

MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF COLUMBIA,
ILLINOIS HELD MONDAY, NOVEMBER 5, 2007 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, Row, Hejna, Oberkfell, and Stumpf.

Absent: None.

Quorum Present.

Administrative Staff Present: City Clerk Wes Hoeffken, City Administrator Anthony Traxler, City Attorney Tom Adams, Chief of Police Joe Edwards, Deputy Chief Jerry Paul, Building Inspector Al Holden, City Engineer Ron Williams, and Fire Chief Mike Roediger.

The Council recited the Pledge of Allegiance.

II. APPROVAL OF MINUTES

The minutes of the Executive Session of the City Council held Monday, October 15, 2007 were submitted for approval.

MOTION:

It was moved by Alderman Niemietz, and seconded by Alderman Unnerstall, to approve the minutes of the Executive Session of the City Council held Monday, October 15, 2007, as on file at City Hall. Upon Roll Call vote, Aldermen Ebersohl, Agne, Niemietz, Unnerstall, Row, Hejna, Oberkfell, and Stumpf voted yea. Motion Carried.

The minutes of the Regular Meeting of the City Council held Monday, October 15, 2007 were submitted for approval.

Corrections were forwarded to Mr. Hoeffken.

MOTION:

It was moved by Alderman Unnerstall, and seconded by Alderman Stumpf, to approve the minutes of the Regular Meeting of the City Council held Monday, October 15, 2007, as amended and on file at City Hall. Upon Roll Call vote, Aldermen Ebersohl, Agne, Niemietz, Unnerstall, Row, Hejna, Oberkfell, and Stumpf voted yea. Motion Carried.

III. DELEGATIONS

A. Captain Paul Recognition
Mayor Hutchinson presented a Certificate of Achievement to Deputy Chief Jerry Paul.

B. Columbia Volunteer Fire Department
Mayor Hutchinson presented a Certificate of Achievement to the Columbia Volunteer Fire Department.

IV. REPORT OF OFFICERS

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

1. Aerial Platform Truck

MOTION:

It was moved by Alderman Ebersohl, and seconded by Alderman Agne, to authorize the Columbia Fire Department to proceed with the purchase of a Pierce Quintuple Combination 100' Aerial Platform Stock Unit - 2008 Velocity Chassis 100' Platform from Global Emergency Products of Aurora, Illinois. Upon Roll Call vote, Aldermen Ebersohl, Agne, Niemietz, Unnerstall, Row, Hejna, Oberkfell, and Stumpf voted yea. Motion Carried.

B. City Engineer

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

1. Resolution No. 14-2007 - Rueck Road Improvements

MOTION:

It was moved by Alderman Ebersohl, and seconded by Alderman Niemietz, to pass Resolution No. 14-2007, a resolution for Improvement by Municipality under the Illinois Highway Code for improvements to Rueck Road from Lakefield Drive to Industrial Drive. Upon Roll Call vote, Aldermen Ebersohl, Agne, Niemietz, Unnerstall, Row, Hejna, Oberkfell, Stumpf, and Mayor Hutchinson voted yea. Motion Carried.

2. Ordinance No. 2599 - Rueck Road Reconstruction Project

MOTION:

It was moved by Alderman Ebersohl, and seconded by Alderman Row, to pass Ordinance No. 2599, an ordinance to authorize a Public Works Contract to pay the increased cost differential for the Illinois Excavators, Inc. Construction Contract with the Illinois Department of Transportation for the performance of Phase 4 of the City's Rueck Road Reconstruction Project. Upon Roll Call vote, Aldermen Ebersohl, Agne, Niemietz, Unnerstall, Row, Hejna, Oberkfell, Stumpf, and Mayor Hutchinson voted yea. Motion Carried.

3. Resolution No. 15-2007 - Rueck Road Improvements

MOTION:

It was moved by Alderman Ebersohl, and seconded by Alderman Unnerstall, to pass Resolution No. 15-2007, a resolution for Improvement by Municipality under the Illinois Highway Code for improvements to Rueck Road from Main Street to Industrial Drive. Upon Roll Call vote, Aldermen Ebersohl, Agne, Niemietz, Unnerstall, Row, Hejna, Oberkfell, Stumpf, and Mayor Hutchinson voted yea. Motion Carried.

4. Creekside Park

MOTION:

It was moved by Alderman Niemietz, and seconded by Alderman Ebersohl, to amend the contract with Hoelscher Engineering to design the walking/biking bridge for the Creekside Park at a total cost of \$19,800.00. Upon Roll Call vote, Aldermen Ebersohl, Agne, Niemietz, Unnerstall, Row, Hejna, Oberkfell and Stumpf voted yea. Motion Carried.

5. Valmeyer Road Sidewalk

MOTION:

It was moved by Alderman Ebersohl, and seconded by Alderman Stumpf, to amend the contract with Thouvenot, Wade & Moerchen for additional professional services for the Valmeyer Road sidewalk at a total cost of \$6,000.00. Upon Roll Call vote, Aldermen Ebersohl, Agne, Niemietz,

Unnerstall, Row, Hejna, Oberkfell and Stumpf voted yea. Motion Carried.

6. Bolm-Schuhkraft Park Comfort Station
Alderman Unnerstall expressed concern about the expense of this project and questioned whether the City didn't have more important priorities for this money.

MOTION:

It was moved by Alderman Niemietz, and seconded by Alderman Row, to accept the low bid of \$97,740.00 submitted by H.J. Frierdich & Sons, Inc. for the construction of a comfort station in the Bolm-Schuhkraft Park, including Alternate Bid #1 (stainless steel bathroom fixtures). Upon Roll Call vote, Aldermen Ebersohl, Agne, Niemietz, Row, Oberkfell and Stumpf voted yea. Aldermen Unnerstall and Hejna voted nay. Motion Carried.

7. Ordinance No. 2600 - Dupo and Wecker Pumping Stations
Alderman Oberkfell suggested the contract be amended to require the Council to approve any sub-contractors used by the contractor. Alderman Unnerstall agreed stating there were problems with the sub-contractors used with the Columbia Crossing project. Alderman Row stated he was okay with the contract the way it is, especially since most contractors are comfortable working with specific sub-contractors.

MOTION:

It was moved by Alderman Row, and seconded by Alderman Ebersohl, to pass Ordinance No. 2600, an ordinance employing Horner & Shifrin, Inc. of St. Louis, Missouri to render professional services to the City of Columbia, Illinois in connection with the Dupo and Wecker Pumping Stations Upgrade. Upon Roll Call vote, Aldermen Ebersohl, Agne, Niemietz, Row, Hejna, Stumpf, and Mayor Hutchinson voted yea. Aldermen Unnerstall and Oberkfell voted nay. Motion Carried.

8. Old Town Project Easements
Alderman Unnerstall suggested the easements already acquired by the City be recalculated in order to be fair to all of the property owners. Alderman Niemietz stated this would only delay the project and is not necessary. Alderman Row stated not all of the easements have the same value, dependent on the need for the specific easements. Alderman Unnerstall stated it is not fair to the citizens who signed early and might force property owners to hold out for future projects. Alderman Stumpf suggested this be addressed for future projects.

MOTION:

It was moved by Alderman Unnerstall to accept the Value of Property prepared by Craig Hiser for the Old Town project easements and to evaluate and adjust offers previously made to other property owners who have already granted easements for the project. Motion Failed for lack of a Second.

MOTION:

It was moved by Alderman Row, and seconded by Alderman Ebersohl, to accept the Value of Property prepared by Craig Hiser for the Old Town project easements. Upon Roll Call vote, Aldermen Ebersohl, Agne, Niemietz, Unnerstall, Hejna, Oberkfell and Stumpf voted yea. Alderman Row abstained because he is a property owner within the project area. Motion Carried.

9. Cahokia Water Line Archeological Mitigation
Alderman Oberkfell expressed concern this was not identified as part of the Phase 1 mitigation study. Alderman Unnerstall suggested the City seek other bids to shop the best deal. Mr. Williams stated Dr.

Kelly recommended Dr. Emerson because he is available to conduct the mitigation.

MOTION:

It was moved by Alderman Row, and seconded by Alderman Ebersohl, to proceed with engaging Dr. Emerson to conduct the archeological mitigation to clear the easement on the Holy Family property for the Cahokia Water Line project. Upon Roll Call vote, Aldermen Ebersohl, Agne, Niemietz, Unnerstall, Row, Hejna, Oberkfell and Stumpf voted yea. Motion Carried.

C. Building and Zoning

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

D. Plan Commission

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

E. City Attorney

1. Ordinance No. 2601 - Columbia Kinder College

MOTION:

It was moved by Alderman Agne, and seconded by Alderman Niemietz, to pass Ordinance No. 2601, an ordinance granting a Special Use Permit for real estate having the assigned address of 218 Rapp Avenue, in the City of Columbia, Illinois for David and Deborah Killy doing business as Columbia Kinder College to allow for the operation of a child day care business in a C-2 (General Business Zoned District) in the City. Upon Roll Call vote, Aldermen Ebersohl, Agne, Niemietz, Unnerstall, Row, Hejna, Oberkfell, Stumpf, and Mayor Hutchinson voted yea. Motion Carried.

2. Ordinance No. 2602 - Retail Jewelry Store

MOTION:

It was moved by Alderman Agne, and seconded by Alderman Stumpf, to pass Ordinance No. 2602, an ordinance granting a Special Use Permit for real estate having the assigned address of 1550 North Main Street, in the City of Columbia, Illinois for property owner, Mark Wegmann, to allow for a retail jewelry store use in a C-1 (Neighborhood Business Zoned District) in the City. Upon Roll Call vote, Aldermen Ebersohl, Agne, Niemietz, Unnerstall, Row, Hejna, Oberkfell, Stumpf, and Mayor Hutchinson voted yea. Motion Carried.

3. Virginia Payne Annexation

Mr. Adams informed the Council this issue would be deferred until the next meeting of the Council.

4. Ordinance No. 2603 - Columbia Lakes Property Exchange

Alderman Hejna stated she grew up in that area and it was never referred to as the Bridgeview Subdivision. Mr. Adams stated the reference to the Bridgeview Subdivision is just a label that was used to refer to property that was annexed to the City at the time of the annexation and is not important to the approval of the real estate exchange between adjoining owners. What is important is that the City can determine from the survey plat that after the exchange the remaining property Mr. Bachelier will still own is a legal lot under the City Zoning Code (and was not a legal lot that was made non-conforming as a result of the exchange) or is not a non-conforming lot that was grandfathered under the City Zoning Code and is being made more non-conforming by the proposed real estate exchange. Those are the things the City Attorney and the City Engineer look for in

recommending approval or disapproval of a survey plat for exchanges of real estate between adjoining owners.

MOTION:

It was moved by Alderman Ebersohl, and seconded by Alderman Niemietz, to pass Ordinance No. 2603, an ordinance to approve a survey plat and authorize a resubdivision of property located in the Bridgeview Subdivision in the City of Columbia, Illinois by real estate exchange between adjoining property owners (Tom Bachelier and Columbia Lakes Development, LLC) in order to allow for completion of the construction of a Route 3 Access Drive for the Columbia Lakes Subdivisions in the City by Columbia Lakes Development, LLC. Upon Roll Call vote, Aldermen Ebersohl, Agne, Niemietz, Unnerstall, Row, Stumpf, and Mayor Hutchinson voted yea. Aldermen Hejna and Oberkfell voted nay. Motion Carried.

5. Ordinance No. 2604 - Abate Property Taxes

MOTION:

It was moved by Alderman Unnerstall, and seconded by Alderman Hejna, to pass Ordinance No. 2604, an ordinance directing the County Clerks of Monroe and St. Clair Counties, Illinois to abate and not extend for collection the 2007 Ad Valorem Real Estate taxes scheduled for collection in 2008 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 said City in the original principal amount of \$1,520,000.00. Upon Roll Call vote, Aldermen Ebersohl, Agne, Niemietz, Unnerstall, Row, Hejna, Oberkfell, Stumpf, and Mayor Hutchinson voted yea. Motion Carried.

6. Budnick Converting, Inc. Performance Discussion

Mr. Adams informed the Council this issue would be deferred until the December 3, 2007 City Council regular meeting.

7. Piggott Fort Discussion

Mr. Adams informed the Council the subject property is lot 11A of the Bluffview Estates Subdivision (which is zoned R-3 One Family Dwelling District and for the uses therein allowed) and is subject to subdivision restrictions, both of which prohibit the use of the subject property for the intended use the City and the Columbia Historical Society wish to make of it as a park or historic site to be preserved for public uses and purposes. Mr. Adams recommended either the property be rezoned and the subdivision restrictions that encumber the property be eliminated before the City and the Columbia Historical Society enter into a cooperation agreement regarding the transfer of ownership of the site to the City and the use to be made of the site thereafter or the cooperation agreement to be made and entered into between the City and the Society be made subject to those two things being done and performed before the agreement would take effect and be binding on the City.

Mayor Hutchinson referred this to the Ordinance, Planning, and Zoning Committee.

8. Shoemaker Schoolhouse

Mr. Adams informed the Council the court denied the Heritage Foundation's Motion for Stay of the court order granting the City the ownership and possession of the Shoemaker School building and property; except pending the decision of the appellate court, the City shall not: (1) demolish the building or (2) transfer ownership of the building and property to a third party. Consequently, the City is not

at liberty to take full possession and use of the building and property and can make improvements to it as the City would decide.

F. Administration Department

The report of the City Administrator was represented to the Council.

1. Ordinance No. 2605 - Kleen Sweep Cleaning Service

MOTION:

It was moved by Alderman Stumpf, and seconded by Alderman Row, to pass Ordinance No. 2605, an ordinance authorizing a Professional Services Contract to hire Kleen Sweep Cleaning Service of Waterloo, Illinois to provide Professional Cleaning Services to the City of Columbia, Illinois. Upon Roll Call vote, Aldermen Ebersohl, Agne, Niemietz, Unnerstall, Row, Hejna, Oberkfell, Stumpf, and Mayor Hutchinson voted yea. Motion Carried.

2. Ordinance No. 2606 - Tech Electronics, Inc.

MOTION:

It was moved by Alderman Stumpf, and seconded by Alderman Oberkfell, to pass Ordinance No. 2606, an ordinance authorizing a Service contract to hire Tech Electronics, Inc. of St. Louis, Missouri to purchase and install a Professional Sound Reinforcement System in the Council Chamber for the City of Columbia, Illinois. Upon Roll Call vote, Aldermen Ebersohl, Agne, Niemietz, Unnerstall, Row, Hejna, Oberkfell, Stumpf, and Mayor Hutchinson voted yea. Motion Carried.

3. TIF Administration

Alderman Oberkfell stated he would like to defer any action on the TIF Administration to allow the Council more time to review the documents. Alderman Unnerstall stated he would like to see the information posted on the City's web site.

4. REJIS Annual Contract Renewal

MOTION:

It was moved by Alderman Unnerstall, and seconded by Alderman Niemietz, to renew the Service Agreement between the City of Columbia, Illinois and Regional Justice Information Services (REJIS) to provide a pool of technology hours for one year beginning December 1, 2007 and ending November 30, 2008. Upon Roll Call vote, Aldermen Ebersohl, Agne, Niemietz, Unnerstall, Row, Hejna, Oberkfell, and Stumpf voted yea. Motion Carried.

5. Debt Service Consolidation

Aldermen Ebersohl and Hejna both recommended seeking bids for the purchase of the proposed refunding of bonds rather than to have a private sale (for resale) of the bonds to Bernardi Securities, Inc. Mr. Traxler stated he would prepare a Request for Quote.

6. Comp Time/Back Pay Discussion

Mr. Traxler informed the Council this will be discussed in Executive Session.

7. Software Conversion

Mr. Traxler informed the Council the software has been installed. Mr. Traxler then explained there will be some personnel changes made to facilitate the implementation of the new software. Mr. Traxler also explained the new software will probably result in the realignment of the current work force within the City.

8. Short Term Employee
Mr. Traxler informed the Council about the need to hire a temporary employee to assist with certain responsibilities during the software implementation. Mr. Traxler then explained this would be a short term employment situation until the new software is operational and current job responsibilities can be evaluated.

MOTION:

It was moved by Alderman Niemietz, and seconded by Alderman Oberkfell, to direct the City Administrator to proceed with the employment of a temporary short-term employee for City Hall. Upon Roll Call vote, Aldermen Ebersohl, Agne, Niemietz, Unnerstall, Row, Hejna, Oberkfell, and Stumpf voted yea. Motion Carried.

- G. Zoning Board of Appeals
Mr. Vogt presented the report of the Zoning Board of Appeals report to the Council.
- H. Mayor
Mayor Hutchinson presented his report to the Council.

MOTION:

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

V. CLAIMS & ACCOUNTS

- A. Vouchers

MOTION:

It was moved by Alderman Hejna, and seconded by Alderman Stumpf, to authorize the payment of vouchers received through November 1, 2007; the total amount of the vouchers to be paid is four hundred seventy-five thousand, three hundred nine dollars, and three cents (\$475,309.03). Upon Roll Call vote, Aldermen Ebersohl, Agne, Niemietz, Unnerstall, Row, Hejna, Oberkfell, and Stumpf voted yea. Motion Carried.

VI. OLD BUSINESS

- A. Licenses, Insurance Claims, CEMA, and Contracts Committee
Minutes of the Licenses, Insurance Claims, CEMA, and Contracts Committee meeting and Executive Session held Monday, October 8, 2007 were presented to the Council for approval.

MOTION:

It was moved by Alderman Unnerstall, and seconded by Alderman Hejna, to approve the minutes of the Executive Session of the Licenses, Insurance Claims, CEMA, and Contracts Committee meeting held Monday, October 8, 2007 as on file at City Hall. Upon Voice vote, all Aldermen present voted yea. Motion Carried.

MOTION:

It was moved by Alderman Unnerstall, and seconded by Alderman Hejna, to approve the minutes of the Licenses, Insurance Claims, CEMA, and Contracts Committee meeting held Monday, October 8, 2007 as on file at City Hall. Upon Voice vote, all Aldermen present voted yea. Motion Carried.

VII. NEW BUSINESS

- A. Ordinance No. 2607 - IMLRMA Min/Max Agreement

MOTION:

It was moved by Alderman Unnerstall, and seconded by Alderman Stumpf, to pass Ordinance No. 2607, an ordinance authorizing the execution of the I.M.L.R.M.A. Minimum/Maximum Contribution Agreement. Upon Roll Call vote, Aldermen Ebersohl, Agne, Niemietz, Unnerstall, Row, Hejna, Oberkfell and Stumpf voted yea. Motion Carried.

VIII. REPORT OF STANDING COMMITTEES

There were no Standing Committee Reports

IX. CALL FOR COMMITTEE MEETINGS

Tuesday, November 13, 2007
7:00 PM - Personnel
7:15 PM - Ordinance, Planning, and Zoning
and Parks, Playgrounds, and Recreation

X. EXECUTIVE SESSION

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

MOTION:

It was moved by Alderman Unnerstall, and seconded by Alderman Niemietz, to direct the Mayor to go into Executive Session at 9:29 PM for the purpose of discussing personnel and the Columbia Crossing litigation. Upon Roll Call vote, Aldermen Ebersohl, Agne, Niemietz, Unnerstall, Row, Hejna, Oberkfell, and Stumpf voted yea. Motion Carried.

MOTION:

It was moved by Alderman Niemietz, and seconded by Alderman Ebersohl, to return to Regular Session of the City Council at 12:25 AM on Tuesday, November 6, 2007. Upon Roll Call vote, Aldermen Ebersohl, Agne, Niemietz, Unnerstall, Row, Hejna, Oberkfell, and Stumpf voted yea. Motion Carried.

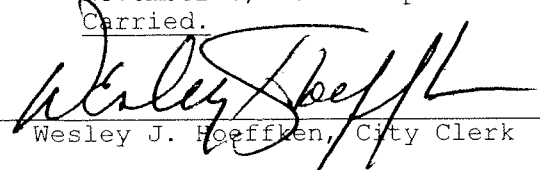
Upon return to Regular Session, Aldermen Ebersohl, Agne, Niemietz, Unnerstall, Row, Hejna, Oberkfell, Stumpf and Mayor Hutchinson were present.

Mayor Hutchinson inquired if there was any business to be brought before the Council as a result of the Executive Session. There was none.

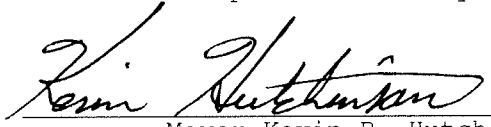
XI. ADJOURNMENT

MOTION:

It was moved by Alderman Row, and seconded by Alderman Agne, to adjourn the Regular City Council Meeting held Monday, November 5, 2007 at 12:26 AM on Tuesday, November 6, 2007. Upon Voice vote, all Aldermen present voted yea. Motion Carried.



Wesley J. Hoeffken, City Clerk



Mayor Kevin B. Hutchinson