

**MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF COLUMBIA,
ILLINOIS HELD MONDAY, MAY 19, 2008 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:

Ebersohl	<input checked="" type="checkbox"/> Present	<input type="checkbox"/> Absent	Row	<input checked="" type="checkbox"/> Present	<input type="checkbox"/> Absent
Agne	<input checked="" type="checkbox"/> Present	<input type="checkbox"/> Absent	Hejna	<input checked="" type="checkbox"/> Present	<input type="checkbox"/> Absent
Niemietz	<input checked="" type="checkbox"/> Present	<input type="checkbox"/> Absent	Oberkfell	<input checked="" type="checkbox"/> Present	<input type="checkbox"/> Absent
Unnerstall	<input checked="" type="checkbox"/> Present	<input type="checkbox"/> Absent	Stumpf	<input checked="" type="checkbox"/> Present	<input type="checkbox"/> Absent

Quorum Present.

Administrative Staff Present:

<input checked="" type="checkbox"/> City Clerk Wes Hoeffken	<input checked="" type="checkbox"/> City Administrator Anthony Traxler
<input checked="" type="checkbox"/> City Attorney Tom Adams	<input type="checkbox"/> Chief of Police Joe Edwards
<input type="checkbox"/> Building Inspector Al Holden	<input type="checkbox"/> City Treasurer Bob Naumann
<input type="checkbox"/> City Engineer Ron Williams	<input type="checkbox"/> Director of Economic Development Paul Ellis
<input type="checkbox"/> Fire Chief Mike Roediger	<input checked="" type="checkbox"/> Deputy Chief of Police Jerry Paul
<input type="checkbox"/> Deputy CEMS Director Ken Buss	<input checked="" type="checkbox"/> Librarian Linda Maus

The Council recited the Pledge of Allegiance.

II. APPROVAL OF MINUTES

The minutes of the Executive Session of the City Council held Monday, April 28, 2008 were submitted for approval.

Corrections were forwarded to Mr. Hoeffken.

MOTION:

It was moved and seconded to approve the minutes of the Executive Session of the City Council held Monday, April 28, 2008, as amended and on file at City Hall.

Moved by: Unnerstall Second: Hejna Vote: Roll Call

Ebersohl	Abstain	Unnerstall	Yea	Oberkfell	Yea
Agne	Yea	Row	Yea	Stumpf	Yea
Niemietz	Yea	Hejna	Yea		

Motion Carried 8 To 0

Alderman Ebersohl abstained because he had been on vacation and did not have an opportunity to review the minutes.

The minutes of the Special Meeting of the City Council held Monday, April 28, 2008 were submitted for approval.

MOTION:

It was moved and seconded to approve the minutes of the Special Meeting of the City Council held Monday, April 28, 2008, as on file at City Hall.

Moved by: Niemietz Second: Row Vote: Roll Call

Ebersohl	Abstain	Unnerstall	Yea	Oberkfell	Yea
Agne	Yea	Row	Yea	Stumpf	Yea
Niemietz	Yea	Hejna	Yea		

Motion Carried 8 To 0

Alderman Ebersohl abstained because he had been on vacation and did not have an opportunity to review the minutes.

The minutes of the Regular Meeting of the City Council held Monday, May 5, 2008 were submitted for approval.

Corrections were forwarded to Mr. Hoeffken. Alderman Unnerstall inquired about the lengthy details of the Council discussion under Call For Committee Meetings. Mr. Hoeffken explained this has been an unresolved ongoing discussion that continues to surface, and hopes placing the discussion in the minutes would satisfy the need for any future discussion. Alderman Unnerstall requested a similar level of detail regarding the Jennifer Court and dump site discussion, specifically Mayor Hutchinson's multiple requests to pass an ordinance supporting Mr. Bob Jones' request.

MOTION:

It was moved and seconded to approve the minutes of the Regular Meeting of the City Council held Monday, May 5, 2008, as amended and on file at City Hall.

Moved by: Agne Second: Niemietz Vote: Roll Call

Ebersohl	Abstain	Unnerstall	Nay	Oberkfell	Nay
Agne	Yea	Row	Nay	Stumpf	Nay
Niemietz	Yea	Hejna	Nay		

Motion Failed 6 To 2

Alderman Ebersohl abstained because he had been on vacation and did not have an opportunity to review the minutes.

III. DELEGATIONS

A. Landowner Concerns

Mr. Jim Gummersheimer, of 329 DD Road, provided a brief history of the annexation of his property and then presented the Council with a formal Petition For Disconnection from the City.

Mr. Gary Stumpf, of 10702 Levee Road, informed the Council he has been providing the City with green space and is upset over the Council's lack to assist with the levee upgrade.

B. Gene Bergmann - Columbia Crossing

Mr. Gene Bergman provided a brief description of the proposed Dupo Industrial Rail Development and the impact it will have on industrial growth in the area, as well as the impact it will have on residential growth on Columbia.

IV. REPORT OF OFFICERS

A. Police Department

The report of the Chief of Police was presented to the Council.

Deputy Chief Jerry Paul presented statistical data for the Columbia Police Department, Waterloo Police Department, and the Monroe County Sheriff Department.

Deputy Chief Paul then informed the Council about a call received by the Dispatch Center on May 10, 2008 from Alderman Stumpf regarding a police officer executing a traffic patrol along Route 3, and expressed concern about elected officials making these types of calls. Deputy Chief explained these types of patrols are mandated by State Statutes, especially for construction zones. Deputy Chief Paul reminded the Council they are not authorized to direct police staff individually. Mayor Hutchinson also stressed that as individuals, the aldermen are not authorized to direct any staff members. Alderman Stumpf stated he thought the patrol was being conducted in a bad spot. Deputy Chief Paul responded he had viewed the intersection and determined, from a risk management perspective, this was a safe position.

There was a brief discussion about the Chief of Police being gone for 2 ½ months. Deputy Chief Paul explained that Chief Edwards sent an email to the council in November 2007 explaining the program as the FBI National Training and timeline for the training. Deputy Chief Paul also explained this is executive level training for command staff.

B. EMS Department

The monthly report of the Director of the Columbia Emergency Medical Service was presented to the Council.

C. Library Board

The monthly report of the Library Board was presented to the Council.

1. Closing of Metter Street - Library Car Show

MOTION:

It was moved and seconded to approve the closing of Metter Street in the front of the Library on June 6, 2008 from 6:00 PM until 8:30 PM for the annual Columbia Public Library Car Show, contingent upon coordinating the event with the Columbia Police Department and Department of Public Works.

Moved by: Ebersohl Second: Agne Vote: Roll Call

Ebersohl	Yea	Unnerstall	Yea	Oberkfell	Yea
Agne	Yea	Row	Yea	Stumpf	Yea
Niemietz	Yea	Hejna	Yea		

Motion Carried 8 To 0

D. Plan Commission

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

E. City Attorney

1. Property Exchange - Mark and Judy Sharkey

MOTION:

It was moved and seconded to approve an Order of the City of Columbia, Illinois to schedule a public hearing to be scheduled for Monday, June 16, 2008 for public comments and questions on a real estate change between the City of Columbia, Illinois and Mark and Judy Sharkey to trade right of way the City needs for the Old Town Project in exchange for a parking easement on drainage property owned by the City.

Moved by: Row Second: Ebersohl Vote: Roll Call

Ebersohl	Yea	Unnerstall	Yea	Oberkfell	Yea
Agne	Yea	Row	Yea	Stumpf	Yea
Niemietz	Yea	Hejna	Yea		

Motion Carried 8 To 0

F. Administration Department

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

1. Columbia Rural Fire Department Response

Alderman Unnerstall expressed concern with being asked to approve a letter they were being presented with for the first time tonight.

MOTION:

It was moved and seconded to table approval of the Columbia Rural Fire Department response letter drafted by Mr. Traxler and to refer the letter to the Fire Department Committee.

Moved by: Hejna Second: Row Vote: Roll Call

Ebersohl	Yea	Unnerstall	Yea	Oberkfell	Yea
Agne	Yea	Row	Yea	Stumpf	Yea
Niemietz	Yea	Hejna	Yea		

Motion Carried 8 To 0

MOTION:

It was moved and seconded to accept the report of all Departments and Officers as presented.

Moved by: Row Second: Unnerstall Vote: Voice

Ebersohl	Yea	Unnerstall	Yea	Oberkfell	Yea
Agne	Yea	Row	Yea	Stumpf	Yea
Niemietz	Yea	Hejna	Yea		

Motion Carried 8 To 0

V. CLAIMS & ACCOUNTS

A. Vouchers

MOTION:

It was moved and seconded to authorize the payment of vouchers received through May 16, 2008; the total amount of the vouchers to be paid is two hundred forty-four thousand, four hundred ninety-four dollars, and sixty-five cents (\$244,494.65).

Moved by: Hejna Second: Unnerstall Vote: Roll Call

Ebersohl	Abstain	Unnerstall	Yea	Oberkfell	Yea
Agne	Yea	Row	Yea	Stumpf	Yea
Niemietz	Yea	Hejna	Yea		

Motion Carried 8 To 0

Alderman Ebersohl abstained because he had been on vacation and did not have an opportunity to review the vouchers.

B. Statement of Funds

The April 2008 Statement of Funds was presented to the Council.

MOTION:

It was moved and seconded to accept the Statement of Funds for the month of April 2008 as presented and on file at City Hall.

Moved by: Hejna Second: Unnerstall Vote: Roll Call

Ebersohl	Abstain	Unnerstall	Yea	Oberkfell	Yea
Agne	Yea	Row	Yea	Stumpf	Yea
Niemietz	Yea	Hejna	Yea		

Motion Carried 8 To 0

Alderman Ebersohl abstained because he had been on vacation and did not have an opportunity to review the report.

VI. OLD BUSINESS

- A. Ordinance No. 2654 - Mixed Use Development District
Mayor Hutchinson provided a brief history of the MDD zoning district.

MOTION:

It was moved and seconded to pass Ordinance No. 2654, an ordinance amending the Zoning Code of the City of Columbia to create a Mixed Use Development Zoned District (MDD) as approved and recommended by the Plan Commission, Zoning Board of Appeals, and the Ordinance, Planning, and Zoning Committee.

Moved by: Agne Second: Ebersohl Vote: Roll Call

Ebersohl	Yea	Unnerstall	Nay	Oberkfell	Nay
Agne	Yea	Row	Nay	Stumpf	Nay
Niemietz	Yea	Hejna	Nay	Hutchinson	Yea

Motion Failed 5 To 4

MOTION:

It was moved and seconded to pass Ordinance No. 2654, an ordinance amending the Zoning Code of the City of Columbia to create a Mixed Use Development Zoned District (MDD) dated February 25, 2008 amended as follows:

- 1) Section III. Following the paragraph titled "Bulk Area Requirement", insert a new paragraph that states "Economic Incentives. If the applicant is anticipating and/or relying upon economic incentives for the development of the proposed rezoned area, any such economic incentive packages deemed appropriate shall be enacted by the City prior to approval of MDD re-zoning."
- 2) Section III. In the third to last paragraph, following the sentence which ends "... professionals acceptable to both the applicant and the City, at the applicant's expense." add the following sentence "If the applicant and City cannot agree on the selection of such professionals, such professionals will be chosen by the City."
- 3) Section X, Paragraph 5. In the second to last paragraph, following the sentence which ends "... professionals acceptable to both the applicant and the City, at the applicant's expense." add the following sentence "If the applicant and City cannot agree on the selection of such professionals, such professionals will be chosen by the City."

and subject to Section 17.02 of the Columbia City Code being revised to allow for a Planning Committee sixty (60) day review period of the Concept Plan.

Alderman Agne stated it does not make sense to include incentives packages at the time of zoning without understanding the process, and if the developer does not get the incentives he is requesting, he will just drop the project. Alderman Agne stated incentive negotiations do not belong in zoning ordinances and review of MDD zoning would not require much time because it will already be in place. Mr. Adams stated the two issues are typically separate. Mr. Traxler added that Mr. John Brancaglione has previously stated you would need to know specific tenants and building information in order to identify incentives at the time of zoning. Alderman Unnerstall expressed concern that the City would be wasting a lot of money and energy working through an MDD re-zoning if the developer was relying on economic incentives that the City Council may or may not approve. Mayor Hutchinson inquired if this would then be required for all existing zoning districts. Alderman Oberkfell stated this could only apply to commercial zoning since residential zoning would have little impact. Mayor Hutchinson stated, and Alderman Niemietz concurred, that Maverick Technologies would not have moved here without incentives. Alderman Row requested Mr. Brancaglione's comments be forwarded to the Council. Alderman Agne stated he has been involved in zoning and development for 35 years and zoning and incentives are two separate issues and should not be tied together. Alderman Hejna stated she wants to remove the "deemed approved" after the 60-day time

frame for review by the Plan Commission. Alderman Niemietz stated this is another example of a few Council members ignoring the recommendations of attorneys, consultants, and other specialists, just to create a distraction. Alderman Niemietz also stated it is amazing that the Council suddenly has such a vast knowledge they no longer need to rely on the experts, and everything that has been done over the past years is wrong.

Moved by: Unnerstall Second: Row Vote: Roll Call

Ebersohl Nay	Unnerstall Yea	Oberkfell Nay
Agne Nay	Row Yea	Stumpf Yea
Niemietz Nay	Hejna Nay	Hutchinson Nay

Motion Failed 6 To 3

B. Ordinance No. 2654 - Boards and Commissions Appointments

MOTION:

It was moved and seconded to pass Ordinance No. 2654, an ordinance providing for the appointment of members of certain Boards and Committees of the City of Columbia, Illinois for the fiscal year of the city commencing May 1, 2008 and ending April 30, 2009.

Moved by: Ebersohl Second: Niemietz Vote: Roll Call

Ebersohl Yea	Unnerstall Nay	Oberkfell Nay
Agne Yea	Row Nay	Stumpf Nay
Niemietz Yea	Hejna Nay	Hutchinson Yea

Motion Failed 5 To 4

C. Ordinance No. 2654 - Salary Remuneration Ordinance

MOTION:

It was moved and seconded to pass Ordinance No. 2654, an ordinance establishing the salary/remuneration of employees of the City of Columbia, Illinois for the fiscal year of the City commencing May 1, 2008 and ending April 30, 2009 with a 4% across the board increase for all non-bargaining unit personnel.

Moved by: Ebersohl Second: Agne Vote: Roll Call

Ebersohl Yea	Unnerstall Nay	Oberkfell Nay
Agne Yea	Row Yea	Stumpf Nay
Niemietz Yea	Hejna Nay	Hutchinson Yea

Motion Carried 5 To 4

VII. NEW BUSINESS

A. July 4th Committee - Picnic and Fireworks Request

MOTION:

It was moved and seconded to approve the request of the July 4th Committee to hold the annual Picnic and Fireworks celebration in the Legion Memorial Park and to purchase \$5,500.00 in fireworks for the celebration.

Moved by: Niemietz Second: Ebersohl Vote: Roll Call

Ebersohl Yea	Unnerstall Yea	Oberkfell Yea
Agne Yea	Row Yea	Stumpf Yea
Niemietz Yea	Hejna Yea	

Motion Carried 8 To 0

VIII. REPORT OF STANDING COMMITTEES

A. Fire Department Committee

Minutes of the Fire Department Committee meeting held Monday, March 11, 2008 were presented to the Council for approval.

Approval of the minutes was deferred until the next meeting of the Council.

B. Streets, Sidewalks, Drainage, and Public Utilities Committee

Minutes of the Streets, Sidewalks, Drainage, and Public Utilities Committee meeting held Monday, May 12, 2008 were presented to the Council for approval.

1. Lake Side Drive Temporary Cul-de-sac

MOTION:

It was moved and seconded to accept the recommendation of the Streets, Sidewalks, Drainage, and Public Utilities committee and vacate the Lake Side Drive temporary cul-de-sac since the street extension has been completed.

Moved by: Ebersohl Second: Row Vote: Roll Call

Ebersohl	Yea	Unnerstall	Yea	Oberkfell	Yea
Agne	Yea	Row	Yea	Stumpf	Yea
Niemietz	Yea	Hejna	Yea		

Motion Carried 8 To 0

2. Jennifer Court Street Vacation

The Council deferred action on this issue.

3. 50/50 Sidewalk Program - David Killy

MOTION:

It was moved and seconded to accept the recommendation of the Streets, Sidewalks, Drainage, and Public Utilities committee and approve the 50/50 Sidewalk Replacement Program request for property located at 218 S. Rapp Avenue as requested by Mr. David Killy.

Moved by: Ebersohl Second: Niemietz Vote: Roll Call

Ebersohl	Yea	Unnerstall	Yea	Oberkfell	Yea
Agne	Yea	Row	Yea	Stumpf	Yea
Niemietz	Yea	Hejna	Yea		

Motion Carried 8 To 0

4. 50/50 Sidewalk Program

MOTION:

It was moved and seconded to accept the recommendation of the Streets, Sidewalks, Drainage, and Public Utilities committee and authorize the City Attorney to draft an amendment to the 50/50 Sidewalk Replacement program for developed and undeveloped sidewalks amending the current program to include new sidewalks in existing subdivisions.

Moved by: Ebersohl Second: Agne Vote: Roll Call

Ebersohl	Yea	Unnerstall	Yea	Oberkfell	Yea
Agne	Yea	Row	Yea	Stumpf	Yea
Niemietz	Yea	Hejna	Yea		

Motion Carried 8 To 0

Approval of the minutes was deferred until the next meeting of the Council.

C. Ordinance, Planning, and Zoning Committee

Minutes of the Ordinance, Planning, and Zoning Committee meeting held Monday, May 12, 2008 were presented to the Council for approval.

Approval of the minutes was deferred until the next meeting of the Council.

Alderman Oberkfell requested an ad hoc committee be formed to review and make recommendations for the Big Box ordinance. Mayor Hutchinson stated the Ordinance, Planning, and Zoning Committee already exists for that reason. Alderman Unnerstall stated the Committee already has a lot on their agenda. Alderman Niemietz stated this is just another attempt at a power play by certain members of the Council and serves nothing more then to create another level of bureaucracy and another level of control. Mayor Hutchinson stated these types of reviews are generally handled by the Plan Commission. Alderman Agne added the Plan Commission has already addressed in the past year.

D. Fire Department Committee

Minutes of the Fire Department Committee meeting held Monday, May 12, 2008 were presented to the Council for approval.

Approval of the minutes was deferred until the next meeting of the Council.

IX. CALL FOR COMMITTEE MEETINGS

Monday, June 9, 2008

7:00 PM - Fire Department

7:10 PM - Ordinance, Planning, and Zoning

X. EXECUTIVE SESSION

Mayor Hutchinson inquired if there was a need for the Council to go into Executive Session. There was none.

XI. ADJOURNMENT

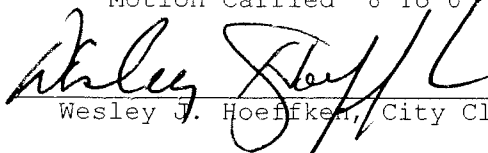
MOTION:

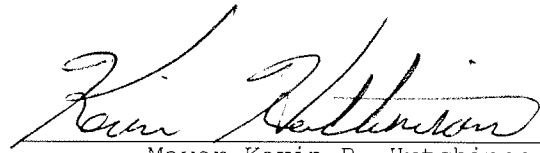
It was moved and seconded to adjourn the Regular City Council Meeting held Monday, May 19, 2008 at 9:06 PM.

Moved by: Agne Second: Unnerstall Vote: Roll Call

Ebersohl	Yea	Unnerstall	Yea	Oberkfell	Yea
Agne	Yea	Row	Yea	Stumpf	Yea
Niemietz	Yea	Hejna	Yea		

Motion Carried 8 To 0


Wesley J. Hoeffken, City Clerk


Mayor Kevin B. Hutchinson