

**MINUTES OF THE COMMITTEE OF THE WHOLE MEETING OF THE CITY  
COUNCIL OF THE CITY OF COLUMBIA, ILLINOIS HELD MONDAY,  
JANUARY 12, 2015 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 7:00 P.M.

Upon Roll Call, the following members were:

Present: Chairman Ebersohl and Committee Members - Aldermen Niemietz, Roessler, Huch, Mathews, Reis and Holtkamp. Mayor Hutchinson was also present.

Absent: Alderman Agne.

Quorum Present.

Administrative Staff Present: City Administrator James Morani, City Attorney Terry Bruckert, Building Inspector and Interim Zoning Administrator Justin Osterhage, Interim Director of Public Works Tim Ahrens, Accounting Manager Linda Sharp, Director of Community and Economic Development Paul Ellis and Deputy Clerk Donna Mehaffey.

Guests Present: Joe and Karin Callis, Jr. of Joe's Towing, Charlie Eilers of Charlie's CarStar and Auto Body, Tammy Reyes of 435 N. Rapp St., Joe Koppeis of Admiral Parkway, Inc., Mike Darnell of 325 Micah's Way (Columbia Lakes Subdivision) and Laura Feltz of 2710 Overview (Columbia Lakes Subdivision).

Chairman Ebersohl stated the meeting was called for the purpose of discussing: (1) Approval of Minutes from December 8, 2014 Committee of the Whole Meeting; (2) Approval of Minutes from December 8, 2014 Committee of the Whole Meeting – Executive Session; (3) Zoning Code Text Amendment and Special Use Permit Application (Vehicle Towing and Storage); (4) Development Agreement with Joe Koppeis for Single and Multiple Family Housing (Old State Route 3/Lake Shore Drive); (5) Ameren Illinois Settlement Agreement (Municipal Utility Taxes); (6) Annexation of Properties Wholly Surrounded by Corporate Limits; (7) CMAQ (Congestion Mitigation and Air Quality) Grant Program (Proposed Gall Road Project); (8) Consulting Engineer Proposals for Small Projects; (9) Admiral Parkway Redevelopment Area – Advance Planning; (10) City Engineer Job Description; (11) Non-Home Rule Sales Tax; (12) Other items to be considered or discussed; and (13) Executive Session – Collective bargaining negotiation matters between the public body and its employees or their representatives.

**II. APPROVAL OF MINUTES – DECEMBER 8, 2014 COMMITTEE OF THE WHOLE MEETING**

The minutes of the December 8, 2014 Committee of the Whole committee meeting were submitted for approval.

**MOTION:**

It was moved by Alderman Roessler and seconded by Alderman Reis, to approve the minutes of the December 8, 2014 Committee of the Whole committee meeting. Upon Roll Call vote, Chairman Ebersohl and Aldermen Niemietz, Roessler, Huch, Mathews, Reis and Holtkamp voted yea. **MOTION CARRIED.**

**III. APPROVAL OF MINUTES – DECEMBER 8, 2014 COMMITTEE OF THE WHOLE MEETING – EXECUTIVE SESSION**

The Executive Session minutes of the December 8, 2014 Committee of the Whole committee meeting were submitted for approval.

**MOTION:**

It was moved by Alderman Niemietz and seconded by Alderman Holtkamp, to approve the Executive Session minutes of the December 8, 2014 Committee of the Whole committee meeting. Upon Roll Call vote, Chairman Ebersohl and Aldermen Niemietz, Roessler, Huch, Mathews, Reis and Holtkamp voted yea. **MOTION CARRIED.**

**IV. ZONING CODE TEXT AMENDMENT AND SPECIAL USE PERMIT APPLICATION (VEHICLE TOWING AND STORAGE)**

City Administrator James Morani stated that the applications for Zoning Code Text Amendment and Special Use Permit Application – Vehicle Towing and Storage, Joe's Towing, LLC/Joseph Callis, Jr. at 431 N. Main Street – that it be best discussed at a committee meeting prior to consideration since several members of the public would like to speak for or against the applications. Building Inspector and Interim Zoning Administrator Justin Osterhage explained the memo regarding the two applications. The City's Zoning Board of Appeals voted to recommend to the City Council approving the zoning change, but their decision is only advisory. Both Mr. Morani and Mr. Osterhage have concerns about vehicle towing and storage being located in a downtown area (C-2 General Business District) Zoning District.

Ms. Tammy Reyes of 435 N. Rapp Street addressed the committee against the proposals. She spoke also on behalf of Ms. Edna Dell Weinel of 407 N. Main Street who was unable to attend. Ms. Reyes pointed out that her two (2) bedrooms overlook the lot, the view is an eyesore, would be a decrease in home value, has been remodeling her home but now feels it will not be worth it to proceed, has environmental concerns with the fluids from the vehicles, noise 24/7, Columbia is being advertised as a Main Street Community and feels vehicle towing and storage would not fit in, and is not beautifying Main Street. Ms. Reyes suggested placing this business in an area similar to where Trost Plastics is located along Route 3 between Columbia and Waterloo where there are no residential homes. Ms. Reyes

has lived at her present location since 1990 and she also passed around pictures of the areas in question.

Joseph and Karin Callis, Jr. addressed the committee for their proposals. They are looking only to expand from their old site. They stated they only do tows, police impounds for vehicles, there is no beeping from the tow truck, there is not a lot of noise, one of the Zoning Board of Appeals members has lived by the present location and has not had a problem with the business; the area will not be filled with junked vehicles and right now there are only three (3) vehicles for the Police Department, two (2) abandoned vehicles and one (1) for purchase at their present location at 906 N. Main Street.

Mayor Hutchinson stated the zoning change would affect everyone. Main Street is more for a walk around feel. Mayor Hutchinson also reported six (6) years ago, there was a lot of discussion about why the City didn't put the towing operation in a C-2 (General Business District) as a special use. He added the towing operation is more of an industrial use.

Mr. Charlie Eilers, owner of Charlie's CarStar and Auto Body at 431 N. Main Street addressed the Committee and wanted to clear up something and said he was confused. He stated several years ago he wanted to apply for a towing operation and was told to complete a business license and somebody said not to apply right now and to wait a year because of everything that was going on at that time. Mr. Eilers stated he did not formally apply for the towing operation at that location. Mr. Eilers added that there is no environmental issue for the proposed towing operation as all fluids are gone from the vehicle before being towed back to the lot. It was noted that Charlie's CarStar and Auto Body has been there for six (6) years and his business was grandfathered in when he started and it is only for his customers.

Per Alderman Roessler, Alderman Agne wanted to suggest that if an ordinance is drafted, that the times could be listed for the towing location so it would be more restrictive.

There was also a discussion that the height of the fence around the proposed area is required to be eight (8) feet and to have shrubbery to screen the area (it is presently six and one half (6 ½) feet). There was also concern about the time frame for a decision to be made on the two (2) applications and City Attorney Bruckert will verify the timeline for a decision. It was noted that the transcripts from the Zoning Board of Appeals hearing need to be read to help with a decision. The Mayor and committee members stated that Joe's Towing has had a good relationship with the City, but the main concern is the proposed zoning change as anyone could put this type of business in a C-2 (General Business District) anywhere on Main Street, not just at the proposed location of 431 N. Main Street.

All in attendance were given the opportunity to ask questions and offer comments.

It was the consensus of the Committee that the requests be tabled until the next Committee of the Whole Meeting on January 26, 2015 and the transcripts from the public hearing of the Zoning Board of Appeals of December 10, 2014 can be read by the committee members. Mr. Morani will make sure the transcripts are in the Mayor and Aldermen packets for this Friday, January 16, 2015.

**MOTION:**

It was moved by Alderman Roessler and seconded by Alderman Huch to table the Zoning Code Text Amendment application and Special Use Permit application for the vehicle towing and storage – Joe’s Towing LLC/Joseph Callis, Jr. until the next Committee of the Whole Meeting on January 26, 2015. Upon Roll Call vote, Chairman Ebersohl and Aldermen Niemietz, Roessler, Huch, Mathews, Reis and Holtkamp voted yea. **MOTION CARRIED.**

**V. AMEREN ILLINOIS SETTLEMENT AGREEMENT (MUNICIPAL UTILITY TAXES)**

City Administrator James Morani addressed the Mayor and Committee on the Ameren Illinois Settlement Agreement (Municipal Utility Taxes). Mr. Morani went over the estimated amounts owed by residential customers for electric and gas utility tax and, at the most, it would only add \$10.00 per month over a four-year period for any affected customers. (The City’s utility tax is five (5) percent). Mr. Morani reported that this will most likely affect homes that were constructed in the newer subdivisions; the homes simply did not get added by Ameren Illinois after they were annexed. Ameren Illinois did not do their job and is an error on their part. Mr. Morani added that he wants the Mayor and committee to be comfortable with the agreement, but it will be difficult for the City to back out now. Mr. Morani noted that Ameren Illinois is fronting 50% of the money to the City and then Ameren will collect from the customers.

Mr. Morani will have the settlement agreement ready for consideration at the next City Council meeting on Tuesday, January 20, 2015.

**VI. DEVELOPMENT AGREEMENT WITH JOE KOPPIES FOR SINGLE AND MULTIPLE FAMILY HOUSING (OLD STATE ROUTE 3/LAKE SHORE DRIVE)**

Mr. Joe Koppeis addressed the committee on his proposed development agreement with real estate owned by Admiral Parkway, Inc. for the Fox Run Estates subdivision (single family homes), senior housing, apartment buildings and upscale condos or villas all located next to the Columbia Lakes Subdivision. Mr. Koppeis confirmed that the current proposed agreement is the worst case scenario for the development.

Alderman Niemietz commented that the Columbia Fire District needs to be involved in the development and Administrator Morani concurred that the Police Department and Fire District needs to share city information.

**A. FOX RUN ESTATES SUBDIVISION (36 LOTS)**

Mr. Koppeis went over the changes made which included 36 lots in the Fox Run Estates subdivision; down from 46 lots. This was done so there could be three (3) car garages for the homes plus the builders wanted larger lots. Mr. Koppeis also said that the Homeowners Association covenants would be the same as the ones used for Gedern Estates subdivision.

Under Section 4 – City’s Obligations, item b, Alderman Ebersohl suggested to add “minimum” before “brick fronts” and remove the word “only” as there will be some buyers

that will want more than a just a brick front. "Brick" was also changed to "masonry". Everyone was in agreement with the proposed changes.

**B. SENIOR HOUSING (THREE (3) – SIX (6) PLEX BUILDINGS AND THREE (3) – EIGHT (8) PLEX BUILDINGS = 42 UNITS)**

All buildings are to be all masonry exterior.

**C. APARTMENT BUILDINGS (15 – 8 UNIT APARTMENT BUILDINGS = 120 UNITS)**

On the proposed agreement, City Attorney Terry Bruckert stated that Item E under Section 4 – City's Obligations – "Grant variances to the zoning code for architectural composition, parking and permitted uses (Section 17.24.020 Paragraph C) - needs to be tightened up due to language and does not want to leave too open. Mr. Koppeis stated that the site plan for the apartments is not final and that maybe only one half of the apartments will have garages. Alderman Niemietz added that there is a need for sidewalks and there has always been a shortage of parking. Mr. Bruckert suggested adding a sentence to Item E under Section 4, "The specifics of the variances will be discussed at a future date once the site plan is finished". Mr. Koppeis was in agreement with this addition. Administrator Morani said that the architectural composition for the apartments will not be four (4) sided masonry but will be the architectural composition of the photos provided by Mr. Koppeis. Mr. Koppeis added that on the apartments, garages may be built and if so, parking spaces would be lost. There was a discussion regarding the parking situation. If garages are built, then the parking would be 1.5 per unit, not 2 per unit. Mr. Koppeis also added that one of the apartment buildings will be gone for the pool and clubhouse. This will make the number of apartment buildings to 14 instead of 15. It was noted that any overflow parking would go down to the clubhouse and to the bottom of the hill. Alderman Huch affirmed that he would like to see two (2) parking spaces per apartment unit.

Ms. Laura Feltz of 2710 Overview Drive addressed the committee. She asked the city to consider changing the roadway and parking lot lighting for the apartment's parking lot which will adjoin her back yard and said it could be tweaked to be better. She added there should be some kind of berm or landscape screening too. Ms. Feltz explained how it could be planned a bit better on her map. Mr. Koppeis said he would be happy to screen the area in question and wants to keep everyone happy.

There was also a discussion where the apartment traffic would leave the subdivision. Mr. Koppeis stated that most of the traffic would exit down to Old Route 3.

**D. UPSCALE CONDOS OR VILLAS (NOT TO EXCEED 24 UNITS – 19 UNITS SHOWN ON PROPOSED CONCEPT PLAN)**

The road to the City's water tank was discussed. This would be the road that would go to the upscale condos or villas and Mr. Koppeis requests that the road be widened and be moved to the front of the water tank. The City owns the road right now. Mr. Koppeis

reported that they would only do an oil and chip road; there would be no public access; and there would be a security gate. Alderman Roessler commented that the road should be private and that the owner should pay for the upkeep. Mr. Koppeis added that a guard rail would be needed as well.

Mr. Mike Darnell of 325 Micah's Way asked what the time frame would be on the entire development. Mr. Koppeis said he plans to start immediately and with a street and sidewalk already at the location, a spec home will be built right away.

Everyone present was given the opportunity to ask questions, offer comments and opinions. The Mayor and committee members were receptive to the proposed plan.

City Attorney Bruckert and Administrator Morani will work together on the changes to the agreement; changes to the apartments and senior living housing; parking issues; and will have it ready for the Tuesday, January 20, 2015 City Council meeting.

**VII. ANNEXATION OF PROPERTIES WHOLLY SURROUNDED BY CORPORATE LIMITS**

City Administrator James Morani reviewed the memorandum from Bruckert, Gruenke & Long regarding the annexation of properties wholly surrounded by corporate limits as well as maps of the areas involved. He stated that it can only be for properties 60 acres or less. Annexing these properties will help clean up the City's zoning map needs to be cleaned up.

All in attendance were given the opportunity to ask questions, offer comments and opinions.

Mr. Morani reported that there are approximately 15 properties involved. Administrator Morani will also get a list of the property owners, the zoning and what the property is currently used for per the committee's request. It was the consensus of the committee to move forward on this item.

**VIII. CMAQ (CONGESTION MITIGATION AND AIR QUALITY) GRANT PROGRAM (PROPOSED GALL ROAD PROJECT)**

Interim Director of Public Works Tim Ahrens addressed the committee regarding the CMAQ (Congestion Mitigation and Air Quality) grant program/proposed Gall Road project. Mr. Ahrens presented information about possibly doing a grant application for improvements to the Gall Road/Route 3 intersection (lanes needed) near the Welcome Center/Shoemaker Schoolhouse and to make the "S" curve less of an "S" curve on Gall Road. Vehicles back up past Norman Drive on Gall Road in the morning (rush hour traffic) due to the intersection problem. According to Mr. Ahrens, the State of Illinois requires an engineering firm to do the study for the project. In the past, engineering firms would perform this work at no cost to the City but new regulations require the firms to be compensated. Mr. Ahrens understood Oates Associates could do the study for approximately \$2,500.00. It was noted that three (3) culverts at the site could be replaced with a single-three (3) way culvert which would cost approximately \$400,000.00 to \$500,000.00. Money to pay for the project was discussed.

It was the consensus of the committee to go ahead with the study.

**MOTION:**

It was moved by Alderman Roessler and seconded by Alderman Huch to approve the engineering firm of Oates Associates to proceed with the CMAQ study on the proposed Gall Road project. Upon Roll Call vote, Chairman Ebersohl and Aldermen Niemietz, Roessler, Huch, Mathews, Reis and Holtkamp voted yea. **MOTION CARRIED.**

**IX. CONSULTING ENGINEER PROPOSALS FOR SMALL PROJECTS**

City Administrator James Morani explained all three (3) firms for consulting engineer proposals. The three (3) are: Heneghan and Associates, P.C., Horner Shifrin and Oates Associates. Mr. Morani stated that the City will use all three (3) firms until the city can hire a full-time engineer, but may also be used at a later date if small projects arise and these services are needed. Mr. Morani said that each firm will be used for work that is related to them and he added the City has had a good working relationship with all three (3) firms. It was the consensus of the committee to proceed with the consideration of the three (3) proposals. Administrator Morani stated these will be on the agenda for the January 20, 2015 City Council meeting.

**X. ADMIRAL PARKWAY REDEVELOPMENT AREA – ADVANCE PLANNING**

Director of Community and Economic Development Paul Ellis addressed the committee about the upcoming Admiral Parkway Redevelopment Area Joint Review Board meeting to be held on Monday, January 19, 2015 at 3:00 P.M. in the City Hall auditorium. Mr. Ellis also reviewed the packet with the members. Director Ellis distributed a map of the area to the Mayor and all of the committee members for examination. Mr. Ellis said the district is slowly filling up as a new car wash will be coming soon to the area. Mr. Ellis also mentioned the wetlands project that he has been trying to get, but will not be re-applying as he is looking for ways to fund it. He has also spoken to Columbia Community Unit School District No. 4 and there are some environmental issues with the wetlands project. Mr. Ellis reviewed the TIF Fund Budget Projections which included estimated receipts and projected expenses. He also mentioned building a destination playground and will have a good shot at obtaining some grants. Mr. Ellis added that money is needed to address flooding. Replacing the bridge and culvert from the old Video Exchange building to the Valmeyer Road Bridge which is in the TIF District was also mentioned. Mr. Ellis also reported to the Mayor and committee members information about the dirt plan project which entails scrapping six (6) inches of dirt (estimate of 1,500 to 2,500 yards of dirt) from the Admiral Trost Park and placing it at the old Video Exchange building site (once the building is gone) to raise up the area so it will not flood. Mr. Ellis said a hydrology study would need to be completed and Mayor Hutchinson added that Columbia National Bank next to the old Video Exchange building is keeping a close watch on what will happen to the old building.

It was the consensus of the committee to move forward on the project and put a new agreement together. The Admiral Parkway Redevelopment Area Joint Review Board will be meeting January 19<sup>th</sup> and will then be coming back to the City Council.

## **XI. CITY ENGINEER JOB DESCRIPTION**

Administrator Morani reviewed the City Engineer job description with the committee members. Mr. Morani stated it is exactly what previous engineer Ron Williams was doing except for overseeing the Department of Public Works. Mr. Morani would like to put an advertisement out for a licensed professional engineer; see what kind of applications the City obtains; the City does not have to hire anyone if they so choose. Mr. Morani also stated that the City will need to add another employee soon to the Building and Zoning Department since Building Inspector and Interim Zoning Administrator Justin Osterhage's workload is too much due to the position also having to do building inspections in addition to the zoning administration duties. Mr. Morani reported the City has not fallen behind yet but it needs to be prepared. There was also discussion about the time it takes to review new plans and billable hours.

It was the consensus of the Mayor and committee to review the ad for the City Engineer at the January 20, 2015 City Council meeting.

## **XII. NON-HOME RULE SALES TAX**

Administrator Morani updated the Mayor and committee members on the non-home rule sales tax. Mr. Morani stated that the last day to put a question on the ballot is Tuesday, January 20, 2015. Mr. Morani said that he will prepare the public information materials; the staff cost for this is minimal; the City will hold a public information meeting; and put information on website and in the quarterly newsletter, etc. to inform citizens about the issue.

All in attendance were given the opportunity to ask questions, make comments and offer opinions. A few of the committee members asked to see a public information plan on the proposed non-home rule sales tax question. Mr. Morani reported that he will prepare a public information plan for review at the next City Council meeting.

## **XIII. EXECUTIVE SESSION**

Chairman Ebersohl entertained a motion to go into Executive Session to discuss collective bargaining negotiation matters between the public body and its employees.

### **MOTION:**

It was moved by Alderman Niemietz and seconded by Alderman Mathews to go into Executive Session at 10:05 P.M. to discuss the collective negotiating matters between the public body and its employees or their representatives, or deliberations concerning salary schedules for one or more classes of employees. Upon Roll Call vote, Chairman Ebersohl and Aldermen Niemietz, Roessler, Huch, Mathews, Reis and Holtkamp voted yea.

### **MOTION CARRIED.**

#### XIV. REGULAR SESSION

##### **MOTION:**

It was moved by Alderman Reis and seconded by Alderman Mathews to return to the Regular Session of the Committee of the Whole Meeting at 10:09 P.M. Upon Roll Call vote, Chairman Ebersohl and Aldermen Niemietz, Roessler, Huch, Mathews, Reis and Holtkamp voted yea. **MOTION CARRIED.**

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 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. There was none.

#### XV. OTHER ITEMS TO BE CONSIDERED OR DISCUSSED

There were no other items to be considered or discussed.

#### XVI. ADJOURNMENT

##### **MOTION:**

It was moved by Alderman Huch and seconded by Alderman Reis to adjourn the Committee of the Whole Meeting of the City Council of the City of Columbia, Illinois held Monday, January 12, 2015 at 10:10 P.M. Upon voice vote, Chairman Ebersohl and Aldermen Niemietz, Roessler, Huch, Mathews, Reis and Holtkamp voted yea. **MOTION CARRIED.**

Minutes taken by:

*Gene Ebersole*  
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GENE EBERSOHL, Chairman  
COMMITTEE OF THE WHOLE

*Donna Meaffey*  
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DONNA MEHAFFEY, Deputy Clerk