

MINUTES
WOODSTOCK CITY COUNCIL
June 17, 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, June 17, 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, Director of Public Works Paul Ruscko, Dir. of Economic Development Cort Carlson, Grant Writer Terry Willcockson, Library Circulation Manager Pam Moorhouse, Assistant Director of Public Works Jeff Van Landuyt, Deputy Chief John Lieb, Recreation Director Dave Zinnen

OTHERS PRESENT: City Clerk Dianne Mitchell

FLOOR DISCUSSION:

Public Comments

No comments from the public.

Council Comments

M. Larson stated that she is recruiting for the Summer in the Park event being held July 18th -20th. She asked that any Council members interested in volunteering to please let her know.

Mayor Sager stated that this is the initial annual celebration for the City of Woodstock who has been without a unique community event because we continue to be host to so many events in the County. He noted that we will continue to encourage organizations and events to take place on the Square and Emricson Park but we also wanted an identifiable event for the City of Woodstock to celebrate our community. He reported that they have established the Summer in the Park celebration in concert with Gavers Barn Dance. He stated that it is July 18th-20th and noted that they look forward to seeing a great turnout from the community.

CONSENT AGENDA:

Motion by J. Dillon, second by M. Turner to concur with Consent Agenda Items A – D2, D4-D7.

- J. Starzynski removed Item D3
- M. Turner removed Item D8
- M. Saladin removed Item D9

A. MINUTES OF PREVIOUS MEETINGS:

June 3, 2014 Regular Meeting

B. WARRANTS: 3619 3620

C. MINUTES AND REPORTS

Community and Economic Development Report – April 2014
Zoning Board of Appeals Minutes – February 10, 2014
Library Board Minutes – May 1, 2014

D. MANAGER'S REPORT NO. 26

- 1. Liquor Code Amendment** – Approval of Ordinance 14-O-39 amending Title 3, Chapter 3, Liquor Control of the Woodstock City Code, creating and authorizing issuance of a Class E-1 liquor license to Lone Star Enterprises LLC d/b/a Munch!
- 2. Police Vehicle Purchase** – Approval of the purchase of one Ford Utility Interceptor Police SUV through the Northwest Municipal Conference Suburban Purchasing Cooperative plus the purchase and installation of any necessary equipment for a total price not to exceed \$30,000.
- 4. Leaf Machine Purchase** – Approval of waiver of the requirement for competitive bidding and the purchase of one Spartan Leaf Pro Plus from Bonnell Industries, Inc. in the amount of \$64,704.
- 5. Autumn Ridge Storm Sewer Design** – Approval of a professional engineering services proposal from Hampton, Lenzini and Renwick, Inc. to provide preliminary and design engineering services for the Autumn Ridge Overflow Improvements project for a not-to-exceed fee of \$14,867.
- 6. Complete Streets Policy**– Approval of Ordinance 14-O-40 adopting the City of Woodstock Complete Streets Policy.
- 7. Peace Park/Labyrinth Agreement** - Adoption of Resolution 14-R-14 approving an agreement between the City of Woodstock, the Bull Valley Garden Club, and School District 200's Challenge Corps Program for the construction, maintenance and operation of a Children's Peace Park and Labyrinth to be constructed at Dick Tracy Way Park.

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

Item D3 Garbage Contract Extension – Adoption of an Ordinance approving an extension of the City's garbage contract with MDC Environmental.

J. Starzynski stated that the seven year plan seems to him like a very significant benefit and savings to the residents of Woodstock. He reported that he was at a Defenders board meeting last night where he found out that Marengo Disposal has begun collecting polystyrene foam. He advised that throwing it into the landfill is to him a really bad practice. He stated that he would like if something can be done to convince Marengo Disposal in this contract not to accept polystyrene foam and allow us someone to recycle it. He stated that he does not want to postpone it but he wants somebody to say something to them about not collecting polystyrene and throwing it into a landfill. R. Stelford advised that Staff will work with the contractor to see what can be done.

M. Larson stated that the City encourages people to pay water bills online so it seems silly to change the billing so that the City is sending out envelopes as part of the garbage contract. R. Stelford stated that it is part of the contract but noted that it is a benefit the City can potentially give to the residents

because they can still pay the garbage and water bill online through the City. He advised that the City can send the bill via email versus sending a paper bill. He reported that they are still sending out quite a few postcards because residents have to sign up for the e-bill; noting that they have to give the City not only their email address but they have to approve that it is the way they want to accept it. He reported that MDC is just going to provide the price break if the City takes on the billing. M. Larson stated that she wasn't talking about sending the bill but sending the envelope seems silly.

P. Christensen stated that as part of the agreement it is actually a separate deal and his plan is to bring that to Council next month. He advised that if Council doesn't want to go that route it doesn't affect this contract. He advised that what he was proposing in this was to move away from the postcards as there are a number of problems with the postcards. He stated that he secured a proposal from a company that would outsource the billing for the City and basically provide a return envelope for the convenience of the resident for the same price what the City is paying to produce the postcards. He noted that by the City taking on the garbage, he is able to secure enough funds to pay for it. He stated that he will go back to the vendor to see if there is a price reduction if we didn't include an envelope.

M. Saladin questioned if there has been any public input relative to Marengo Disposal Services. R. Stelford advised that P. Christensen serves as the liaison now and noted that in his past experience with it they we received minimal complaints about MDC Services. He stated that they do get some complaints but in every case MDC has always bit the bullet and sided with the resident and backed the City by providing good customer service which is the reason why the City doesn't get a lot of complaints. P. Christensen agreed.

M. Saladin questioned if there was an analysis of other providers. R. Stelford advised that the City did an RFP 4-5 years ago and noted that when MDC approached them they were able to provide a specific price in order to secure the extension. He advised that when Staff went out to the marketplace they ended up with higher costs from all the providers. He stated that the City went from the bag program to the sticker program which he thinks isn't a negative for the community. He advised that they feel they have a very competitive price now in comparison to other communities.

R. Stelford reported that Woodstock isn't a perfect comparison to a lot of other communities who have gone to toter only. He advised that Woodstock is committed to the sticker and toter program where you basically pay for the amount of garbage you produce and it would definitely have an impact on the senior population and those that heavily recycle if we decided to go to a toter only type of program. He noted that there aren't a lot of communities out there using our system.

Mayor Sager stated that there has been a lot of discussion over the years about whether or not the municipality wanted to go to a toter only program but it has always come back to the idea that we have a number of senior citizens who do not generate enough garbage to warrant forcing them to go to a toter. He stated that they tried to create a convenience relative to moving away from the printed identifiable bags to the use of the common sticker which seems to have been received well.

Mayor Sager stated that over the course of the contract with MDC they have done a remarkable job in terms of their upfront service and their responsiveness to additional concerns. He is very supportive of a long term contract and is incredibly pleased with the fact that the municipality is able to continue the toter option program. He believes it is most appropriate, since the City bills for water and sewer, to add garbage on which has created a greater efficiency opportunity for the City with the contract. He is pleased with the bulk item service the municipality is receiving under this program. He feels very positive about the program and he thinks it stacks up well with other communities in terms of the comparisons knowing that we want to maintain the bag option.

M. Saladin agreed and stated that it is important to let everyone know about the bulk item that will be provided as part of the contract. He stated that the one thing he has a problem with is the option for the additional cost in exchange for the \$15,000 for the toilet rentals and noted that when he is taking his garbage out he isn't thinking of paying for a different type of a service. R. Stelford advised that they view it as an offset in a way because Staff intends on coming to Council with the billing and modifying the billing. He stated that they knew there was \$0.50 there if the City were to take on billing so that negates the \$0.10 for potential increase.

P. Christensen advised that if the Council chooses not to go with an outsourcing of the billing process, the City can still do garbage billing in-house on postcards; they're not contingent upon each other. He stated that they are moving over the porta-potty service to the garbage bill but because the City is taking the billing inside. R. Stelford stated that MDC has more economies of scale than the City to get much lower prices on those types of services and by pushing it to them they came in with a better price so ultimately the residents save in a variety of different ways.

Mayor Sager stated that it is hard to communicate but noted that the savings is real and we do need to communicate it to the residents maybe using the City Scene or in a mailing. M. Larson suggested putting it on the web site. MDC representatives advised that they can put it on their web site as well.

Motion by J. Starzynski, second by M. Turner to adopt Ordinance 14-O-41 approving an extension of the City's garbage contract with MDC Environmental. A roll call vote was taken. Ayes: J. Dillon, M. Larson, Mayor Sager M. Saladin, J. Starzynski, RB Thompson, M. Turner. Nays: None. Absentees: None. Abstentions: None. Motion carried.

Item D8 Prevailing Wage Ordinance – Approval of an Ordinance establishing prevailing wage requirements for the City of Woodstock.

M. Turner stated that if those of Council that voted against the ordinance last time vote for it this time it is because they are being coerced into doing so. He stated that it is a garbage law, it is inappropriate in its execution by the State, but failing to vote for it puts the City of Woodstock at financial and functional risk so his interest is protecting the City of Woodstock. He believes it is the worst vote that he takes from a conscience perspective every single year and noted that he vehemently disagrees with it but he will be voting yes for it.

Mayor Sager acknowledged the degree of difficulty in passing this ordinance on an annual basis because he thinks many of us are very concerned with the prevailing wage laws within the State of IL and what that forces in terms of costs upon the municipality and therefore the residents and therefore the increase in taxes. He expressed gratefulness for the fact that Council members were willing to voice their concerns. He stated that this is beyond the scope of Council's capacity; this is not the venue and noted that the venue is the State Legislature.

Mayor Sager stated that the Council of Governments in McHenry County is working as a legislative unit to try to change the Prevailing Wage laws and invited Council members and the public to work with them in those strong lobbying efforts. He stated that this is the venue for us to provide our distaste for the law, but Council is required by law and the oath to uphold the laws of the State of IL.

M. Larson stated that this law is costing taxpayers a whole lot more. She believes all the Council members would like to lower taxes if they could and this is one of the things that makes it difficult. She advised that the law lists wages that City has to pay for public improvement projects for different

professions. She referenced the machinist example that she reviewed at the prior Council meeting. M. Turner stated that it is costing the City of Woodstock \$400,000-\$600,000 extra a year. M. Larson stated that if Council doesn't pass this law the City takes too big of a hit, but she thinks we need to beat the drum and spread the word because pressure has to be put on Springfield.

Motion by Mayor Sager, second by J. Dillon to approve Ordinance 14-O-42 establishing prevailing wage requirements for the City of Woodstock.

M. Saladin stated that he voted yes at the last meeting based on the reasons outlined by the Mayor, but noted that he understands where M. Turner and M. Larson are coming from and he wholeheartedly agrees that lobbying efforts has to go forward noting that if 80-90% of the municipalities in the State vote no maybe there would be some attention. He thinks it is a fruitless act for Council with possible repercussions and he thinks that Council's hands are tied.

M. Turner stated that Councils' hands are tied but they took an oath to uphold the Constitution of the State of IL but also the Constitution of the United States and in his uninformed opinion he doesn't believe this is the intention of the people who framed our constitution. He is for a little act of defiance and advised that if he was at the end of the vote he would be happy to throw a "no" behind it because he thinks this law is this bad and we need to take a stand against it if you disagree with it.

Mayor Sager stated that Council is required by law to pass an ordinance but he encouraged them to spend their time and effort lobbying in Springfield. He stated that we have to take ourselves to Springfield and express our dismay in this and that is the invitation he extends. He believes that if Council did it as a united City Council and others started to do it there would be some action taken.

J. Dillon questioned if it is a State of IL requirement and M. Turner advised that it is other states as well. M. Larson stated that she can't explain how the rates are arrived at and noted that she used Bureau of Labor statistics. Mayor Sager advised thinking about the types of monies that we are requesting from Springfield to assist with the improvements to Rt.14 and Rt. 47 and look at the additional costs associated with those major projects due to this law.

Andrew Celentano, 2116 Greenview Dr, Woodstock stated that he did research and advised that there are 22 states that don't have a prevailing wage law. He stated that the law has a foundation during the Civil War and it was amended in the early 30's but these have changed since then. He stated that going there alone will not happen for them in Springfield and noted that you we need to go down with a mob of mayors and/or council people. He stated that Council are the stewards of my money and the State is saying toss it away.

M. Larson stated that it isn't just councils and mayors and M. Turner advised that it needs to be broader than that. He stated that through our lobbying efforts we have been pushing and will continue to push but it will not get changed in this state until there is a majority of people that say this should not stand and force change. He stated that he thinks it is broader but noted that they we will do their efforts. A. Celentano stated that Council made a noise which is better than not making a noise and he congratulated M. Turner for doing that.

Bill Batjes, 510 Leah Lane, Woodstock asked if they contacted Jack Franks or Pam Althoff. Mayor Sager affirmed and stated that they concur that it is a challenge, but it is equally a strong challenge with State Legislature relative to other groups within the State of IL that are strongly supportive of the prevailing wage which is predominantly the labor units. Mayor Sager advised that they are in

team conversations with our local representatives and senators to identify the fact that this is a challenge for local units of government and the state as a whole.

B. Batjes questioned if they could talk to Pam or Jack about having a town meeting. M. Sager advised that they have a legislative meeting tomorrow with the Council of Governments and he is confident that it will be raised again.

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

Item D9 Hotel/Motel Tax Funding – Authorization of disbursement of \$46,500 in Hotel/Motel Tax Funds to various applicants as indicated.

M. Saladin stated that Council is pleased to provide some funds to our local groups that help with tourism in the city. He questioned the presentation which appears to be very much Staff-centric and stated that he is looking for a little more review relative to the applicants and what they do.

Mayor Sager stated that the Hotel/Motel Tax in the City of Woodstock, which was an opportunity presented by the State, can only be imposed if the funds that are generated are going towards bringing more individuals into the community. He stated that at the early stages of the program, the City was taking requests and trying to give out as much money as it could but it was problematic because there wasn't any structure or points for consideration or evaluation. He advised that they went through the effort to establish a review opportunity so that the Council would be able to work with Staff to identify the impact of the various events that were requesting funding. He reviewed the two tiers and matrix involved with the process and noted that the matrix reviews whether the event has local, regional, state or national type of impact.

Mayor Sager stated that he knows that sometimes the groups are requesting higher levels but we don't have the funding to go that way so many of these have peaked according to the top of range opportunity of the matrix. He doesn't recommend altering or revisiting the matrix until there is an increased track record of greater revenue from the hotel/motel tax. He advised that there is an evaluation and noted that the organizations are required to provide a report.

M. Larson stated that she would like to see the reports in their packets. R. Stelford stated that they used to include it but it was a lot of paper so they changed it to say that it is available upon request. Mayor Sager suggested it could be something sent to Council in advance as an informational item.

Mayor Sager thanked those in attendance and expressed gratefulness for the incredible investment they have made in the City of Woodstock and for the efforts that are significant in terms of commitment of time, finances and talents to make the wonderful events happens. He stated that the events and opportunities that we have for visitors to come to the City of Woodstock are important not only economically but represent a part of our character. He thanked them for following the process and procedures as Council looks at the distribution of the tax funds. He stated that it is their sincere hope to be able to generate additional revenue from the tax and be able to appropriately distribute and provide them with increased opportunities.

Keith Johnson, Woodstock Farmers Market, 1319 IL Rt. 47, Woodstock, expressed on behalf of the Woodstock Farmers Market their appreciation for the years of support.

Jaki Berggren, McHenry County Convention and Visitor's Bureau now known as Visit McHenry County, 10813 Cape Cod Lane, Huntley, expressed their sincere thanks for the many years of support they have received from the City of Woodstock.

Carol Obertubbesing, 421 W. Jackson, Woodstock expressed thanks on behalf of the Woodstock Folk Festival Board for their support. She stated that they have made use of it by advertising around the area. She reported that when she goes to national music conferences, Woodstock has really established a name for itself. She advised that they have performers that keep asking to come back; they love being here and the love our community. She stated that it is a joy to be a part of the community and thanked them for making it such a wonderful place for them and their performers.

Mark Schiffer, 249 Valley Hill Rd, Bull Valley, stated that he is on the Woodstock Opera House Commission representing the Mozart Festival and thanked Council for their support. He stated that they are in their 28th year and emphasized that their audience for the most part does not come from Woodstock so a few beds in the motels are utilized and many restaurants are utilized. He stated that they hope they are recognized as part of what is fabulous about Woodstock.

Rick Bellairs, 1403 Moraine Dr, Woodstock, stated that on behalf of the Woodstock Groundhog Day Committee, thank you for their support with the hotel/motel tax dollars but more importantly the overall support of the City throughout the weekend in the winter; the support of the Staff, the Police Department and the Woodstock Opera House.

Kathryn Lopprino, 668 W. South St., Woodstock, expressed thanks on behalf of the Chamber of Commerce for the hotel/motel tax dollars and support from the City.

Mayor Sager stated that Woodstock has a really strong reputation for being a great community with so many different types of things and noted that Woodstock was recently recognized as the second most exciting city in the State of IL. He assured them that they will continue to pledge their support not only in terms of funding but through the police, Public Works and community event coordination; continue to work together to make good things happen.

Motion by M. Saladin, second by RB Thompson to authorize disbursement of \$46,500 in Hotel/Motel Tax Funds to various applicants as indicated. A roll call vote was taken. Ayes: J. Dillon, M. Larson, Mayor Sager M. Saladin, J. Starzynski, RB Thompson, M. Turner. Nays: None. Absentees: None. Abstentions: None. Motion carried.

DISCUSSION ITEMS:

10. Quarterly Financial Reports – Transmittal of the following financial reports for the Quarter ending April 30, 2014:

- a) Fourth Quarter Revenues and Expenditures Report
- b) Fourth Quarter Investment Report

M. Turner stated that the performance noted in the document especially with the winter we had is exceptionally good from an expense management perspective and he congratulated Staff for keeping watch on the resources of the community. He questioned where the \$600,000 difference between revenue and expense goes and R. Stelford advised that it goes as a surplus in the fund balance.

P. Christensen stated that right now they are including police pension into the report and noted that the \$600,000 is really in the police pension fund. He stated that the contribution that is paid to the

police pension fund for member contributions is done as a transfer not as an expense so it distorts the picture a little bit. He advised that his idea in the future is to pull the police pension out of the performance reviews and present it separately to show it better.

M. Turner agreed that it would be a great idea and stated that he would never be afraid in P. Christensen's role to present this not only in the accounting manner but also in the layman's version. He stated that he would like to know in general one year to the next, what covered the loss or where the extra went. He stated that he has talked before about understanding and driving toward the bottom line for the organization and if he sees a \$600,000 surplus personally he thinks people should be congratulated and rewarded which is a different discussion, but he knows that it isn't what happened and noted that that is the layman's he would like to see.

11. Scheduling of Special Meeting to discuss concerns expressed by the downtown merchants.

M. Turner stated that there were concerns raised by a few individuals that he felt warranted Council addressing and he believes there has been attention given to the areas and issues that they described by Roscoe, Police and Staff to help with it. He suggested that the interaction they have with businesses either on the Square or elsewhere maybe a little less formal and more along the lines of a social gathering, a quasi social gathering, or something at Stage Left where Council is there as individuals but can interface one on one or in small groups with members of the business community to create a connect that is not as formal or rigid. He suggested considering gauging the interest of folks on the Square and elsewhere in the City in having an informal social gathering that Council commits to attending not as body but as individual Council members.

Mayor Sager stated that he is grateful to Cort, Roscoe and Joe, who have gone out, and the Police Department and Public Works who have made some significant efforts in response to expressed concerns. He stated that we have to realize human nature and that we all like to have attention paid to us sometimes. He believes there is a need to make an effort to go out and acknowledge and express appreciation for the investments people have made into our community and ask what they can do to continue to accommodate and facilitate their continued interest and needs.

Mayor Sager stated that he wants to caution Council because one of the things that is a challenge is that things seem to be separated, there is the Square but the business community is made up more of the Square and our economic viability includes all of our businesses and many of them are Rt. 47 as well as our industrial business community so we don't want to make an opportunity for one group. He concurred with having a softer, more inviting type of approach to dialog versus an established panel type of meeting; he believes it will be more effective.

M. Larson agreed and stated that it is intimidating perhaps and maybe someone has a little issue that they don't feel warrants an Opera House meeting. She stated that if they can figure out a way around the Open Meetings Act to make it work she would support taking that approach. Mayor Sager stated that as long as they post whatever they do then they are ok.

M. Saladin agreed. J. Dillon agreed and stated that it is better to go to the businesses as opposed to making them come to Council. J. Starzynski agreed and stated that he is on the Square but for some Council members it might be difficult to get out and see them individually. Mayor Sager encouraged Council members to go out as well but noted that perhaps they identify an informal reception opportunity and he asked Staff to give it some consideration toward the latter part of the summer.

M. Turner stated that it should be the broader community and noted that he doesn't want to contact them one on one. He stated that he is thinking, subject to the requirements of Open Meetings Act, for it to be softer, a little less formal, to where concerns big and small can be voiced individually either one on one or in small groups but at a given time and given venue that is posted. J. Dillon stated that it is similar to the visioning session they had a few years ago.

Mayor Sager asked Staff to work on it and come back to the Council with a proposal. Council conceded. M. Larson suggested the sooner the better.

FUTURE AGENDA ITEMS

In response to J. Dillon's question regarding the wireless agreement, R. Stelford stated that Council authorized a contract for maintenance on the wireless system that maintains the wireless fire alarms and Staff is looking at potential vendors.

M. Saladin expressed appreciation for the tour of the dome and stated that it is eye-opening and when you are that close to that structure you realize why the City had to do what it had to do.

ADJOURNMENT:

Motion by M. Larson, second by RB Thompson, to adjourn the regular meeting of the City Council the next Regular Meeting on July 16, 2014. Ayes: J. Dillon, M. Larson, Mayor Sager M. Saladin, J. Starzynski, RB Thompson, M. Turner. Nays: None. Absentees: None. Abstentions: None. Motion carried.

Meeting adjourned at 8:12 PM.

Respectfully submitted,

Dianne Mitchell - City Clerk