

**ORDINANCE NO. 3162**

STATE OF ILLINOIS  
CITY OF COLUMBIA  
FILED FOR RECORD

FEB - 2 2015

**AN ORDINANCE TO AUTHORIZE THE MAYOR OF THE CITY OF COLUMBIA, ILLINOIS TO EXECUTE AN AGREEMENT WITH THE EQUITY TRUST COMPANY CUSTODIAN FBO BRIAN PENDLETON IRA, AND THE EQUITY TRUST COMPANY CUSTODIAN FBO DAVID WITTENAUER IRA TO SUPPORT COOPERATIVE EFFORT TO RECLAIM THE FORMER VIDEO EXCHANGE SITE IN THE CITY OF COLUMBIA, ILLINOIS**



City Clerk

WHEREAS, in 1996 the City of Columbia, Illinois (hereinafter "the City") formed the Admiral Parkway Redevelopment Area (hereinafter "the Area") to address blight, especially chronic flooding, in the property adjacent to Illinois Route 3; and

WHEREAS, flooding has negatively impacted the commercial property at 1019 Valmeyer Rd. in Columbia, Illinois (hereinafter "the Site") formerly developed as the Video Exchange and now owned jointly by the Equity Trust Company Custodian fbo Brian Pendleton IRA (hereinafter, "Pendleton IRA") and the Equity Trust Company Custodian fbo David R. Wittenauer IRA (hereinafter, "Wittenauer IRA") so as to prevent current use or redevelopment of the parcel; and

WHEREAS, in 2012 the City adopted a master plan for the Admiral Trost Subdivision Park (hereinafter "Park Plan") that envisioned wetlands restoration as a central part of future development of that property, as well as providing some additional retention for stormwater; and

WHEREAS, as part of the aforementioned Park Plan, removal of dirt is anticipated from the Area which may either be used at other site(s) in the floodplain or disposed of at other site(s) outside the flood plain at a more significant cost; and

WHEREAS, in 2013 and 2014 the City endorsed application by the HeartLands Conservancy for an Illinois Green Infrastructure Grant ("IGIG") in order to fund a wetlands restoration project that would address flooding and help to develop the Area per the vision articulated in the Park Plan; and

WHEREAS, while both grant applications were unsuccessful, the Pendleton IRA and the Wittenauer IRA, acting jointly, have offered to excavate and remove a portion of the dirt at their (the Pendleton IRA and the Wittenauer IRA) expense; and

WHEREAS, the City, the Pendleton IRA and the Wittenauer IRA have agreed that it is necessary and desirable to coordinate efforts to pursue implementation of the

Park Plan, reduce flooding in the Area and help to reclaim the Site, as set forth in the attached Agreement (hereinafter "Agreement").

NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of Columbia, Illinois, as follows:

**Section 1.** The recitals contained above in the preamble of this Ordinance are hereby incorporated herein by reference, the same as if set forth in this Section of this Ordinance verbatim, as findings of the City Council of the City of Columbia, Illinois.

**Section 2.** The City Council of the City of Columbia, Illinois, does hereby authorize the Agreement with the Pendleton IRA and the Wittenauer IRA as set out in the attached document, and does further authorize and direct the Mayor to execute and deliver this Agreement, in the form attached hereto, evidencing such an agreement with the aforementioned parties, which Agreement is hereby approved as to form, in as many counterparts as the Mayor shall determine, and the City Clerk is hereby authorized and directed to attest the same and affix thereto the corporate seal of the City.

**Section 3.** This Ordinance shall be in full force and effect from and after its passage, as provided by law.

Alderman Niemietz moved the adoption of the above and foregoing Ordinance; the motion was seconded by Alderman Reis, and the roll call vote was as follows:

YEAS: Aldermen Ebersohl, Agne, Niemietz, Roessler, Huch, Reis and Holtkamp.

NAYS: None.

ABSENT: Alderman Mathews.

ABSTENTIONS: None.

PASSED by the City Council and APPROVED by the Mayor, this 2nd day of February, 2015.

  
 KEVIN B. HUTCHINSON, Mayor

ATTEST:

  
 WESLEY J. HOEFFKEN, City Clerk

(SEAL)