

MINUTES
WOODSTOCK CITY COUNCIL
July 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, July 19, 2016 in the Council Chambers at City Hall. Mayor Sager welcomed those present and explained the consent calendar process and invited public participation.

City Clerk Smiley confirmed that the agenda before the Council was a true and correct copy of the published agenda.

A roll call was taken.

COUNCIL MEMBERS PRESENT: RB Thompson, Maureen Larson, Mark Saladin, Michael Turner, and Mayor Brian Sager.

COUNCIL MEMBERS ABSENT: Daniel Hart and Joseph Starzynski

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, Economic Development Director Garrett Anderson, City Planner Nancy Baker, Grant Writer Terry Willcockson, and Streets Supervisor Barry Pierce.

OTHERS PRESENT: City Clerk Cindy Smiley

FLOOR DISCUSSION

Public Comment

There was no public comment forthcoming.

Council Comments

RB Thompson noted the colorful flowers blooming around City Hall, expressing the wish that more color be present in the bump-outs on the Square rather than so much greenery.

RB Thompson highlighted the recent increase in young people that have been on the Square late at night.

M. Saladin noted that the McHenry County Youth Sports Association baseball tournament will begin soon, holding games at Emricson Park and Bates Park in Woodstock and throughout Crystal Lake. He stated this is an international tournament and the cooperation extended by City Staff to tournament organizers has been outstanding.

M. Saladin stated he helped with Summer in the Park on Sunday, shuttling event-goers from remote parking to the site of the event. He stated that he heard good things about the event, noting that all seemed to be having a good time. He expressed his appreciation to staff for their efforts in putting on this event and for their smiling presence there.

M. Turner thanked Mayor Sager and staff for attending the Real Woodstock event this evening. He stated there were also many business people and event organizers present as well.

Mayor Sager stated that Barry Pierce has recently been promoted to the position of Streets Superintendent and congratulated him. He noted that Mr. Pierce began his employment with the City of Woodstock in 1994 as a seasonal worker, climbing the ladder through various positions until this promotion. Mayor Sager stated he is very pleased to congratulate him and thanked him for his service to the City and its residents.

Mayor Sager noted the various celebrations that have been held in Woodstock recently. He cited the 132nd season of the City Band concerts. He then detailed the Summer in the Park Celebration for those present stating a City Band concert was the kick-off event for this year's celebration. He described the other events held as part of this community festival, noting increased attendance. He stated it was particularly pleasing to see so many young families in attendance. Mayor Sager then discussed other events that were held recently, including Woodstock Folk Fest.

Mayor Sager thanked City staff for their work on Summer in the Park and also the various businesses, organizations, and services clubs that supported this and other events. He stated in these endeavors one can see the richness of cooperation and diversity in the community.

B. Opening of Bids – Open Bids for Surplus Real Estate at 315 W. Judd Street

In response to a request from Mayor Sager, City Manager Stelford and City Attorney Schlossberg described for those present the history of this item and the action that is being requested this evening, stating that the City has been following the process required by law to get this distressed property in the hands of the City and then, subsequently, into the hands of a qualified building contractor. They also noted that the property has been previously declared surplus by the City with an ordinance passed authorizing its sale, which resulted in a request for sealed bids which must be opened at a regular meeting of the Corporate Authorities. Consequently, these bids are to be opened at this evening's meeting with the recommendation that they then be referred to the City Administration for review and evaluation with recommendations submitted for future City Council consideration.

Mayor Sager opened the single bid, which was received. He announced that the bid was from LaFontaine Enterprises, 19711 Kishwaukee, Marengo, Illinois with a bid amount of \$3,000 "as is." Mayor Sager then reviewed the documents and information included with the bid.

It was the consensus of the City Council to turn the bid over to Staff for review and recommendation to the City Council at a future meeting.

Members of the public spoke from the audience stating they were relatives of a neighboring property owner. In response to their questions, R. Stelford stated it is staff's intent to have a recommendation for Council's consideration at the next Council meeting. He then stated in response to further questioning that, while staff hopes that the acceptance of this bid can be recommended, should it not be, the City would continue with the process to find interested parties willing to invest in this property. In response from comments from those in the audience that adjoining property owners have been forced to live as neighbors to this distressed property for a long time and their opinion that it has already taken too long to reach a solution, R. Schlossberg agreed, but noted that the City must follow a set of legal procedures required by State statute. She

stated that property rights have a high value in the justice system, so obtaining the property requires a lengthy legal process that must be followed.

Those family members present asked that the process move forward as swiftly as possible and that, if possible, the outside of the building be taken care of first. Mayor Sager acknowledged that this situation has gone on for a long time, stating the City also wishes to move forward quickly. He stated however, that the City must follow the legal procedures as noted by the City Attorney. He stated it is his hope that the end of this process is in sight.

R. Stelford offered to have staff contact the family members to keep them updated on the situation if they would provide their contact information.

In response to a question from M. Saladin whether the City would have been able to expedite this process if it were Home Rule, R. Schlossberg stated Home Rule status would not have changed the process prescribed by State law, but noted the City would have more enforcement authority if it were Home Rule. She noted this enforcement authority could include more aggressive codes to help to keep property from getting into a position requiring this process.

Mayor Sager noted the City will do everything legally possible to expedite this process and to keep the family members up to date.

CONSENT AGENDA

Motion by M. Turner, second by M. Saladin, to approve the items on the Consent Agenda.

The following items were removed from the Consent Agenda:

- Item F-1 – Appointment – Economic Development Commission by RB Thompson
- Item F-4 – Award of Contract – Pavement Resurfacing & Construction Engineering by RB Thompson
- Item F-8 – Award of Contract – Multi-Use Recreational Path by M. Saladin

Mayor Sager asked if any members of the Council or members of the Public had any questions on any of the items remaining on the Consent Agenda.

Minutes and Reports

M. Larson asked about the minutes of the May 2016 Old Courthouse Advisory Commission, noting that it appears the Commission passed a Resolution Regarding the Potential Relocation of City Hall to the Old Courthouse and Sheriff's House without discussion. She opined that this may not be an accurate reflection of the proceedings and expressed reluctance to approve the minutes. M. Turner agreed.

Mayor Sager stated the minutes are proprietary to the Clerk. He noted City Council has the right to review the minutes, but does not approve, rather accepts the minutes.

City Clerk C. Smiley stated that, while she was not present and did not take the minutes of the May meeting, so could not comment on what discussion took place; she does recall a discussion of this topic and of a possible Resolution at the previous meeting of the Old Courthouse Advisory

Commission. She stated it was noted that because a Resolution had not been properly noticed, it could not be considered by the Commission at that meeting and it was suggested that it be considered at a subsequent meeting, after proper notice, if desired. She opined that this is likely what occurred.

R. Stelford stated he also recalled this previous discussion. He noted he would consult with N. Baker, who is the liaison of the Old Courthouse Advisory Commission and provide further clarification of this issue.

There were no further questions or comments from the Council or the Public on the items remaining on the Consent Agenda.

Mayor Sager affirmed the Consent Agenda to include the following items:

C. MINUTES OF PREVIOUS MEETINGS:

July 21, 2016 Regular Meeting Minutes

D. WARRANTS: 3719 3720 3721

E. MINUTES AND REPORTS:

Historic Preservation Commission Meeting – February 22, 2016

Old Courthouse Advisory Commission Meeting – May 16, 2016

Human Resources Monthly Report – April 2016

Human Resources Monthly Report – May 2016

Human Resources Monthly Report – June 2016

Woodstock Police Department Monthly Report – May 2016

F. MANAGER'S REPORT NO. 71

2. Waiver of Competitive Bids and Award of Bid – Downtown Brick Replacement – Approval to waive the requirement for competitive bids and award a contract to Nierman Landscape & Design, Inc. to complete the downtown brick pavement replacement work for an amount-not-to-exceed cost of \$25,000.

3. Award of Contract – Pavement Striping – Approval of award of contract for the 2016 Pavement Marking Program to the lowest responsible bidder, Maintenance Coatings Company, South Elgin, IL for an amount not-to-exceed \$80,000.

5. Award of Bid – Parks Division Truck and an Ordinance Declaring Surplus Property for the Vehicle Being Repurposed - Approval of the following:

a) The purchase of a 2017 Ford F-250 pickup truck under the Suburban Purchasing Contract from Currie Motors, Frankfort, IL for the total bid price of \$29,901 and for the purchase and local installation of the remainder of the equipment for a cost of \$6,755.16 resulting in a total cost of \$36,677.16;

b) Adoption of Ordinance No. 16-O-43, *An Ordinance Authorizing the Disposal of a 2004 Chevrolet Silverado Owned by the City of Woodstock*, identified as Document No. 1, designating the 2004 Chevrolet Silverado as surplus property and authorizing and directing the City Manager to dispose of said property as allowed by law.

6. Award of Bid – Opera House Van and an Ordinance Declaring Surplus Property for the Vehicle Being Repurposed. – Approval of the following:

- a) The purchase of a 2017 Ford Transit Passenger Wagon under the State of Illinois joint purchasing program from Landmark Ford, Springfield, IL for the total bid price of \$25,177;
- b) Adoption of Ordinance 16-O-44, *An Ordinance Authorizing the Disposal of a 2002 Dodge Ram Owned by the City of Woodstock*, identified as Document No. 2, designating the 2002 Dodge Ram Van as surplus property and authorizing and directing the City Manager to dispose of said property as allowed by law.

7. CDBG Funding – Adoption of Resolution No. 16-R-14, identified as Document No. 3, *A Resolution Authorizing Application to the 2017 Community Development Block Grant Program through McHenry County for the Walnut/Ash Neighborhood Stormwater Management Project – Phase III*, authorizing submission of the CDBG grant application committing \$82,500 in funding by the City and requesting \$247,500 in CDBG Funds.

A roll call vote was taken to approve Consent Agenda Items C through E, F-2, F-3, and F-5 through F-7. Ayes: M. Larson, M. Saladin, RB Thompson, M. Turner, and Mayor Sager. Nays: none. Abstentions: none. Absentees: D. Hart and J. Starzynski. Motion carried.

Item F-1 – Appointment – Economic Development Commission

Noting it is the Mayor's responsibility to nominate individuals for appointment to the City's Boards and Commissions and the Council's responsibility to approve and appoint those nominated, RB Thompson noted the absence of applications in the Council packet results in the Council members not having sufficient information to consider the appointments.

Mayor Sager explained that confirmation from one of the nominees did not come in until late Friday, after the packets were compiled and transmitted, and did not come with an application. He noted he did not wish to include the application of one nominee without the other, and his opinion was that the applicants come from appropriate sectors of the business community. He stated he did not wish the appointments to be delayed any further. He provided information on the two applicants.

M. Saladin stated nominee Chris McGowan reached out to him and to other Council members stating his interest in being involved. He opined that Mr. McGowan will be an asset to the Economic Development Commission.

Motion by M. Turner, second by M. Saladin, to approve Chris McGowan of Market Financial Group and Wayne Read, Inbound Marketing Manager for Other World Computing, to fill the two current vacancies on the Economic Development Commission for three-year terms to 2019.

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

Item F-4 – Award of Contract – Pavement Resurfacing & Construction Engineering

In response to a question from RB Thompson, J. Van Landuyt stated the area scheduled for resurfacing will go to the project limits of the proposed round-about meaning that this area will

not be repaved with this project and then be torn up when the round-about project proceeds.

Mayor Sager stated that bids for this project came in at a lower than anticipated level which provides an opportunity to pave more surface. In response to a question from Mayor Sager, R. Stelford stated it is the opinion of the City Attorney that Council should approve a waiver of the requirement for competitive bids concerning the recommendation identified as Item F-4, Section B, which will appropriate the remaining funds in the FY16/17 General Fund CIP and TIF budgets for additional resurfacing work. R. Schlossberg confirmed her opinion that the City should waive the requirement for competitive bids and provided additional information.

In response to a question from M. Turner concerning the additional \$272,000 being considered in Section B, J. Van Landuyt stated this additional work will be at the same unit price as the other work.

In response to a question from RB Thompson, J. Van Landuyt stated that the City will identify the additional streets to be repaved with these extra funds. It was the consensus of Council that City Staff will have administrative approval to select the additional areas to be repaved.

In response to a question from M. Turner, J. Van Landuyt stated the appropriation of additional funds for the paving of additional streets will not change the proposed costs for the design and construction engineering inspection services to be performed by HLR.

Motion by M. Larson, second by M. Turner, to

- a) Approve a contract for the 2016 Street Maintenance Resurfacing Program to the lowest responsible bidder, Geske & Sons, Inc., Crystal Lake, IL for the total bid price of \$707,236.34.
- b) Approve the waiver of the requirement for competitive bids and the use of the remaining funds appropriated for resurfacing in the FY16/17 General Fund CIP budget (82-08-7-803) and the FY16/17 TIF budget (41-00-7-731) to complete additional work for a combined total not-to-exceed \$998,500, with that work to be administratively determined.
- c) Approve the proposal submitted by Hampton, Lenzini & Renwick, Inc. to provide both design and construction engineering inspection services for the 2016 Street Maintenance and Resurfacing Program for an amount not-to-exceed \$96,468.

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

Item F-8 – Award of Contract – Multi-Use Recreational Path

M. Saladin recused himself and exited the proceedings at 8:07PM.

Mayor Sager noted the requirement for a unanimous vote of those present to move this item forward.

Motion by M. Turner, second by RB Thompson, to approve the award of contract to construct a Multi-Use Path along U.S. Route 14 between Lake Avenue and West Lake Shore Drive to the lowest responsible bidder, Berger Excavating Contractors, Inc., Wauconda, IL for the total bid amount of \$232,203.29 and to approve a proposal from Hampton, Lenzini and Renwick, Inc. to

provide engineering construction and inspection services for the construction of the Multi-Use Path for an amount not-to-exceed \$25,636.

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

M. Saladin returned to the Council Chambers at 8:12PM.

FUTURE AGENDA ITEMS

Discussion followed of the application that was made to the Illinois State Historical Society for a plaque proposed to be placed in front of the Sheriff's House commemorating Eugene V. Debs stay. Mayor Sager stated there is a question concerning the length of the copy and the size of the sign and noted subsequent to submittal of the application, the City sent photos of the building. He stated this item will be brought back to Council and to the Historic Preservation Commission once recommendations for wording and plaque placement are ready for consideration.

In response to comments from M. Larson, Mayor Sager stated he has asked staff to review and provide a report to Council concerning the parking situation on Blakely Street.

M. Turner expressed his continued frustration with not being able to dine with the windows open at various restaurants in Woodstock. He noted the pleasant summertime dining experiences he has had in other areas.

ADJOURN

Motion by M. Larson, second by RB Thompson, to adjourn this regular meeting of the Woodstock City Council to the next regularly-scheduled City Council Meeting on Tuesday, August 2, 2016, at 7:00 PM in the Council Chambers at City Hall. Ayes: M. Larson, M. Saladin, RB Thompson, M. Turner, and Mayor Sager. Nays: none. Abstentions: none. Absentees: D. Hart and J. Starzynski. Meeting adjourned at 8:20 PM.

Respectfully submitted,

Cindy Smiley
City Clerk