

ORDINANCE NO. 2517

NOV 20 2006

**AN ORDINANCE TO APPROVE THE FINAL SUBDIVISION
PLAT FOR THE BRELLINGER FIRST ADDITION
SUBDIVISION IN THE CITY OF COLUMBIA, ST. CLAIR
COUNTY, ILLINOIS**


City Clerk

WHEREAS, the Owner/Developer of the "Brellinger First Addition Subdivision", being a subdivision of the Southeast Quarter of the Southeast Quarter of Section 4, Township 1 South, Range 10 West of the Third Principal Meridian, in the City of Columbia, County of St. Clair and State of Illinois has completed and filed with the City Clerk the necessary five (5) copies of the final subdivision plat for the subject subdivision as required by Section 34-3-17 of the City of Columbia, Illinois (the "City") Subdivision Code;

WHEREAS, Section 34-3-1, Subsection (C), and Section 34-5-18, Subsection (B), of the City's Subdivision Code allows the subdivider of a subdivision in the City to post a performance guarantee secured by cash escrow, Insurance Bond or Letter of Credit to guarantee completion of construction of all the capital infrastructure improvements required for the subdivision within two (2) years of the date of final plat approval in lieu of having constructed the infrastructure improvements and said improvements having been inspected by the City, approved for dedication by the City and dedicated to the City prior to final subdivision plat approval;

WHEREAS, the Owner/Developer of the "Brellinger First Addition Subdivision", the Brellinger Land Trust, (the Trustee of said trust being Dennis R. Brand), has constructed most of the capital infrastructure improvements for the subdivision and has provided to the City a Performance Guarantee Letter of Credit issued by First National Bank of Waterloo in the principal amount of \$15,238.91, same being 125% of the estimated costs to complete the capital infrastructure improvements for the subdivision within the time frame the Subdivision Code requires;

WHEREAS, the subdivision Owner/Developer, Brellinger Land Trust, has paid to the City Clerk the required fees for City Attorney and Acting City Engineer's fees for plat approval as is made and provided for in, and required by, Section 18.55.001 of the City's Salaries and Fees Ordinance No. 2454, enacted April 3, 2006; and,

WHEREAS, all the requirements of the statutes of the State of Illinois and the ordinances of the City (including Sections 34-3-22 and 34-3-23 of the City's Subdivision Code) relative to the platting and subdivision of property in the City have been complied with by the Brellinger Land Trust as the Owner/Developer of the proposed Brellinger First Addition Subdivision.

NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of Columbia, Illinois, as follows:

Section 1. The recitals contained above in the preamble of this Ordinance are hereby incorporated herein by reference, the same as if set forth in this Section of this Ordinance verbatim, as findings of the City Council of the City of Columbia, Illinois.

Section 2. The subdivision plat entitled "Brellinger First Addition Subdivision", being a subdivision of part of the Southeast Quarter of the Southeast Quarter of Section #4, Township 1 South, Range 10 West of the Third Principal Meridian, St. Clair County, Illinois, which is more particularly described as follows, to wit:

A part of the southeast quarter of the southeast quarter of Section # 4, Township 1 South, Range 10 West of the Third Principal Meridian, St. Clair County, Illinois, being more particularly described as follows:

Commencing at an old concrete monument which marks the northeast corner of Tax Lot # 2 of the said Section # 4, referencing Page # 29 of the 'Surveyor's Official Plat Record-A', a part of the public record in the Monroe County Recorder's office; thence on assumed bearing of South 89 Degrees, 33 Minutes, 45 Seconds East and along the north line of the southeast quarter of the southeast quarter of said Section # 4, a distance of 576.38 feet and to an iron bar marking the northeasterly corner of "Brellinger" subdivision, the final plat for which is on file in the Monroe County Recorder's office as Document # 283607, in Envelope # 2-173A, being the Point of Beginning for the herein described tract; thence continuing along the said north quarter-quarter section line, South 89 Degrees, 33 Minutes, 45 Seconds East, a distance of 118.84 feet and to an old iron bar; thence departing the north quarter-quarter section line, South 01 Degrees, 20 Minutes, 45 Seconds West, a distance of 75.25 feet to an old iron bar; thence South 89 Degrees, 35 Minutes, 24 Seconds East, a distance of 633.69 feet and to an old iron bar; thence South 00 Degrees, 23 Minutes, 40 Seconds West, a distance of 943.60 feet and to an iron bar set at the most easterly north corner for the above-referenced "Brellinger" subdivision; thence along the northeasterly bounds of the same for the following courses and distances, North 49 Degrees, 55 Minutes, 53 Seconds West, a distance of 976.75 feet and to a concrete monument at the common rear corner for Lots # 21 and # 22 of the "Brellinger" subdivision; thence North 00 Degrees, 28 Minutes, 08 Seconds East, a distance of 395.52 feet and to the Point of Beginning, containing 11.11 acres, more or less.

is hereby approved and the Mayor is hereby authorized to sign the certificate on the plat acknowledging the City's approval of the plat and the City Clerk is hereby authorized and directed to attest the same and affix thereto the corporate seal of the City.

Section 3. This Ordinance shall be in full force and effect from and after its passage, as provided by law.

Alderman Ebersohl moved the adoption of the above and foregoing Ordinance; the motion was seconded by Alderman Huch, and the roll call vote was as follows:

YEAS: Aldermen Ebersohl, Agne, Niemietz, Unnerstall, Koesterer, Huch and Mayor Hutchinson.

NAYS: None.

ABSENT: Aldermen Conrad and Row.

ABSTENTIONS: None.

PASSED by the City Council and APPROVED by the Mayor this 20th day of November, 2006.



KEVIN B. HUTCHINSON, Mayor

ATTEST:


WESLEY J. HOEFFKEN, City Clerk

(SEAL)

MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF COLUMBIA,
ILLINOIS HELD MONDAY, NOVEMBER 20, 2006 IN THE COUNCIL ROOM OF CITY HALL

I. CALL TO ORDER

Mayor Hutchinson called the City Council of Columbia, Illinois to order at 7:00 PM.

Upon Roll Call, the following members were:

Present: Aldermen Ebersohl, Agne, Niemietz, Unnerstall, Koesterer, and Huch.

Absent: Alderman Conrad and Row.

Quorum Present.

Administrative Staff Present: City Clerk Wes Hoeffken, City Attorney Tom Adams, City Administrator Anthony Traxler, Chief of Police Joe Edwards, Assistant Fire Chief Jim Broshears, City Engineer Ron Williams, Assistant to City Engineer/Director of Public Works Larry Kremmel, City Treasurer Bob Naumann, and City Auditors Gene Schorb and Jim Schmersahl.

The Council recited the Pledge of Allegiance.

II. APPROVAL OF MINUTES

The minutes of the Regular Meeting of the City Council held Monday, November 6, 2006 were submitted for approval.

Corrections were forwarded to Mr. Hoeffken.

MOTION:

It was moved by Alderman Unnerstall, and seconded by Alderman Niemietz, to approve the minutes of the Regular Meeting of the City Council held Monday, November 6, 2006, as amended and on file at City Hall. Upon Roll Call vote, Aldermen Ebersohl, Agne, Niemietz, Unnerstall, Koesterer, and Huch voted yea. Motion Carried.

III. DELEGATIONS

There were no delegations present.

IV. REPORT OF OFFICERS

A. Police Department

The report of the Chief of Police was presented to the Council

MOTION:

It was moved by Alderman Ebersohl, and seconded by Alderman Agne, to accept the report of the Chief of Police as presented. Upon Voice vote, all Aldermen present voted yea. Motion Carried.

B. Ambulance Director

The monthly report of the Director of the Columbia Emergency Medical Service was presented to the Council.

MOTION:

It was moved by Alderman Koesterer, and seconded by Alderman Ebersohl, to accept the report of the Ambulance Director as presented. Upon Voice vote, all Aldermen present voted yea. Motion Carried.

C. Fire Department

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

MOTION:

It was moved by Alderman Ebersohl, and seconded by Alderman Koesterer, to accept the report of the Fire Department as presented. Upon Voice vote, all Aldermen present voted yea. Motion Carried.

D. Plan Commission

The report of the Plan Commission was presented to the Council.

MOTION:

It was moved by Alderman Agne, and seconded by Alderman Unnerstall, to accept the report of the Plan Commission as presented. Upon Voice vote, all Aldermen present voted yea. Motion Carried.

E. Administration Department

1. Ordinance No. 2512 - Employ Peckham, Guyton, Albers & Viets

MOTION:

It was moved by Alderman Agne, and seconded by Alderman Huch, to pass Ordinance No. 2512, an ordinance employing Peckham, Guyton, Albers & Viets, Inc. (PGAV) of St. Louis, Missouri to render professional aid and assistance to the City of Columbia, Illinois concerning a TIF Area Eligibility Study, Task Order Two and a Business District Implementation Task Order Three, concerning the G.J. Grewe, Inc. of St. Louis, Missouri development of Columbia Crossing. Upon Roll Call vote, Aldermen Ebersohl, Agne, Niemietz, Koesterer, Huch, and Mayor Hutchinson voted yea. Alderman Unnerstall voted nay. Motion Carried.

2. Ordinance No. 2513 - Amend Sign Code

MOTION:

It was moved by Alderman Agne, and seconded by Alderman Koesterer, to pass Ordinance No. 2513, an ordinance amending the Sign Code of the City of Columbia, Illinois. Upon Roll Call vote, Aldermen Ebersohl, Agne, Niemietz, Unnerstall, Koesterer, Huch, and Mayor Hutchinson voted yea. Motion Carried.

3. Ordinance No. 2514 - Amend Personnel Code

MOTION:

It was moved by Alderman Niemietz, and seconded by Alderman Koesterer, to pass Ordinance No. 2514, an ordinance amending Chapter 2.68.320, Holidays, A., City-Observed Holidays, of the Personnel Code of the City of Columbia, Illinois. Upon Roll Call vote, Aldermen Ebersohl, Agne, Niemietz, Unnerstall, Koesterer, Huch, and Mayor Hutchinson voted yea. Motion Carried.

MOTION:

It was moved by Alderman Unnerstall, and seconded by Alderman Ebersohl, to accept the report of the Administration Department as presented. Upon Voice vote, all Aldermen present voted yea. Motion Carried.

F. Public Works/City Engineer

The report of the City Engineer was presented to the Council.

1. Cherry Street - Task Order

MOTION:

It was moved by Alderman Unnerstall, and seconded by Alderman Ebersohl, to approve a Task Order in the amount of \$6,811.25 for Horner & Shifrin to conduct a review of the revised Burns & McDonnell plans of September 22, 2006. Upon Roll Call vote, Aldermen Ebersohl, Agne, Niemietz, Unnerstall, Koesterer, and Huch voted yea. Motion Carried.

2. Oates Associates - Rueck Road Reconstruction Project

MOTION:

It was moved by Alderman Ebersohl, and seconded by Alderman Huch, to approve the expenditure of \$9,400.00 to extend the construction phase services of Oates Associates for full-time construction observation through November 30, 2006 for the Rueck Road Reconstruction Project. Upon Roll Call vote, Aldermen Ebersohl, Agne, Niemietz, Unnerstall, Koesterer, and Huch voted yea. Motion Carried.

3. Oates Associates - Carl Street Improvements

MOTION:

It was moved by Alderman Ebersohl, and seconded by Alderman Huch, to approve the transfer of 60 hours of services originally allocated for the preparation of legal descriptions and right-of-way plats for the Carl Street Improvements Project to 60 hours of property negotiations for the Carl Street Improvement Project. Upon Roll Call vote, Aldermen Ebersohl, Agne, Niemietz, Unnerstall, Koesterer, and Huch voted yea. Motion Carried.

MOTION:

It was moved by Alderman Ebersohl, and seconded by Alderman Unnerstall, to accept the report of the City Engineer as presented. Upon Voice vote, all Aldermen present voted yea. Motion Carried.

G. City Attorney

1. Ordinance No. 2515 - Stonecrest Subdivision Final Plat

MOTION:

It was moved by Alderman Koesterer, and seconded by Alderman Agne, to pass Ordinance No. 2515, an ordinance approving the Final Subdivision Plat for phases One and Two of the Stonecrest Subdivision on "D" Road in Monroe County, Illinois. Upon Roll Call vote, Aldermen Ebersohl, Agne, Niemietz, Unnerstall, Koesterer, Huch, and Mayor Hutchinson voted yea. Motion Carried.

2. Ordinance No. 2516 - Tax Levy Abatement

MOTION:

It was moved by Alderman Unnerstall, and seconded by Alderman Ebersohl, to pass Ordinance No. 2516, an ordinance directing the County Clerks of Monroe and St. Clair Counties, Illinois to abate and not extend for collection the 2006 Ad Valorem Real Estate Taxes scheduled for collection in 2007 for the \$765,000.00 General Obligation Refunding Bonds (Combined Waterworks and Sewage System Alternate Revenue Source) of the City of Columbia, Monroe and St. Clair Counties, Illinois issued pursuant to General Obligation Refunding Bond Ordinance No 2216 of the City for the purpose of refunding of Combined Waterworks and Sewage System Improvement Alternate Bonds of the City in the original principal amount of \$1,520,000.00. Upon Roll Call vote, Aldermen Ebersohl, Agne, Niemietz,

Unnerstall, Koesterer, Huch, and Mayor Hutchinson voted yea. Motion Carried.

3. Ordinance No. 2517 - Brellinger First Addition Final Plat

MOTION:

It was moved by Alderman Ebersohl, and seconded by Alderman Huch, to pass Ordinance No. 2517, an ordinance approving the Final Subdivision Plat for the Brellinger First Addition Subdivision in the City of Columbia, St. Clair County, Illinois. Upon Roll Call vote, Aldermen Ebersohl, Agne, Niemietz, Unnerstall, Koesterer, Huch, and Mayor Hutchinson voted yea. Motion Carried.

4. Ordinance No. 2518 - Chronic Nuisance Property

MOTION:

It was moved by Alderman Agne, and seconded by Alderman Niemietz, to pass Ordinance No. 2518, an ordinance enacting a Chronic Nuisance Property Ordinance to protect and promote the public health, safety, and welfare of the citizens of the City of Columbia, Illinois. Upon Roll Call vote, Aldermen Ebersohl, Agne, Niemietz, Unnerstall, Koesterer, Huch, and Mayor Hutchinson voted yea. Motion Carried.

MOTION:

It was moved by Alderman Unnerstall, and seconded by Alderman Koesterer, to accept the report of the City Attorney as presented. Upon Voice vote, all Aldermen present voted yea. Motion Carried.

H. City Clerk

Mr. Hoeffken presented his report to the Council.

1. Report of Collections

The Report of Collections for the period commencing September 26, 2006 and ending October 25, 2006 was presented to the Council.

MOTION:

It was moved by Alderman Niemietz, and seconded by Alderman Huch, to approve the Report of Collections for the period commencing September 26, 2006 and ending October 25, 2006, as submitted and on file at City Hall. Upon Voice vote, all Aldermen present voted yea. Motion Carried.

V. CLAIMS & ACCOUNTS

A. Vouchers

MOTION:

It was moved by Alderman Huch, and seconded by Alderman Koesterer, to authorize the payment of vouchers received through November 16, 2006; the total amount of the vouchers to be paid is three hundred seventy-three thousand, sixty-seven dollars, and twenty-six cents (\$373,067.26). Upon Roll Call vote, Aldermen Ebersohl, Agne, Niemietz, Unnerstall, Koesterer, and Huch voted yea. Motion Carried.

B. Statement of Funds

The report of the City Auditor was presented to the Council. Mr. Schmersahl explained the Illinois Police Pension Fund situation.

MOTION:

It was moved by Alderman Huch, and seconded by Alderman Unnerstall, to accept the report of the City Auditor as presented. Upon Voice vote, all Aldermen present voted yea. Motion Carried.

VI. OLD BUSINESS

There was no Old Business brought before the Council.

VII. NEW BUSINESS

There was no New Business brought before the Council.

VIII. REPORT OF STANDING COMMITTEES

There were no Standing Committee Reports

IX. CALL FOR COMMITTEE MEETINGS

There was no Call for Committee meetings.

X. EXECUTIVE SESSION

Mayor Hutchinson informed the Council that he would entertain a motion to go into Executive Session for the purpose of discussing litigation.

MOTION:

It was moved by Alderman Koesterer, and seconded by Alderman Niemietz, to direct the Mayor to go into Executive Session at 8:24 PM for the purpose of discussing litigation. Upon Roll Call vote, Aldermen Ebersohl, Agne, Niemietz, Unnerstall, Koesterer, and Huch voted yea. Motion Carried.

MOTION:

It was moved by Alderman Koesterer, and seconded by Alderman Niemietz, to return to Regular Session of the City Council at 9:12 PM. Upon Roll Call vote, Aldermen Ebersohl, Agne, Niemietz, Unnerstall, Koesterer, and Huch voted yea. Motion Carried.

Upon return to Regular Session, Aldermen Ebersohl, Agne, Niemietz, Unnerstall, Koesterer, Huch 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. There was none.

A. Information Systems Update

Mr. Traxler informed the Council that the City has received responses to the Information Technology RFP's. Mr. Traxler then explained that he, Fred Devenport, and the City Clerk have interviewed the top two vendors and will make a decision by the end of the week. Mr. Traxler then stated that the Council will start seeing invoices for services from the vendor that is selected to perform the IT Audit which will start within 30 days.

XI. ADJOURNMENT

MOTION:

It was moved by Alderman Koesterer, and seconded by Alderman Unnerstall, to adjourn the Regular City Council Meeting held Monday, November 20, 2006 at 9:18 PM. Upon Voice vote, all Aldermen present voted yea. Motion Carried.

Wesley J. Hoeffken, City Clerk

Mayor Kevin B. Hutchinson