

MINUTES
WOODSTOCK CITY COUNCIL

November 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, November 4, 2014 in Council Chambers at City Hall.

A roll call was taken.

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

COUNCIL MEMBERS ABSENT: None

STAFF PRESENT: City Manager Roscoe Stelford, City Attorney Ruth Schlossberg, Finance Director Paul Christensen, Director of Public Works Paul Ruscko, Community and Economic Development Director Cort Carlson, Chief Deputy Clerk Cindy Smiley, and Deputy Clerk Amy Weber.

OTHERS PRESENT: City Clerk Arleen Quinn

A .FLOOR DISCUSSION:

Public Comments:

1.Chris Jenson

Chris Jenson 951 Irving Avenue, Woodstock, thanked Cindy Smiley for giving his Boy Scout troop a tour of the building. He stated that he recently made a phone call to the Police Department because his neighbor's dog was barking constantly. . He was told by the police that there is not an ordinance against that and wondered if there is a reason why the city has not adopted any kind of ordinance?

Mayor Sager stated that we do have two ordinances that could apply: a nuisance ordinances and an animal control ordinance. The animal control ordinance is specifically related to control of pets, which could be interpreted as not allowing the animal to bark -.

The second ordinance is connected with a nuisance which is associated with animals that are outside of or off the residence, or other things such as loud music being played from the residence. At the very least, the police department could contact the neighbor.

Mr. Jensen commented that the police did speak with the neighbors that night.

In response to a question concerning whether there is an ordinance prohibiting mowing the lawn at 9:30PM, Mayor Sager confirmed that there is such an ordinance.

Mayer Sager thanked Mr. Jensen for bringing this to the council's attention and encouraged him to call the police department anytime.

2. Welcome to Rotary Youth Exchange Guests:

Noting that there are special guests here this evening, Mayor Sager asked Councilman Starzynski to step forward.

J. Starzynski stated that he is a member of the Noon Rotary Club and one of the Club's fellowships is an international Rotary Youth Exchange. He introduced two students, one from Sweden and one from Finland, and briefly detailed some of their experiences. He asked each if they would like to speak to the Council.

Lisa, from Sweden, commented that she is enjoying her trip very much and that Woodstock is very different from Stockholm, which is a large City. She further stated that she is learning much and is very happy to be in Woodstock.

Vive said she is from the little city, Kokkola, an hour and a half from Helsinki so that Woodstock is not very different in size from her city but that the cultures are very different. She presented Mayor Sager with a small banner from her Rotary.

Mayor Sager accepted this and welcomed the guests on behalf of the City of Woodstock.

J. Starzynski advised those present that the exchange students will be in Woodstock for 11 months and urged anyone wishing to get to know them better or have the students meet their families to contact Ron Jarvis or himself.

There were no additional public comments.

Council Comments:

M. Saladin stated that at the McHenry Economic Development Corporation annual dinner week the Business Champion Award recipients included three companies from Woodstock including Mac Automation, Charter DuraBar, Claussen Pickles.

M. Saladin also noted that the keynote speaker, an executive from Avestar, mentioned that South Carolina and other states are using ambassadors to help executives from companies wishing to expand or move to their state whose function is to walk them through the relocation/expansion process and make sure they are taken care of.

Noting that the City of Woodstock has not taken PTELL in the last four years, M. Turner stated that Woodstock is a leader in holding the line on property taxes. He further stated that the City's budgeting and financial management and the leadership position taken in foregoing PTELL makes him proud of the City's staff and directors, who have been managing expenditures and doing an exceptional job. He stated that in his opinion property taxes are the biggest detriment to business in the State of Illinois and the collar counties.

RB Thompson stated that a Hispanic supermarket, La Sol, opened up near Church St. He noticed that Sweetwater is building on every lot and that there is movement at the Sonatas.

Also with Woodstock Commons resuming building south of Kohl's, he felt the City should revisit the special census.

Mayor Sager stated that a special census is planned on for 2015 or 2016 depending on staff's conclusions relative to the number of households and number of residents.

RB Thompson also stated that shortly after our next meeting a new restaurant will be located in the Old Courthouse, temporary stairs are already put in, and that workers are reconnecting the ABC7 camera today.

CONSENT AGENDA

A. CONSENT AGENDA:

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

Mayor Sager removed item E 6.

B. MINUTES OF PREVIOUS MEETINGS:

October 2, 2014 City Council Strategic Planning Workshop

October 21, 2014 Regular City Council Meeting

October 21, 2014 Executive Session

C. WARRANTS: 3637 3638 MFT#538

D. MINUTES AND REPORTS:

September 8, 2014 Historic Preservation Commission Meeting

October 6, 2014 Historic Preservation Commission Meeting

E. MANAGER'S REPORT NO. 34

1. Board and Commission Appointments - Approval of the appointment of Roger Zawacki to the Opera House Advisory Board.

2. Traffic Ordinance - Approval of Ordinance No. 14- O- 65 amending Section 5.3.7 of the Woodstock City Code deleting the "No Parking During Designated Hours" designation from portions of Blakeley Avenue and Muriel, Mitchell, and Gould Streets and adding a "No Parking Place" in front of 327 E. Jackson Street.

3. IDOT Maintenance and Local Improvements Resolution - Approval of Resolution No. 14-R-25 pertaining to maintenance work and local improvements within a State right-of-way during calendar years 2015 and 2016.

4. Façade Improvement Program Request – Approval of allocation of \$1,200 in Façade Improvement funds for 116-120 N. Benton Street for the entranceway resurfacing.

5. Property Tax Estimate – Adoption of Resolution No. 14-R-26 formally estimating the dollar amount for 2014 property taxes.

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

Item E6 Woodstock Celebrates, Inc. Agreement – Consideration and approval authorizing the Mayor and City Clerk to execute an agreement between the City of Woodstock and Woodstock Celebrates, Inc. to acquire the rights for a marketing campaign.

Mayor Sager stated that he removed Item E6 to provide Council with the opportunity to discuss the potential agreement with Woodstock Celebrates, Inc. for use of their slogan and logo in a marketing effort to promote Woodstock.

Mayor Sager reminded Council that previous discussion have been held about this topic and that while Woodstock Celebrates, Inc. does not have sole rights to the slogan, they have copyrighted the logo and that the City wishes to work in a collaborative effort with them. As a result, Councilman Turner has been working with the WCI board to come to an agreement for use of the slogan and logo using the parameters established by Council at the previous meetings. Mayor Sager stated that a draft of this agreement is being presented to Council for their review and discussion this evening, noting that it is not yet perfected nor has it undergone legal review.

Mayor Sager summarized the agreement, noting that the underlying premise is a desire to work together for the purpose of promoting the City. He stated that the Agreement calls for the formation of a joint entity which would be able to raise funds, select a marketing firm, and establish a marketing plan including a financial plan. This entity would monitor the progress and operation of those efforts and then report back to the City of Woodstock and Woodstock Celebrates Inc. on these strategic operations. In addition, the entity would annually determine the distribution of those funds raised, as well as those funds budgeted by the City, in support of the marketing efforts.

He stated the proposed agreement also provides for an exchange for the right to use the slogan and logo from the City of Woodstock, noting that the \$10,000 payment to Woodstock Celebration, Inc. that was originally agreed upon by Council has been extended based on negotiations to a \$10,000 payment during the first year of the first term of the agreement and then \$5,000 in second year. Mayor Sager noted this is certainly up for discussion. In exchange, the City would receive totally unfettered use of the logo and slogan in perpetuity to promote the city, which could be used in a variety of different manners as we determine.

Mayor Sager also noted that this opportunity would also exist for the entity that would be formed, a joint entity and also of course for Woodstock Celebrates Inc. They would have that same right. So the rights would be shared equally, independently, among those three different groups. As a point of negotiation we would be offering the opportunity for Woodstock

Celebrates, Inc. to have for a term of five years, 2015-2019, the opportunity to use some small office space in the Old Courthouse if that is available. If that space is not available, perhaps there would be space at City Hall.

Mayor Sager stated that both groups have talents which can be used such as the legal talents of the WCI board to establish the nonprofit status application and the talents of the City staff which could provide budgeting oversight and auditing assistance.

M. Turner noted that the intent of the agreement is to find a way to allow the use of a concept that is owned by another body to promote Woodstock with the goal being to promote Woodstock in an ongoing effective and professional manner. He stated that it is his feeling that this is a great idea that is flexible and has the ability to last over time. He noted that the question is how to make that happen. He stated that in talks with WCI the idea developed that this entity will probably become an organized nonprofit that neither the City nor Woodstock Celebrates, Inc. has ownership in to which the City will contribute funds.

He noted that this separate entity becomes a group unto itself that has a charter, funding, and control by Woodstock Celebrates, Inc. and the City of Woodstock, with each organization appointing 2.5 members to a 5-member board. The board would not be independent of oversight but would have the ability to make decisions and to conceptually hire a marketing firm or somebody to execute a marketing plan using this slogan with the funds and resources provided by the City and Woodstock Celebrates, Inc.

M. Turner stated another reason this nonprofit might be attractive is that it would have the ability to raise private funds from businesses and individuals with the knowledge that the City of Woodstock is also putting money in. The City believes in the mission of the group and the message as does Woodstock Celebrates, Inc. If the group solicits businesses and individuals who may contribute \$100 or \$10,000, this could multiply the funds available for the marketing plan and its implementation by the separate entity.

Noting that the Woodstock Celebrates, Inc. Board must also review and approve the agreement, M. Turner urged Council to focus on the broader picture of what the agreement says rather than the language that will be cleaned up by staff and the attorney.

M. Turner then noted that the payment made to Woodstock Celebrates, Inc. is a payment to them because of the resources that organization brings to the table, including the asset that they have in the logo and the concept that they have come up with. He stated that, in his opinion, the agreement has been structured in a way that is fair to all parties. He further noted that there may be some risk in funding a third party with money that can be used at their discretion but that the City will still have 50% control over this through oversight. He then stated that he feels the slogan and logo have great potential and that he is willing to take the risk.

Mayor Sager remarked that he also thinks it's important to look at item No.7, noting that the City has exclusive right and authority to determine, through the annual budgeting process, the

amount of municipal funds that would be annually dedicated to the program. He noted that is still Council's ultimate decision.

Mayor Sager thanked Councilman Turner for his efforts and opened the floor for discussion. He stated that he wished to first establish a couple of guidelines, noting that as it is on the agenda tonight on the consent calendar this means that Council has an obligation to take action. There are four options available to take action. First, to consider a motion to direct the Mayor and Staff, particularly the City Manager and City Attorney, to perfect the agreement built on the tenants and precepts as identified tonight and then to authorize the Mayor and City Clerk to execute the perfected agreement.

The second option would be to reject the agreement outright.

The third option would be to consider but to postpone it to a date specific to allow Council members the opportunity to review, digest, and internalize this having an understanding of the various elements of it and at a later time bring it back for action. Postponing it is still taking action.

The last option would be to parse and piece tonight on the floor. Those are the options available. Mayor Sager opened the floor for discussion by Council.

J. Starzynski stated that he initially felt that the \$10,000 was generous. He said that he does like the idea of the entity going out and bringing in private money, but feels he would like choose option three at this time to have more time to think about it.

Mayor Sager noted that he and Councilman Turner discussed this and decided that it should be brought to Council at this time because a deadline of October 31st had been established by the Council. He noted that Council may also choose to extend that deadline. He further noted that this is why the agreement was not provided in the packet, as it was not completed until last evening.

J. Starzynski commented that he felt initially he would like more autonomy over the control rather than putting it in the hands of an entity. He went on to say he felt that if we have somebody like the Economic Development Department that could control the marketing or we could even designate a person or hire someone to do that. He stated that he is wary of putting the City's marketing into the hands of a vague committee or commission. He said he not is against it, just hesitant, and would want to think about it a little more.

M. Saladin responded that he feels overall the City needs to move in this direction and the sooner the better. He acknowledged that Councilman Turner spent a lot of time with this, as has the Mayor, so he would be inclined to take action on it this evening.

In response to a question from M. Saladin, Mayor Sager stated that the City does have unfettered control of the use of the logo, including placement on a water tower and that the entity would not have control over this.

M. Turner stated that it would be very difficult and highly unlikely for the City or City staff to raise private funds to for use on this project but that it is his feeling that the separate entity could. He further noted that this is one of the unique things about having the outside partner do it from a control perspective. We do have a level of control not just day to day, minute to minute, operational control.

M. Saladin responded that as long as he's clear on that issue, that the entity would not have control over the specific use of the logo or slogan, he really doesn't have a problem with the entity concept. He stated that he would support the second payment over the second year.

J. Starzynski responded that he wanted to be clear that even though there is an entity both the City and Woodstock Celebrates, Inc. get to do whatever they want with logo.

M. Turner stated that while Council initially agreed on \$10,000, WCI requested \$5,000 in additional funds. He noted that they are using this as a fundraising mechanism for their group which promotes the City as well. He noted that not only does this meet them halfway but that, should the City have to begin this process from scratch, it would likely cost much more than the additional \$5,000.

Mayor Sager said that it is a matter of value. He noted that it is the City's wish to have the opportunity to use the logo and the slogan and to have that unfettered opportunity in perpetuity. Specifically the wording in the agreement states unconditional, irrefutable, and incontrovertible rights to use. We are very specific about that and this presents significant value to the City in exchange for something of value to WCI, namely \$15,000 in outright contribution, \$10,000 the first year and \$5,000 the second. He noted that while he has weighed this back and forth, he believes there is value and is willing to acquiesce to the request from WCI for \$15,000.

J. Starzynski said that he could decide tonight.

M. Larson responded that while she at first was hesitant, she has arrived at the conclusion that she can certainly support the agreement and feels it is an opportunity for the City to take control of its image and message. She feels it is so closely tied to our economic development which is a huge priority. This is an opportunity to do that and to hit the ground running fast without starting over from nothing. She stated she is in favor of taking action this evening.

J. Dillon also responded that she liked the agreement, and as presented, it is very similar to what was talked about at Council's meeting. She feels that Councilman Turner had a good point about the costs being even greater than the \$15,000 if the City had to start over. She also agreed that Woodstock Celebrates, Inc. would be using this money to promote the City, so it's a win/win. She said she is willing to take action tonight.

RB Thompson stated that he was not interested in taking action tonight other than postponing it. He stated that he didn't like the entity concept whatsoever. He stated that the last time

something like this was tried was with District 200. Council was excited about it and thought we created an education commission. He said he thought they had one meeting and then they dissolved.

Mayor Sager responded that the group mentioned by Councilman Thompson was not a commission or board but a taskforce with a specific charge. J. Dillon indicated that she was a member on that taskforce and the objective was really to collaborate and see what kind of shared resources could be utilized and that they met several times. She noted there wasn't any entity or commission formed at all.

RB Thompson responded by saying he didn't understand Council's handling of this issue.

J. Starzynski commented that paragraph I says that the City receives total unconditional, irrefutable, and incontrovertible rights to use both logos. The entity exists but the City is going to use the logo and slogan.

RB Thompson's response was that he felt this is a waste of energy. He feels that Woodstock Celebrates, Inc. is clearly not equal in strength to the City. His opinion is that we are pretty strong and independent, we have vision, and he feels that we can function with both functioning separately. He suggested that the City establish Woodstock Celebrates, Inc. as a Tier 1 Hotel/Motel Tax recipient to make sure they get some funding year to year to keep them functioning. He didn't see the agreement and separate entity being too effective and reminded the Council about a vote taken for Bull Valley, done in the same manner, and it not being effective long term.

Mayor Sager stated that it is his feeling that the Council can read, digest, and understand what's before it and take action this evening. He indicated that if it is Councilman Thompson's position to postpone this, it is still his position and he has a right to that particular position so that's not a question. He said that we need to keep this in proper perspective and that is we are only one side of this and that Woodstock Celebrates, Inc. is the other side. If Woodstock Celebrates Inc. is not comfortable or the City Council is not comfortable as a body with this, then there is not going to be an agreement. He further stated that Council asked Councilman Turner to serve as the City's liaison with representatives of Woodstock Celebrates, Inc. They've met, they've considered, and they have come to an agreement through the negotiation process. Unless both parties approve, however, there is no agreement. That is where we are. We are trying to advance something right now, so still the options are on the table in terms of what we do with this tonight.

In response to a comment from RB Thompson that the City has spent considerable money placing a logo around the City, including the Park in the Square, Councilman Turner stated that the agreement states that the City has the right to place the new logo wherever it wishes but that it is not required. He noted that this would be up to the Administration and the City Council. Mayor Sager noted that this agreement or marketing plan would not mean that the City is divorcing itself from the image that is currently out there.

M. Larson remarked that initially when this was presented to her she was most impressed with signage on the train platforms going into the city. Having the ability to control our image and our visibility on the train line all the way going in to Chicago continues to be a thing that she is focused on.

J. Dillon agreed with Councilwoman Larson saying she feels it is important for people to know that Woodstock is out here. She stated that Woodstock is on a train line with easy access and everything within walking distance once you get off the train. She said that the signs really caught her eye and was something she really liked that concept.

M. Turner commented that he was impressed with the signage for the train line also with the display of the big white board, with the logo and "Woodstock Celebrates" with a tag line of "dining," "entertainment," "arts," "industry" and the website. He said he agreed with Councilwoman Larson that if this nonprofit is formed taking marketing control that is the kind of direction they can take with our fifty percent oversight. They can hire the firm; they can authorize the expenditure of money. If things are not conducted in an appropriate manner the City would not continue to fund them. So certainly the input and feedback of this Council will have significant impact, just not day to day impact.

Mayor Sager said he with to open the floor to the public to address Council on this item that is being considered and discussed.

Dan Lemanski, 1248 Muriel, Woodstock stated he was speaking on behalf of his wife who is on the board of Woodstock Celebrates but is busy counting votes. He asked Council to recall the possibilities created a couple of years ago when the Academy Award winning director Charles Workman was in Woodstock to film "The Magician." Mr. Lemanski noted that this film premiered at the Chicago Film Festival and has been very well received. He noted that Orson Welles is the narrator throughout the film which shows the town square and talks about Woodstock He further noted that It had been shown at Sundance and it will be in general release shown in New York and selected theaters in December. He asked Council to think about that in terms of return on investment.

There being no other comments from the Council or from the Public, Mayor Sager asked Council what action they would like to take on this item.

Motion by M. Turner, second by M. Saladin to authorize the Mayor, the City Manager and legal counsel to perfect an agreement as presented to Council tonight and referenced in item E6 to build upon the tenants and the precepts of the operating agreement between the City of Woodstock and Woodstock Celebrates, Inc. and to authorize the execution of said agreement by the Mayor and City Clerk.

In response to a question from RB Thompson, Mayor Sager stated that the motion on floor would mean that this issue would not come before the City Council again but that it will not become an agreement until both parties have signed it. If approved and perfected by the

Mayor, City Manager, and legal counsel, the agreement will then be forwarded to Woodstock Celebrates, Inc. for their consideration

In response to a question from J. Starzynski, Mayor Sager stated that “perfecting” means that they will be doing wordsmithing and having the document reviewed by legal counsel. In response to a question from R. Schlossberg, Councilman Turner stated that he would view adding wording protecting the City from being out any funds should the agreement not be renewed as wordsmithing and would leave it to the judgment of the Mayor, City Manager and legal counsel.

There being no further discussion, the Mayor called for a vote on the motion on the floor.

A roll call vote was taken. Ayes: J. Dillon, M. Larson, M. Saladin, J Starzynski, M. Turner, and Mayor Sager. Nays: RB Thompson. Absentees: None. Abstentions: None. Motion carried 6 to 1.

Mayor Sager thanked Councilman Turner for his efforts and stated that the Council looks forward to working collaboratively and developing a strong with Woodstock Celebrates, Inc.

FUTURE AGENDA ITEMS

In response to a question from M. Larson about obtaining an update on the retail and manufacturing forums, Mayor Sager stated that information would be disseminated to Council as a report rather than an agenda item.

ADJOURNMENT:

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

Meeting adjourned at 8:04 PM.

Respectfully submitted,

Arleen Quinn - City Clerk