

**MINUTES OF THE COMMITTEE OF THE WHOLE COMMITTEE MEETING OF
THE CITY COUNCIL OF THE CITY OF COLUMBIA, ILLINOIS HELD MONDAY,
MARCH 25, 2019 IN THE COUNCIL ROOM OF CITY HALL**

I. CALL TO ORDER

Chairman Ebersohl called the Committee of the Whole committee meeting of the City Council of the City of Columbia, Illinois to order at 7:00 P.M.

Upon Roll Call, the following members were:

Present: Committee Members - Chairman Ebersohl and Aldermen Agne, Niemietz, Roessler, Huch, Reis, Holtkamp, and Martens. Mayor Hutchinson was also present.

Absent: None.

Quorum Present.

Administrative Staff Present: City Administrator James Morani, City Engineer Chris Smith, EMS Chief Kim Lamprecht, Accounting Manager and Acting City Treasurer Linda Sharp, Chief of Police Jerry Paul, Deputy Chief of Police Jason Donjon, and Deputy Clerk Kelly Mathews.

Chairman Ebersohl stated the meeting was called for the purpose of discussing: (1) Approval of Minutes from the March 11, 2019 Committee of the Whole Meeting; (2) Public Comments; (3) Hometown Heroes Banner Program; (4) Request for Zoning Map Amendment – Sunset Overlook; (5) FY 2019-2020 Budget: Administration, Capital Development Fund, MFT Fund, TIF Fund, Revolving Loan Fund, and Fee Schedule; (6) Other Items to be Considered; and (7) Executive Session – 5 ILCS 120/2(c)

(Agenda Item (3) Hometown Heroes Banner Program was discussed prior to (2) Public Comments.)

II. APPROVAL OF MINUTES FROM THE MARCH 11, 2019 COMMITTEE OF THE WHOLE MEETING

MOTION:

It was moved by Alderman Martens and seconded by Alderman Reis to approve the minutes of the Committee of the Whole Meeting of the City Council of the City of Columbia, Illinois held Monday, March 11, 2019. Upon roll call vote, Chairman Ebersohl and Aldermen Agne, Niemietz, Roessler, Reis, Huch, Holtkamp, and Martens voted yea.

MOTION CARRIED.

III. PUBLIC COMMENTS

Chairman Ebersohl offered citizens a time to speak on topics related to City business regardless if it's on the agenda. He stated this meeting was not a public hearing nor a question and answer session.

Maria Renner commented in support of Sunset Overlook stating there should be a better understanding on Columbia's zoning, especially Sunset Overlook's area

Glenn Stumpf spoke in favor of Sunset Overlook stating restricting them in any way would be harmful for their business.

Helen Csik spoke in full support of Sunset Overlook being rezoned from C-1 to C-2 stating it's a wonderful addition to Columbia.

Cathy Fern has watched the remodel of Sunset Overlook and supports the rezoning.

Dan Meran commented in support of rezoning Sunset Overlook.

Shari Smugala addressed the Committee in support of Sunset Overlook. Ms. Smugala has read the minutes and Sunset Overlook has always been clear with the City on what they wanted and were advised C-1 zoning. Ms. Smugala also stated all other bars in Columbia are C-2 and it's not fair to treat Sunset Overlook differently.

Kris Brower spoke on behalf of herself, Bruce Freeland, Cindy Huseman, Paul Galeski and Tim Dewald (all are neighbors bordering Sunset Overlook). They are the group of residents that have filed a lawsuit to require zoning be enforced. Ms. Brower addressed the Committee opposing Sunset Overlook being rezoned. Ms. Brower stated a timeline of events where Sunset Overlook has negatively affected them.

Keith Renner addressed the Committee regarding Sunset Overlook. Mr. Renner asked if they were in the wrong from the beginning why weren't they stopped? He also questioned what is "downtown abbey" and will they have the same issues if they have outdoor entertainment? He explained he feels Sunset Overlook has been misinformed from the beginning.

Julie and Pete Ingold, owners of Sunset Overlook, spoke to the Committee stating they are limited to what they can say because of the pending litigation. Mr. Ingold said they have attended 30 meetings to ensure they were compliant with the City and were never issued violations after they opened. Mr. and Mrs. Ingold would like to move forward with the rezoning request to C-2 to have flexibility and offer music outside. Mr. Ingold said they would happily agree to condition any transition with certain restrictions that the property cannot be transitioned to any unwanted C-2 businesses in the future.

Natalie Lorenz introduced herself as the attorney representing Ms. Brower, Mr. Galeski, Mr. DeWald, Mr. Freeland and Ms. Huseman. Ms. Lorenz then covered in detail the eight (8) factors under the law to consider when a zoning change is appropriate:

- Existing uses and zoning of nearby property – all surrounding property within city limits is residential
- Extent of diminished property value – hardship cannot be self-created and the owners had full knowledge of the zoning of the property when purchased
- Promotion of public health, safety and welfare

- Relative gain to public
- Suitability of the subject property for the zoned purpose – supposed to benefit the local neighborhood and the property lacks public sanitary sewer service
- Length of time property vacated
- Communities need for the proposed use – Columbia has bars and restaurants with live music
- Care with which the community taken to plan it's development – stated these issues are the reason the City hired Scott Dunakey and also referred to Columbia's Comprehensive Plan

Chris Basler spoke in support of Sunset Overlook being rezoned stating things change for the better.

Tom Smugala stated he's continually heard false statements concerning Sunset Overlook. He also mentioned even if Sunset Overlook would have continued with opening a bakery, they would have needed to be zoned C-2.

IV. HOMETOWN HEROES BANNER PROGRAM

Janet Janson representing the American Legion addressed the Committee with concerns about the Hometown Heroes Banner Program. Ms. Janson stated the American Legion started the Hometown Heroes Banner program in 2018. At that time, the City hung 80 banners on Main Street free of charge. When Ms. Janson inquired about hanging an additional 18 banners, she was told it would cost \$40 per banner to be hung. She was under the assumption this would be done free of charge by the City and didn't have \$40 budgeted into the price of the banners. Ameren then donated time to hang the 18 banners in Bolm-Schuhkraft Park. Ms. Janson currently has 10 banners waiting for production and is before the Committee to inquire what the fee will be and does the fee apply to each time a new banner needs hung.

Mayor Hutchinson asked if there's a timeframe a banner has to be displayed. Ms. Janson replied there is no time restriction unless the banner is in poor condition. The American Legion then would make the decision to remove the banner and contact the owner of the banner to inquire about purchasing a replacement. Mayor Hutchinson then explained the City was under the impression there would be only the 80 banners available for purchase, after those 80 banners were sold there would be a waiting list for any banners purchased later.

Mayor Hutchinson suggested DOPW come up with a time of the year when DOPW is slowest and would be available for annual maintenance. If a situation would arise that a banner needed to be replaced immediately, the Legion would be responsible for paying for cost of labor. Mr. Morani stated that staff will follow up with Ms. Janson.

V. REQUEST FOR ZONING MAP AMENDMENT – SUNSET OVERLOOK

Chairman Ebersohl opened discussion for the Committee. The following discussion was had:

- Previous Director of Community Development suggested the property be zoned C-1 because it's the most restrictive commercial zoning
- Sunset Overlook owners' were in agreement with the zoning at the time
- If the property does not get rezoned to C-2, Sunset Overlook will not be shut down

City Administrator James Morani said that city staff recommends the City Council consider amending the code to add ancillary entertainment as a permitted use in C-1. This can be referred to Plan Commission for discussion. Mr. Morani said, when making zoning decisions, the City cannot do so by referenda. The City must consider the rights of all the affected parties.

It was moved by Alderman Huch and seconded by Alderman Reis to recommend to City Council approval of the request to change zoning from C-1 to C-2 for property located at 11604 Bluff Road. Upon roll call vote, Chairman Ebersohl and Aldermen Agne, Niemietz, Roessler, Reis, Holtkamp, and Martens voted nay. Alderman Huch voted yea. **MOTION FAILED.**

VI. FY 2019-2020 BUDGET: ADMINISTRATION, CAPITAL DEVELOPMENT FUND, MFT FUND, TIF FUND, REVOLVING LOAN FUND, AND FEE SCHEDULE

Accounting Manager and Acting City Treasurer Linda Sharp updated the Committee on FY 2019-2020 Budget.

Ms. Sharp presented the General Fund administration budget first. Two (2) new revenue accounts were added. The new accounts are for reimbursements from the DEA for police department equipment and SRO, and an account for reimbursements from Columbia Community Unit School District No. 4 for an SRO.

Ms. Sharp stated the sales tax account will increase by 2%; she calculates the income taxes amount based off Illinois Municipal League's (IML) recommendation which is \$100.75 per resident (Columbia has 10,868 residents) and use tax amount is based off the IML recommendation as well and is \$31.71 per resident.

City Administrator James Morani handed out a memo explaining where the City plans to distribute funds from the Revolving Loan Fund. One-time expenditures include storm sewer and drainage improvements, concrete replacement, codification services, additional Historic Main Street Columbia Association funding, and City Hall renovations (third floor).

Ms. Sharp explained General Fund revenue increased transfer from the Capital Development Fund by \$25,000.

Ms. Sharp explained expenses in the General Fund including salary in Administration and Clerk's Office have increased by \$12,000; the increase is due to adding the

Treasurer's salary into this line item. Ms. Sharp stated the expense for special legal services increased by \$55,000 due to cell tower litigation. Professional Services - IT Support costs Administration an additional \$35,000 and is split between Administration and the Water and Sewer departments. Building and improvements is budgeted at \$30,000 which is carpet and paint costs for City Hall's third floor renovation. The ambulance transfer is higher than in the past at \$346,000. Ms. Sharp is expecting the ambulance transfer amount to decrease if the ambulance department is awarded the interest-free loan and with an increase in ambulance fees.

The total increase for the General Fund budget over the FY 2018-2019 Budget is 5.04%.

Included in the General Fund budget is the Police Department and EMS Department budgets. Ms. Sharp stated the City wants the projected deficit below \$300,000, so Mr. Morani and Ms. Sharp asked the Police and EMS departments to remove some of their requested items in the proposed budget.

Ms. Sharp reported on the Water and Sewer departments stating the water rates will be increasing by 5.28%, which is a result of an increase from the Metro East Municipal Joint Action Water Agency. The Water and Sewer department's overall operating budget will decrease by 5.9%; this is due to the large projects completed in FY 2018-2019.

In summary, the FY 2019-2020 draft budget shows a less than 1% increase from the FY 2018-2019 Budget.

Ms. Sharp updated the Committee on the Motor Fuel Tax (MFT) Fund. Ms. Sharp stated she increased the MFT Budget by 1%. City Engineer Chris Smith explained expenses that will be included in the MFT Budget. There are FY 2018-2019 projects that IDOT has not yet invoiced the City. Those invoices will be paid from the FY 2019-2020 Budget. FY 2019-2020 projects include Main Street Streetscape Phase II, Main Street (Whiteside to Jefferson) resurfacing, and Quarry Road resurfacing.

Ms. Sharp briefly discussed the Tax Increment Financing (TIF) Budget stating there was a 1% increase. Mr. Smith explained projects that will be completed in FY 2019-2020. These projects include the Stormwater Mitigation and Wetlands project, Valmeyer Road improvements, Bolm-Schuhkraft Connector Trail, Middle School Trail, and Carl Street Bridge Replacement.

Mr. Morani distributed a memo regarding proposed adjustments to the fee schedule for FY 2019-2020. Adjustments include a 2% sewer rate increase, 5.28% water rate increase, 2.1% refuse and recycling rate increase, increasing EMS fees (to be discussed at the April 8th committee meeting), striking "residential" in Section 18.30 (Inspection Fees), and streamlining the business license fee process by charging \$25 per license.

VII. OTHER ITEMS TO BE CONSIDERED

Alderman Niemietz inquired when spring limb pick up is scheduled. She asked City Engineer Chris Smith if a leaf pick up could be scheduled in the spring since there has been an increase in leaf burning recently.

X. EXECUTIVE SESSION – 5 ILCS 120/2(c)(5)

Chairman Ebersohl inquired if there was a need to go into Executive Session. There was none.

IX. ADJOURNMENT

MOTION:

It was moved by Alderman Reis and seconded by Alderman Agne to adjourn the Committee of the Whole committee meeting of the City Council of the City of Columbia, Illinois held Monday, March 25, 2019 at 9:10 P.M. Upon voice vote, Chairman Ebersohl and Aldermen Agne, Niemietz, Roessler, Huch, Reis, Holtkamp, and Martens voted yea.

MOTION CARRIED.

Minutes taken by:



Chairman Gene Ebersohl
Committee of the Whole



Kelly Mathews, Deputy Clerk