

**MINUTES OF THE EXECUTIVE SESSION OF THE CITY COUNCIL OF THE CITY OF COLUMBIA,
ILLINOIS HELD TUESDAY, JANUARY 3, 2012 IN THE COUNCIL ROOM OF CITY HALL**

I. CALL TO ORDER

Mayor Hutchinson called the Executive Session of the City Council of Columbia, Illinois to order at 7:17 P.M.

Upon Roll Call, the following members were:

Ebersohl	<input checked="" type="checkbox"/> Present	<input type="checkbox"/> Absent	Huch	<input checked="" type="checkbox"/> Present	<input type="checkbox"/> Absent
Agne	<input checked="" type="checkbox"/> Present	<input type="checkbox"/> Absent	Mathews	<input type="checkbox"/> Present	<input checked="" type="checkbox"/> Absent
Niemietz	<input checked="" type="checkbox"/> Present	<input type="checkbox"/> Absent	Piazza	<input checked="" type="checkbox"/> Present	<input type="checkbox"/> Absent
Roessler	<input checked="" type="checkbox"/> Present	<input type="checkbox"/> Absent	Reis	<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 Terry Bruckert	<input checked="" type="checkbox"/> Chief of Police & Ambulance Director Joe Edwards
<input type="checkbox"/> Building Inspector Al Holden	<input type="checkbox"/> City Treasurer Bob Naumann
<input checked="" type="checkbox"/> City Engineer Ron Williams	<input type="checkbox"/> Director of Economic Development Paul Ellis
<input type="checkbox"/> Deputy CEMS Director Ken Buss	<input type="checkbox"/> Deputy Chief of Police Jerry Paul
<input type="checkbox"/> Accounting Manager Linda Sharp	<input type="checkbox"/> Head Librarian Erica Pyle

II. STATED PURPOSE

Mayor Hutchinson stated the Executive Session was called to update/discuss pending litigation. City Attorney Terry Bruckert asked Chief of Police Joe Edwards to start the meeting with a summarization of pending litigation regarding Jarrod Pochynok and Christopher Shawn Norton.

A. JARROD POCHYNOK

Chief Edwards summarized the pending litigation (in the form of a Complaint filed as No. 11-LM-84 in the Circuit Court of the 20th Judicial Circuit, Monroe County, Illinois) filed by the City of Columbia against former police officer Jarrod Pochynok, requesting that the Court grant the City's request for reimbursement from Mr. Pochynok of \$14,668.47 pursuant to the terms and provisions of the Columbia Police Department Reimbursement Agreement for Hiring and Training Expenses signed by Mr. Pochynok upon his hiring. Mr. Bruckert joined the conversation and informed the Council members of a verbal settlement offer (approximately 50% of the requested amount) and of conversations with Mr. Pochynok's attorney. After summary, it was the consensus of the Council for Mr. Bruckert to continue negotiations with Mr. Pochynok's attorney in an attempt to resolve this matter.

B. CHRISTOPHER SHAWN NORTON

Chief Edwards informed the Council of litigation brought by Plaintiff Christopher Shawn Norton through his attorney Robert Hayes (in the form of a complaint in Replevin filed as No. 2011-LM-105 in the Circuit Court of the 20th Judicial Circuit, Monroe County, Illinois) seeking the return of property seized (various firearms) by the Columbia Police Department during an incident occurring in October, 2010. Chief Edwards also described the incident and the reasons the seized property had not been returned to Mr. Norton. Attorney Bruckert provided additional information to the Council regarding the litigation and indicated that he planned to file a response on behalf of the City and seek the Court's determination on the release of the seized property.

C. STS CUSTOM HOMES V. THE CITY OF COLUMBIA

Attorney Bruckert updated the Council on the status of litigation regarding STS Custom Homes V. The City of Columbia.

D. UNITED FIRE AND CASUALTY/VEILE CONSTRUCTION

City Engineer Ron Williams updated the Council regarding litigation involving United Fire and Casualty Company and Veile Construction, Inc. of Illinois (its president Scott K. Reichert, and various related entities) and the City of Columbia, Illinois (in the form of a Complaint filed as Case No. 11-L-36 in the Circuit Court of Monroe County, Illinois), and advised the Council that United Fire and Casualty is seeking a jury trial. The Complaint requests reimbursement of legal fees and costs incurred by UF&C for assisting in the completion of the Old Town project-Phase One, as well as interest applicable thereto. City Administrator Al Hudzik provided the Council with additional background information regarding the project completion and informed the Council that funds awarded to UF&C, if any, would be paid from final funds due Veile Construction for the Old Town Project-Phase One. It was the consensus of the Council that City Attorney Bruckert, with the assistance of City Staff, respond to the complaint and keep the Council updated on the status of this litigation.

III. ADJOURNMENT

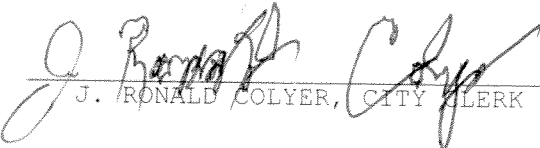
There being no further business to be brought before the Council in Executive Session, Mayor Hutchinson asked for a motion to return to the Regular Session of the City Council at 8:08 P.M.

MOTION:

It was moved and seconded to adjourn the Executive Session of the City Council Meeting held Tuesday, January 3, 2012 at 8:08 P.M.

Moved by: Agne	Second: Niemietz	Vote: Roll Call
Ebersohl Yea	Roessler Yea	Piazza Yea
Agne Yea	Huch Yea	Reis Yea
Niemietz Yea	Mathews Absent	

Motion Carried 7 To 0



J. RONALD COLYER, CITY CLERK



MAYOR KEVIN B. HUTCHINSON