

MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF COLUMBIA,
ILLINOIS HELD MONDAY, MARCH 2, 2009 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:

| | | | | | |
|------------|---|---------------------------------|-----------|---|---------------------------------|
| Ebersohl | <input checked="" type="checkbox"/> Present | <input type="checkbox"/> Absent | Row | <input checked="" type="checkbox"/> Present | <input type="checkbox"/> Absent |
| Agne | <input checked="" type="checkbox"/> Present | <input type="checkbox"/> Absent | Hejna | <input checked="" type="checkbox"/> Present | <input type="checkbox"/> Absent |
| Niemietz | <input checked="" type="checkbox"/> Present | <input type="checkbox"/> Absent | Oberkfell | <input checked="" type="checkbox"/> Present | <input type="checkbox"/> Absent |
| Unnerstall | <input checked="" type="checkbox"/> Present | <input type="checkbox"/> Absent | Stumpf | <input checked="" type="checkbox"/> Present | <input type="checkbox"/> Absent |

Quorum Present.

Administrative Staff Present:

| | |
|---|--|
| <input checked="" type="checkbox"/> City Clerk Wes Hoeffken | <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 type="checkbox"/> Building Inspector Al Holden | <input type="checkbox"/> City Treasurer Bob Naumann |
| <input type="checkbox"/> City Engineer Ron Williams | <input type="checkbox"/> Director of Economic Development Paul Ellis |
| <input type="checkbox"/> Fire Chief Mike Roediger | <input type="checkbox"/> Deputy Chief of Police Jerry Paul |
| <input type="checkbox"/> Deputy CEMS Director Ken Buss | <input type="checkbox"/> Accounting Manager Linda Sharp |

The Council recited the Pledge of Allegiance.

II. APPROVAL OF MINUTES

The minutes of the Executive Session of the City Council held Monday, February 16, 2009 were submitted for approval.

Corrections were forwarded to Mr. Hoeffken. Approval of the minutes was deferred until a question about Chief Edwards' comment could be verified.

The minutes of the Regular Meeting of the City Council held Monday, February 16, 2009 were submitted for approval.

Corrections were forwarded to Mr. Hoeffken.

MOTION:

It was moved and seconded to approve the minutes of the Regular Meeting of the City Council held Monday, February 16, 2009, as amended and on file at City Hall.

Moved by: Unnerstall Second: Row Vote: Roll Call

| | | | | | |
|----------|-----|------------|-----|-----------|-----|
| Ebersohl | Yea | Unnerstall | Yea | Oberkfell | Yea |
| Agne | Yea | Row | Yea | Stumpf | Yea |
| Niemietz | Yea | Hejna | Yea | | |

Motion Carried 8 To 0

III. DELEGATIONS

A. Lupus Foundation - Bruce Soehlin & Bill Seibel

Mr. Seibel addressed the Council regarding a Lupus Foundation 100-mile bicycle ride for August 22, 2009.

MOTION:

It was moved and seconded to approve the use of the Bolm-Schuhkraft Park for the Lupus Foundation 100-mile Bicycle Ride on August 22, 2009, contingent upon coordination of the event with the City Clerk's Office, the Department of Public Works, the Director of Community and Economic Development, and the Police Department.

Moved by: Niemietz Second: Agne Vote: Roll Call

| | | | | | |
|----------|-----|------------|-----|-----------|-----|
| Ebersohl | Yea | Unnerstall | Yea | Oberkfell | Yea |
| Agne | Yea | Row | Yea | Stumpf | Yea |
| Niemietz | Yea | Hejna | Yea | | |

Motion Carried 8 To 0

IV. REPORT OF OFFICERS

A. Community and Economic Development

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

B. Plan Commission

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

C. City Attorney

1. Ordinance No. 2711 - Amend Ordinance No. 2670

MOTION:

It was moved and seconded to pass Ordinance No. 2711, an ordinance amending Ordinance No. 2670, enacted July 21, 2008, prohibiting the use or consumption of ground water in a specified area at or near the intersection of North Main Street and East Lepp Avenue in the City of Columbia, Illinois as a result of probable ground water contamination caused by release of petroleum (gasoline and diesel fuels) from a former service station site at 906 North Main Street in the City of Columbia, Illinois.

Moved by: Ebersohl Second: Stumpf Vote: Roll Call

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|----------|-----|------------|-----|------------|-----|
| Ebersohl | Yea | Unnerstall | Yea | Oberkfell | Yea |
| Agne | Yea | Row | Yea | Stumpf | Yea |
| Niemietz | Yea | Hejna | Yea | Hutchinson | Yea |

Motion Carried 9 To 0

D. Administration Department

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

1. Contract Negotiations

Mr. Hudzik informed the Council the initial negotiating session with the FOP is scheduled on March 4, 2009 with the telecommunicator's contract being discussed at 1:00 PM and the police department's contract being discussed at 3:00 PM. Mr. Hudzik then informed the Council the city has received correspondence from the United Steel Workers requesting negotiations for the Department of Public Works.

E. Mayor

Mayor Hutchinson presented his report to the Council.

1. Library Board Appointment - Denise Nobbe

Alderman Hejna read an email she had received from Wyona Farmer regarding the withdrawal of her name as a potential member of the Library Board and then stated had Ms. Farmer been given her spot on the Library Board, Mr. Brutton would now be getting his appointment and consequently will be voting no. Alderman Unnerstall stated that while he is confident Ms. Nobbe will do a good job on the Library Board, he will be voting no in protest. Alderman Oberkfell stated everything that has transpired with the Library Board should not have been politically motivated and will be voting no on principal.

MOTION:

It was moved and seconded to accept the recommendation of Mayor Hutchinson and appoint Denise Nobbe as a member of the Columbia Library Board.

Moved by: Agne Second: Row Vote: Roll Call

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|----------|-----|------------|-----|------------|-----|
| Ebersohl | Yea | Unnerstall | Nay | Oberkfell | Nay |
| Agne | Yea | Row | Yea | Stumpf | Nay |
| Niemietz | Yea | Hejna | Nay | Hutchinson | Yea |

Motion Carried 5 To 4

MOTION:

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

Moved by: Agne Second: Niemietz Vote: Voice

| | | | | | |
|----------|-----|------------|-----|-----------|-----|
| Ebersohl | Yea | Unnerstall | Yea | Oberkfell | Yea |
| Agne | Yea | Row | Yea | Stumpf | Yea |
| Niemietz | Yea | Hejna | Yea | | |

Motion Carried 8 To 0

V. CLAIMS & ACCOUNTS

A. Vouchers

MOTION:

It was moved and seconded to authorize the payment of vouchers received through February 27, 2009; the total amount of the vouchers to be paid is one hundred thirty-five thousand, seven hundred ninety-six dollars, and seventy-four cents (\$135,796.74).

Moved by: Hejna Second: Unnerstall Vote: Roll Call

| | | | | | |
|----------|-----|------------|-----|-----------|-----|
| Ebersohl | Yea | Unnerstall | Yea | Oberkfell | Yea |
| Agne | Yea | Row | Yea | Stumpf | Yea |
| Niemietz | Yea | Hejna | Yea | | |

Motion Carried 8 To 0

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

A. Streets, Sidewalks, Drainage, and Public Utilities Committee

Minutes of the Streets, Sidewalks, Drainage, and Public Utilities Committee meeting held Monday, February 23, 2009 were presented to the Council for approval.

1. Stimulus Funding Project

MOTION:

It was moved and seconded to accept the recommendation of the Streets, Sidewalks, Drainage, and Public Utilities Committee and proceed with the stimulus funding project for the reconfiguring of Palmer Road from D Road to Ghent Road, if full funding is available, or to reduce the project from D

Road to the I-255 on-ramp if Waterloo is requesting funding for their project.

Moved by: Ebersohl Second: Niemietz Vote: Roll Call

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|----------|-----|------------|-----|-----------|-----|
| Ebersohl | Yea | Unnerstall | Yea | Oberkfell | Yea |
| Agne | Yea | Row | Yea | Stumpf | Yea |
| Niemietz | Yea | Hejna | Nay | | |

Motion Carried 7 To 1

2. TIP Funding Project

MOTION:

It was moved and seconded to accept the recommendation of the Streets, Sidewalks, Drainage, and Public Utilities Committee and proceed with the TIP funding project for 2014 for the resurfacing of Main Street from Whiteside Street north.

Moved by: Ebersohl Second: Agne Vote: Roll Call

| | | | | | |
|----------|-----|------------|-----|-----------|-----|
| Ebersohl | Yea | Unnerstall | Yea | Oberkfell | Yea |
| Agne | Yea | Row | Yea | Stumpf | Yea |
| Niemietz | Yea | Hejna | Yea | | |

Motion Carried 8 To 0

MOTION:

It was moved and seconded to approve the minutes of the Streets, Sidewalks, Drainage, and Public Utilities Committee meeting held Monday, February 23, 2009 as on file at City Hall.

Moved by: Ebersohl Second: Row Vote: Roll Call

| | | | | | |
|----------|-----|------------|-----|-----------|-----|
| Ebersohl | Yea | Unnerstall | Yea | Oberkfell | Yea |
| Agne | Yea | Row | Yea | Stumpf | Yea |
| Niemietz | Yea | Hejna | Yea | | |

Motion Carried 8 To 0

B. Education Committee

Minutes of the Education Committee meeting held Monday, February 23, 2009 were presented to the Council for approval.

MOTION:

It was moved and seconded to approve the minutes of the Education Committee meeting held Monday, February 23, 2009 as on file at City Hall.

Moved by: Oberkfell Second: Row Vote: Roll Call

| | | | | | |
|----------|-----|------------|-----|-----------|-----|
| Ebersohl | Yea | Unnerstall | Yea | Oberkfell | Yea |
| Agne | Yea | Row | Yea | Stumpf | Yea |
| Niemietz | Yea | Hejna | Yea | | |

Motion Carried 8 To 0

C. Finance, Claims, Bonds and Interest Committee & License, Insurance Claims, CEMA, and Contracts Committee

Minutes of the joint meeting of the Finance, Claims, Bonds and Interest Committee and the License, Insurance Claims, CEMA, and Contracts Committee meeting held Monday, February 23, 2009 were presented to the Council for approval.

1. Civic Organization Memberships

Mayor Hutchinson inquired how the Finance Committee was going to take monies out of the current budget, which was passed by an ordinance, without passing another ordinance amending the original budget ordinance. Alderman Unnerstall inquired if this can be done legally without an ordinance. Mr. Adams stated the Council may need to pass another ordinance if the budget was originally authorized by an ordinance. Alderman Niemietz suggested instead of complicating the process and spending funds to draft an ordinance, why not notify the department heads to budget accordingly for the next fiscal year and allow them to proceed with expenses already approved for this budget year.

MOTION:

It was moved and seconded to accept the recommendation of the Finance, Claims, Bonds, and Interest Committee and the License, Insurance Claims, CEMA, and Contracts Committee that the City paid organization dues be limited to the Columbia Chamber of Commerce only, and the City pay for only two (2) Chamber of Commerce memberships, one for the Director of Community and Economic Development and one for his Administrative Assistant effective fiscal year beginning May 1, 2009.

Moved by: Hejna Second: Unnerstall Vote: Roll Call

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|----------|-----|------------|-----|-----------|-----|
| Ebersohl | Nay | Unnerstall | Yea | Oberkfell | Yea |
| Agne | Yea | Row | Yea | Stumpf | Nay |
| Niemietz | Nay | Hejna | Yea | | |

Motion Carried 5 To 3

Corrections were forwarded to the City Clerk.

MOTION:

It was moved and seconded to approve the minutes of the joint meeting of the Finance, Claims, Bonds and Interest Committee and the License, Insurance Claims, CEMA, and Contracts Committee meeting held Monday, February 23, 2009 as amended and on file at City Hall.

Moved by: Hejna Second: Unnerstall Vote: Roll Call

| | | | | | |
|----------|-----|------------|-----|-----------|-----|
| Ebersohl | Yea | Unnerstall | Yea | Oberkfell | Yea |
| Agne | Yea | Row | Yea | Stumpf | Yea |
| Niemietz | Yea | Hejna | Yea | | |

Motion Carried 8 To 0

D. Refuse Collection and Recycling Committee

Minutes of the Refuse Collection and Recycling Committee meeting held Monday, February 23, 2009 were presented to the Council for approval.

MOTION:

It was moved and seconded to approve the minutes of the Refuse Collection and Recycling Committee meeting held Monday, February 23, 2009 as on file at City Hall.

Moved by: Row Second: Niemietz Vote: Roll Call

| | | | | | |
|----------|-----|------------|-----|-----------|-----|
| Ebersohl | Yea | Unnerstall | Yea | Oberkfell | Yea |
| Agne | Yea | Row | Yea | Stumpf | Yea |
| Niemietz | Yea | Hejna | Yea | | |

Motion Carried 8 To 0

E. Ambulance, Radio Communication, and Dispatch Committee

Minutes of the Ambulance, Radio Communication, and Dispatch Committee meeting held Monday, February 23, 2009 were presented to the Council for approval.

MOTION:

It was moved and seconded to approve the minutes of the Ambulance, Radio Communication, and Dispatch Committee meeting held Monday, February 23, 2009 as on file at City Hall.

Moved by: Stumpf Second: Row Vote: Roll Call

| | | | | | |
|----------|-----|------------|-----|-----------|-----|
| Ebersohl | Yea | Unnerstall | Yea | Oberkfell | Yea |
| Agne | Yea | Row | Yea | Stumpf | Yea |
| Niemietz | Yea | Hejna | Yea | | |

Motion Carried 8 To 0

IX. CALL FOR COMMITTEE MEETINGS

Monday, March 9, 2009
7:00 PM - Personnel

Monday, March 23, 2009
7:00 PM - Ordinance, Planning, and Zoning

X. EXECUTIVE SESSION

Mayor Hutchinson informed the Council that he would entertain a motion to go into Executive Session for the purpose of discussing two Personnel issues and the FOP Contract.

MOTION:

It was moved and seconded to direct the Mayor to go into Executive Session at 7:51 PM for the purpose of discussing two Personnel issues and the FOP Contract.

Moved by: Row Second: Unnerstall Vote: Roll Call

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|----------|-----|------------|-----|-----------|-----|
| Ebersohl | Yea | Unnerstall | Yea | Oberkfell | Yea |
| Agne | Yea | Row | Yea | Stumpf | Yea |
| Niemietz | Yea | Hejna | Yea | | |

Motion Carried 8 To 0

Mr. Jack Norman stated he was not going to leave the Council Chambers because it was still an open meeting since the motion to go into executive session was not correct. Mr. Norman stated the motion must list the exemptions with the Open Meetings Act that permit the Council to go into executive session. After Mr. Adams completed an initial review of the Illinois Municipal League Handbook, a second motion was made.

MOTION:

It was moved and seconded to direct the Mayor to go into Executive Session at 8:05 PM for the purpose of discussing a collective negotiating matter between the City and its employees, to discuss salary schedules for one or more City employees, to consider the appointment, employment, compensation, discipline, performance, or dismissal of specific employees, and pending litigation.

Moved by: Ebersohl Second: Unnerstall Vote: Roll Call

| | | | | | |
|----------|-----|------------|-----|-----------|-----|
| Ebersohl | Yea | Unnerstall | Yea | Oberkfell | Yea |
| Agne | Yea | Row | Yea | Stumpf | Yea |
| Niemietz | Yea | Hejna | Yea | | |

Motion Carried 8 To 0

MOTION:

It was moved and seconded to return to Regular Session of the City Council at 9:05 PM.

Moved by: Unnerstall Second: Stumpf Vote: Roll Call

| | | | | | |
|----------|-----|------------|-----|-----------|-----|
| Ebersohl | Yea | Unnerstall | Yea | Oberkfell | Yea |
| Agne | Yea | Row | Yea | Stumpf | Yea |
| Niemietz | Yea | Hejna | Yea | | |

Motion Carried 8 To 0

Upon return to Regular Session, Aldermen Ebersohl, Agne, Niemietz, Unnerstall, Row, Hejna, Oberkfell, Stumpf 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.

A. EEOC Age and Gender Discrimination Complaint Settlement

Alderman Niemietz stated that she will vote yes on the motion to protect the City from future liability; however she does not support the settlement based upon counsel's advice that there is no merit to the complaint. Aldermen Ebersohl and Agne concurred.

MOTION:

It was moved and seconded to amend the original Order of the Council, made, seconded, and passed on Monday, February 2, 2009, regarding the EEOC Age and Gender Discrimination complaint settlement to add the requirement of a General Liability Release of the City, Elected Officials, and Appointed Officials in this matter.

Moved by: Unnerstall Second: Hejna Vote: Roll Call

| | | | | | |
|----------|-----|------------|-----|-----------|-----|
| Ebersohl | Yea | Unnerstall | Yea | Oberkfell | Yea |
| Agne | Yea | Row | Yea | Stumpf | Yea |
| Niemietz | Yea | Hejna | Yea | | |

Motion Carried 8 To 0

B. Appoint Chief Negotiator

MOTION:

It was moved and seconded to appoint Mr. Al Hudzik as the Chief Negotiator for the City of Columbia, Illinois in the bargaining unit negotiations between the City of Columbia and the Fraternal Order of Police.

Moved by: Row Second: Stumpf Vote: Roll Call

| | | | | | |
|----------|-----|------------|-----|-----------|-----|
| Ebersohl | Yea | Unnerstall | Yea | Oberkfell | Yea |
| Agne | Yea | Row | Yea | Stumpf | Yea |
| Niemietz | Yea | Hejna | Yea | | |

Motion Carried 8 To 0

XI. ADJOURNMENT

MOTION:

It was moved and seconded to adjourn the Regular City Council Meeting held Monday, March 2, 2009 at 9:58 PM.

Moved by: Stumpf Second: Row Vote: Roll Call

Ebersohl Yea
Agne Yea
Niemietz Yea

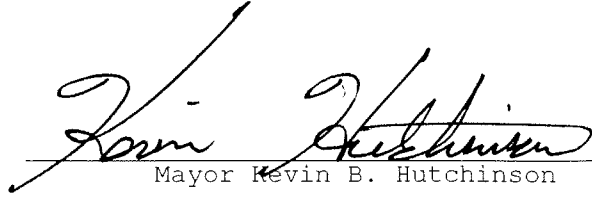
Unnerstall Yea
Row Yea
Hejna Yea

Oberkfell Yea
Stumpf Yea

Motion Carried 8 To 0



Wesley J. Hoeffken, City Clerk



Mayor Kevin B. Hutchinson