

**MINUTES OF THE COMMITTEE OF THE WHOLE COMMITTEE MEETING OF
THE CITY COUNCIL OF THE CITY OF COLUMBIA, ILLINOIS HELD MONDAY,
JANUARY 8, 2018 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: Committee Members - Chairman Ebersohl and Aldermen Agne, Niemietz, Roessler, Huch, Reis, Holtkamp and Martens. Mayor Hutchinson was also present.

Absent: None.

Quorum Present.

Administrative Staff Present: City Administrator James Morani, City Attorney Terry Bruckert, Police Chief and Director of EMS Jerry Paul, Deputy Chief of Police Jason Donjon, EMS Chief Kim Lamprecht, and Deputy Clerk Donna Mehaffey.

Guests: Columbia American Legion Auxiliary President Mrs. Janet Janson, Sons of the American Legion President Mr. Mike Nowak and Columbia American Legion Post 581 Commander Mr. Greg Smith.

Chairman Ebersohl stated the meeting was called for the purpose of discussing: (1) Approval of Minutes from the December 11, 2017 Committee of the Whole Meeting; (2) Approval of Executive Session Minutes from the December 11, 2017 Committee of the Whole Meeting; (3) Hometown Heroes Banner Project; (4) Liquor Code; (5) Surface Transportation Block Grant Program; (6) Administrative Procedure for Assessing and Determining Claims Under the Public Safety Employee Benefits Act (PSEBA); (7) Outdoor Warning Sirens; (8) Other Items to be Considered; (9) Citizen Comments; and (10) Executive Session – 5 ILCS 120/2(c)

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

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

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MOTION:

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

III. APPROVAL OF EXECUTIVE SESSION MINUTES FROM THE DECEMBER 11, 2017 COMMITTEE OF THE WHOLE MEETING

The Executive Session minutes from the December 11, 2017 Committee of the Whole committee meeting were tabled for approval until the January 22nd Committee Meeting.

IV. HOMETOWN HEROES BANNER PROJECT

Columbia American Legion Auxiliary President Mrs. Janet Janson provided a history of the Hometown Heroes Banner Project, which started in Collinsville, Illinois. Mrs. Janson would like to bring this project to Columbia and they have lots of interest from the public. She added the families of the military would like to see their relatives honored and remembered in this way. Before the program is advertised, they would like approval by the City. Commander Greg Smith of American Legion Post 581 said he viewed the banners in Collinsville and said they are impressive. He added it is a nice way to honor the veterans in the community. Sons of the American Legion President Mr. Mike Nowak said the Collinsville Hometown Heroes made a presentation at their meeting recently, said it is a great program, and he would love to see the banners throughout the City.

Discussion:

- Years in the service and a picture (picture is returned to applicant) is required for the form.
- Banners are made affordable and become the property of the City for several years while they are being placed on and off the light poles for the holidays.
- Eventually banners are returned to the applicant or family who purchased them.
- Banners would be located from North Main Street at Admiral Parkway to Rueck Road and then on South Main Street past where the Historic Main Street banners are located. Banners would be located where Historic Main Street banners are not displayed.
- If enough interest in the banners, some may be placed on East Locust Street on the way to the Legion Hall or on Veterans Parkway.
- The banner size would be 36 inches x 22 inches and the price includes the brackets. All banner orders would be through the Columbia American Legion.
- The City will be picking up the cost to place and remove the banners on the street light poles.

- The American Legion would like to begin the project in time for Memorial Day.
- The banners may be alternated and will be placed on and off the light poles three times per year but this will cause more labor.
- The banners should last two years if they are taken down after a short display for a holiday.
- A wave of banners could be displayed for a while, then removed, and then another wave of banners could be displayed so they are not going up and down all the time.
- The banners will be displayed on Memorial Day, Labor Day, and Veterans Day.
- The banners are for all Columbia residents even if the military personnel are not from Columbia. A provided example was a local resident who may have a family member in the military.
- City Staff reviewed the placement of the banners on the street light poles.

It was the consensus of the Committee to recommend to the City Council at their next meeting of January 16 to move forward with the Hometown Heroes Banner Project.

MOTION:

It was moved by Alderman Roessler and seconded by Alderman Martens, to recommend to the City Council the Hometown Heroes Banner Project. Upon Roll Call vote, Chairman Ebersohl and Aldermen Agne, Niemietz, Roessler, Huch, Reis, Holtkamp and Martens voted yea. **MOTION CARRIED.**

V. LIQUOR CODE

City Administrator James Morani updated the committee on the proposed Liquor Code Ordinance and discussed a few changes from the last version at the December 11th Committee of the Whole meeting. However, all changes from the current ordinance are highlighted in yellow.

Discussion:

- Page 1 and page 2 changes of the new Liquor Code Ordinance are the same from the last Committee meeting.
- Mr. Morani spoke to several of the businesses and researched all Columbia Liquor Licenses as licensed with the State of Illinois. He received information for which businesses had an on premises consumption license and an off premises consumption license.
- Regarding page 4, Section 5.20.080, Classification of Licenses - Fees - Class A, per discussions with attorneys Doug Gruenke and Terry Bruckert, the only way to limit the number of gaming parlors and video gaming in the gas stations and not impact the current local businesses that are selling alcohol for off premises

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consumption is to limit the number of liquor licenses for Class A only. Only the on and off premises liquor licenses would be limited.

- There are four (4) liquor licenses in the City where their State of Illinois Liquor License allows them to sell liquor on and off premises. They are Tiny's, Top Shooters, Who Dat's, and Chateau La Vin. Tiny's and Top Shooters sell kegs for off premises consumption and sometimes Tiny's sells packaged liquor to be consumed off premises. Their category is still Class A, but the licensee must have 50% or more of its monthly gross revenue derived from the sale of alcoholic liquor.
- There will be a Class A-1 liquor license for Tiny's and Top Shooters.
- There will be a Class A-2 liquor license for Who Dat's since they sell more than 50% food and non-alcoholic drinks for their liquor license.
- Chateau La Vin will fall under the winery category, Class C. Class B will be for restaurants and will be the new Class A. Class D will be for the gas stations/convenience stores or other retail establishments that sell alcohol to be consumed off premises. No changes for Classes E, F and G. Class H will be for brew pubs.
- For the existing video gaming parlor (Schlemmer Building), on the second to last page of the ordinance, Section 9 contains a provision that will allow this business to operate after the effective date of the ordinance. It states: "Any licensee holding a Class A license authorizing the sale of alcohol for the consumption on the premises on the effective date of this Ordinance, shall be exempt from the revenue requirements contained in Subsection (O) of 5.20.070. for so long as the use of the establishment does not change". For the new fiscal year of the liquor license, May 1, 2018, they will be required to get a Class B liquor license.
- There are two locations - gas stations/convenience stores - that currently have a packaged liquor license to be consumed off premises, but want gaming. The new proposed ordinance will address these issues.
- Questions from Alderman Hutch about when a new business or restaurant with possible gaming would want to locate in Columbia. The liquor licenses are limited and why a new business would want to locate in Columbia if a liquor license may go through or it may not go through.
- Chief Jerry Paul addressed the Committee how the proposed Liquor Code revision came about and how he spoke to Mr. Morani about it. He wants to deter people hanging out at the gas stations/convenience stores 24/7 and the later night crowds that would be attracted to the gambling. Chief Paul said this has been an issue in other municipalities.
- City Attorney Terry Bruckert stated most cities are against the gaming at gas stations/convenience stores. Restaurants would be okay with a Class B liquor license since that would only be consumption on premises. Truck stops are under a different classification for gaming under the statute and are required to sell a certain amount of diesel fuel per year to qualify.

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- There can't be more than one liquor license issued to an establishment. Also, there can't be a liquor license for a location, establishment or premises that shares a common wall with a location, establishment or premises that already possesses a liquor license unless the common wall permanently prohibits ingress and egress between the locations, establishments or premises through the common wall.
- Per Alderman Niemietz's concern, the Clerk's Office will be the in-take for the liquor licenses, will be keeping the records, and will be keeping track of the all the reports for gross revenue from all sources, including food, beverage, alcohol sales and video gaming. They will also keep track of whether the establishment derives more than 50% of its gross monthly revenues from Video Gaming Revenue. There will only be a handful of liquor licenses that will have to be monitored for this purpose.
- The proposed Liquor License Code for existing licensees will take effect May 1, 2018, at the time of their renewal, but will affect any new applicants that apply after the Ordinance is passed.
- Club liquor licenses will not be eliminated for the Columbia American Legion or Turner Hall. The club classes were eliminated and the club liquor licenses will be placed in Class B, but in the fee schedule ordinance, a separate amount will be listed under non-profits.
- The Local Liquor Control Commissioner can prohibit a license if a person is not of good character and reputation in the community in which the person resides. It was noted this came from the State of Illinois Liquor Code.
- Per Alderman Holtkamp, regarding the new Main Street Abbey, the Class F License under Section 5 should be changed to Class H. He also pointed out there is no reference to other sales of liquor plus the beer brewed and sold on the premises. It only refers to consumption off the premises. This item should be for consumption on and off the premises. Mr. Morani will work with Terry Bruckert to make the revisions.
- Alderman Holtkamp also thought that the proposed liquor code ordinance should include information how the process will be monitored about asking for information regarding the records for the revenue from all the food, beverage, and alcohol sales before application is made. It was noted Item J on page 2 and Item O on page 3 of the proposed ordinance has information on the process for the Video Gaming Revenue. Mr. Morani said the process information will be provided with the application of the license and will be added in the proposed ordinance.

It was the consensus of the Committee to move forward with the amendment to the City of Columbia Liquor Code as presented.

VI. SURFACE TRANSPORTATION BLOCK GRANT PROGRAM

The Surface Transportation Block Grant Program was tabled.

VII. ADMINISTRATIVE PROCEDURE FOR ASSESSING AND DETERMINING CLAIMS UNDER THE PUBLIC SAFETY EMPLOYEE BENEFITS ACT (PSEBA)

City Attorney Terry Bruckert presented the proposed ordinance, An Ordinance Establishing an Administrative Procedure for Addressing and Determining Claims Under the Public Safety Employee Benefits Act (PSEBA). Mr. Bruckert said the Illinois Municipal League has released a model ordinance for non-home rule municipalities. Mr. Bruckert said the ordinance explains who is eligible for benefits and allows municipalities to establish a procedure. Mr. Bruckert recommended the ordinance be approved.

It was the consensus of the committee to move forward with the proposed ordinance for establishing an administrative procedure for assessing and determining claims under the Public Safety Employee Benefits Act (PSEBA). The ordinance will be ready for consideration at January 16th City Council meeting.

VIII. OUTDOOR WARNING SIRENS

The Outdoor Warning Sirens agenda item was tabled.

IX. OTHER ITEMS TO BE CONSIDERED

There were no other items to be considered.

X. CITIZEN COMMENTS

There were no citizen comments.

XI. EXECUTIVE SESSION – 5 ILCS 120/2(c)(5) AND (6)

Chairman Ebersohl informed the Committee of the Whole that he would entertain a motion to go into Executive Session to discuss the purchase or lease of real estate and the setting of a price for sale or lease of property owned by the public body as permitted under 5 ILCS 120/2(c)(5) and (6).

MOTION:

It was moved by Alderman Niemietz and seconded by Alderman Reis, to direct Chairman Ebersohl to go into Executive Session at 7:45 P.M. to discuss the purchase or lease of real estate and the setting of a price for sale or lease of property owned by the public body as permitted under 5 ILCS 120/2(c)(5) and (6). Upon Roll Call vote, Chairman Ebersohl and Aldermen Agne, Niemietz, Roessler, Huch, Reis, Holtkamp and Martens voted yea. **MOTION CARRIED.**

MOTION:

It was moved by Alderman Niemietz and seconded by Alderman Reis to return to Regular Session of the Committee of the Whole at 7:52 P.M. Upon Roll Call vote, Chairman Ebersohl and Aldermen Agne, Niemietz, Roessler, Huch, Reis, Holtkamp and Martens voted yea. **MOTION CARRIED.**

Upon return to Regular Session, Chairman Ebersohl and Aldermen Agne, Niemietz, Roessler, Huch, Reis, Holtkamp and Martens were present. Mayor Hutchinson was also present.

No action was taken as a result of the Executive Session.

XII. ADJOURNMENT

MOTION:

It was moved by Alderman Martens and seconded by Alderman Huch to adjourn the Committee of the Whole committee meeting of the City Council of the City of Columbia, Illinois held Monday, January 8, 2018 at 7:53 P.M. Upon voice vote, Chairman Ebersohl and Aldermen Agne, Niemietz, Roessler, Huch, Reis, Holtkamp and Martens voted yea.

MOTION CARRIED.

Minutes taken by:

Gene Ebersohl

Chairman Gene Ebersohl
Committee of the Whole

Donna Mehaffey

Donna Mehaffey, Deputy Clerk