

**MINUTES OF THE COMMITTEE OF THE WHOLE COMMITTEE MEETING OF THE
CITY COUNCIL OF THE CITY OF COLUMBIA, ILLINOIS HELD MONDAY,
MAY 9, 2016 IN THE COUNCIL ROOM OF CITY HALL**

I. CALL TO ORDER

Chairman Ebersohl called the Committee of the Whole committee 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 Agne, Niemietz, Roessler, Reis, Holtkamp and Martens. Mayor Hutchinson was also present.

Absent: Alderman Huch.

Quorum Present.

Administrative Staff Present: City Administrator James Morani, City Attorney Terry Bruckert, Acting Chief of Police Jerald Paul, Director of Community and Economic Development Paul Ellis, City Engineer Chris Smith, Building Inspector Justin Osterhage, Accounting Manager Linda Sharp, City Clerk Wes Hoeffken, and Deputy Clerk Donna Mehaffey.

Guests Present: Mr. Marty Hubbard, Developer of the Columbia Bluffs Apartments; Laura Feltz of the Columbia Lakes Subdivision, Mr. Joe Koppeis, developer of the Fox Run Estates Subdivision and Mr. Anthony Gilbreth, Attorney with Crowder and Scoggins, LTD for Mr. Gregg Crawford of the proposed Main Street Abbey Redevelopment Project Area.

Chairman Ebersohl stated the meeting was called for the purpose of discussing: (1) Approval of minutes from the April 25, 2016 Committee of the Whole committee meeting; (2) Approval of Executive Session Minutes from the April 25, 2016 Committee of the Whole committee meeting; (3) Fox Run Phase II Final Plat (4) Columbia Bluffs Apartments; (5) Redevelopment Agreement with Main Street Developers, LLC (Main Street Abbey Project); (6) Amendment to Sign Code (Electronic Message Boards); (7) City Treasurer Position; (8) Elected Officials Salaries; (9) Monroe County Economic Development Corporation; (10) Other items to be considered; (11) Citizen Comments; and (12) Executive Session – 5 ILCS 120/2(c)(1).

II. APPROVAL OF MINUTES FROM THE APRIL 25, 2016 COMMITTEE OF THE WHOLE COMMITTEE MEETING

The minutes of the April 25, 2016 Committee of the Whole committee meeting were submitted for approval.

MOTION:

It was moved by Alderman Reis and seconded by Alderman Niemietz, to approve the minutes of the April 25, 2016 Committee of the Whole committee meeting. Upon Roll Call vote, Chairman Ebersohl and Aldermen Agne, Niemietz, Roessler, Reis, Holtkamp and Martens voted yea. **MOTION CARRIED.**

III. APPROVAL OF EXECUTIVE SESSION MINTUES FROM THE APRIL 25, 2016 COMMITTEE OF THE WHOLE COMMITTEE MEETING

The Executive Session minutes of the April 25, 2016 Committee of the Whole committee meeting were submitted for approval.

MOTION:

It was moved by Alderman Niemietz and seconded by Alderman Reis, to approve the Executive Session minutes of the April 25, 2016 Committee of the Whole committee meeting. Upon Roll Call vote, Chairman Ebersohl and Aldermen Agne, Niemietz, Roessler, Reis, Holtkamp and Martens voted yea. **MOTION CARRIED.**

IV. FOX RUN ESTATES PHASE II FINAL PLAT

Building Inspector Justin Osterhage updated the committee that the Fox Run Estates Phase II Final Plat had been submitted for the City's inspection process and is now ready for final approval. Mr. Joe Koppeis, developer of the Fox Run Estates subdivision reported that all but five (5) of the lots have been sold and seven (7) homes are nearly complete. It was noted that there is a four (4) acre nature area at the subdivision which has worked out well per Mr. Koppeis. Pictures of the homes in the subdivision were distributed to the committee for their review. Mr. Osterhage added that the ordinance for the Fox Run Estates Phase II Final Plat will be ready for consideration at the next Council meeting. It was the consensus of the committee to move forward with the Fox Run Estates Phase II Final Plat.

V. COLUMBIA BLUFFS APARTMENTS

Building Inspector Justin Osterhage addressed the committee on the proposed Columbia Bluffs Apartments. Mr. Osterhage reported that Mr. Marty Hubbard, developer of the apartments, is in the process of purchasing a one half (1/2) acre parcel to align Kory Drive for one of the exits from the apartment complex. Alderman Holtkamp asked Mr. Osterhage

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what variances the apartments will need. Mr. Osterhage stated that Columbia Bluffs Apartments will need two (2) variances. One will be for an Architectural Variance for siding since they are requesting 75% of the building to be siding and only 25% will be brick. The other variance is for 20 units per structure as there can only be eight (8) units per structure per the current City Code. Alderman Holtkamp inquired if four (4) sides hardy board would be considered four (4) sides masonry since it meets non-combustible material. Mr. Osterhage answered yes. There was a discussion as to what was agreed to in the revitalization agreement between the original developer (Joe Koppeis) and the City. Alderman Agne stated that he cannot vote for a variance if there will be more than eight (8) units per apartment building and wants to see all brick on the apartments. Mr. Hubbard added that he has completed everything the City and residents have asked of him. He again stressed that they will be high-end units. Mayor Hutchinson said that sometimes the City forgets they have an agreement to work out a compromise. Originally, due to original zoning, there were 500 apartment units proposed and it was lowered to 120 units with this proposal; there is a nature trail, homes, pool, and pool house. City Administrator James Morani said that some of the apartment units were combined because of the terrain and the apartments will have walk outs instead of retaining walls. His opinion was the current proposal from Mr. Hubbard met the spirit of the original agreement.

Mrs. Laura Feltz, a resident of the Columbia Lakes Subdivision, said she is completely satisfied with the latest plan from the apartments, especially the plan for the berm with the pine trees separating her property from the apartment complex.

It was the consensus of the committee that the Columbia Bluffs Apartments move forward and directed the developer to apply for the variances.

VI. REDEVELOPMENT AGREEMENT WITH MAIN STREET REDEVELOPERS, LLC (MAIN STREET ABBEY PROJECT)

City Attorney Terry Bruckert addressed the committee and said Mr. Gregg Crawford was unable to make it to the meeting, but his attorney, Mr. Tony Gilbreth of Crowder and Scoggins. LTD was in attendance. Mr. Bruckert said he has had meetings with Mr. Morani, Mr. Ellis, Mr. Crawford and Mr. Gilbreth. Mr. Bruckert did not want to distribute a 40-page document so he reviewed the bullet points of the agreement. Mr. Bruckert updated the committee on the Main Street Abbey Redevelopment Agreement and went over the bullet points for the proposed lengthy agreement. They are: (1) Agreement sets forth the rights and obligations of the Developer and the City; (2) Agreement sets forth the authority for using Tax Increment Financing (TIF) and Business District (BD) incentives; (3) Agreement will contain: (A) Definition Section (Which is very important.); (B) Construction Schedule (This has to be realistic and there is a disclosure in it called Force Majeure which is a clause in case of weather problems which gives extra time for the project.); (C) Procedure for Tax Incentive Reimbursements (certain milestones have to be met and Mr. Morani and Mr. Osterhage will

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review to make sure they are realistic goals.); (D) Special Tax Allocation Funds (These have to be separate funds.); (i.) TIF (The money goes to the County and then the County distributes it.) and (ii.) BD (The Illinois Department of Revenue has to approve the Business District; the money goes from the business to the state and back to the City); (E) Statement of City support for federal designation leading to historic tax credits for developer (Over \$6 Million Dollars to be invested by developer, is a rehab project and has to be completed a certain way to qualify); and (F) Boiler Plate (There are about 30 different items in this section, but i - viii is an example of some of them.); with (i.) Assignment; (ii.) Remedies; (iii.) Force Majeure; (iv.) Insurance; (v.) Notices; (vi.) Severability; (vii.) Release of Indemnification; and (viii.) Term of Agreement.

Mr. Gilbreth said the total project would cost approximately \$6.5 million.

Mr. Bruckert added that he needs approval on a couple of big issues. He referred the committee to the conservative and reasonable estimates contained in the spread sheets prepared by Mr. Mike Weber of PGAV Planners. Mr. Bruckert referred to the approximate amount of \$1.45 million tax increment revenues over the life of the TIF District. Mr. Bruckert said to be fair to the taxing districts, this should be capped for reimbursement at \$1.1 million. If this threshold is reached, the TIF District then can be closed down early and all the money goes back on the tax rolls.

The second issue is the Business District. Mr. Weber projects this to be in the area of \$41,000 per year with a total of \$950,000. Mr. Bruckert recommended it be capped at \$800,000. Mr. Bruckert wanted everyone's thoughts on the two issues. He felt that a reasonable number was found for all parties concerned. Right now, the total TIF and Business District reimbursements would come in less than 25% to 30% of the developer's total project costs, which is reasonable considering the amount of risk involved.

Alderman Roessler asked how Mr. Bruckert came up with certain numbers. Mr. Bruckert apologized and said it was left out of the sheet that was distributed, but said the City will be able to take the first 5% up to \$15,000 per year to cover any future attorney, consulting, and administrative fees, etc. so the City is made whole in our costs and the developer will be getting 95%. Mr. Bruckert reminded the committee that the accumulation of TIF revenues will take time. The developer is doing the development in two building phases and it won't be until year eight (8) until the TIF really kicks in. Mr. Bruckert added that giving the developer 95% gets them to where they need to be faster which reduces risk.

In answer to Alderman Roessler's question, Mr. Bruckert said a tool used in making a recommendation is to see what the redevelopment costs are and calculate a percentage of that. He said that many communities start with a base of 20%, but you may give more to jump start a development; but said that 28% or 29% of the total development costs is a

reasonable number for this type of project. Mr. Bruckert added this is what the industry does but it is a subjective number.

Mr. Bruckert indicated it would take six (6) to seven (7) years for the development to experience the maximum level of reimbursements from both the TIF and Business Districts combined. Mr. Bruckert said the developer has substantial risk and hopefully everyone will win. Mr. Bruckert reported phase one of the project would take two (2) years and could take up to five (5) years on phase two. Mr. Bruckert stressed that the longer Mr. Crawford waits, the more risk he has. Mr. Bruckert said the clock on the TIF and Business Districts have already started. He also said right now the developer could start working on the project if he so chooses.

Mr. Bruckert stated four weeks from tonight, he will have a draft of the entire development agreement for the committee to review (June 13 meeting) and could be ready for consideration at the June 20 City Council meeting. Mr. Bruckert also said he will distribute the draft agreement to the committee before the June 13 meeting.

VII. AMENDMENT TO SIGN CODE (ELECTRONIC MESSAGE BOARDS)

Building Inspector Justin Osterhage reviewed the recommendation from the Street Graphics Advisory Committee Public Hearing held on April 21, 2016 to deny the electronic message boards (Amend Section 15.44.190 of the Municipal Code) held on April 21, 2016.

Alderman Reis pointed out that on item J., Electronic Message Board, sub-item j. - 1-4, all occurrences of "Fee" should be changed to "Free". Alderman Agne mentioned that in the transcripts of the public hearing, all occurrences of "momentum" should be "monument".

A discussion ensued between Mayor Hutchinson and Alderman Agne. Mayor Hutchinson pointed out how a City Council member attending and making comments at the Street Graphics Committee Public Hearing could lead the committee as to how the City Council feels about the issue and should be very careful as the Street Graphic Committee is an advisory committee. Mayor Hutchinson said the City wants to be business friendly, the current sign code is from over 26 years ago, businesses change and you cannot compare signage in St. Louis to Columbia, especially a pawn shop sign, to a proposed electronic bank sign. Alderman Agne felt it was not inappropriate for him to make comments at the meeting and wants to keep Columbia's standards high. It was suggested by Alderman Niemietz to discuss this issue at an upcoming committee meeting. She added that in the past, it was expected if the proposed project was in your ward, that the Alderman representing that ward should attend the public hearing. She also said the constituents in her ward do not like the current electronic bank sign on North Main Street and were not in favor of the proposed changes to the sign code. (The proposed electronic message board for the State Bank of Waterloo is in her ward.)

Mr. Osterhage said the proposed ordinance to amend the Sign Code will be presented at the next council meeting for consideration.

VIII. CITY TREASURER POSITION

Mr. Morani said that he has discussed the City Treasurer position with Mayor Hutchinson, City Attorney Terry Bruckert, Accounting Manager Linda Sharp, and City Treasurer Robert Naumann. Mr. Morani reported that City Treasurer Mr. Naumann is at City Hall during normal business hours for at least two hours per day, Monday through Friday. Mr. Morani asked if anyone would be opposed to appoint Mr. Naumann to the position of City Treasurer instead of having the position elected (Mr. Naumann's term ends April 30, 2017). Mr. Morani wanted to open for discussion. Mr. Bruckert said it is a good idea and explained that under Illinois statute it is legal to do by ordinance if the City's population is under 10,000 residents. And since the City is having a special census done this year, it makes sense to do it now. Mr. Morani said that the appointment will be by the Mayor with the consent of the City Council. Alderman Niemietz inquired about any qualifications for the position and Mr. Bruckert said this will be placed in the ordinance and will be in the City's Municipal Code but it would be more appropriate to have most of the duties and responsibilities contained in a formal job description. Mr. Morani said that the City must have someone here during the day and he recommends Mr. Naumann for the appointment to continue to serve in this capacity. Mr. Bruckert said the ordinance should be enacted by August or September. Ms. Sharp added that appointing Mr. Naumann to City Treasurer is a good idea since he is in the office every day and plays an essential role in the City's internal control process.

It was the consensus of the committee for Mr. Morani to work with Mr. Bruckert to prepare the ordinance.

IX. ELECTED OFFICIALS SALARIES

Mr. Morani referenced his memorandum to the Committee regarding the Elected Officials Salaries which must be set 180 days before the beginning of their subsequent terms of office. Currently, the salaries are annually: Mayor \$21,633.00; City Clerk \$17,134.00; Aldermen \$5,841.00 and for each special meeting of the City Council, each alderman receives additional compensation of \$243.00. (No special meetings were held in FY 2015-2016.) Mr. Bruckert said the salaries have to be set every four (4) years. (It was noted the Treasurer annual salary of \$11,272.00 would be removed.) Mr. Bruckert added the ordinance can be completed in August for the elected officials salaries. Mayor Hutchinson inquired how long the salaries had been frozen and Alderman Niemietz said it has been five (5) years for the Mayor, Clerk and Treasurer and three (3) years for the Aldermen. Mr. Morani said that prior to year 2013, the adjustments were staggered. Mayor Hutchinson recommended to delay any increases for two (2) years so the increases will not be staggered. There will be two (2) years of no increases and then all elected officials will get the same increase. Mayor Hutchinson

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added that it is typically a 3% increase. Mr. Morani will create a spreadsheet of the proposed salaries. It was the consensus of the committee to revisit this item at a future committee meeting.

X. MONROE COUNTY ECONOMIC DEVELOPMENT CORPORATION

Mr. Morani reported to the committee that since Ms. Nora Feuquay, Community and Economic Development Educator at the University of Illinois Extension in Monroe and St. Clair Counties and Economic Development Educator in Monroe County had passed last December, Monroe County has been trying to re-structure economic efforts and form a committee on options what could be done. Director of Community and Economic Development Paul Ellis was asked to coordinate this effort and at a committee meeting last month, it was recommended to form a non-profit organization for the Monroe County Economic Development Corporation. This will give Monroe County more flexibility and focus. The previous position was shared with other counties in the area. The new position will only be for Monroe County. Mr. Morani referenced the two packets from the Monroe County Advisory Committee; 1) the proposed Monroe County, Illinois By-Laws for the Economic Development Corporation and 2) the Prospectus for Monroe County, Illinois. Mr. Morani said the County formed a 501(c)(3) nonprofit tax exempt status and Monroe County was the only county that did not have one. There will be more participation from businesses, elected officials, and private fundraising; it will not be entirely supported by tax dollars. Mr. Morani said that Mr. Ellis, Alderman Ebersohl, and himself have been attending the meetings. Mr. Morani said no donation from the City has been made to the county, but they would like to pledge \$20,000.00, which was included in this year's budget. Mr. Morani added the EDC needs a letter of commitment from the City of Columbia and someone to serve on the board, similar to the City already having Alderman Ebersohl serve as the City's representative to the current county organization. Mr. Morani also said they have been trying to get the Village of Dupo on board and commitments from the private sector. It was the consensus of the committee to move forward on the proposed plan and have Alderman Ebersohl serve as the City's representative.

XI. OTHER ITEMS TO BE CONSIDERED

1. Elected Officials Attendance/Comments at City Board Hearings

Mayor Hutchinson said there needs to be a meeting to discuss the topic of elected officials attendance and comments at advisory board meetings. It was the consensus of the committee to discuss this topic at the next committee meeting.

2. Columbia Centre Shopping Center Streets

Mr. Joe Koppeis reported that a street dedication was done recently for the streets repaired in Columbia Centre Shopping Center. Alderman Niemietz thanked Mr. Koppeis for getting the project completed.

3. Old Batting Cage Area in Bolm-Schuhkraft Park

Mr. Morani and Alderman Ebersohl said the old batting cage area in City Park needs to be removed. Alderman Niemietz questioned if the Columbia Khouri League and the Columbia Athletic Association were planning to utilize and redo the area. Mr. Morani said he will contact these organizations.

4. Admiral Parkway (Route 3) - Grass mowing in median

It was reported that the grass is getting high in the median on Admiral Parkway. The State of Illinois has not mowed it yet. The Department of Public Works will be completing the grass mowing within the next two weeks. The State will likely mow the grass again soon thereafter.

XII. CITIZEN COMMENTS

There were no citizen comments.

XIII. EXECUTIVE SESSION – 5 ILCS 120/2(C)(1)

Chairman Ebersohl entertained a motion to go into Executive Session to discuss personnel as permitted under 5 ILCS 120/2(c)(1).

MOTION:

It was moved by Alderman Niemietz and seconded by Alderman Holtkamp to go into Executive Session at 8:22 P.M. to discuss personnel as permitted under 5 ILCS 120/2(c)(1). Upon Roll Call vote, Chairman Ebersohl and Aldermen Agne, Niemietz, Roessler, Reis, Holtkamp and Martens voted yea. **MOTION CARRIED.**

XIV. REGULAR SESSION

MOTION:

It was moved by Alderman Reis and seconded by Alderman Niemietz to return to the regular session of the Committee of the Whole committee meeting at 8:53 P.M. Upon Roll Call vote, Chairman Ebersohl and Aldermen Agne, Niemietz, Roessler, Reis, Holtkamp and Martens voted yea. **MOTION CARRIED.**

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Upon return to the regular session of the Committee of the Whole committee meeting, the following committee members were present: Chairman Ebersohl and Aldermen Agne, Niemietz, Roessler, Reis, Holtkamp, Martens and Mayor Hutchinson.

Chairman Ebersohl asked if there was any action to be taken as a result of the Executive Session of the Committee of the Whole committee meeting. There was none.

XV. ADJOURNMENT

MOTION:

It was moved by Alderman Agne and seconded by Alderman Roessler to adjourn the Committee of the Whole committee meeting of the City Council of the City of Columbia, Illinois held Monday, May 9, 2016 at 8:55 P.M. Upon voice vote, Chairman Ebersohl and Aldermen Agne, Niemietz, Roessler, Reis, Holtkamp and Martens voted yea. **MOTION CARRIED.**

Minutes taken by:

Gene Ebersohl
GENE EBERSOHL, Chairman
COMMITTEE OF THE WHOLE

Donna Mehaffey
Donna Mehaffey, Deputy Clerk