

**MINUTES OF THE EXECUTIVE SESSION OF THE CITY COUNCIL OF THE CITY OF COLUMBIA,  
ILLINOIS HELD MONDAY, AUGUST 6, 2012 IN THE COUNCIL ROOM OF CITY HALL**

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**I. CALL TO ORDER**

Mayor Hutchinson called the Executive Session of the City Council of Columbia, Illinois to order at 7:31 P.M.

Upon Roll Call, the following members were:

<b>Ebersohl</b>	<input checked="" type="checkbox"/> Present	<input type="checkbox"/> Absent	<b>Huch</b>	<input checked="" type="checkbox"/> Present	<input type="checkbox"/> Absent
<b>Agne</b>	<input checked="" type="checkbox"/> Present	<input type="checkbox"/> Absent	<b>Mathews</b>	<input type="checkbox"/> Present	<input checked="" type="checkbox"/> Absent
<b>Niemietz</b>	<input checked="" type="checkbox"/> Present	<input type="checkbox"/> Absent	<b>Piazza</b>	<input checked="" type="checkbox"/> Present	<input type="checkbox"/> Absent
<b>Roessler</b>	<input checked="" type="checkbox"/> Present	<input type="checkbox"/> Absent	<b>Reis</b>	<input checked="" type="checkbox"/> Present	<input type="checkbox"/> Absent

Quorum Present.

Administrative Staff Present:

<input checked="" type="checkbox"/> Deputy Clerk Donna Mehaffey	<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 Chief of Police Jerry Paul	<input type="checkbox"/> Head Librarian
<input checked="" type="checkbox"/> Accounting Manager Linda Sharp	<input checked="" type="checkbox"/> City Labor Attorney Mark Weisman
<input type="checkbox"/> City Clerk Ron Colyer	

**II. STATED PURPOSE**

Mayor Hutchinson stated the Executive Session was called to Update/Discuss Collective Bargaining/Employee Wages and Pending Litigation.

**A. Collective Bargaining/Employee Wages Discussion**

City Administrator Hudzik distributed copies of the following documents: (i) Columbia Patrol - Counter-Proposal #1 - 7-06-12; (ii) Columbia TCs - Counter Proposals #1 - 7-06-12; and (iii) USW Local 9189 Proposals - City of Columbia - July 19, 2012, which documents were received at the most recent negotiating sessions held with the FOP (on behalf of the Police Officers and Telecommunicators) and the USW (on behalf of the DOPW employees). Labor Attorney Mark Weisman, Chief of Police Edwards and City Administrator Hudzik reviewed each of the counter-proposals listed on the Columbia Patrol and Columbia TCs documents, updated the council on discussions that occurred during the most recent negotiating sessions, and made recommendations on how the city should respond to the issues (excluding wages). During the review of the counter-proposals, all in attendance were given the opportunity to make comments, ask questions and express their opinions. It was the general consensus of the council that responses be given as recommended by staff during the presentation; additionally, no percentage wage counter-proposals were to be made, but the negotiating representatives were to notify the FOP Units that any increase in wages or compensation should require the employees to bear additional responsibility for the cost of insurance. City Administrator Hudzik and City Engineer Williams then reviewed each of the counter-proposals listed on the USW Local 9189 (DOPW) Proposals document and made their recommendations on how the city should respond to the issues (excluding wages). After a brief discussion, it was the general consensus of the council that responses be given as recommended by staff during the presentation; additionally, no percentage wage counter-proposals were to be made, but the negotiating representatives were to notify the USW/DOPW employees that any increase in wages or compensation should require the employees to bear additional responsibility for the cost of insurance.

**B. Pending Litigation Update/Discussion**

1. City of Columbia, Illinois v. Jarrod Pochynok

City Attorney Bruckert advised the council members that Mr. Pochynok's attorney made an offer to settle this litigation for \$7,500 (slightly more than 50% of the amount requested in the city's "Complaint") - it was Mr. Bruckert's recommendation that the city accept the offer made. After a brief discussion, it was the consensus of the council that the \$7,500 offer be accepted - Mr. Bruckert plans to present the proposed settlement agreement to the city council for formal action in the near future.

2. United Fire and Casualty Company v. The City of Columbia, Illinois et al (Old Town Reconstruction Phase 1 Project)

City Attorney Bruckert advised the council that United Fire and Casualty Company (UF&C) offered to settle this litigation wherein UF&C receives 50% of the Net Amount Due showing on the last (final) pay estimate (i.e., UF&C is to receive \$29,605.42 of the \$59,210.84 amount due Veile Construction, Inc. (since UF&C has filed a UCC lien on the funds due Veile Construction, Inc. by the city for the completion of this project)) with the city receiving the remaining 50% (i.e., \$29,605.42) in lieu of liquidated damages - it was Mr. Bruckert's recommendation that the city accept the offer made. In addition to Mr. Bruckert's comments, City Administrator Hudzik and City Engineer Williams addressed the council on this issue - the council was advised that (if the settlement offer is accepted) one (1) additional bill (not included in the final pay estimate) in the amount of \$2,344 for the "as built" drawings would need to be paid by the city, even though the "as built" drawings were to be supplied as part of the contract. After a brief discussion, it was the consensus of the council that the offer made by UF&C be accepted - Mr. Bruckert plans to present the proposed settlement agreement to the city council for formal action in the near future.

**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 8:52 P.M.

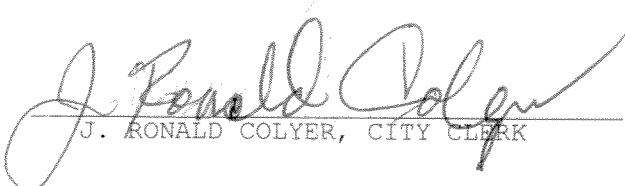
**MOTION:**

It was moved and seconded to adjourn the Executive Session of the City Council Meeting held Monday, August 6, 2012 at 8:52 P.M.

Moved by: Ebersohl      Second: Roessler      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