

**MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF COLUMBIA,  
ILLINOIS HELD MONDAY, JULY 20, 2009 IN THE COUNCIL ROOM OF CITY HALL**

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**I. CALL TO ORDER**

Mayor Hutchinson called the City Council of Columbia, Illinois to order at 7:03PM. Upon Roll Call, the following members were:

<b>Ebersohl</b>	<input checked="" type="checkbox"/> Present	<input type="checkbox"/> Absent	<b>Hejna</b>	<input checked="" type="checkbox"/> Present	<input type="checkbox"/> Absent
<b>Agne</b>	<input checked="" type="checkbox"/> Present	<input type="checkbox"/> Absent	<b>Oberkfell</b>	<input checked="" type="checkbox"/> Present	<input type="checkbox"/> Absent
<b>Niemietz</b>	<input checked="" type="checkbox"/> Present	<input type="checkbox"/> Absent	<b>Stumpf</b>	<input type="checkbox"/> Present	<input checked="" type="checkbox"/> Absent
<b>Row</b>	<input checked="" type="checkbox"/> Present	<input type="checkbox"/> Absent	<b>Roessler</b>	<input checked="" type="checkbox"/> Present	<input type="checkbox"/> Absent

Quorum Present.

Administrative Staff Present:

<input checked="" type="checkbox"/> City Clerk Ron Colyer	<input checked="" type="checkbox"/> City Administrator Al Hudzik
<input checked="" type="checkbox"/> City Attorney Tom Adams	<input type="checkbox"/> Chief of Police Joe Edwards
<input checked="" type="checkbox"/> Building Inspector Al Holden	<input type="checkbox"/> City Treasurer Bob Naumann
<input checked="" type="checkbox"/> City Engineer Ron Williams	<input checked="" type="checkbox"/> Director of Economic Development Paul Ellis
<input checked="" type="checkbox"/> Fire Chief Mike Roediger	<input checked="" type="checkbox"/> Deputy Chief of Police Jerry Paul
<input type="checkbox"/> Deputy CEMS Director Ken Buss	<input checked="" type="checkbox"/> Accounting Manager Linda Sharp

The Council recited the Pledge of Allegiance.

**II. READ AND APPROVE MINUTES**

A. The minutes of the Regular Meeting of the City Council held Monday, July 6, 2009 were submitted for approval.

MOTION:

It was moved and seconded to approve the minutes of the Regular Meeting of the City Council held Monday, July 6, 2009, as on file at City Hall.

Moved by: Row                                      Second: Roessler                                      Vote: Roll Call

Ebersohl	Yea	Row	Yea	Stumpf	
Agne	abstain	Hejna	Yea	Roessler	Yea
Niemietz	Yea	Oberkfell	Yea		

Motion Carried    6 To 0 with one abstention

B. The minutes of the Executive Session of the City Council Meeting held Monday, July 6, 2009 were submitted for approval.

MOTION:

It was moved and seconded to approve the minutes of the Executive Session of the City Council Meeting held Monday, July 6, 2009, as on file at City Hall.

Moved by: Niemietz                                      Second: Ebersohl                                      Vote: Roll Call

Ebersohl	Yea	Row	Yea	Stumpf	
Agne	abstain	Hejna	Yea	Roessler	Yea
Niemietz	Yea	Oberkfell	Yea		

Motion Carried    6 To 0 with one abstention

**III. DELEGATIONS**

A. John Traube - Designation of Columbia as a Play City USA in 2009

Mr. Traube, chairman of the Columbia Play Commission, addressed the Council and announced that Columbia has been designated as a Playful City USA Community. Columbia is one of only 39 cities in the Country to receive the designation and is the only city in the St. Louis metropolitan area to receive the honor.

Mr. Traube also announced that Columbia's first Play Day will be held on September 19<sup>th</sup> in Bolm-Schuhkraft Park.

B. Columbia Woman's Club Park Committee

A delegation from the Columbia Woman's Club Park Committee was recognized for their maintenance of municipal planting beds at City Hall Fountain, Public Safety Complex, Bolm-Schuhkraft Park, and Fiege House. They have been caring for plantings since 1968. Members present of the Park Committee included Chairman Grace Volkert, Carol Fries, Shirley Langhans, Dee Steppig, Norma Raeber, JoAnne Odem and Charlotte Hoock.

IV. REPORT OF DEPARTMENTS/OFFICERS

A. Library Report - Monthly Report

The monthly report of the Library was presented to the City Council.

B. Police Department & Communications - Monthly Report

The monthly report of the Police Department and Communications was presented to the Council.

C. EMS Department - Monthly Report

The monthly report of the EMS Department was presented to the Council.

D. Fire Department - Monthly Report

The monthly report of the Fire Department was presented to the Council.

In addition, Chief Roediger submitted bid specifications for Masonry work to be done at the City's Firehouse and sought direction from the Council.

MOTION:

It was moved and seconded to direct Chief Roediger to proceed with the bid process with the intent of completing the masonry work.

Moved by: Oberkfell	Second: Agne	Vote: Roll Call			
Ebersohl	Yea	Row	Yea	Stumpf	
Agne	Yea	Hejna	Yea	Roessler	Yea
Niemietz	Yea	Oberkfell	Yea		

Motion Carried 7 To 0

E. Building and Zoning Department - Monthly Report

The monthly report of the Building and Zoning Department was presented to the Council.

F. Community & Economic Development

The monthly report of the Community & Economic Development was presented to the Council.

1. Minutes of Civic Progress Committee - May 11, 2009
2. Minutes of Heritage & Preservation Commission - May 26, 2009
3. Minutes of Play Commission - June 30, 2009
4. Follow-up on Lease for Western Egyptian Senior Services  
Director Ellis noted that he has had discussions with Western Egyptian and the Traube property owners regarding the Senior Services Site and will bring a lease document to the next Building Committee meeting.
5. Lease Agreements for Oak Street Community Building - Update  
Director Ellis reported that he has met with tenants at the Oak Street Building and hopes to bring lease agreements to the Council in August.
6. Request from Jay Huetsch regarding items from Miller-Fiege Home  
A request from Jay Huetsch regarding items left at the Miller-Fiege Home was presented by Director Ellis. He indicated to the Council that he is reviewing the request and would like to discuss the request at a future committee meeting.
7. Ordinance Establishing Tourism Committee  
An ordinance to establish and appoint members to the Tourism Advisory Committee for the city of Columbia was discussed by Council members and the Mayor. A motion to establish the committee was made by Alderman Oberkfell and seconded by Alderman Ebersohl. However, after considerable discussion, Alderman Agne withdrew the second and Alderman Oberkfell withdrew his motion and no official action was taken on the ordinance.

G. City Engineer/Department of Public Works - Monthly Report

1. City Engineer's Report

The monthly report of the City Engineer/Department of Public Works was presented to the Council.

2. Resolution to Utilize MFT Funds for Maintenance

City Engineer Ron Williams reported that the MFT Program for the current fiscal year is in order and has been finalized.

MOTION:

It was moved and seconded to pass Resolution No. 08-2009, A Resolution for Maintenance of Streets and Highways by Municipality under the Illinois Highway Code (MFT Resolution).

Moved by: Ebersohl            Second: Roessler            Vote: Roll Call

Ebersohl	Yea	Row	Yea	Stumpf	
Agne	Yea	Hejna	Yea	Roessler	Yea
Niemietz	Yea	Oberkfell	Yea		

Motion Carried      7 To 0

3. Acceptance of Proposal for Root Control in Sanitary Sewer Lines

City Engineer Williams reported that he has been in contact with Duke Root Control regarding work to eliminate roots in certain lines in the City's sanitary sewer system. Duke's estimated cost for the project is \$3,596.58 and that work is to include 2,262 feet of eight inch clay sewer pipe that have roots in them.

MOTION:

It was moved and seconded to accept the proposal from Duke's Root Control to treat 2,262 feet of sewer pipe for the elimination of roots for a cost of \$3,596.58.

Moved by: Row                                      Second: Ebersohl                                      Vote: Roll Call

Ebersohl	Yea	Row	Yea	Stumpf	
Agne	Yea	Hejna	Yea	Roessler	Yea
Niemietz	Yea	Oberkfell	Yea		

Motion Carried      7 To 0

4. Approval of 50/50 Sidewalk Application for 323 S. Main

It was moved and seconded to approve the 50/50 Sidewalk Application for 323 S. Main for removal and replacement of sidewalk as reviewed by and found acceptable by the Public Works Department and at a cost to the City of \$1,380.

Moved by: Ebersohl                                      Second: Row                                      Vote: Roll Call

Ebersohl	Yea	Row	Yea	Stumpf	
Agne	Yea	Hejna	Yea	Roessler	Yea
Niemietz	Yea	Oberkfell	Yea		

Motion Carried      7 To 0

5. Breidecker Street Discussion

Mr. Williams gave the Council an update on street construction in "old-town" and suggested that the City could give citizens a temporary bypass for traffic during the construction work being done on Cherry Street. After some discussion it was moved and seconded to construct a temporary rock street to provide a bypass for motorists during the Cherry Street construction project.

Moved by: Row                                      Second: Roessler                                      Vote: Roll Call

Ebersohl	Yea	Row	Yea	Stumpf	
Agne	Yea	Hejna	Yea	Roessler	Yea
Niemietz	Yea	Oberkfell	Yea		

6. Meyer Lake Subdivision

Mr. Williams indicated that he had been contacted by Greg Meyer regarding information pertaining to the proposed Meyer Lake Subdivision. Mr. Meyer, who was also at the meeting and subsequently addressed the Council, requested approval of the subdivision plat at the meeting. Mr. Williams, with agreement from City Attorney Tom Adams, indicated that the information received regarding the subdivision plat had come to him on short notice and that he had not had the opportunity to organize the information. Mr. Adams also indicated that he had just received the plat and supporting data and had not had an opportunity to review it. Mr. Adams also indicated to the council that on occasion in the past when there is a special need to have a subdivision plat approved before the City Engineer and the City Attorney had an adequate opportunity to review it, the council has assigned an ordinance number to the ordinance and voted to conditionally approve the ordinance subject to the subdivider complying with the recommendations of the City Engineer and the City Attorney.

The Council determined that it would wait for a presentation from Mr. Williams and Mr. Adams before taking action on the subdivision.

H. Plan Commission Meeting Minutes -July 13, 2009

The Plan Commission Meeting Minutes of July 13, 2009 were presented to the Council.

I. City Attorney

The City Attorney's report was presented to the Council. Much of the City Attorney's report coincided with the passing of Ordinance No. 2732.

1. Ordinance to Regulate Truancy in the City of Columbia

Deputy Chief of Police Jerry Paul addressed the Council and explained the proposed ordinance and the rationale and planning for its submittal. Aldermen Oberkfell and Hejna asked that the ordinance be tabled and referred to committee for further discussion. After a lengthy debate on the issue, involving all present aldermen and the mayor, the Council acted as follows:

MOTION:

It was moved and seconded to approve Ordinance No. 2732, An Ordinance to Regulate Truancy in the City of Columbia, Illinois.

Moved by: Ebersohl                      Second: Niemietz                      Vote: Roll Call

Ebersohl	Yea	Row	Nay	Stumpf	
Agne	Yea	Hejna	Nay	Roessler	Yea
Niemietz	Yea	Oberkfell	Nay		

Motion Carried      4 To 3

J. Administration Department

The report of the Administration Department was presented to the Council.

MOTION:

It was moved and seconded to accept the report of all Departments and Officers as presented.

Moved by: Agne                      Second:      Row                      Vote: Roll Call

Ebersohl	Yea	Row	Yea	Stumpf	
Agne	Yea	Hejna	Yea	Roessler	Yea
Niemietz	Yea	Oberkfell	Yea		

Motion Carried      7 To 0

V. CLAIMS & ACCOUNTS

A. Vouchers to be Paid

Accounting Manager Linda Sharp answered several queries from Council Members Hejna and Oberkfell regarding accounts payable items on the City's voucher list.

MOTION:

It was moved and seconded to authorize the payment of vouchers received through July 16, 2009; the total amount of the vouchers to be paid is one hundred eighty-eight thousand, nine hundred thirty-seven dollars, and thirty-five cents (\$188,937.35).

Moved by: Roessler                      Second: Oberkfell                      Vote: Roll Call

Ebersohl	Yea	Row	Yea	Stumpf	
Agne	Yea	Hejna	Nay	Roessler	Yea

Niemietz Yea Oberkfell Yea

Motion Carried 6 To 1

B. Statement of Funds

The Statement of Funds report was presented to the Council

MOTION:

It was moved and seconded to approve the Statement of Funds report as presented.

Moved by: Roessler Second: Row Vote: Roll Call

Ebersohl Yea	Row Yea	Stumpf
Agne Yea	Hejna Yea	Roessler Yea
Niemietz Yea	Oberkfell Yea	

Motion Carried 7 To 0

VI. OLD BUSINESS

VII. NEW BUSINESS

VIII. REPORT OF STANDING COMMITTEES

A. Municipal Buildings, Property and Capital Improvements

Minutes of the Municipal Buildings, Property and Capital Improvements Committee meeting held Monday, July 13, 2009 were presented to the Council for approval.

MOTION:

It was moved and seconded to approve the bid of Lakeside Roofing of \$34,087 for the Police Department roof replacement.

Moved by: Oberkfell Second: Agne Vote: Roll Call

Ebersohl Yea	Row Yea	Stumpf
Agne Yea	Hejna Yea	Roessler Yea
Niemietz Yea	Oberkfell Yea	

Motion Carried 7 To 0

MOTION:

It was moved and seconded to approve the minutes of the Municipal Buildings, Property and Capital Improvements Committee meeting held Monday, July 13, 2009 as presented and on file at City Hall.

Moved by: Oberkfell Second: Ebersohl Vote: Roll Call

Ebersohl Yea	Row Yea	Stumpf
Agne Yea	Hejna Yea	Roessler Yea
Niemietz Yea	Oberkfell Yea	

Motion Carried 7 To 0

B. Committee of the Whole

Minutes of the Committee of the Whole Committee meeting held Monday, July 13, 2009 were presented to the Council for approval.

MOTION:

It was moved and seconded to recommend to the City Council that (1)City Administrator Hudzik contact the Meadow Ridge West Condominium Association to

inform them that the City will consider their proposal to enter into an agreement to enforce traffic, parking and other regulations within the Meadow Ridge West Condominium Association, provided the Association agrees to reimburse the City for any expenses it incurs for City Attorney Tom Adams to review the proposed agreement and make the changes he feels are necessary; and (2) said proposed agreement be presented to the Committee of the Whole for their review.

Moved by: Ebersohl      Second: Niemietz      Vote: Roll Call

Ebersohl	Yea	Row	Yea	Stumpf	
Agne	Yea	Hejna	Yea	Roessler	Yea
Niemietz	Yea	Oberkfell	Yea		

Motion Carried 7 To 0

MOTION:

It was moved and seconded to recommend to the City Council to rename Parkview Drive and Edelweiss Street to Veterans Parkway.

Moved by: Ebersohl      Second: Niemietz      Vote: Roll Call

Ebersohl	Yea	Row	Yea	Stumpf	
Agne	Yea	Hejna	Yea	Roessler	Yea
Niemietz	Yea	Oberkfell	Yea		

Motion Carried 7 To 0

MOTION:

It was moved and seconded to approve the minutes of the Committee of the Whole Committee meeting held Monday, July 13, 2009 as presented and on file at City Hall.

Moved by: Ebersohl      Second: Roessler      Vote: Roll Call

Ebersohl	Yea	Row	Yea	Stumpf	
Agne	Yea	Hejna	Yea	Roessler	Yea
Niemietz	Yea	Oberkfell	Yea		

Motion Carried 7 To 0

C. License, Insurance Claims, CEMA, and Contracts

Minutes of the License, Insurance Claims, CEMA, and Contracts Committee meeting held Monday, July 13, 2009 were presented to the Council for approval.

MOTION:

It was moved and seconded to recommend to the City Council to go out for health insurance bids.

Moved by: Roessler      Second: Ebersohl      Vote: Roll Call

Ebersohl	Yea	Row	Yea	Stumpf	
Agne	Yea	Hejna	Yea	Roessler	Yea
Niemietz	Yea	Oberkfell	Yea		

Motion Carried 7 To 0

MOTION:

It was moved and seconded to approve the minutes of the License, Insurance Claims, CEMA, and Contract Committee meeting held Monday, July 13, 2009 as presented and on file at City Hall.

Moved by: Roessler      Second: Ebersohl      Vote: Roll Call

Ebersohl	Yea	Row	Yea	Stumpf	
Agne	Yea	Hejna	Yea	Roessler	Yea
Niemietz	Yea	Oberkfell	Yea		

Motion Carried 7 To 0

D. Personnel

Minutes of the Personnel Committee meeting and Executive Session of the Personnel Committee meeting held Monday, July 13, 2009 were presented to the Council for approval.

MOTION:

It was moved and seconded to recommend to the City Council that the labor counsel's letter of December 19, 2008 be accepted and used as the basis of the City's response to the EEOC.

Moved by: Ebersohl                      Second: Niemietz                      Vote: Roll Call

Ebersohl	Yea	Row	Nay	Stumpf	
Agne	Yea	Hejna	Nay	Roessler	Yea
Niemietz	Yea	Oberkfell	Nay		

Motion Carried 4 To 3

MOTION:

It was moved and seconded to approve the minutes of the Executive Session of the Personnel Committee meeting held Monday, July 13, 2009 as presented and on file at City Hall.

Moved by: Niemietz                      Second: Roessler                      Vote: Roll Call

Ebersohl	Yea	Row	Yea	Stumpf	
Agne	Yea	Hejna	Yea	Roessler	Yea
Niemietz	Yea	Oberkfell	Yea		

Motion Carried 7 To 0

MOTION:

It was moved and seconded to approve the minutes of the Personnel Committee meeting held Monday, July 13, 2009 as presented and on file at City Hall.

Moved by: Niemietz                      Second: Roessler                      Vote: Roll Call

Ebersohl	Yea	Row	Yea	Stumpf	
Agne	Yea	Hejna	Yea	Roessler	Yea
Niemietz	Yea	Oberkfell	Yea		

Motion Carried 7 To 0

**IX. CALL FOR COMMITTEE MEETINGS - JULY 27, 2009**

- 7:00 PM - Committee of the Whole/Parks Committee
- 7:10 PM - Municipal Building, Property & Capital Improvements
- 7:20 PM - Streets, Sidewalks, Drainage & Public Utilities
- 7:30 PM - License, Insurance Claims, CEMA and Contracts
- 7:40 PM - Finance, Claims, Bonds and Interest
- 7:50 PM - Personnel

**X. EXECUTIVE SESSION**

A. Possible Litigation

Mayor Hutchinson informed the Council that he would entertain a motion to go into Executive Session to discuss litigation when an action against, affecting or on



behalf of the particular public body has been filed and is pending before a court or administrative tribunal, or when the public body finds that an action is probable or imminent, in which case the basis for the finding shall be recorded and entered into the minutes of the closed meeting.

MOTION:

It was moved and seconded to direct the Mayor to go into Executive Session at 9:25 PM to discuss litigation when an action against, affecting or on behalf of the particular public body has been filed and is pending before a court or administrative tribunal, or when the public body finds that an action is probable or imminent, in which case the basis for the finding shall be recorded and entered into the minutes of the closed meeting.

Moved by: Row		Second: Roessler		Vote: Roll Call	
Ebersohl	Yea	Row	Yea	Stumpf	
Agne	Yea	Hejna	Yea	Roessler	Yea
Niemietz	Yea	Oberkfell	Yea		

Motion Carried 7 To 0

MOTION:

It was moved and seconded to return to Regular Session of the City Council at 9:40 PM.

Moved by: Niemietz		Second: Roessler		Vote: Roll Call	
Ebersohl	Yea	Row	Yea	Stumpf	
Agne	Yea	Hejna	Yea	Roessler	Yea
Niemietz	Yea	Oberkfell	Yea		

Motion Carried 7 To 0

Upon return to Regular Session, Aldermen Ebersohl, Agne, Niemietz, Row, Hejna, Oberkfell, Roessler and Mayor Hutchinson were present.

Mayor Hutchinson inquired if there was any business to be brought before the Council as a result of the Executive Session.

MOTION:

As a result of discussions in executive session, it was moved and seconded to instruct attorney Mark Weisman to file the Council's response as presented and accepted and to be used as the basis of the City's response to the Equal Employment Opportunity Commission.

Moved by: Niemietz		Second: Ebersohl		Vote: Roll Call	
Ebersohl	Yea	Row	Nay	Stumpf	
Agne	Yea	Hejna	Nay	Roessler	Yea
Niemietz	Yea	Oberkfell	Nay		

Motion Carried 4 To 3

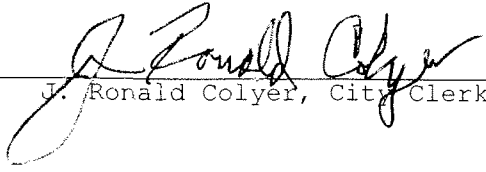
**XI. ADJOURNMENT**

MOTION:

It was moved and seconded to adjourn the Regular City Council Meeting held Monday, July 20, 2009 at 9:48 PM.

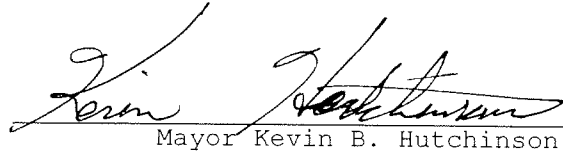
Moved by: Row		Second: Ebersohl		Vote: Roll Call	
Ebersohl	Yea	Row	Yea	Stumpf	
Agne	Yea	Hejna	Yea	Roessler	Yea
Niemietz	Yea	Oberkfell	Yea		

Motion Carried 7 To 0



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J. Ronald Colyer, City Clerk



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Mayor Kevin B. Hutchinson