

MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF COLUMBIA,
ILLINOIS HELD MONDAY, JUNE 5, 2006 IN THE COUNCIL ROOM OF CITY HALL

I. CALL TO ORDER

Mayor Pro Tem Conrad called the City Council of Columbia, Illinois to order at 7:15 PM.

Upon Roll Call, the following members were:

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

Absent: Mayor Hutchinson.

Quorum Present.

Administrative Staff Present: City Clerk Wes Hoeffken, City Attorney Tom Adams, City Administrator Anthony Traxler, Fire Chief Mike Roediger, Building Inspector Al Holden, Engineering Consultant Ken Vaughn, and Director of Community and Economic Development Mike Hemmer.

The Council recited the Pledge of Allegiance.

II. APPROVAL OF MINUTES

The minutes of the Executive Session of the City Council held Monday, May 15, 2006 were submitted for approval.

MOTION:

It was moved by Alderman Unnerstall, and seconded by Alderman Niemietz, to approve the minutes of the Executive Session of the City Council held Monday, May 15, 2006, as on file at City Hall. Upon Roll Call vote, Aldermen Conrad, Ebersohl, Agne, Niemietz, Unnerstall, Koesterer, Row, and Huch voted yea. Motion Carried.

The minutes of the Regular Meeting of the City Council held Monday, May 15, 2006 were submitted for approval.

MOTION:

It was moved by Alderman Ebersohl, and seconded by Alderman Unnerstall, to approve the minutes of the Regular Meeting of the City Council held Monday, May 15, 2006, as on file at City Hall. Upon Roll Call vote, Aldermen Conrad, Ebersohl, Agne, Niemietz, Unnerstall, Koesterer, Row, and Huch voted yea. Motion Carried.

III. DELEGATIONS

There were no delegations present.

IV. REPORT OF OFFICERS

A. Community and Economic Development

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

1. Columbia Crossings Development - Special Counsel
This data was distributed for information only.

2. HNTB Task Order #1

MOTION:

It was moved by Alderman Agne, and seconded by Alderman Ebersohl, to pass Task Order Number One for the Columbia Crossings Development for HNTB to review Exhibit H of the Master Development Agreement and attendance at meetings as requested by the City. Upon Roll Call vote, Aldermen Conrad, Ebersohl, Agne, Niemietz, Unnerstall, Koesterer, Row, and Huch voted yea. Motion Carried.

3. Metro Chrysler - Street Graphics Variance

Alderman Agne stated that while this request is a variance for additional signage, it is a reduction in their current signage. Alderman Unnerstall stated that the red strip around the building is considered signage area and he does not consider that a sign. Alderman Niemietz stated that the Council needs to consider if the proposed signage is offensive.

MOTION:

It was moved by Alderman Unnerstall, and seconded by Alderman Agne, to deny the variance from Section 15.44.100 sign area allowance of the City Municipal Code to Metro Chrysler as requested. Upon Roll Call vote, Aldermen Agne and Unnerstall voted yea. Aldermen Conrad, Ebersohl, Niemietz, Koesterer, Row, and Huch voted nay. Motion Failed.

MOTION:

It was moved by Alderman Huch, and seconded by Alderman Ebersohl, to accept the recommendation of the Street Graphics Advisory Committee and grant a variance from Section 15.44.100 sign area allowance of the City Municipal Code to Metro Chrysler as requested. Upon Roll Call vote, Aldermen Conrad, Ebersohl, Niemietz, Koesterer, Row, and Huch voted yea. Aldermen Agne and Unnerstall voted nay. Motion Carried.

4. Christ Community Church - Street Graphics Variance

MOTION:

It was moved by Alderman Huch, and seconded by Alderman Koesterer, to accept the recommendation of the Street Graphics Advisory Committee and grant a variance from Section 15.44.100 sign area allowance of the City Municipal Code to Christ Community Church as requested.

Several Aldermen expressed concern about the height of the sign and wanted additional time to review the proposed area where the sign would be erected.

Alderman Huch withdrew his motion and Alderman Koesterer withdrew her second.

MOTION:

It was moved by Alderman Koesterer, and seconded by Alderman Agne, to table action on granting a variance from Section 15.44.100 sign area allowance of the City Municipal Code to Christ Community Church as requested until the next meeting of the Council. Upon Roll Call vote, Aldermen Conrad, Ebersohl, Agne, Niemietz, Unnerstall, Koesterer, Row, and Huch voted yea. Motion Carried.

MOTION:

It was moved by Alderman Agne, and seconded by Alderman Ebersohl, to accept the report of the Director of Community and Economic Development as

presented. Upon Voice vote, all Aldermen present voted yea. Motion Carried.

B. Administration Department

There was no report for the Administrative Department.

C. Fire Department

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

MOTION:

It was moved by Alderman Ebersohl, and seconded by Alderman Niemietz, to accept the report of the Fire Marshall 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 Row, 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. Zoning Board of Appeals

The report of the Zoning Board of Appeals was presented to the Council.

1. Shields Set-back Variance

MOTION:

It was moved by Alderman Koesterer, and seconded by Alderman Agne, to accept the recommendation of the Zoning Board of Appeals and grant the rear-yard set-back variance to Al and Dianna Shields for their property located at 603 Wellington Drive as requested. Upon Roll Call vote, Aldermen Conrad, Ebersohl, Agne, Niemietz, Unnerstall, Koesterer, Row, and Huch voted yea. Motion Carried.

MOTION:

It was moved by Alderman Niemietz, and seconded by Alderman Ebersohl, to accept the report of the Zoning Board of Appeals as presented. Upon Voice vote, all Aldermen present voted yea. Motion Carried.

F. City Attorney

1. John Pretto Annexation Agreement

Several Aldermen stated that they would like time to review the proposed annexation agreement.

MOTION:

It was moved by Alderman Unnerstall, and seconded by Alderman Row, to table action on the Pretto and Stumpf Annexation Agreements until the next meeting of the Council. Upon Roll Call vote, Aldermen Conrad, Ebersohl, Agne, Niemietz, Unnerstall, Koesterer, Row, and Huch voted yea. Motion Carried.

2. Arlene Stumpf Annexation Agreement

Action on this item was deferred until the next meeting of the Council.

3. John Pretto Annexation Ordinance

Action on this item was deferred until the next meeting of the Council.

4. Ordinance No. 2469 - Amend Subdivision Code

MOTION:

It was moved by Alderman Agne, and seconded by Alderman Ebersohl, to pass Ordinance No. 2469, an ordinance amending the Subdivision Code of the City of Columbia, Illinois to add thereto Subsection 34-1-2(D) to indicate when subdivision plats will not be required by the subdivision code. Upon Roll Call vote, Aldermen Conrad, Ebersohl, Agne, Niemietz, Unnerstall, Koesterer, Row, and Huch voted yea. Motion Carried.

5. Ordinance No. 2470 - Acquire Potable Waterline Easement

MOTION:

It was moved by Alderman Ebersohl, and seconded by Alderman Row, to pass Ordinance No. 2470, an ordinance of the City of Columbia, Illinois finding and declaring that it is necessary and convenient for it to acquire a potable waterline easement from the Village of Cahokia, Illinois pursuant to the Local Government Property Transfer Act. Upon Roll Call vote, Aldermen Conrad, Ebersohl, Agne, Niemietz, Unnerstall, Koesterer, Row, and Huch voted yea. Motion Carried.

V. OLD BUSINESS

A. Janson Tract Concept Plan

Mr. Vaughn stated that the developer should have acquired a permit for Intent To Discharge Stormwater from the Illinois Environmental Protection Agency for the current earth moving activities. Alderman Row stated that any work needs to be halted until the City verifies that this permit has been issued. Alderman Row also mentioned that the City needs to insure the developer is taking steps to mitigate soil erosion.

Several Aldermen expressed concern about granting a Special Use permit for a hotel given the immediate location to the residential areas.

Alderman Agne recommended that the concept plan be sent to the Plan Commission for review. It was agreed by the Council that the following list be forwarded to the Plan Commission.

- Traffic Impact Study be completed.
- Topographic Map be provided reflecting layout of development.
- This property was zoned C-2 because of location to highway.
- This property had potential to be zoned C-3 (Higher automobile related business i.e. car dealerships).
- The proposed businesses are neighborhood friendly with bank and day care center.
- Buffer areas are indicated as required by City code.
- Tree mitigation be included in the development plan.
- Extra buffer consideration be given to Steven Holtkamp property.
- Retention ponds be enhanced with landscaping to present more than just a runoff container.
- Consider locating some parking under the hotel.
- All lighting be directed into the site and all lighting cut-off at property line.
- Any signage variation be closely reviewed and be the minimum deviation to satisfy the variance.
- Consideration of special use for hotel.

VI. EXECUTIVE SESSION

Mayor Pro Tem Conrad informed the Council that he would entertain a motion to go into Executive Session for the purpose of discussing land acquisition.

MOTION:

It was moved by Alderman Koesterer, and seconded by Alderman Ebersohl, to direct the Mayor Pro Tem to go into Executive Session at 8:47 PM for the purpose of discussing land acquisition. Upon Roll Call vote, Aldermen Conrad, Ebersohl, Agne, Niemietz, Unnerstall, Koesterer, Row, and Huch voted yea. Motion Carried.

MOTION:

It was moved by Alderman Koesterer, and seconded by Alderman Ebersohl, to return to the Regular Session of the City Council at 9:02 PM. Upon Roll Call vote, Aldermen Conrad, Ebersohl, Agne, Niemietz, Unnerstall, Koesterer, Row, and Huch voted yea. Motion Carried.

Upon return to Regular Session, Aldermen Conrad, Ebersohl, Agne, Niemietz, Unnerstall, Koesterer, Row, and Huch were present.

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

A. Cahokia Waterline Easements

MOTION:

It was moved by Alderman Row, and seconded by Alderman Unnerstall, to direct the City Attorney to proceed with securing the Cahokia Waterline easements as discussed in Executive Session. Upon Roll Call vote, Aldermen Conrad, Ebersohl, Agne, Niemietz, Unnerstall, Koesterer, Row, and Huch voted yea. Motion Carried.

B. City Attorney Report

MOTION:

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

C. Building and Zoning

The monthly report of the Zoning Administrator was presented to the Council.

1. Commercial State Bank Water/Sewer Tap-in

Mr. Holden explained to the Council that Commercial State Bank has requested approval to pay for the water and sewer tap-ins and secure a building permit for the installation of each. Mr. Holden explained that the request is to avoid any construction delays while they proceed securing a Special Use Permit for the drive thru for the bank. Mr. Holden stated that the building permit would be for the installation of the water and sewer lines only. Mr. Holden stated that this initial building permit had been delayed because it was sitting on the Zoning Administrator's desk for an unspecified length of time.

MOTION:

It was moved by Alderman Ebersohl, and seconded by Alderman Row, to authorize the Building Department to issue a building permit for the installation/construction of a water tap-in and sewer tap-in for the Commercial State Bank building contingent upon all tap-in and recoupment fees being paid. Upon Roll Call vote, Aldermen Conrad, Ebersohl, Agne, Niemietz, Unnerstall, Koesterer, Row, and Huch voted yea. Motion Carried.

MOTION:

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

D. City Clerk
Mr. Hoeffken presented his report to the Council.

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

1. Resolution No. 01-2006 - IDOT MFT Funds

MOTION:

It was moved by Alderman Ebersohl, and seconded by Alderman Row, to pass Resolution No. 01-2006, a resolution for Improvement by Municipality Under the Illinois Highway Code authorizing the expenditure of Motor Fuel Tax for the Rueck Road Improvement project. Upon Roll Call vote, Aldermen Conrad, Ebersohl, Agne, Niemietz, Unnerstall, Koesterer, Row, and Huch voted yea. Motion Carried.

2. Manhole Rehabilitation 2006

MOTION:

It was moved by Alderman Ebersohl, and seconded by Alderman Unnerstall, to authorize the City Engineering Consultant to advertise for bids for the Manhole Rehabilitation 2006 project. Upon Roll Call vote, Aldermen Conrad, Ebersohl, Agne, Niemietz, Unnerstall, Koesterer, Row, and Huch voted yea. Motion Carried.

3. Brellinger Subdivision Improvement Plans 1st Addition and 2nd Addition

MOTION:

It was moved by Alderman Agne, and seconded by Alderman Huch, to accept the recommendation of the City Engineering Consultant and approve the plat for the Brellinger Subdivision Improvement Plans for the 1st Addition and 2nd Addition contingent upon all fees being paid. Upon Roll Call vote, Aldermen Conrad, Ebersohl, Agne, Niemietz, Unnerstall, Koesterer, Row, and Huch voted yea. Motion Carried.

Mr. Vaughn then informed the Council that he was resigning his position effective June 16, 2006.

MOTION:

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

VII. CLAIMS & ACCOUNTS

A. Vouchers

MOTION:

It was moved by Alderman Huch, and seconded by Alderman Koesterer, to authorize the payment of vouchers received through June 2, 2006; the total amount of the vouchers to be paid is two hundred forty-two thousand, four hundred thirty dollars, and seventy-nine cents (\$242,430.79). Upon Roll Call vote, Aldermen Conrad, Ebersohl, Agne, Niemietz, Unnerstall, Koesterer, Row, and Huch voted yea. Motion Carried.

VIII. NEW BUSINESS

A. July 4th Committee - Permit Request

MOTION:

It was moved by Alderman Niemietz, and seconded by Alderman Ebersohl, to approve the July 4th Committee to hold their annual July 4th celebration and to authorize the purchase of fireworks in the amount of \$5,000.00. Upon Roll Call vote, Aldermen Conrad, Ebersohl, Agne, Niemietz, Unnerstall, Koesterer, Row, and Huch voted yea. Motion Carried.

B. Metro Chrysler Sign Variance

Alderman Koesterer informed the Council that after reviewing the signage numbers, the proposed sign variance for Metro Chrysler is not less but more than the current variance. Alderman Agne stated that the new variance would include signage across the front of the building and that the variance request indicates that the new signage would be 138 sq. feet while it will actually be for 238 sq. feet.

MOTION:

It was moved by Alderman Koesterer, and seconded by Alderman Row, to reconsider the Council's previous motion to accept the recommendation of the Street Graphics Advisory Committee and grant a variance from Section 15.44.100 sign area allowance of the City Municipal Code to Metro Chrysler as requested. Upon Roll Call vote, Aldermen Conrad, Ebersohl, Agne, Niemietz, Unnerstall, Koesterer, Row, and Huch voted yea. Motion Carried.

MOTION:

It was moved by Alderman Agne, and seconded by Alderman Koesterer, to deny the variance from Section 15.44.100 sign area allowance of the City Municipal Code to Metro Chrysler as requested. Upon Roll Call vote, Aldermen Conrad, Ebersohl, Agne, Niemietz, Unnerstall, Koesterer, Row, and Huch voted yea. Motion Carried.

IX. REPORT OF STANDING COMMITTEES

A. Ordinances, Planning, and Zoning Committee

The minutes of the Ordinances, Planning, and Zoning Committee meeting held Monday, May 22, 2006 were presented to the Council for approval.

Corrections were forwarded to the City Administrator.

MOTION:

It was moved by Alderman Agne, and seconded by Alderman Huch, to approve the minutes of the Ordinances, Planning, and Zoning Committee meeting held Monday, May 22, 2006 as amended and on file at City Hall. Upon Voice vote, all Aldermen present voted yea. Motion Carried.

B. Executive and Rules Committee

The minutes of the Executive and Rules Committee meeting held Monday, May 22, 2006 were presented to the Council for approval.

MOTION:

It was moved by Alderman Agne, and seconded by Alderman Koesterer, to approve the minutes of the Executive and Rules Committee meeting held Monday, May 22, 2006 as amended and on file at City Hall. Upon Voice vote, all Aldermen present voted yea. Motion Carried.

X. CALL FOR COMMITTEE MEETINGS

Monday, June 12, 2006

7:00 PM - Ordinances, Planning, and Zoning

7:05 PM - Personnel

XI. ADJOURNMENT

MOTION:

It was moved by Alderman Koesterer, and seconded by Alderman Ebersohl, to adjourn the Regular City Council Meeting held Monday, June 5, 2006 at 10:25 PM. Upon Voice vote, all Aldermen present voted yea. Motion Carried.

Wesley J. Hoeffken, City Clerk

Mayor Pro Tem Michael Conrad