

**MINUTES OF THE EXECUTIVE SESSION OF THE COMMITTEE OF THE  
WHOLE MEETING OF THE CITY COUNCIL OF THE CITY OF COLUMBIA,  
ILLINOIS HELD MONDAY, SEPTEMBER 23, 2013 IN THE COUNCIL ROOM  
OF CITY HALL**

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**I. CALL TO ORDER**

Acting Chairman Agne (Chairman Ebersohl absent) called the Executive Session of the Committee of the Whole Meeting of the City Council of the City of Columbia, Illinois to order at 7:52 p.m.

Upon Roll Call, the following members were:

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

Absent: Chairman Ebersohl and Alderman Niemietz.

Quorum Present.

Administrative Staff Present: City Administrator Al Hudzik, City Attorney Terry Bruckert, Accounting Manager Linda Sharp and Accounting/Clerical Assistant Sandra Garner.

Guests Present: None.

**II. EXECUTIVE SESSION**

Acting Chairman Agne stated the Executive Session was called to discuss (i) probable litigation; (ii) pending litigation; and (ii) collective bargaining negotiations and employee wages.

**Discussion of Probable Litigation**

Note: The Committee Members deem that litigation is probable due to the failure of Metro East Title Corporation, an authorized agent of WFG National Title Insurance Company, to fully settle (i.e., failure to transmit the complete sales proceeds) on the closing of the purchase of the Columbia American Legion Memorial Park property by the city, which closing occurred on August 7, 2013 (almost seven (7) weeks ago).

City Attorney Terry Bruckert informed the Committee Members that counsel for WFG National Title Insurance Company has become less cooperative and he indicated litigation should be drafted and filed in the near future – the city may ask the Legion to join in the suit, or they may wish to file on their own behalf – in either event, the Legion would have to retain their own legal counsel.

## Pending Litigation

### American Federation of State, County and Municipal Employees, Council 31 (Charging Party) and City of Columbia (Respondent) Complaint for Hearing Case No. S-CA-13-118

City Administrator Al Hudzik reported that he received "Complaint for Hearing" documentation (Illinois Labor Relations Board Case No. S-CA-13-118) from Labor Attorney Mark Weisman on above-referenced matter. Said "Complaint for Hearing" documentation pertained to AFSCME's charge that the city engaged in unfair labor practices by terminating the employment of Jason Sitzes from the city's EMS Department. Hudzik distributed copies of said "Complaint for Hearing" documentation and briefly reviewed it for the Committee Members – he stated the city needed to respond to twenty-three (23) allegations made by AFSCME, as detailed in the complaint; a hearing would then be conducted wherein Mr. Sitzes would present his evidence and the city would present its defense. Hudzik stated that the city's responses would be coordinated with Labor Attorney Weisman and that he would keep the Committee Members updated on the steps being taken to address this issue.

### Update/Discussion on Collective Bargaining Negotiations and Employee Wages

City Administrator Hudzik distributed and reviewed financial documents entitled "EMS Department – Initial CBA Holiday Request Analysis (Approximate Amounts)" and "EMS Wages Information – May 1, 2009 thru September 23, 2013". During Hudzik's review all in attendance were given the opportunity to make comments, ask questions and express their opinions. Hudzik received guidance on proposed responses to the requests of AFSCME/EMS representatives as detailed in their initial collective bargaining agreement proposals; he also stated that city staff and Labor Attorney Weisman would be meeting prior to the next negotiating session (i.e., October 3<sup>rd</sup>) to discuss the responses to be given by the city.

## III. ADJOURNMENT

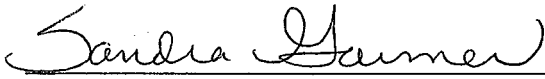
### MOTION:

It was moved by Alderman Reis and seconded by Alderman Roessler to adjourn the Executive Session of the Committee of the Whole Meeting of Monday, September 23, 2013 at 9:48 p.m. Upon Roll Call vote, Acting Chairman Agne and Aldermen Roessler, Huch, Mathews, Reis and Holtkamp voted yea. **MOTION CARRIED.**

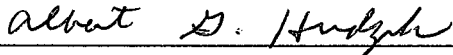


JIM AGNE, Acting Chairman  
COMMITTEE OF THE WHOLE

Minutes Taken By:



SANDRA GARMER, Accounting/Clerical Assistant



ALBERT G. HUDZIK, City Administrator