

MINUTES
WOODSTOCK CITY COUNCIL
April 5, 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, April 5, 2016 in the 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, Michael Turner, and Mayor Brian Sager

COUNCIL MEMBERS ABSENT: None

STAFF PRESENT: City Manager Roscoe Stelford, City Attorney Ruth Schlossberg, Finance Director Paul Christensen, Economic Development Director Garrett Anderson, Public Works Director Jeff Van Landuyt, Building and Zoning Department Director Joe Napolitano, Human Resources Director Deborah Schober, Library Director Nick Weber, Deputy Chief of Police John Lieb, Assistant Public Works Director Tom Migatz, Building Inspector Dan Streit, Sgt. Pritchard, Officer Valle, Officer Schraw, Officer Karnath, Officer Vorderer, Officer Fischer, Grant Writer Terry Willcockson, Environmental Commission members Steve Wenzel and Laurie Kacmar, and Cultural and Social Awareness Commission members Laura Crain, Jose Rivera, and Ivy Sagrado.

OTHERS PRESENT: City Clerk Cindy Smiley

A. FLOOR DISCUSSION

1. Proclamation for Woodstock Reusable Bag Community Initiative

Mayor Sager stated it is his pleasure to present this Proclamation for the Woodstock Reusable Bag Community Initiative and also to have members from the two commissions, the Environmental Commission and the Cultural and Social Awareness Commission, who have been working on this project for the past several months.

Mayor Sager stated it is apparent that it would be appropriate to develop a program that called for a year-long transition from plastic to reusable bags and to have these commissions work with the community on that transition. He noted that society is highly-reliant on plastic bags which creates challenges not only in our community but nationally. He stated this initiative would provide a transition period to reusable bags that have been designed specifically for Woodstock.

Mayor Sager asked the members of both commissions present this evening to join him at the podium. The proclamation was accepted by the City Council without exception and was read by Mayor Sager and presented to the Chairperson of the joint commission, Laura Crain. He thanked the members for their efforts and charged them to work to make this a transition a reality in the community.

2. Proclamation for National Library Week

Mayor Sager stated it is also a pleasure to honor National Library Week and the Woodstock Public Library in particular, noting that facility just celebrated its 125th Anniversary. He further stated he is thankful for the founders of the library, as well as the Friends of the Library who make sure we have a strong public library.

Mayor Sager asked Library Director Nick Weber to join him at the podium. The proclamation was accepted by the City Council without exception and was read by Mayor Sager and presented to Director Weber.

Mayor Sager also expressed his appreciation to the staff of the library and all of who have dedicated themselves to this incredibly significant cultural resource the community enjoys every day.

4. Recognition Day for National Service in Woodstock

Mayor Sager stated he is also pleased to recognize an incredibly important group of people in the community. He noted that he represents Woodstock to the community, to various other municipalities, to various leaders regionally, and to individuals on a state level. He stated that one thing that always comes up is that Woodstock is a community that identifies areas of need and works together to make good things happen. He further stated this only happens because good people in the community are willing to step forward and make sure needs are addressed and things are accomplished within the community. These people are volunteers and Woodstock has many such people in the community.

Mayor Sager stated many people are present this evening who dedicate themselves to making sure good things happen, noting the proclamation being presented signifies today, April 5, 2016, as Recognition Day for National Service in Woodstock.

The proclamation was accepted by the City Council without exception and was read by Mayor Sager. He then invited all individuals present who have served in the Senior Corps, AmeriCorps, and youth services to stand. Mayor Sager expressed sincere gratitude to them for their dedicated services which makes this a better community. He also thanked those who have volunteered in numerous other capacities. All were recognized with hearty applause.

Mayor Sager invited all present to join him for a brief reception in the Conference Room in recognition of these individuals.

City Council proceedings recessed at 7:21PM.

The City Council returned to session at 7:35PM.

3. Presentation and Oath of Police Officer Adam Fischer

Mayor Sager noted everyone is present this evening, along with members of his family, to present and swear in the City's newest Police Officer, Adam Fischer, and asked Deputy Chief John Lieb to the podium.

Deputy Chief Lieb invited Officer Fischer and his family to the podium noting he will be a great complement to the staff of the Woodstock Police Department. He welcomed Officer Fischer to the Department and to the City and wished him luck.

Deputy Chief Lieb administered the Oath of Office to Officer Fischer.

Mayor Sager welcomed Officer Fischer and his family on behalf of the City Council and the residents of Woodstock. He stated all are grateful for the choice he and his family made to serve Woodstock.

Public Comments

Scott Gessert, 810 Gerry Street, noted in a November Tribune article it was indicated that the tax rate of Woodstock is 4.48%, Westchester's is 2.81%, Franklin Park's is 3.70%, and Summit's is 4.25%. He

wished to share the result of the election in which three of those four communities had the opportunity to vote on Home Rule. He stated the aggregate results were: 10,981 total votes with 3,696 or 34% yes votes and 7,285 or 66% no votes, noting this means that a 2/3 majority of these voters did not want Home Rule.

Mr. Gessert stated he mentioned this because in the context of the big picture, there seems to be a great chasm between the citizens being represented and their elected officials. He stated there is now a unique opportunity to build a bridge between that chasm which is the proposal that has been forwarded by community members to implement something like the Downers Grove Resolution should Woodstock adopt Home Rule. He stated he wished to encourage Council to promptly address this topic in their discussion.

Lydia Baltalbos, 621 Dean Street, stated it has been suggested by individuals and the Woodstock Independent that Council consider having meetings televised or put on audio tape on the web. She stated in light of the upcoming Council workshop, she would like to request a review of this proposal, noting other communities have decided to move ahead with this. She stated much information is conveyed through tone and interchange; and even though there are minutes, she feels that this should be considered. She requested that it be put in writing as to why Council decides not to do this if that is the decision.

Ms. Baltalbos then referred to an article that appeared in the Northwest Herald on July 12, 2012 concerning transparency. She stated the Illinois Policy Institute, an organization with which she is not familiar, contributed to the article and stated 20 out of 26 county governments in northern Illinois failed that organization's transparency audit, including McHenry County. She stated in the audit, McHenry County received 56.4 points out of 100, earning an F, while Kane County earned an A+ and Lake County earned a B. Ms. Baltalbos stated McHenry County must do better.

Ms. Baltalbos stated it was an F for the school board to have, under the title "Intergovernmental Agreement" on their meeting agenda, the final vote on a contentious long-term issue, the TIF project. She stated the public could not have known that this was about the TIF because this was not referred to on the agenda. She further stated without word of mouth, no one could have referenced past information. She stated this was an insult and is unethical.

Mayor Sager stated this City Council represents the City of Woodstock, not McHenry County and not District 200. He stated this is the City of Woodstock. He also stated, regarding Home Rule, as has been stated previously, a municipality which reaches a population of 25,000 is automatically a Home Rule community by state statute. He further stated it is not a matter of referendum by this body but rather is a matter of population that when a community reaches a population of 25,000 it automatically attains Home Rule status. He noted there are communities who have decided to perform a census prior to reaching 25,000 in population and, likewise, there have been communities where Home Rule status has been reached and those communities have had a referendum to rescind Home Rule status. But, he stated, within the State of Illinois, this is a matter of population.

M. Turner noted the comments on Home Rule were from the perspective of the political discussions that occurred during the last election, stating this was an active discussion. He expressed his opinion that the outcome of that election speaks for the direction of the voters of that election. He further stated that he stands with the Mayor that this is a matter of law that this is a status a community is granted with population. He stated he views Home Rule status as a positive for the City of Woodstock when it comes to managing our own affairs and noted that the communities in McHenry County that have attained Home Rule status have used it to their advantage.

M. Saladin reported that the Enterprise Zone has received another formal application with more reported to be coming in.

PUBLIC HEARING – FY2016/2017 BUDGET

R. Stelford stated the City Administration is proud to report that the budget is balanced and includes the items identified by the City Council in previous workshops while maintaining the level of services with no increase in property taxes.

Mayor Sager opened the Public Hearing at 7:59PM and invited public comment.

Mike Morabito, 193 Bloomfield Drive, inquired about the City's current cash reserves.

R. Stelford stated there were multiple funds but the fund usually referred to is the General Fund which has a reserve of \$4 million to \$4.5 million.

In response to a question from Mr. Morabito, R. Stelford stated there are 27 funds, many of which have limits on what the dollars can be used for and have reserves. He stated, of these, the biggest reserve is in the Police Pension Fund but noted those dollars cannot be used for anything else. He stated there are many special revenue funds whose reserves vary and cannot be used for anything else.

Mayor Sager noted the budget is available on line for review. R. Stelford noted the Comprehensive Annual Financial Report (CAFR) is also available on line.

In response to a question from Mr. Morabito concerning school reserves, M. Turner stated the School District is a separate taxing body which determines its own tax rates, amount of reserves, etc. In response to a question from Mr. Morabito as to how the City Council takes into account the portion of dollars needed and allocated for the schools, M. Turner stated all taxing bodies send their bill to the County who then compiles the tax bills to send to the taxpayers. He stated the City of Woodstock and the Woodstock City Council is only responsible for three or four of the line items on the tax bill. He noted for the average homeowner, 16% of his or her total property tax bill is driven by the City of Woodstock and that percentage has been going down for the past several years, with the remainder of the tax bill being levied by other taxing bodies over which the City has no control. He reiterated the amount the City has asked for has been flat or has been reduced for the past five years.

R. Stelford stated by not taking the PTELL, which is the amount the City is allowed by state statute to increase property taxes each year, the City Council saved the taxpayers \$2.4 million.

Mayor Sager noted the Popular Annual Financial Statement, or PAFR, can be found on the City's website and would show all of the various taxing bodies and the percentage of the tax bill which is levied by each body.

Mr. Morabito then asked what leads the Council to believe there has been no increase in property taxes.

R. Stelford stated the City Council has instructed the City Administration not to increase property taxes. He noted the City holds its tax levy flat but what is important is what has happened to a property as compared to the neighboring properties, stating this is tied to the EAV. He noted this is one way a homeowner's property tax can increase even if the City has not raised the levy.

Mr. Morabito then discussed what has happened in his neighborhood, Apple Creek Estates, since 2009, asking for more information. M. Turner stated the City Council has instructed City Staff to keep the tax levy flat and to cut costs without cutting services, but, again, this accounts for only 16% of the tax

bill. He noted other taxing bodies have not done the same, which has resulted in an increase in the tax bills, and reiterated the value of the property also drives this.

Mr. Morabito expressed concern when he looks at the property tax numbers and compares them to other communities and he wishes to bring this to Council's attention. He stated he particularly wants to know what the City's reserves are and what the City plans to do with them, and, basically, what the City is spending that money on. R. Stelford stated that experts generally recommend that a municipality should have 120 days of reserves which can be used for operational purposes should something happen economically or otherwise. He noted that property taxes only are disbursed to the City twice a year and there are times money from the reserves must be used until the next disbursement is made. He further stated if the state should make a decision that has a negative impact on the community, the reserve allows the City 120 days to make sound decisions as to how to deal with that situation. He noted that was the case in 2008 when the economy crashed, stating that the City did not feel the negative effect of this as strongly as some other communities.

Mr. Morabito opined that Woodstock needs transportation and jobs, noting there is only one Metra line. He asked if any of these reserve funds in the General Fund could be used to advance the special line. Mayor Sager noted the City is working with the McHenry County Council of Governments and Metra to forward two primary projects, the most significant of which is the relocation of the rail yard from Crystal Lake to Lamb Road in Woodstock. He stated this would give Woodstock the same train schedule as Crystal Lake now has resulting in increased train service. He noted this would require funding by Metra. Mayor Sager then stated the express line also referenced by Mr. Morabito is a different scenario as it is further down Metra's priority list.

In response to a question from Mr. Morabito as to what more may be done, M. Saladin discussed the Enterprise Zone and the benefits Woodstock might see from it and also his personal dedication to Economic Development not only as a Woodstock City Council member but through his work on the McHenry County Economic Development Commission. He referenced the City's new Economic Development Director stating the City is actively working to expand the commercial and industrial base which would help relieve taxes, noting the City is beginning to come out of the recession.

Noting he is employed by Target Corp., Mr. Morabito then discussed the period during which the City was turning away development, specifically when Target wished to locate a store in Woodstock but was rejected. He challenged Council to make sure it is open to businesses when they wish to come to Woodstock. Mayor Sager stated this Council is very open to new businesses and is trying to show that openness by hiring an Economic Development Director and by implementing business incentives to bring business to Woodstock. M. Turner emphasized that was a different City Council, which had different goals.

In response to questions and comments from Mr. Morabito concerning residents of McHenry County choosing to relocate due to high taxes, Mayor Sager stated the Council does recognize this, which is one reason it has chosen not to increase the City's portion of the property tax bill. He noted people must recognize, however, that this body can only control the portion of the property tax the City is responsible for, as previously discussed. He further noted Council has also made sure the quality of the City's extensive services has been upheld, while reducing the budget over previous years. While doing this, he stated, the City has reinvented the Economic Development Department and implemented incentive programs to attract new business and keep existing businesses so they can hire additional employees. He stated the City does not exist in a bubble and cannot control external factors, including other governmental bodies that choose to impose higher property taxes. He did note, however, that the City does try to work with other governmental bodies to try to control costs by partnering for services

to use funds in the most efficient manner. He cited examples of the Street Maintenance Task Force and shared building inspection services as examples.

M. Turner cited the fiber project, which has been led by Roscoe Stelford and supported by the Council that represents a partnership between several governmental bodies and should increase efficiency and could be a boon to economic development. He noted the City did not raise property taxes to finance this project.

Mayor Sager then discussed the City's focus on transportation priorities which are important to economic development, including Rt. 14 improvements, stating if the City Council and the City Administration had not taken aggressive measures in Springfield, this would not have happened.

M. Saladin noted that Woodstock may have actually had an increase in population. He stated for each new resident identified through the Special Census, \$151.00 will be returned to the City by the State. This could mean \$400,000 or \$500,000 over the next few years which the City will not receive absent the Special Census. M. Larson also noted that Home Rule status will improve the City's bonding position, saving the City significant dollars. She stated it is for these reasons that she supports the Special Census and the attainment of Home Rule.

A discussion ensued in response to Mr. Morabito's questions concerning the benefits of consolidating some of the smaller communities with the larger municipalities in the County. R. Stelford stated while the communities are not actually consolidating, they are working together at a financial level, noting the cooperative efforts discussed earlier.

In response to a question concerning whether the City Council actively supports Governor Rauner's agenda, Mayor Sager stated there are differences in opinion on the Council with regard to the totality of the agenda, with support being expressed for some items but not in its totality.

Motion by M. Saladin, second by M. Turner, to close the Public Hearing.

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

The Public Hearing was closed at 8:31PM.

CONSENT AGENDA

Motion by M. Turner, second by RB Thompson, to approve Consent Agenda Items C through F-10

Mayor Sager opened the floor for questions and comments from the Council concerning the items on the Consent Agenda.

Item F-5 – ShopFresh, Inc.

Mayor Sager introduced Julia Muell and Eugene Casciaro, new owners of ShopFresh, Inc., which will be operating in the former Wisted's Grocery site.

Ms. Muell stated they have been in business for 25 years and would like to give Woodstock a neighborhood grocery store bringing the latest recipes from Italy as well as catering and prepared foods. She noted they would also like to provide deliveries to seniors. Mr. Casciaro noted they

will have an excellent meat department and will bring quality products to Woodstock. He stated they are looking forward to coming to Woodstock and are very grateful to the community. The Mayor and City Council welcomed them to the community. Mayor Sager stated he is grateful for their willingness to invest in the community, noting this means this storefront will not be empty.

Item F-2 – 2015 Property Tax Levy

In response to a request from M. Turner to explain this agenda item. R. Stelford stated this will actually abate a portion of the 2015 Property Tax Levy because at the time of passage, the EAV was not actually known. Passage of the attached ordinance will freeze the levy and the City will only receive additional funding from new growth that is new homes and businesses constructed in the previous calendar year.

In response to a question from M. Turner, R. Stelford confirmed that this action will actually cap the tax levy as low as possible.

Item F-3 – 2015 Building Codes

M. Turner stated he has received concerns from members of the community that this is creating more layers of regulations regarding building, particularly sprinkling. He noted that in discussion with City Staff, he was assured that this did not serve as an impediment to building owners wanting to do something to their buildings. He requested if these new ordinances raise issues that would prevent a building owner from doing something reasonable with his or her building, he would like to see them tweaked so that the City is not putting something unreasonable in place that would hinder growth. Mayor Sager agreed that the City does not wish to put impediments in front of business owners and that staff has worked very successfully with building owners to put procedures in place to help the owners work through and find solutions that are not burdensome.

Item F-4 – Menards Expansion

M. Larson expressed some concern regarding the color of the roof, as it will now be more visible from Rt. 14 due to the expansion. D. Streit and J. Napolitano indicated they would inquire and discuss with Menard's.

Item F-8 Walnut/Ash/Tappan Storm Sewer Projects

M. Saladin commended staff for their work in securing two CDBG grants, obtaining \$500,000 or more that the City does not have to pay for this project. He stated this is another example of how the City Council and City staff is trying to control costs and expenditures in Woodstock. Mayor Sager noted there are other things coming forward for consideration that are largely due to the efforts of Grant Writer Terry Willcockson. He noted creation of the Grant Writer position was also a wise investment as it is another way the City can save on taxes.

Item F-9 – Dispatch Services Consolidation

M. Saladin noted that consolidation of Dispatch services was mandated by the state of Illinois which provided no budget to get this done. Mayor Sager stated this was a yeoman's effort on behalf of City staff to make this a reality and was also a strong collaborative effort between Woodstock, McHenry, and Harvard. He expressed his gratitude to City staff and to the neighboring communities.

C. MINUTES OF PREVIOUS MEETINGS:

March 15, 2016 Regular Meeting

D. WARRANTS: 3706 3707**E. MINUTES AND REPORTS:**

Opera House 2015 Annual Report

Building and Zoning Monthly Report – February 2016

Police Department Monthly Report – February 2016

Old Courthouse Advisory Commission Minutes – February 15, 2016

Opera House Advisory Commission Minutes – February 16, 2016

F. MANAGER'S REPORT NO. 65**1. Opera House Advisory Commission Membership Amendment -**

Adoption of Ordinance 16-O-18, identified as Document No. 1, *An Ordinance Amending Section 2.17.2, Membership, Terms, Officers, of Chapter 17, Woodstock Opera House Advisory Commission, of Title 2, Boards and Commissions, of the Woodstock City Code.*

2. 2015 Property Tax Levy – Adoption of Ordinance No. 16-O-19, identified as Document No. 2, *An Ordinance Abating a Portion of the 2015 Tax Levy of the City of Woodstock, McHenry County Illinois.*

3. 2015 Building Codes – Adoption of the following:

a.) Ordinance 16-O-20, identified as Document No. 3, *An Ordinance Adopting the 2014 National Electrical Code;*

b.) Ordinance 16-O-21, identified as Document No. 4, *An Ordinance Adopting the 2015 International Mechanical Code, 2015 Fuel Gas Code, and 2015 Existing Building Code;*

c.) Ordinance 16-O-22, identified as Document No. 5, *An Ordinance Adopting the 2015 International Residence Code for One and Two Family Dwellings and the 2015 International Property Maintenance Code;*

d.) Ordinance 16-O-23, identified as Document No. 6, *An Ordinance Adopting the 2015 International Building Code and 2015 International Pool and Spa Code;*

e.) Ordinance 16-O-24, identified as Document No. 7, *An Ordinance Adopting the 2015 International Fire Code.*

4. Variance – Menards Expansion – Adoption of Ordinance 16-O-25, identified as Document No. 8, *An Ordinance Varying Provisions of the Woodstock Unified Development Ordinance for Property at 2100 Lake Avenue.*

5. ShopFresh, Inc. – Adoption of Resolution No. 16-R-07, identified as Document No. 9, *A Resolution Authorizing an Incentive Agreement Between the City of Woodstock and ShopFresh, Inc.* subject to final review and approval by the City Attorney.

6. Award of Contract – Mezzanine Storage Unit – Approval to reject all bids, waive the requirement for competitive bidding and award a contract to ALTA Equipment Company for the provision of a mezzanine structure for installation at the Public Works

facility at a cost not-to-exceed \$17,599.

7. Award of Contract – Field A-Backstop –Approval of an award of contract to remove the existing arched backstop and installation of a new straight backstop, footings, associated appurtenances, and site restoration for Field A-backstop to the lowest responsible bidder, Classic Fence, Inc. for an amount not-to-exceed \$23,120.

8. Award of Contract – Walnut/Ash/Tappan- Approval of the following:

a.) An award of contract for Walnut/Ash/Tappan Storm Sewer improvements to the low bidder, PirTano Construction Company, Inc. for the Alternate 3 bid (construction of both Phase 1 and Phase 2) in the amount of \$596,277.23.

b.) An agreement with HLR for construction engineering services related to the construction of the Walnut/Ash/ Tappan Street Storm Sewer Improvements for Alternate 3 for a not-to-exceed amount of \$132,740.

9. Dispatch Services Consolidation – Approval of an Intergovernmental Agreement, identified as Document No. 11, relating to the future oversight of the McHenry Public Safety Answering Point Dispatch Center d/b/a NERCOM.

10. Park Management Policy – Adoption Ordinance No. 16-O-26, identified as Document No. 12, *An Ordinance Amending Title 6, Chapter 2 of the Woodstock Municipal Code Provisions Regarding Public Parks and Playgrounds to Reorganize Several Sections, Imposing New Violations and New Penalties for Violations of Certain Park Rules.*

A roll call vote was taken to approve Consent Agenda items C through F-10. Ayes: D. Hart, M. Larson, M. Saladin, J. Starzynski, RB Thompson, M. Turner, and Mayor Sager. Nays: none. Abstentions: none. Absentees: none. Motion carried.

FUTURE AGENDA ITEMS

There were no items added or removed from the Tentative Future Agendas.

ADJOURN

Motion by RB Thompson, second by M. Saladin, to adjourn this meeting of the Woodstock City Council to the Special City Council Workshop on Tuesday, April 12, 2016, at 3:30PM in the Council Chambers at City Hall. Ayes: D. Hart, M. Larson, M. Saladin, J. Starzynski, RB Thompson, M. Turner, and Mayor Sager. Nays: none. Abstentions: none. Absentees: none. Meeting adjourned at 8:50PM.

Respectfully submitted,

Cindy Smiley
City Clerk