

MINUTES
WOODSTOCK CITY COUNCIL
February 4, 2014
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, February 4, 2014 in Council Chambers at City Hall. He explained the consent calendar process and invited public participation.

A roll call was taken.

COUNCIL MEMBERS PRESENT: Julie Dillon, Maureen Larson, Mayor Brian Sager, Mark Saladin, Joseph Starzynski, RB Thompson, Michael Turner

COUNCIL MEMBERS ABSENT: None

STAFF PRESENT: City Manager Roscoe Stelford, City Attorney Ruth Schlossberg, Finance Director Paul Christensen, Economic Development Director Cort Carlson, Director of Public Works Paul Ruscko, Library Director Nick Weber, Chief of Police Robert Lowen, Deputy City Clerk Cindy Smiley

OTHERS PRESENT: City Clerk Dianne Mitchell

A. FLOOR DISCUSSION:

1.) Transportation Commission Presentation

Andrew Celentano, 2116 Greenview Dr., Woodstock stated that he is the Chairman of the Woodstock Transportation Commission but advised that he is speaking for himself and not for the Commission. He reviewed several projects that the Woodstock High students worked on and presented to the Commission. He reported that teacher Steve Thompson has made the projects a part of the curriculum for the Project Lead the Way program with the presentation to the Commission being the final examination.

A. Celentano presented information on the people that Jeff Van Landuyt was able to enlist to speak to the students on various topics associated with their projects. He provided information on the projects done by the Marian Central Engineering Club. He acknowledged J. Van Landuyt of Public Works stating that without his efforts the outcomes would not be nearly as good or productive. He noted that the students' efforts will allow them to differentiate themselves on college applications. He stated that it is his personal opinion that what the Transportation Commission is doing should be expanded to other commissions. He passed out a list of potential student projects to the Council.

Mayor Sager expressed his thanks and stated that in his mind it is the coalescence of many positive things all working together. He stated that it is a coalition of the commission who is an advisory commission that looks at the challenges of the our community, it is an outreach to our young people and educational program to provide them with real world opportunities to grow and to learn, and it provides the City the opportunity to utilize the professional Staff to help guide, direct and provide resource input for the projects. He congratulated A. Celentano and the Transportation Commission for the outreach and agreed that it is something that can be replicated in many of the other commissions.

2.) Budget Award Presentation

Mayor Sager stated that the award is for the City's FY 13/14 budget document. He advised that this was the last official budget that previous City Manager Tim Clifton over sighted and the award is considered to be an award to him but he reported that T. Clifton is in Florida. He stated that it is

important to recognize the fact that the City has received the award for the past 12 consecutive years with this being the 13th year.

He stated that the award is not just something that is routine, but it is something that is truly earned. He advised that the recognition comes from the Government Finance Officers Association and it is given to municipalities that meet the highest principals of governmental budgeting. He stated that the program's guidelines are designed to assess how well the City's budget document serves as a policy document, a financial plan, an operations guide and a communications device. He reported that budget documents must be rated proficient in all four categories and thirteen mandatory sub-categories. He reported that the most recent statistics from GFOA state that out of 2,731 municipal governments in Illinois, only 74 or 2.7% percent receive this prestigious award. He expressed commendations to T. Clifton, Roscoe Stelford and Staff for making it a viable and distinguished award for the City of Woodstock.

Public Comments

No comments from the public.

Council Comments

J. Dillon complimented Public Works who have been very diligently keeping up with things during this tough winter. She thanked them for their good work. Mayor Sager stated that everyone is questioning the salt situation.

P. Ruscko stated that the general consensus across the County is if you have it, keep it and use it as minimally as possible. He advised that the struggle is getting additional salt delivered and noted that one of the suppliers is saying they are having issues getting the ice breakers through the Mississippi to get the barge to the delivery port. He reported that the City currently has about 300 tons of pure rock salt and about 400 tons of a 50/50 blend of aggregate and salt. He advised that two trucks arrived today to deliver salt that the City ordered weeks and weeks ago. He reported that the City has about 800 tons on order but they are only getting 25 tons a day at the most. He advised that they have called multiple suppliers as well as the State but have been unsuccessful in contacting anyone.

M. Turner questioned how much is usually used in a typical snow storm. P. Ruscko advised that a typical snow storm without a salt shortage is about 100 tons. He stated that the City currently has been using anywhere between 50-75 tons depending on the snowstorm. He advised that normally they apply salt during the snowstorm but they have scaled back during the snowstorm and are saving the material for the final clean-up. M. Turner questioned whether the City will get the whole 800 and P. Ruscko stated that he believes the City will probably get the whole 800 but it may not be until the end of March. He stated that everything that has been ordered is within the contract the City has signed through the State of Illinois.

J. Starzynski questioned if the use of the salt is more dependent on the duration of how long the snow is falling or how much snow falls. P. Ruscko stated that it is more of a function of the conditions such as a freezing rain that is washing the salt off. He stated that normally if you have eight 1" events rather than one 8" event, you are going to use more salt with the small events.

M. Turner stated that the City is focusing on intersections, hills and curves and P. Ruscko affirmed. M. Turner stated that they are also paying attention to what is happening the next day in regards to weather and if it is a weekend. P. Ruscko affirmed and advised that they have gone out the next day when the sun is out and pushed slush off to try to get down to bare pavement. M. Turner stated that any expectations that the roads are the way they were earlier in the season or ten years ago is

misplaced and he believes Public Works is doing the right thing by being very judicious. He advised that they stretch it out and not be afraid to not have the roads perfectly cleared.

Mayor Sager expressed his thanks and commendation to the entire crew who have been putting in a lot of long hours. RB Thompson questioned if it is true that salt is only effective at certain temperatures. P. Ruscko advised that it is a function of the concentration of the solution. He stated that normally when you get into lower temperatures it can become less effective which is why you either use additional sodium chloride or within the liquid that is applied prior to the salt hitting the pavement there are additional additives to help get the melting going.

CONSENT AGENDA:

Motion by J. Dillon, second by M. Turner to concur with Consent Agenda Items B-E5.

- In reference to Item E2, M. Larson asked Chief Lowen to weigh in on using a 4 ft. fence versus an 8 ft. fence. Mayor Sager advised that there is a distinction between the music fest which is a longer term activity and this one which is a shorter term activity in terms of the day and hours. He added that there is some past experience with other outside events relative to the size of the fence. M. Larson stated that she thought it was because of handing beer over the fence.

C. Smiley stated that the music fest is a longer event with longer hours into the evening. She stated that they anticipate a bigger crowd at music fest because it is in the middle of summer and the area of the event is larger which makes it more difficult to see people handing things over. She stated that it was Staff's feeling, noting that she did not consult the Chief prior to the meeting. She stated that the City thinks it is a great idea, but they really didn't have time to sit down and have a long discussion because the event organizers needed to get it on the agenda as soon as possible so they can get all of their arrangements made.

C. Smiley believes that if the Chief feels that the 4 ft. fence wouldn't be appropriate, it would be acceptable to the event organizers. She stated that when they did the memo, it was felt that because the area is smaller, the crowd will be smaller due to the time of year, the hours are shorter and it's a single day event that it would be appropriate to have a shorter row of fence as opposed to two rows or a higher one. She advised that they are proposing to fence in the western sidewalk so that the event goers can go between their places of business and the outdoor event, which is conducive to having a shorter fence.

Chief Lowen stated that he is sure the event organizers will have their security personnel there and he agrees that the area lends itself to a maybe less restrictive fencing situation. C. Smiley advised that the request came up quickly and they wanted to get it approved to get going. M. Turner stated that he hopes it stays to the 4 ft. because the 8 ft. feels like a cage.

B. MINUTES OF PREVIOUS MEETINGS:

January 21, 2014 Regular Meeting

January 21, 2014 Executive Session

C. WARRANTS: 3601 3602 MFT #530

D. MINUTES AND REPORTS:

Police Department Report – December 2013

Community and Economic Development – Year-End Report

Library Board Minutes – December 5, 2013

E. MANAGER'S REPORT NO. 17

1. **Old Courthouse Temporary Signage** - Adoption of Ordinance 14-O-14 varying the City of Woodstock Unified Development Ordinance to allow the installation of three banners on the Old Courthouse.
2. **Benton Street St. Patrick's Day Event** – Approval of the following:
 - a.) Approval to hold the Benton Street St. Patrick's Day event on Benton Street between the hours of Noon and 10:00PM on Saturday, March 15, 2014 conditional upon the items set forth above;
 - b.) Waiver of the prohibition of alcohol in the public way for the fenced event area only and during specified event hours only, with all alcohol consumption in the public way ceasing at 10:00PM;
 - c.) Closure of Benton Street between Judd Street and the railroad tracks between the hours of 6:00AM and Midnight on Saturday, March 15, 2014;
 - d.) Approval of Ordinance 14-O-15 Imposing Certain Temporary Traffic Restrictions and Parking Restrictions for Benton Street St. Patrick Day Event in the City of Woodstock on Saturday, March 15, 2014.
3. **E-cigarette and Alternative Nicotine Products** - Ordinance 14-O-16 amending sections of Title 3 and 4 of the Woodstock City Code regarding alternative nicotine products.
4. **Award of Contract – Backup Generator for Well #8** - Approval of an award of contract for the purchase and installation of a generator to the lowest, responsible bidder, Ridgeview Electric, Inc. at a cost not to exceed \$33,450.
5. **Award of Contract – Repairs to Well #11** – Approval to waive competitive bids and an award of contract for repairs to Well #11 to Layne Christensen Company for a total estimated cost not to exceed \$23,225.

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

DISCUSSION ITEMS:**6. Discussion of the CIP**

In regards to the amount of money put in for the streets, M. Saladin questioned if this winter has had a worse affect on the streets and stated that he doesn't know what that will mean going forward with the CIP. Mayor Sager stated that there has been three very bad years of buckling and potholes and advised that it is always difficult to get ahead of the curve unless you are willing to invest multiple millions of dollars in one year but with the unknowns of any given winter it will be next to impossible to stay in front on a routine basis. He stated that there is no question that it does deteriorate the roadways and it has a real impact on the amount of money that the community has to invest to try to keep the roadways passable.

P. Ruscko stated that Public Works has seen on some of the emergency projects they have conducted over the winter, frost as deep as four feet. He advised that they have sent a letter out to known users of overweight/oversize permits to let them know that this spring during the thaw

the City is not going to issue overweight/oversize permits that could further impact the roadways. He stated that when the frost is coming out of the ground the sub-base will be susceptible to additional impaction. He stated that when you get this intense cold and frost that deep, you get pavement heaving. He noted that there will be some settling and smoothing of the pavement surfaces as things thaw, but he won't be surprised to see additional potholes and buckling.

RB Thompson stated that several retreats ago, Council addressed the condition of the roads and noted that their resolution was to construct new roads with deeper bases and more pavement. He stated that when we go to repairing roads by just resurfacing the depth isn't increased. He believes it might be something that needs to be addressed because if the roads are only going to last so long, it might be more cost effective to make them deeper so they last longer.

M. Turner questioned the capacity for sewage treatment and wastewater. P. Ruscko stated that they have seen, since the economic downturn, the city's capacity numbers at both the water and wastewater treatment plants remain the same. He stated that the amount available for additional development has increased and could be due to people conserving more or the increase in vacant homes. He stated that the city is in the 50-70% capacity in use, but they have seen a continued downward trend over the last few years. He stated that even though it was a relatively wet year, there was ample capacity.

M. Turner advised that he would like to continue to monitor how many households they are away from having to begin to address it. He stated that he would like Public Works to keep on top of it so they can know when to begin to fund and budget for it. RB Thompson advised that there are population units that they know depending on residential, commercial or industrial usage. P. Ruscko stated that he can provide the Council with where we are at and they can take the flow rate and convert it into population equivalents.

RB Thompson stated that people drink less water from the tap and questioned if it has an impact on the reduction of water treatment. P. Christensen stated that it is probably more of a function of low flow toilets and low flow shower heads. He stated that across the board water consumption is down. He advised that the part they struggle with right now is whether it is attributable to vacancies or people using less water.

J. Dillon stated that she would like to see something happen with the pedway mural because she thinks the pedway is just asking for trouble with the big, blank slate. She questioned if it is something they can engage the high school art departments to see if they can come up with something and possibly trim the cost on it.

7. Discussion of Distressed Housing.

M. Saladin stated that one thing to keep in mind is the property rights issue. He stated that he doesn't know how far Staff has gone with different thought processes beyond downzoning, variations or the existing ordinance that Council recently passed relative to rehab. He reported that he read an article on how the City of Elgin assists homeowners relative to sprucing up their properties. He noted that the article talked about different grants the city has received and partnerships they have with federal dollars coming out of the HUD program. He stated that he doesn't know what is out there that the City can tap into to assist people with renovations.

J. Dillon stated that she likes the idea of taking it in a positive approach instead of a punitive approach. M. Larson thinks it would be a good thing for the grant writer to look into.

M. Turner stated that after property taxes, this issue is the most consistent thing he gets from residents. He stated that you go down a street and generally there are good looking, well maintained homes and then there is a home that is not in good condition and typically it has been upzoned on that street a long time ago. He stated he is about as conservative as it comes when it relates to economic issues and property rights but this really hit home when he was at a friend's residence on Tryon Street which is a beautiful house valued in today's market about \$250,000-\$300,000. He stated that the entire street between Dean and South has some terrific homes and then there is a bank owned two-flat right next to his friend's residence on the market at one time for \$65,000. He stated that property has property rights as do his friend's home and all the homes up and down the street.

M. Turner stated that the intent is to have an action that Council feels comfortable taking, which may include analyzing whether individual parcels may warrant a review by them to consider if downzoning will work, married with a program that offers incentives. He suggested setting aside a fund and choosing who would receive it. He stated it would be some incentive saying that if the homeowner brings the property to this zoning and Council has identified this property as targeted that might in turn lead to a few of those postage stamp issues disappearing.

M. Turner stated that the concept is not about a broad change across the community and it's not anti rental or anti multi-family housing. He thinks the concept is saying that as we look at pockets within in the city and have a proactive approach, a little bit of hammer and a little bit of carrot, might be in order to protect all the residents and the image of the city. He tossed out the idea of if a homeowner or bank comes to the City and says they are willing to tear down and build a house that meets standards, he would be willing to waive half or all of the fees for building permits. He stated that if they don't do the project the City isn't getting the money anyways but if they do the project and the City doesn't get the money for the fees at least we end up with a house whose property value goes up, the City gets more taxes and the entire local community is lifted.

M. Turner stated that he would like to see Council be more aggressive as it relates to trying to be creative and proactive both in a more positive and perhaps punitive approach. He believes there are places in the city that they can identify where this would be a net positive without trampling on those property rights.

Mayor Sager stated that he is supportive of taking an incentivize approach to these types of opportunities. He finds a little bit of a challenge in regards to stepping on personal property rights. He stated that it moves into rezoning or downzoning. He stated that there are some old Victorian homes in the community that have been moved from single family down to multi-family and he believes that now going in to rezone and force that with a heavy hand is going to be pretty difficult and he's not sure if he is supportive of that. He is supportive of looking at every opportunity within an incentive package, working perhaps with local lenders, looking at the fees and looking at a program of funds that might be available. He is in favor of looking at it on a small basis for individual considerations that might turn some of these small parcels around.

M. Saladin stated that it starts with a vision of what we want the properties to somewhat look like as you enter the city. He questioned if there have been any enforcement issues with the Property Maintenance Ordinance. C. Carlson stated that they haven't had a lot of requests or calls since the start of the program. He advised that it works like the Code Enforcement and is more of a complaint process. He stated that Staff fields the calls or complaints regarding property

maintenance as they come up. He advised that they have been able to apply it sparingly so far noting that there hasn't been a huge influx of new calls based on the Property Maintenance Code.

M. Larson stated that she appreciated the reports because there were elements that she hadn't thought through in terms of the time tables and property rights. She stated that she always was thinking of it as incentivizing a direction that they want to see. She didn't know if the legal side was dealt with at all and asked R. Schlossberg if there are any issues to watch for if they decided to go the carrot direction.

R. Schlossberg stated that sometimes because Woodstock is non home rule there are some questions regarding their authority to offer certain programs. She stated that generally speaking the types of things that Council has thrown out tonight can probably be structured in a way that would not be prohibitive.

Mayor Sager questioned if there is a general consensus from Council that they are interested in further investigation and consideration of incentivization opportunities. RB Thompson stated that there are areas in town where it is area wide and he would like to look at that as well. M. Turner agreed and stated that there are places where it is more extensive and he would like Staff to look at it too. He doesn't think that the solutions or the approach is necessarily the same. Mayor Sager stated that it may not be that different either.

M. Turner referenced downzoning and stated that at some point someone said take the Victorian to a three flat and this body in the past approved it. He stated that he didn't read the legal report as Council can't do it. He read that there is potential for it. He stated that he wouldn't completely discount that if Council wants to get aggressive and they believe there is an egregious situation with an upzoning that occurred in the past, Council shouldn't take it off the table. He doesn't want to lead with it if the body doesn't agree with it, but he doesn't want to completely take it off the table. He stated that Council has the authority; they upzoned, they can downzone and he noted that he isn't saying that they do it now or broadly but they do have that authority.

M. Saladin stated that it gets down into the amortization period; how long will it take before you have to change. R. Schlossberg stated that generally speaking you will be guessing a little bit about what the proper amortization period is. She advised that if you accompany it with some incentives, you might decrease the likelihood of litigation. M. Turner stated that is the point of waiving building fees or waiving property taxes if they are able to do that.

J. Starzynski stated that he lives on a street with renters and he personally feels that it isn't an issue of he doesn't like the renters or the fact that they are in a rental, but he thinks it is more of an issue of the condition of the property and how it reflects on his property. He stated that he likes the carrot approach better because he knows there are programs that will incentivize whether they are the homeowner or somebody that is purchasing. He stated that there is money out there to fix the houses up and he believes that is what they should focus on.

Mayor Sager stated that he thinks that there is a tendency to prefer to look at how to incentivize something versus how they can take a more heavy hand approach. He noted that it doesn't necessarily mean that as we move further down the road that there might be some egregious situations that Council needs to address. He stated that if there is the opportunity to take a more positive, supportive approach that is where Council would like to start and see how things move forward from there. RB Thompson stated that now is the best time with the depressed values; it can be more effective now.

Mayor Sager asked Council if they have reached a consensus to have Staff further explore incentivizing and Council conceded.

FUTURE AGENDA ITEMS

RB Thompson suggested the recognition of high school students Jon Walsh and Maura Beattie. Mayor Sager advised that RB Thompson will need to forward the information from the school district to Staff.

ADJOURNMENT:

Motion by M. Saladin, second by RB Thompson, to adjourn the regular meeting of the City Council to the next Regular Meeting on February 18, 2014. Ayes: M. Larson, J. Dillon, M. Saladin, Mayor Sager, RB Thompson, M. Turner, J. Starzynski. Nays: None. Absentees: None. Abstentions: None. Motion carried.

Meeting adjourned at 7:58 PM.

Respectfully submitted,

Dianne Mitchell - City Clerk