

**MINUTES OF THE COMMITTEE OF THE WHOLE COMMITTEE MEETING OF THE
CITY COUNCIL OF THE CITY OF COLUMBIA, ILLINOIS HELD MONDAY,
OCTOBER 9, 2017 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, Huch, Reis, and Martens. Mayor Hutchinson was also present.

Absent: Aldermen Roessler and Holtkamp.

Quorum Present.

Administrative Staff Present: City Administrator James Morani, City Attorney Terry Bruckert, City Clerk and Director of EMA Wes Hoeffken, City Engineer Chris Smith, Director of Community Development Emily Fultz, Chief of Police and Director of EMS Jerry Paul, and Deputy Clerk Donna Mehaffey.

Guests: Mr. Johnny Scott and Mr. Nick Albers of Denali Aerial LLC.

Chairman Ebersohl stated the meeting was called for the purpose of discussing: (1) Approval of minutes from the September 11, 2017 Committee of the Whole meeting; (2) Gall Road/Illinois Route 3 Project Detour; (3) Surplus Property- Radio Tower; (4) Small Unmanned Aircraft Regulations; (5) Cannabis Control Act; (6) City Hall Renovations; (7) Other Items to be Considered; (8) Citizen Comments; and (9) Executive Session – 5 ILCS 120/2(c)

II. APPROVAL OF MINUTES FROM THE SEPTEMBER 11, 2017 COMMITTEE OF THE WHOLE MEETING

The minutes from the September 11, 2017 Committee of the Whole committee meeting were submitted for approval.

MOTION:

It was moved by Alderman Reis and seconded by Alderman Huch, to approve the minutes from the September 11, 2017 Committee of the Whole committee meeting. Upon Roll Call vote, Chairman Ebersohl and Aldermen Agne, Niemietz, Huch, Reis, and Martens voted yea. **MOTION CARRIED.**

III. GALL ROAD/ILLINOIS ROUTE 3 PROJECT DETOUR

City Engineer Chris Smith provided an update on the Gall Road/Illinois Route 3 Project Detour. Mr. Smith said Mayor Hutchinson will be signing the project report and the proposed detour from Gall, Steppig, D, and Valmeyer Roads has been approved by the Monroe County Highway Department. Mr. Smith reminded the Committee of the March 22, 2017 letter from Christ Community Lutheran Church regarding the proposed road work scheduled for the summer of 2018 noting their concerns. He also said Columbia Community Unit School District #4 requested the work to be completed in the summer because of logistical concerns with bus routes.

IV. SURPLUS PROPERTY - RADIO TOWER

Police Chief Jerry Paul informed the Committee there is a self-supporting 140 foot radio tower at the police department which is no longer useful or necessary. Chief Paul said there is a high cost involved to remove the tower. He said Wisper Internet is willing to move the camera equipment from the old tower to the new tower and will disassemble and remove the old tower at no charge. City Attorney Terry Bruckert said there would be no bidding process and added this is a good deal for the City since it is an expense to remove the structure. For the record, Mr. Bruckert disclosed that Wisper Internet is a client of one of his partners in his law firm. Mr. Morani stated that Chief Paul and he had been discussing this issue for the past year and that Mr. Bruckert was asked to assist at the end of the process when the ordinance was prepared.

It was the consensus of the Committee to move forward with the proposed ordinance authorizing the disposal of the Police Department radio tower which will be considered at the next City Council meeting on October 16.

V. SMALL UNMANNED AIRCRAFT REGULATIONS

Chief Jerry Paul said the Mayor, City Attorney Bruckert, and he had discussed the small unmanned aircrafts (drones) issue about two years ago, and at the time, there had only been two complaints regarding drones in the City of Columbia. Since then, there have been more complaints and most recently a drone was flying over the Songs4Soldiers event and there was fear that the drone could malfunction and fall into the crowd causing injury. Chief Paul explained he had also spoken with the Columbia school district administration regarding issues with drones flying over high school football games. He said the school district is on board with getting some regulations in place in the city.

Mr. Bruckert said he has looked at other communities that have an ordinance on small unmanned aircraft regulations. Mr. Bruckert said he patterned the proposed ordinance from a town in northern Illinois.

Alderman Huch asked how the proposed ordinance would affect the Columbia R/C Flying Club, Inc. located on Bluff Road in the Columbia Bottom area. This is located outside the

city limits of Columbia, but is located within five miles of an airport. Alderman Hutch thought some of the proposed regulations were acceptable, but had concerns with some areas. Chief Paul said he did not think about the Columbia R/C Flying Club and said this is why the City is having the discussion right now. Chief Paul's main concern is the drone flying over the residents at large events. Mr. Bruckert said modifications can be made to the proposed ordinance.

Chairman Ebersohl recognized Mr. Johnny Scott and Mr. Nick Albers of Denali Aerial, LLC. Mr. Albers is a resident of the City of Columbia. Mr. Scott said they are first-time business owners and have \$12,000 invested in their company. Mr. Scott said that Mr. Albers and he are FAA Part 107 Licensed Remote Pilots so they are both familiar with the laws the Committee is discussing about the proposed ordinance on drones. They would like to be more involved with the process. Mr. Scott said that most of the items in the ordinance are covered under FAA 14 CFR Part 107 and it is not referenced in the document. The document recognizes the FAA Section 333 Exemptions which is no longer valid and has been replaced by FAA 14 CFR Part 107. Mr. Scott said the way the ordinance is written right now, it would put his company out of business. He further explained his company background and credentials.

Items discussed:

- For commercial purposes, you have to be registered.
- As a hobbyist or a recreational pilot, there are still several guidelines to follow.
- You are required by federal law to become a commercial pilot, be a Certified Remote Pilot, pay for the test, be background checked by the FAA, etc.
- Mr. Scott reviewed two main points of the proposed ordinance that were incorrect and are their biggest concern.
- Mr. Scott said approximately 60% of the City's proposed ordinance is already in accordance with FAA regulations.
- Flying over crowds of people is illegal whether you have your license or not. The only way you could fly over a person is to get an FAA waiver 90 days in advance.
- Their company has to file their flight routes in advance.
- Mr. Scott said Section 9.30.020 Operating Regulations, item (1) will not include their company because they are a commercial company. He also referenced Section 9.30.030 Construction of Section, item (1). He understands this section is referencing their company because they are FAA licensed. It was pointed out that this section could be referenced in Section 9.30.020 Operating Regulations, item (1).
- Their company has an attorney which reviewed everything they have brought up this evening just to make sure they were all on the same page and their attorney would be glad to speak to the Committee.
- Mr. Morani said items in the proposed ordinance can be clarified and said the intent of the proposed ordinance was not to prohibit FAA Commercially regulated users.

- Mayor Hutchinson asked what item (6) meant under Section 9.30.020 - "within five miles of any airport". Mr. Scott said this is for hobbyists or commercial pilots. If they are planning to fly within five miles of any manned airport or an airport with a tower, they are required by federal law to notify them of their flight plan. They are not prohibited from the flight and are not required to seek permission. They are required by federal law to notify them and to outline their flight parameters and to also adhere to additional parameters given by the ATC - Air Traffic Controller. The Columbia Airport would fall under this guideline and means that anyone flying a drone for recreational purposes inside the City Limits of Columbia each time has to notify the Columbia Airport.
- Mr. Scott is to provide the City with the necessary information for the proposed ordinance.
- Mr. Bruckert instructed Mr. Scott to redline what he believes should be changed in the proposed ordinance.
- Alderman Huch said realtors use drones for the sale of homes and asked if it was a problem. Chief Paul said he is not hearing it is a problem. He said the most problems are with large crowds. Chief Paul reported he will call the FAA and find out who is operating in the Columbia area.

VI. CANNABIS CONTROL ACT

Chief Paul referenced the Monroe County Ordinance prohibiting the unlawful possession of cannabis and drug paraphernalia and the State of Illinois Cannabis Control Act. He said the County's ordinance relates to lower amounts of cannabis and drug paraphernalia. Chief Paul said the Monroe County ordinance has been approved and if the City completes an Intergovernmental Agreement with Monroe County, the City won't have to use city resources to prosecute. Chief Paul said once the agreement is finished, there will be a more efficient process and the funds will stay in Monroe County. He said it will help the Monroe County State's Attorney's office, the Circuit Clerk's office, and the Sheriff's Department.

It was the consensus of the Committee for City Attorney Terry Bruckert to draft an Intergovernmental Agreement with Monroe County for the unlawful possession of cannabis and drug paraphernalia and bring it back to the Committee for review.

VII. CITY HALL RENOVATIONS

City Administrator James Morani informed the Committee he wanted to make sure they were all comfortable with moving forward with proposed renovations to City Hall. He said the goal is to consolidate staff to two levels and upgrade security.

It was the consensus of the Committee for Mr. Morani to contact Quadrant Design to start a dialogue for the proposed City Hall renovations. A proposal for scope of work for architectural services will be reviewed at an upcoming committee meeting.

VIII. OTHER ITEMS TO BE CONSIDERED

A. GM&O Heritage Trail

Alderman Martens informed the Committee that he felt blind-sided with the letter that was sent from the City to the Gedern Village subdivision trustees regarding the request of a formal response from the HOA by October 16. He said he felt the meeting from September 25 was to hear from the HOA and then the City would wait to hear for an official notice from the HOA regarding their trail. He felt the letter didn't need to be sent. He was of the understanding that only the City's portion of the trail would be paved at this time. He also pointed out a letter that was sent to Alderman Niemietz from a resident of the subdivision that said she felt as if she was being pressured for a decision.

Mayor Hutchinson said the letter was sent to get the ball rolling and to get a prompt answer. He apologized to Alderman Martens if it was taken the wrong way.

IX. CITIZEN COMMENTS

There were no citizen comments.

X. EXECUTIVE SESSION – 5 ILCS 120/2(c)

There was no call for Executive Session.

XI. ADJOURNMENT

MOTION:

It was moved by Alderman Niemietz and seconded by Alderman Agne to adjourn the Committee of the Whole committee meeting of the City Council of the City of Columbia, Illinois held Monday, October 9, 2017 at 7:42 P.M. Upon voice vote, Chairman Ebersohl and Aldermen Agne, Niemietz, Huch, Reis, and Martens voted yea. **MOTION CARRIED.**

Minutes taken by:

Gene Ebersohl

Chairman Gene Ebersohl
Committee of the Whole

Donna Mehaffey

Donna Mehaffey, Deputy Clerk