the tax increases that it could. He also noted that the City has saved money at every turn, including implementation of a hiring freeze. He asked Ms. Baltalbos how she can look at this Council and say it is going to do what Bellwood has done.

Mayor Sager noted the City has reduced its budget by \$11 million.

J. Starzynski asked Ms. Baltalbos what evidence can she cite that this will happen.

Ms. Baltalbos noted that the report recently completed by Baxter & Woodman gave the City's road a failing grade because the roads were not kept up in a timely manner because of a lack of money.

Mayor Sager stated the City must accept the fact that there is a challenge ahead concerning the roads, noting the report was commissioned because the Council wishes to be sure it has all the necessary information to develop a plan to correct the situation. He also noted this can't be looked at as a failing grade in the same way you would a school grade, stating the roads are still safe and passable for travel, but need extensive restoration.

Mayor Sager noted it must be kept in mind that it costs a huge amount to keep up the roads and the City should not be put in a hole. Noting that all dollars received by the City come from taxes, he stated Council is trying to meet the City's needs in terms of expenses and trying to balance that without further burdening the residents. He stated that Home Rule will happen in 2020 regardless of whether a Special Census is held, but that Council believes it would be responsible not to count the residents in Woodstock now so the City can receive the resultant dollars to use on behalf of the residents.

M. Larson described how the City would also save money by using General Obligation Bonds as funding mechanisms rather than Alternate Revenue Bonds. Ms. Baltalbos stated this is a loan and is why District 200 has such a huge debt. R. Stelford stated the City is not responsible for

the actions of District 200 and that how the City structures its debt benefits its taxpayers and, further, that the City's bond rating would likely increase.

M. Saladin stated Ms. Baltalbos certainly has the right to express her concern, but that as much as she has the right to make these comments, he cannot place much weight on a Tribune article from 2012 or what other communities do. He stated one should look at the professionally-run communities in McHenry County that are Home Rule, noting that voters have the ultimate say with elections. He further stated his opinion that it would be irresponsible not to look at a Special Census with the ability to obtain an increased per capita payment which will be between \$400,000 and \$600,000. He stated with the pay back of the cost for Special Census within one year, he does not see how the City cannot move forward.

Scott Gessert, Woodstock, asked Mayor Sager to reiterate the benefits of Home Rule.

Mayor Sager stated there are three primary benefits:

- 1) The City will not be subject to unfunded mandates by the State. He stated a non-Home Rule municipality is required by the State to engage in many activities without any identified means to pay for them.
- 2) The State, for its benefit, can over-ride locally-made zoning decisions in non-Home Rule communities.
- 3) A Home Rule community does have greater opportunity in terms of revenue generation.

In response to a request from Mayor Sager, R. Stelford noted the following:

- A government task force recently issued a 400-page report of unfunded mandates placed on local government, with Home Rule communities able to opt-out of many of these.
- A Home Rule community is able to take action to promote crime-free housing.
- A Home Rule community is able to pass legislation which regulates landlords and the condition of rental property.
- A Home Rule community has more latitude concerning personnel policies.
- In general, a community that attains Home Rule status will see an improvement in its Bond Rating.
- A Home Rule community has more authority concerning contracts and Economic Development programs.

Mr. Stelford noted there are many benefits in becoming Home Rule, adding that 80% of the citizens in the state of Illinois currently live in Home Rule communities.

Noting the Mayor mentioned revenue generation, Mr. Gessert stated he shares Ms. Baltalbos' concern because in every Home Rule community, taxes have been increased whether they are sales taxes or transfer fees on the sale of homes. He noted the Illinois Realtors' Association opposes Home Rule. He would appreciate if Council would acknowledge that revenue generation means increased taxes. Mr. Gessert stated he appreciates that Council has capped the tax levy, but noted the residents of Woodstock pay some of the highest taxes in the County. He expressed his feeling that Council is patronizing Ms. Baltalbos and that Home Rule is looked at as a tool to raise taxes by every municipality that has attained that status.

Noting that the decennial Census is required by the Federal government, Mr. Gessert asked if participation in the Special Census is required. He stated he wants citizens to know that in addition to voting they can consciously object to the Census by stating, "I do not answer questions." He stated that Census workers do not have prosecutorial powers. He further noted he does not advocate deceiving the Census but feels it is Constitutional to object to this Census by not answering the questions. He stated he would like to share this idea.

M. Larson expressed her opinion that the people of Woodstock would not want to forego the additional funding that would come from the Special Census.

J. Starzynski stated he does not look at this as merely a matter of finances, but also as a quality of life issue, such as the issue of landlord control.

Mayor Sager stated another quality of life issue that is pertinent to the issue of Home Rule is the Bagless Program that is being considered by the City. He noted in order to implement such a program, a community must be Home Rule.

M. Saladin stated that as a real estate attorney, he knows that no community in McHenry County requires a transfer stamp. P. Christensen stated his belief that this is no longer a Home Rule power.

Mr. Gessert stated that each Council member has come up with good reasons to engage in a Special Census, but stated he does not think they are good enough. He stated raising taxes is not responsible and he objects to raising taxes. He asked Councilmembers to promise not to raise taxes if they choose to move forward with the Special Census. In response, Mayor Sager stated this would be irresponsible and inappropriate.

A brief discussion ensued of the areas to be included in the Special Census.

Motion by J. Starzynski, second by RB Thompson, to authorize the Mayor and City Clerk to execute the Memorandum of Agreement, identified as Document No. 5, and approve the payment of \$69,447 to the U.S. Census Bureau to conduct a Special Census for the City of Woodstock.

A roll call vote was taken. Ayes: D. Hart, M. Larson, M. Saladin, J. Starzynski, RB Thompson, and Mayor Sager. Nays: none. Abstentions: none. Absentees: M. Turner. Motion carried.

## **FUTURE AGENDA ITEMS**

There were no additions or corrections to the Future Agenda Items.

M. Larson asked if the Transportation Commission could be asked to look at pedestrian crossings on Rt. 47. Mayor Sager stated IDOT did engage in some dialog concerning this topic when discussing the proposed Rt. 47 improvements and is aware of the need for crossings. As Transportation Commissioner Celentano was present, Mayor Sager asked the Commission to look into this further.

**ADJOURN**

Motion by M. Larson, second by RB Thompson, to adjourn this meeting of the Woodstock City Council to the next regularly-scheduled meeting on Tuesday February 2, 2016, at 7:00PM in the Council Chambers at City Hall. Ayes: D. Hart, M. Larson, M. Saladin, J. Starzynski, RB Thompson, and Mayor Sager. Nays: none. Absentees: M. Turner. Abstentions: none. Meeting adjourned at 8:21PM.

Respectfully submitted,

Cindy Smiley  
City Clerk