

**MINUTES OF THE COMMITTEE OF THE WHOLE MEETING OF THE CITY  
COUNCIL OF THE CITY OF COLUMBIA, ILLINOIS HELD MONDAY,  
SEPTEMBER 8, 2014 IN THE COUNCIL ROOM OF CITY HALL**

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**I. CALL TO ORDER**

Chairman Ebersohl called the Committee of the Whole Meeting of the City Council of the City of Columbia, Illinois to order at 7:02 p.m.

Upon Roll Call, the following members were:

Present: Chairman Ebersohl and Aldermen Agne, Niemietz, Roessler, Huch, Mathews, Reis and Holtkamp and Mayor Hutchinson.

Absent: None.

Quorum Present.

Administrative Staff Present: City Administrator Al Hudzik, City Engineer Ron Williams (left at 8:25 p.m.), City Attorney Terry Bruckert, Labor Attorney Mark Weisman (arrived at 7:53 p.m.) Director of Community and Economic Development Paul Ellis (left at 7:50 p.m.), Chief of Police Joe Edwards, Accounting Manager Linda Sharp (left at 8:25 p.m.) and Accounting/Clerical Assistant Sandra Garmer.

Guests Present: Joe Menner and Chris Becker, representatives of M & B Ice Company (both left at 7:10 p.m.), Joe Koppeis and Dr. Michael Kirk, representatives of Columbia Land Management, LLC (both left at 7:50 p.m.), Bill Rebholtz and Kelton Davis, representatives of the Monroe County Coalition for Drug-Free Communities (both arrived at 7:11 p.m. and left at 7:50 p.m.), Paul Frierdich, representative of H.J. Frierdich Construction (left at 8:25 p.m.) and Mike Rosborg, representative from Millennia Professional Services (left at 7:50 p.m.).

Chairman Ebersohl stated the meeting was called for the purpose of: (1) receiving a presentation on/discussing M & B Ice Company's proposed Portable Ice/Water Dispensing Building; (2) receiving a presentation on/discussing Columbia Land Management's Property Real Estate Tax reimbursement/abatement request; (3) receiving a presentation by the Monroe County Coalition for Drug Free Communities on medical/recreational marijuana legalization; (4) receiving a presentation on/discussing Columbia Centre's private road replacement and repairs; (5) discussing Crown Linen Service's water usage and payments; (6) discussing the Diehl Plaza entryway; (7) discussing the drainage ditch by West Park Bowl; and (8) any other items to be considered or discussed.

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Letter to Mayor Hutchinson and Dr. Segobiano re: Proposed Professional Building Development (7 pages)  
Letter to Mayor Hutchinson, Council Members, City Engineer Williams and City Administrator Hudzik re:  
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Columbia Centre Roadway Improvement Plans Review (2 pages)  
Memo from Accounting Manager Linda Sharp re: Crown Textile Service and attachments (3 pages)

**II. M & B ICE COMPANY (“M & B Ice”) PORTABLE ICE/WATER DISPENSING BUILDING PRESENTATION/DISCUSSION**

Chairman Ebersohl called upon Joe Menner and Chris Becker to address the Committee Members on this issue (Note: prior to the meeting, copies of a photo of a proposed ice/water dispensing building showing shielding of the equipment on top were distributed to the Committee Members). Joe and Chris referenced the photo (distributed) as an example of the building they intend to locate in the city, if allowed, and asked the Committee Members if they had any questions/comments. The general comments from the Committee Members were that the photo depicted a better looking structure than the examples distributed at the last Committee Meeting, and the Committee Members showed no apparent objection to the structure. City Engineer Ron Williams stated the next step to be taken is for M & B Ice to file its petition with the Zoning Board of Appeals to allow the structure to be added as a special use in the city’s C-2 (General Business) District – once the Zoning Board Hearing is held, the Board’s recommendation will be made to the City Council for its consideration of adding the building as a special use and possibly containing the construction materials allowed. It was the general consensus of the Committee Members that M & B Ice begin the process by submitting its petition to the Zoning Board of Appeals, as described by Williams.

**III. COLUMBIA LAND MANAGEMENT (“CLM”) PROPERTY REAL ESTATE TAX REIMBURSEMENT/ABATEMENT PRESENTATION/DISCUSSION**

CLM representative Joe Koppeis (with comments from Dr. Michael Kirk) addressed the Committee Members on this topic and asked if there were any questions/comments pertaining to the company’s September 5, 2014 letter re: Proposed Professional Building Development (which had previously been distributed to the Committee Members) wherein CLM is requesting a real estate tax reimbursement of 75% of property taxes paid for the first two (2) buildings (for 10 years) and 40% of the property taxes paid on any additional buildings (for 10 years). The letter gave an example of the total taxes for the first building with figures based upon a reimbursement by CUSD #4 (which receives approximately 67% of real estate taxes in the city) – City Administrator Al Hudzik then gave figures pertaining to the city’s portion (i.e., approximately 12% – 13% of total taxes) for the Committee Members’ information. Mr. Koppeis stated he would be making his presentation to the Columbia School Board Members on September 25<sup>th</sup>. It was the general consensus of the Committee Members that an ordinance be presented at the next council meeting for the city council to consider approving the real estate tax reimbursement requested by CLM, as reviewed and discussed at this meeting.

**IV. MONROE COUNTY COALITION FOR DRUG FREE COMMUNITIES – PRESENTATION ON MEDICAL/RECREATIONAL MARIJUANA LEGALIZATION**

Monroe County Coalition for Drug-Free Communities (“MCCDFC) representatives Bill Rebholtz and Kelton Davis distributed the following documents to the Committee Members: (a) a single page document entitled “Monroe County Coalition for Drug-Free Communities” with subheadings of “Mission”, “Vision”, “Purpose”, “Membership/

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Stakeholders” and “Meetings”; and (b) a two page document entitled “A Statement of Support for the Monroe County Coalition for Drug-Free Communities (MCCDFC) Position Against the Legalization of Marijuana for Medical and/or Recreational Use”. Mr. Rebholtz then addressed the Committee Members on this issue and read the two page “support” document (paragraph by paragraph) and requested that the city show its support of MCCDFC’s mission and vision by adopting the language in the “support” document. During and after Mr. Rebholtz’s presentation, all in attendance were given the opportunity to make comments, ask questions and express their opinions, including (i) that the drafting of the statements in the “support” document were taken from facts from various entities as shown in the text of the statement; (ii) drug use does not happen in a vacuum – it affects many aspects of people’s lives; (iii) peer pressure plays a role in young people starting to use drugs and education helps in counteracting the peer pressure; (iv) medical use of marijuana has been approved by the Illinois legislature and doctors in the state will be able to legally prescribe its use in the future; and (v) the concept presented by MCCDFC encompassed in the “support” document was supported, but it should be in more generalized language. Mr. Rebholtz indicated that MCCDFC would like the city to adopt the “support” document, as presented, but would accept the support of the city using different language.

V. **COLUMBIA CENTRE PRIVATE ROAD REPLACEMENT AND REPAIR PRESENTATION/DISCUSSION**

Joe Koppeis, representing Columbia Centre Market Place, Inc., briefly reviewed his letter of September 2, 2014 re: Columbia Centre Road Replacement and Repair (which had been distributed to the Council Members at the September 2<sup>nd</sup> council meeting) requesting the city to accept the Columbia Centre private roadway once it has been replaced/repared as shown on the drawing submitted with said letter. Koppeis also stated that (i) he has been in touch with Paul Frierdich to construct/repair the road; (ii) the road cannot be built to subdivision standards since the area for the roadway is not wide enough (i.e., not 50’ wide); (iii) that the cost of the replacement/repair to the private road will exceed \$300,000 (with adjacent property owners paying the expenses); (iv) that Columbia National Bank (“CNB”) is willing to give an easement for their current roadway (connecting to Valmeyer Road) as long as the bank continues its use as a roadway; furthermore, CNB is willing to give notice of its discontinuance of use as a roadway; (v) that Sinclair is willing to give an easement for a turn-around which would be utilized in the event CNB’s roadway use is discontinued and another easement to access Valmeyer Road is not received; and (vi) that the Post Office (through its title company) is not willing to agree to the road replacement/repairs (and associated costs) without the city agreeing to accept the roadway as a public roadway (once the replacement/repairs are completed and accepted). During Joe’s presentation, all in attendance were given the opportunity to make comments, ask questions and express their opinions, including (a) that a sidewalk is included along the McDonald’s side of the road; and (b) the construction time if the city agrees to accept the private roadway, as presented – Joe felt it should be constructed by the end of October (Paul Frierdich indicated that was accomplishable depending on the weather). It was the consensus of the Committee Members that the city accept the roadway as a public roadway after its

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replacement/repair as discussed at this meeting and upon review and approval of City Engineer Ron Williams.

**MOTION:**

It was moved by Alderman Niemietz and seconded by Alderman Reis to recommend to the City Council that the Columbia Centre roadway be accepted by the city as a public roadway when replacement and repairs have been performed pursuant to the plans prepared by Millennia Professional Services, and after review and approval by City Engineer Ron Williams. Upon Roll Call vote, Chairman Ebersohl and Aldermen Agne, Niemietz, Roessler, Huch, Mathews, Reis and Holtkamp voted yea. **MOTION CARRIED.**

**VI. CROWN LINEN SERVICE WATER USAGE/PAYMENT DISCUSSION**

Accounting Manager Linda Sharp distributed revised worksheets containing up to date figures for the Crown Textile Services Account # 6758 to those previously distributed to the Committee Members with her Memo of September 5, 2014 re: Crown Textile Service (said worksheets contained the same basic information as the worksheets reviewed at the August 25<sup>th</sup> Committee Meeting, but were presented in a more summarized format) and she reviewed the figures contained on the worksheets. Attorney Terry Bruckert indicated his firm had done research on the fees municipalities can assess on services and was unable to locate any maximum amounts, but indicated the fees assessed would have to be reasonable – City Administrator Hudzik also made remarks concerning the figures shown on the worksheets and reasonableness of fees assessed. Hudzik indicated that it was Sharp's and his recommendations (i) that (for accounting purposes, and at the auditors' request), a portion of the Crown Textile Services receivables be reduced as of April 30, 2014, the city's most recent fiscal year end (the amount recommended by city staff, as shown on one of the worksheets, was \$66,599.22); (ii) that city staff meet with Crown Textile Service representative(s) to discuss this account; and (iii) that city staff review the current late payment fee amount and recommend any suggested changes to the council. During the review of the worksheets and comments by staff, all in attendance (including members of the general public) were given the opportunity to make comments, ask questions and express their opinions, including (a) the reasonableness of the current late fees assessed; (b) whether the city would be willing to negotiate a reduction in receivables from a city resident – possibly, depending on the circumstances and amount due; and (c) that the ultimate goal was to charge a reasonable rate for late payments that would apply to all accounts. It was the consensus of the Committee Members that the recommendations of the Accounting Manager and City Administrator be followed concerning the Crown Textile Services account.

**MOTION:**

It was moved by Alderman Reis and seconded by Alderman Roessler to recommend to the City Council the reduction in the receivable (for accounting purposes) showing on the city's records for Crown Textile Services Account # 6758, as of April 30, 2014, in the amount of \$66,599.22 representing a portion of the late fees assessed against said account

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since May, 2010. Upon Roll Call vote, Chairman Ebersohl and Aldermen Agne, Niemietz, Roessler, Huch, Mathews, Reis and Holtkamp voted yea. **MOTION CARRIED.**

**VII. DIEHL PLAZA ENTRYWAY DISCUSSION**

City Engineer Ron Williams stated the Diehl Plaza entrance was privately owned and was not a responsibility of the city, so no discussion was held on this topic.

**VIII. DISCUSSION ON DRAINAGE DITCH BY WEST PARK BOWL**

City Engineer Ron Williams stated the drainage ditch is not owned by the city – it is on property owned by West Park Bowl and the adjacent convalescent center and that the city has no regulations concerning the maintenance of the drainage ditch. No additional discussion was held on this topic.

**IX. OTHER ITEMS TO BE CONSIDERED OR DISCUSSED**

(A) City Engineer Williams informed the Committee Members that one of the options the city had explored on reducing the cost of the N. Main Street Resurfacing Project (which had been bid twice and came in over budget each time) was to reduce the length of the project; however, when East-West Gateway reviewed the project, they indicated the length of the project as submitted could not be shortened. Williams indicated he would be meeting with Oates Associates to discuss other reductions to cost and present any recommendations to the Committee Members at the next committee meeting; and (B) a brief discussion was held concerning public safety monitoring.

**X. EXECUTIVE SESSION**

Chairman Ebersohl entertained a motion to go into Executive Session to (i) receive an update on EMS negotiations; (ii) receive an update on and discuss pending litigation; and (iii) discuss the appointment, employment, compensation, discipline, performance or dismissal of specific employee(s) of the public body.

**MOTION – EXECUTIVE SESSION**

It was moved by Alderman Niemietz and seconded by Alderman Huch to go into Executive Session at 8:25 p.m. to (i) receive an update on EMS negotiations; (ii) receive an update on and discuss pending litigation; and (iii) discuss the appointment, employment, compensation, discipline, performance or dismissal of specific employee(s) of the public body. Upon Roll Call vote, Chairman Ebersohl and Aldermen Agne, Niemietz, Roessler, Huch, Mathews, Reis and Holtkamp voted yea. **MOTION CARRIED.**

**MOTION – REGULAR SESSION**

It was moved by Alderman Reis and seconded by Alderman Agne to return to the Regular Session of the Committee of the Whole Meeting at 8:57 p.m. Upon Roll Call vote, Chairman Ebersohl and Aldermen Agne, Niemietz, Roessler, Huch, Mathews, Reis and Holtkamp voted yea. **MOTION CARRIED.**

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Upon return to the Regular Session of the Committee of the Whole Meeting, Mayor Hutchinson and the following Committee Members were present: Chairman Ebersohl and Aldermen Agne, Niemietz, Roessler, Huch, Mathews, Reis and Holtkamp.

Chairman Ebersohl asked if there was any action to be taken as a result of the Executive Session of the Committee of the Whole Meeting.


**MOTION:**

It was moved by Alderman Huch and seconded by Alderman Reis to recommend to the City Council the employment of Gary G. Ludwig of Hillsboro, Missouri, as an expert witness on behalf of the city pertaining to the Jason Sitzes arbitration issue. Upon Roll Call vote, Chairman Ebersohl and Aldermen Agne, Niemietz, Roessler, Huch, Mathews, Reis and Holtkamp voted yea. **MOTION CARRIED.**

**XI. ADJOURNMENT**

**MOTION:**

It was moved by Alderman Reis and seconded by Alderman Niemietz to adjourn the Committee of the Whole Meeting of the City Council of the City of Columbia, Illinois held Monday, September 8, 2014 at 9:02 p.m. Upon Roll Call vote, Chairman Ebersohl and Aldermen Agne, Niemietz, Roessler, Huch, Mathews, Reis and Holtkamp voted yea. **MOTION CARRIED.**

  
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GENE EBERSOHL, Chairman  
COMMITTEE OF THE WHOLE

Minutes taken by:

  
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SANDRA GARMER, Accounting/Clerical Assistant