

MINUTES
WOODSTOCK CITY COUNCIL
September 15, 2015
City Council Chambers

The regular meeting of the Woodstock City Council was called to order at 7:00PM by Mayor Brian Sager on Tuesday, September 15, 2015 in the Council Chambers at City Hall. Mayor Sager explained the consent agenda process and invited public participation.

A roll call was taken.

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

COUNCIL MEMBERS ABSENT: Daniel Hart

STAFF PRESENT: City Manager Roscoe Stelford, City Attorney Ruth Schlossberg, Finance Director Paul Christensen, Public Works Director Jeff Van Landuyt, Planning and Zoning Director Joe Napolitano, Economic Development Director Garrett Anderson, City Planner Nancy Baker, IT Manager Dan McElmeel, and Grant Writer Terry Willcockson.

OTHERS PRESENT: City Clerk Cindy Smiley

FLOOR DISCUSSION

Charter Presentation – Woodstock Police Explorer Post #765

Mayor Sager stated the City is extremely pleased to have a strong tradition in Woodstock in working with Explorer Post 765. He stated that these young people represent the community in an exceptional way. He asked Chief Lowen to come forward for the presentation.

Chief Lowen, joined by members of Explorer Post #765, stated he is extremely proud of the Post. He noted that this is the third year for the group and introduced the members present. He noted that the young people involved in the Post are some of the best he has ever met and that they are very involved in the community, including assisting with community events.

Chief Lowen gave a brief history of the Explorer program, including those Woodstock Police Department Officers who have been involved with the Program. He noted that at the present time, there are 35 youth involved with Explorer Post #765 who are provided with educational training, leadership training, and community service opportunities in preparation for a career path in law enforcement.

Chief Lowen noted that WalMart has awarded the Post with a \$2,500 grant and the McHenry County Fair Board has given a donation of \$2,000 in recognition of the Explorers' assistance at the Fair. He then detailed some of the events at which the members have provided service and assistance.

Chief Lowen displayed the Charter, noting that it would be proudly displayed at the Police Station.

Mayor Sager expressed the City's appreciation for the many contributions made by Explorer Post #765 to the city, noting that they will continue to serve the city well. He thanked the members for their service and thanked WalMart and the McHenry County Fair Board for their contributions.

Public Comments

Lydia Baltalbos, 621 Dean Street, Woodstock, thanked Council for the opportunity to address them.

She stated there are a number of people with questions concerning the TIF proposed for the Village of Lakewood and its connection with District 200 and Woodstock. She noted an article which appeared in the Northwest Herald regarding low-income housing proposed for this property that was annexed by Lakewood. She further noted that the article stated that students in this area who normally would go to Crystal Lake schools would instead go to District 200. She stated it seems that this involves sending these students to Woodstock schools when they should go to Lakewood schools and noted that some are proposing de-annexing because this would be an additional burden on Woodstock schools.

Ms. Baltalbos stated that on August 6 she made a request of District 200, due to an article that appeared in the Woodstock Independent which talked about TIF and whether Woodstock was going to be put in a situation that it can't afford because fees are not guaranteed. She noted she has a lot of questions about the concept that these students may have issues and would be part of District 200 and not Crystal Lake. She feels there are too many unanswered questions and noted that (District 200 Superintendent) Mr. Moan did follow-up with her.

M. Turner informed Ms. Baltalbos that this TIF has nothing to do with the City of Woodstock and that it is not a City of Woodstock TIF but rather is a Village of Lakewood TIF.

Ms. Baltalbos stated the questions she presented to Mr. Moan and would like to be discussed include: 1) The formula that is used to determine impact fees, nothing she does not understand this; 2) the form for TIF Statutes as it relates to schools and bond holders; 3) the potential process for District 200 detachment; 4) annexation and the proceedings involved. She stated that Mr. Moan responded to her questions stating that this is complicated and he would need to confer with counsel, noting that she was unsure whether he met legal counsel or the Woodstock City Council.

Ms. Baltalbos stated some people are quite concerned about this because they feel we are getting the short end of the stick and requested this issue be put on a future agenda.

Mayor Sager stated that he is concerned there are individuals who need clarification and provided the following:

- 1) Mr. Turner is correct that the TIF being discussed is not a TIF proposal for the City of Woodstock, but rather for the Village of Lakewood which is a completely separate governmental body. He stated further that the City of Woodstock has nothing to do with this TIF or the distribution of these funds;
- 2) District 200 school district boundaries do extend beyond the City of Woodstock and they do extend to an area that is a portion of the Village of Lakewood. Rules and questions concerning this are School Board questions, however, and not associated with the City of Woodstock or municipal government;
- 3) The question of de-annexation is not with the City of Woodstock but rather with the property owners who could raise the issue. It is a question for them; whether they wish to be de-annexed from Lakewood. This is a question between Lakewood, District 200, and the families and is not a decision involving the City of Woodstock.

RB Thompson confirmed that school districting can be difficult to understand as a school district can include students from different zip codes and phone numbers, for instance, that do not correspond to the municipality.

Mayor Sager noted that he appreciates this is difficult to understand.

Jay Polakoff, 420 Dean Street, stated he has recently noticed things on the Square that are disturbing, including individuals sleeping on the benches and intoxicated individuals, which is a blemish on the community. He cited an incident that happened on Sunday when he and his wife went for a walk through the Square and witnessed six or seven vagrants, and also detailed incidents of unsavory behavior he has witnessed on and near the Square. He also stated that someone had attempted to reach into his wife's purse on one occasion while she was on the Square and stated all of these incidents happened within one week. He asked Council what specifically is being done to address this.

Mayor Sager stated he appreciates Mr. Polakoff bringing his concerns before the Council. He further stated City Council is aware of concerns expressed by the public and has had discussions about the relevant aspects of vagrancy, panhandling, and illegal activities, noting that these are certainly valid concerns. He stated that the City has tried to provide an increased Police and Public Works presence on the Square to try to manage the situations that occur between the various elements of the population. The occurrences have raised the public's concern and raised the City's efforts manage them. The Mayor went on to state that everyone must realize that the public Square is a public Square and everyone has a right to be in the public Square. The City cannot pick and choose who can and cannot be there. But, he stated, we do have a right and responsibility to expect these individuals to live within the laws of the community and acknowledged that there are challenges with this.

Mayor Sager stated that this evening Council is considering a couple of ordinances that will try to address some of these issues and that the City will continue to look at those opportunities, but that it is not as easy as one would expect. He gave the example of someone calling the Police Department to report public urination, noting that a Police Officer cannot do anything unless he or she witnesses the incident or the caller is willing to sign a complaint. The Mayor encouraged people who see something to report it and to be willing to sign a complaint, stating this is very important to the process. The Mayor further noted that the Police Department has cited individuals for drinking in public and this goes to the court and nothing is done. The City has had discussions with the Police Department and Counsel to see what more may be done. One suggestion has been to modify the park benches so they are not as comfortable for long periods of time. Another, which the City has done, is to play classical music out of the bandstand, which is not enjoyed by some individuals. He noted, however, that some of the residents on the Square have complained about this.

Mr. Polakoff stated he appreciates the efforts but feels this is a systemic issue that park benches won't help. He asked if an ordinance could be created to try to eliminate the problem and offered his assistance.

Mayor Sager stated we know there is a certain population that has been put into the public due to the closure of facilities which previously provided care and that this places a burden on all communities so the issue is not just here in Woodstock. He stated that some of these individuals have chosen Woodstock because we are the County seat, and the City has tried to make the Square an inviting place and it is inviting to all. This, however, presents a challenge to find the balance.

In response to a question from Mr. Polakoff as to how he can help, Mayor Sager noted that the Housing Authority, churches, and the Pioneer Center are trying to make inroads into a solution. He stated that municipal governments of Woodstock's size cannot, by law, expend taxpayers' dollars for social services, but that we, too, are trying to find answers.

M. Turner encouraged anyone who sees something to call the Police Department as they cannot be everywhere all the time. He further stated that the Council, the City Manager, and the Police

Department view this as an incredibly important issue but that we cannot just clear people from a public space per the Constitution unless their behavior warrants that action. He stated the City is looking for tools to address this. He reiterated, however, that the City cannot pick and choose who can use the Square but that illegal or offensive behaviors should be dealt with strongly. M. Turner continued saying that Council has directed the Police Department to be aggressive in its approach but the public must make the phone calls.

In response to a request from Mayor Sager to address the legal aspects of this issue, R. Schlossberg stated one of the issues involves some recent court rulings that involve the First Amendment and other rights. She also stated that the Department of Justice has stated that you cannot criminalize homelessness if you are not going to provide services. Also, she noted, loitering has First Amendment and freedom to gather considerations. She stated this is an evolving area of the law and reiterated the City Administration has been consulting with Counsel and discussing these issues for some time trying to come up with answers. Unfortunately, she said, there are no easy answers. She informed those present that the City is looking at models of other communities, but one such model was recently struck down by the court in just the past couple of weeks.

In response to a question from RB Thompson, Chief Lowen stated that photos would be evidentiary but the real problem is the Police Department can cite individuals and write tickets but nothing is done in the Courts as the individuals do not have the ability to pay and do not care if they are getting a ticket. Chief Lowen then stated that there are times when an individual is arrested four or five times in a day, because each time they are arrested, they are let go by the Courts, then re-arrested, and so forth.

Mayor Sager then described a program that is being looked at for repeat offenders. He also stated that the City is looking at whether we have the right to take more drastic steps.

Mr. Prolakoff thanked the Mayor and Council for their thoughts and time.

Allen Stebbins, 508 Dean Street, stated that he was recently shocked to observe one of the homeless individuals defecating on the Square and that he had never seen anything like this in his 28 years of living here. He then stated that this Saturday was the Art Tour with people coming to Woodstock from out of town and he observed a drug deal taking place on the sidewalk in front of his home. He stated he did call the Police, who interviewed the individuals and left without arresting them. He stated that he will continue to call the Police Department but how to handle it is not his problem. He does not feel he needs to witness this. He stated he will advise everyone he knows to call the Police Department if they see something and to take a photo.

Mayor Sager stated that this is a community problem that we all have to deal with so, yes, call the Police, take photos, and keep records but also realize that the Police Department has limited authority. He noted this is the law of the State of Illinois. Mr. Stebbins confirmed that he could file a complaint.

M. Turner stated he does not want to leave the impression that Council has asked the Police Department to be any less than aggressive in handling illegal activity or to hold back from getting a conviction, but that they are at the mercy of laws that are not passed or controlled by the City Council or the City of Woodstock.

M. Saladin noted that this same discussion has been held in Madison, Wisconsin, so this is not a problem unique to Woodstock. He also reminded those present that Council has discussed placing cameras on the Square and other fixes, stating the City must continue to address these issues and will within the law and what it permits.

Scott Mikalauski, 113 E. Donovan, Woodstock, spoke to offer his observations as he knows some of the individuals on the Square. He stated that this summer has been different, with a couple of new individuals who have been a bad influence on the others. It is his opinion that up until this summer, the balance has been good, but that the homeless are now having a difficult time and are listening to these new people. He stated he is encouraged that Council has stated they are working on the problems.

Mayor Sager stated the Police Department is aware of these individuals and noted that the Chief and Deputy Chief brought him a list of repeat offenses citing these individuals.

Mayor Sager then noted that just today he met with various agencies about how all can collectively address these problems. He stated he is also working with individuals from other communities and churches to try to see how all can work together to address the issues.

Mayor Sager stated the City will continue to address this within the law.

M. Turner urged Mr. Mikalauski to provide information to the City Manager or the Police Department and would like to hear his ideas or perspective.

Mayor Sager thanked all who came forward and spoke.

Don Hess, 225 Pleasant Street, Woodstock, stated he has observed individuals sleeping in a doorway of a business or a storefront and does not know what to do. He stated that with winter coming, this problem will move to the Library. He also stated he has seen drug deals take place in front of his house.

Council Comments

Mayor Sager welcomed and introduced the City's new Economic Development Director, Garrett Anderson, stating he is pleased that he has decided to join the City. He noted that Mr. Anderson comes from Branson, Missouri, working with Economic Development and Tourism. Mayor Sager continued stating he is very happy that he has come to Woodstock and is confident he will provide expertise and experience and fit nicely into the City of Woodstock team.

Mayor Sager then extended Council's thanks to Joe Napolitano for leading and providing oversight during the vacancy of the Economic Development Director position, serving as both Director of Building and Zoning and Director of Economic Development.

Mayor Sager then stated that Deputy Dwight Maness passed away yesterday as a result of gunshot wounds sustained in 2015, noting that we mourn the passing of this Army veteran and seven-year veteran of the McHenry County Sheriff's Department. He stated that the City's thoughts and prayers are with the Deputy's family.

CONSENT AGENDA

Motion by M. Saladin, second by RB Thompson, to approve the Consent Agenda.

Mayor Sager requested the removal of item E-3
RB Thompson requested the removal of item E-6

In response to a question from M. Larson, Chief Lowen stated it is currently planned to have one officer participate on the S.W.A.T. program, but may have two or three in the future, noting this would not impact staffing.

In response to a question from Paul Lockwood, 2001 Olmstead, R. Stelford stated the hours proposed for the Park in the Square to be closed are 11PM to 5AM, noting that, per the Ordinance, individuals will be allowed to traverse the Square during that time but may not remain in the Square for more than 15 minutes.

A roll call vote was taken on Consent Agenda items B through E-7, with the exception of items E-3 and E-6.

B. MINUTES OF PREVIOUS MEETINGS

September 1, 2015 City Council Workshop

C. WARRANTS: 3680 3681

D. MINUTES AND REPORTS:

Human Resources Department Report – August 2015

Plan Commission Minutes – April 23, 2015

Zoning Board of Appeals Minutes – July 13, 2015

Economic Development Commission Minutes – August 11, 2015

E. MANAGER'S REPORT NO. 53

1. A-6 Liquor Application Moratorium Waiver – Approval to waive the moratorium on the acceptance of applications for a Class A-6 License for 2400 Lake Shore Drive.

2. Enterprise Zone Board Appointments – Approval of the appointment of Councilman Mark Saladin and Larry O'Connor as the City of Woodstock representatives to the Enterprise Zone Administrative Board of the Harvard/Woodstock Enterprise Zone.

4. City Park House Amendment – Adoption of Ordinance 15-O-55, identified as Document No. 2, amending Chapter 2, Title 6, Public Ways and Property, of the Woodstock City Code to amend section 6.2.5B and add section 6.2.7 adding limited hours of operation for the Park in the Square and Sesquicentennial Park.

5. S.W.A.T. Team – Adoption of Resolution 15-R-22, identified as Document No. 3, authorizing the approval and execution of a Mutual Aid Agreement with the McHenry County Sheriff's Department regarding an inter-departmental S.W.A.T. Team.

7. Purchase of Copiers – Approval of the purchase of two copiers from Stan's Office Technologies for \$13,096 in accordance with the U.S. Communities purchase contract.

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

Item E-6 – Smoking Ban on the Square

Mayor Sager stated he requested removal of this item as it is a large enough policy decision to warrant comments and discussion. He stated he has received some comments already but wished to give the public an opportunity at this time.

Paul Lockwood, 2001 Olmstead, Woodstock, stated that in 2007, he and his wife met with the McHenry County Health Department in an effort to start a Smoke-free Woodstock campaign. Subsequently, Smoke-free Illinois was passed. He stated now he and his wife can go into any public building without worrying about smoke aggravating her asthma. He noted, however, that getting into the building without being exposed to second-hand smoke can be difficult because the 15-foot rule that is part of Smoke-free Illinois law is not being enforced.

Mr. Lockwood noted that the proposed Ordinance focuses on the Square, which is the area most frequented by the public and is the focal point of the city. He noted two concerns as the proposed Ordinance is written, however:

- 1) How can this ordinance realistically be enforced if the 15-foot law cannot be enforced? He asked if business owners will be responsible for summoning the Police Department. He asked if the Police Department will actively be looking for smokers. He asked if making the entire Square smoke-free will make it easier to enforce.
- 2) Why is there an exempt area designed for bar patrons? He asked if this 15-foot area will be more strongly enforced or will the City look the other way because it is an exempted area. He asked why a restaurant patron has to step away from an area while a bar patron does not. He asked why an exemption is being considered if we are looking to make this a smoke-free area. He asked if restaurant patrons can step outside a zone, why should this be a problem for bar patrons?

Mr. Lockwood stated if the enforcement issues can be addressed, the entire Square could be a welcoming, smoke-free environment.

Michael Stanard, 1524 Hillside Trail, Woodstock, stated that while it is illegal in Illinois to smoke within 15 feet of a doorway or other opening, the problem is that the Police Department has no authority to enforce this law. He noted that the results of the survey make it clear that the citizens approve of no smoking in the Park in the Square and he is in favor of including the peripheral area. Mr. Stanard stated that passing a City ordinance would aid in enforcement and absent an ordinance that includes the Park in the Square and peripheral area, this won't be accomplished.

Mr. Stanard stated he is concerned about how the City looks with cigarette litter and feels that this ordinance would discourage a lot of the unsavory people from visiting the Square.

Randy Tipps, 124 Newell, Woodstock, stated he appreciates the work the City Council and Police Department do in looking at all sides of the issues and thanked them for their work. Mr. Tipps then reviewed the various actions and discussions which have led to the proposed ordinance, including the placement of cigarette litter receptacles and the recent survey. He stated that he feels the survey did not get the opinion of the businesses. He then stated that 82% of the survey respondents were non-smokers which seems to indicate a bias. He noted that while the survey was distributed by mail, via the City website, and at City Hall, 36% of the survey responses came through "other" means and that while 10-40% of the respondents were against a ban, 82% were non-smokers. He also noted that while 63% of the respondents felt the businesses should be responsible for cleaning up the litter and 72% felt the City should be responsible, only 32% were willing to bear some financial responsibility for clean-up.

Mr. Tipps stated the Police Department has many important issues with which to concern themselves rather than enforcing a smoking ban. It is his opinion that the Police should focus on these more

important things, including those that have been discussed this evening, and doesn't think their valuable resources should be expended on smoking. Noting that the Smoke-free Illinois Act already creates a smoke-free zone, it is his opinion this should take care of the Square if it is enforced. He stated if we are having trouble enforcing this now, he doesn't see how a ban on the entire Square would improve enforcement.

In addition, Mr. Tipps stated it is unfair to exempt some businesses but not others and feels that most smokers are considerate.

Mr. Tipps stated he has never smoked but opposes this ban because he feels there is a bias and imposition on some businesses. Further, he stated he feels the current smoke-free law addresses the concerns expressed. He noted he does not have an issue with a ban inside the Square but asked for better signage.

There being no further public comment, Mayor Sager asked for comment from the City Council.

J. Starzynski agreed with Mr. Tipps, noting that to him this is a litter problem and does not feel this is the way to go about solving the issue. He further stated he is sensitive to the health issues, noting he participates in a bike ride that supports respiratory health. He feels, however, the ordinance is too heavy-handed, but would support a ban in the Park in the Square.

In response to a question from M. Saladin, R. Stelford stated the area being considered is the entire area outlined in red which would exempt a portion of Benton and East Judd streets. M. Saladin stated this is not reflected in the ordinance language.

Noting he has worked with the American Cancer Association and served on the Relay for Life Commission, M. Saladin stated the Council has a right to look at this area differently from others from a health and debris standpoint because it is a unique part of town. He stated he would look forward to hearing more about the area in blue as a start and knows there is a reason for the excepted area. He expressed agreement with a ban in the blue area with the exception included.

M. Turner stated he views this in terms of "why" is the Council looking at this issue which include:

- 1) Trash which is annoying to everyone;
- 2) Health of others, not of the smoker, but of others;
- 3) Image – how does this promote the image of Woodstock.

He stated that none of these things give him a reason to vote in favor of the ban at present. He stated his reason for favoring the ban would be as a tool for law enforcement against vagrancy. He noted this may be worth trying for the public good and stated Council needs to ask "does this, as a tool, warrant passage?" He stated he is willing to consider the green area but is concerned that we are turning people into criminals who are not criminals.

Again stating he would support the green area, M. Turner stated he would like to see a sunset provision so that Council may revisit the issue to review its effectiveness.

M. Larson noted the City already has a litter ordinance and would like more information on the enforcement of the 15-foot component of the Smoke-free Illinois Act. She stated she too is concerned with some of the bigger issues but feels this would not be a total fix and may possibly have unintended consequences, noting people will still gather where they can smoke and litter will gather there.

M. Larson would like to look at other communities to see whether anyone else bans smoking in public rather than just in parks and what the results have been. She stated she is not sure she is supportive of the ordinance without such investigation.

M. Larson stated another factor to consider is the City will be heavily recruiting businesses and restaurants and wondered whether a regional restaurant would like at this positively. She stated she would not like to make a decision until she knows the answer to this.

M. Larson stated she may agree with the green area because it is a park, but is not a yes vote for the blue or red areas at this time. She further stated she does not want to try to solve a huge problem with one small step.

RB Thompson stated that people have accepted not being able to smoke in bars. He asked whether people would be banned from smoking in cars if they were traveling through the Square. He stated he supports a ban in the green area.

Mayor Sager stated he appreciates the work staff has put into this issue and thanked all who spoke this event.

Mayor Sager then stated he is 50/50 on this issue, noting his opinion that government has a tendency to over-regulate. He further stated that it is difficult to regulate morality and health and knows there is an issue with enforcement. He does feel, however, that if this were passed, the Police Department is adept at making priorities and would not have a problem with prioritizing enforcement.

Mayor Sager noted there have been a lot of questions regarding enforcement. He stated this is enforceable by the Police Department but that it is very difficult to enforce if the businesses believe it is hampering business. The City could be more aggressive, but wished to get a sense of what the businesses wished to have us do. He stated the businesses might wish to limit smoking but do not wish to be the bad guy. He noted he appreciates all of the comments and concerns regarding the exempted area, but stated that in a way the City is carving out a portion of the community to say, "This is where you can't smoke."

In response to RB Thompson's comment, Mayor Sager asked for City Attorney Schlossberg's opinion on an individual smoking in a car in the Square. R. Schlossberg stated that nothing can be done about an individual smoking in a car in a non-smoking area as this is private property.

Discussion followed of the similarity between this issue and the school parking issue, where parking prohibitions near the high school pushed the issue onto streets farther out.

Mayor Sager stated that as much as some, perhaps most, smokers are responsible, some are not and are creating a serious litter problem for the community. He noted people expect the City to clean this up. He further stated he is in favor of providing the Police Department with tools to change behavior. He stated the City places great emphasis on the Square and has made improvements to it to try to attract people to the area, but the litter makes it unattractive.

Mayor Sager stated he is supportive of a sunset provision, revisiting the issue again in the future. He stated that it now seems to be a matter of how far Council is willing to go with the smoking ban and senses that a majority are will to support a ban in the green area with a sunset provision. Showing a map and describing the various areas, Mayor Sager asked if Council is interested in expanding the

ban to include the purple area and Main Street. This would basically include the Park in the Square, the sidewalks surrounding the Square, and Main Street.

Mayor Sager then proposed a 2-year sunset provision.

M. Turner stated he is supportive of a ban in the green area and may approve of expanding the area if the initial ban proves effective. He noted an expansion of the boundary could be proposed even before the sunset provision expires.

M. Larson noted there are no businesses present this evening speaking on the issue. For this reason, she stated, she proposes approving a ban in the green area and coming back in six months for reconsideration of expansion. During this time, staff could reach out to business owners.

J. Starzynski stated he is supportive of a ban in the green area with a sunset provision.

M. Saladin stated he would like to include the purple area from an enforcement standpoint and that this would be more effective.

RB Thompson stated he is in favor of the green area and would be in favor of the purple area if the City addresses the outside seating areas such as Starbucks.

Discussion followed of the 15 ft. rule and enforcement.

Arlene Lynes, owner of Read Between the Lynes, noted she formerly shared the building with Starbucks, stating there is a huge problem with smoking and loitering at that building creating a poor image. She was not afraid to say something to the people congregating and smoking there, but got tired to doing that over and over again. She also heard many comments from families coming into her store. She further stated when the smokers and loiterers do move away from that corner, they sit in front of the Opera House on the black railing. She feels it is a combination smoking and loitering problem that must be addressed. She also questioned what type of business will go into that building with that element present. She stated she feels that a ban against smoking on the sidewalks, if it is enforced, may clean up the downtown area, noting this is a first step in a larger problem. She stated that the community needs families to feel comfortable coming downtown and hears they are not.

Mayor Sager asked if Council is willing to look at a ban for Main Street also as it is an entrance to the Square. He noted that all of the bars and restaurants on Main Street have Benton Street access also.

M. Turner stated he feels a ban in the Park and the sidewalks would serve as a tool, but not on Main Street. It is his opinion that the problems are greater on the Square than on Main Street.

Mayor Sager noted that it is very similar on Main Street, with families going to the theater. In addition, it also applies that we are asking for this ordinance to provide business owners and the Police Department with a partnership for enforcement.

M. Turner stated that the description of the problem at Starbucks sounds similar to the problems on the Square and he does not feel that this is the same as the Main Street problem.

In response to a request from M. Saladin, Chief Lowen stated that he was under the impression that the Police Department could not enforce the 15 foot rule, but that it must be enforced by the Health

Department unless the City enacted a local ordinance. In response to a question from Mayor Sager, R. Schlossberg stated it is her believe that the Police Department can enforce the 15 foot rule, but will do some research.

Mayor Sager noted that if a local ordinance is passed, the Police Department would certainly have enforcement powers.

Paul Lockwood noted the American Lung Association states that the Health Department and local law enforcement both have enforcement powers. He stated a smoke-free area will be attractive to people and more people will come to the Square. He noted it is difficult for business owners to go out and ask individuals to not smoke.

Based upon Mayor Sager's suggestion it was the Consensus of Council that this item be postponed to a time specific, that being the next meeting on October 6, due to the magnitude of changes that have been suggested. Staff will then provide a report that will define the parameters of the area being considered and include a sunset provision which will give the opportunity for the public to understand exactly what is being proposed.

M. Saladin stated he would like to hear more comments from business owners, specifically the Public House and the owners of the new restaurant.

J. Saladin stated he is in favor of the purple area only and would consider expansion once it is determined if that works.

M. Larson stated she would like to be involved in signage.

M. Turner stated he would be supportive of the purple area and a sunset provision.

Mayor Sager asked if there were any further public comment.

A. Lynes noted that she just got home from vacation and came to the meeting as a result of seeing a message from J. Napolitano concerning discussion of this issue at this meeting. She noted that other businesses did have notification and an opportunity to voice their opinions.

In response to a question from Mayor Sager, Council was in agreement that the ordinance be amended to clarify the area to include the purple area plus Main Street and to include a one-year sunset provision, noting that this could be amended as desired.

Motion by M. Turner, second by M. Saladin, to postpone this discussion of a smoking ban within the parameters discussed and agreed to by consensus to the October 6, 2015 City Council meeting.

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

Item E-6 – Award of Contract – Sheriff's House Window Replacement

RB Thompson stated he would prefer to see steel windows used in the jailhouse because that is what was originally there. He noted he recognizes the HPC did allow the aluminum choice. In response to questions from RB Thompson concerning the unit pricing of tuck pointing and lintel replacement, N. Baker stated it would not be known how many lintels would need replacing or the amount of tuck-pointing until the plaster is removed, stating the area may need to be expanded beyond the scope of

the project.

In response to a question from M. Turner, N. Baker stated that based upon his research, Gary Anderson prefers aluminum for durability and functionality and that aluminum offers the best seal and is more energy efficient. She stated the windows will be double paned.

Discussion followed of which option would cost less, with N. Baker describing the bids.

In response to a question from M. Larson, N. Baker stated the recommended bidder did the work in the building in which Gary Anderson has his offices and has done work on a number of buildings in Rockford.

Mayor Sager noted the recommendation is to award the bid to the lowest qualified bidder which includes the work in the base bid, alternate 1 and alternate 3. RB Thompson noted there would be additional for tuck pointing and lintel replacement.

In response to a question from RB Thompson, N. Baker stated CMM and Associates is located out of Rockford and is not owned by Gary Anderson.

Motion by M. Turner, second by J. Starzynski, to award the bid for the Sheriff's House and Jail window restoration and replacement project to the lowest qualified bidder, CMM and Associates/Intcon, in the amount of \$160,789.11, which includes the work in the base bid, alternate 1 and alternate 3 and the bid price of \$14.50 for tuckpointing and \$488.50 for lintel replacing for areas requiring additional restoration work.

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

DISCUSSION ITEMS

New City Website Presentation

IT Manager Dan McElmeel and Executive Assistant Cindy Smiley unveiled the new City website to the City Council.

D. McElmeel detailed for Council the technical improvements that makes the new site more user-friendly and allows the City to provide more information and include new, innovative features.

C. Smiley walked Council through the site including the home page which features banners and photos providing information and highlighting the beauty of Woodstock. She stated it is hoped to use the website not only to provide information, but also to get Woodstock's message out to the Public.

C. Smiley then highlighted the five main sections of the site, including *Our Residents*, *Welcome Visitors*, *Your Government*, *Doing Business*, and *How Do I?* She called attention to subsites within each main section, particularly the Minutes, Agendas, and Packets subsite, noting that it is searchable as is the entire site, and Transparent Government, which was created using guidelines provided by the Illinois Policy Institute.

C. Smiley noted that the site was the work of the staff of the Office of the City Manager and staff members from each of the City's departments.

The site was positively received by the City Council.

FUTURE AGENDA ITEMS

There were no items added to the further agendas.

ADJOURN

Motion by M. J. Starzynski, second by M. Larson, to adjourn this meeting of the Woodstock City Council to the next regularly scheduled meeting on Tuesday, October 6th, 2015, at 7:00 PM in the Council Chambers at City Hall. Ayes: M. Larson, M. Saladin, Joseph Starzynski, RB Thompson, M. Turner, and Mayor Sager. Nays: None. Absentees: D. Hart. Abstentions: None. Meeting adjourned at 10:06PM.

Respectfully submitted,

Cindy Smiley
City Clerk