

MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF COLUMBIA,
ILLINOIS HELD MONDAY, APRIL 16, 2007 IN THE COUNCIL ROOM OF CITY HALL

I. CALL TO ORDER

Mayor Hutchinson called the City Council of Columbia, Illinois to order at 7:21 PM.

Upon Roll Call, the following members were:

Present: Aldermen Conrad, Ebersohl, Agne, Niemietz, Unnerstall, and Huch.

Absent: Aldermen Koester and Row.

Quorum Present.

Administrative Staff Present: City Clerk Wes Hoeffken, City Attorney Tom Adams, City Administrator Anthony Traxler, Chief of Police Joe Edwards, Fire Chief Mike Roediger, Building Inspector Al Holden, and City Auditor Gene Schorb.

The Council recited the Pledge of Allegiance.

II. APPROVAL OF MINUTES

The minutes of the Executive Session of the City Council held Monday, April 2, 2007 were submitted for approval.

Corrections were forwarded to Mr. Hoeffken.

MOTION:

It was moved by Alderman Ebersohl, and seconded by Alderman Unnerstall, to approve the minutes of the Executive Session of the City Council held Monday, April 2, 2007, as amended and on file at City Hall. Upon Roll Call vote, Aldermen Conrad, Ebersohl, Agne, Niemietz, Unnerstall, and Huch voted yea. Motion Carried.

The minutes of the Regular Meeting of the City Council held Monday, April 2, 2007 were submitted for approval.

Corrections were forwarded to Mr. Hoeffken.

MOTION:

It was moved by Alderman Niemietz, and seconded by Alderman Unnerstall, to approve the minutes of the Regular Meeting of the City Council held Monday, April 2, 2007, as amended and on file at City Hall. Upon Roll Call vote, Aldermen Conrad, Ebersohl, Agne, Niemietz, Unnerstall, and Huch voted yea. Motion Carried.

III. DELEGATIONS

A. Columbia Crossing

There were no delegations present for the Columbia Crossing development.

IV. REPORT OF OFFICERS

A. Fire Department

The monthly report of the Fire Marshall was presented to the Council.

MOTION:

It was moved by Alderman Ebersohl, and seconded by Alderman Unnerstall, to accept the report of the Fire Marshall as presented. Upon Voice vote, all Aldermen present voted yea. Motion Carried.

B. Police Department

The report of the Chief of Police was presented to the Council

MOTION:

It was moved by Alderman Niemietz, and seconded by Alderman Agne, to accept the report of the Chief of Police as presented. Upon Voice vote, all Aldermen present voted yea. Motion Carried.

C. EMS Department

The monthly report of the Director of the Columbia Emergency Medical Service was presented to the Council.

MOTION:

It was moved by Alderman Huch, and seconded by Alderman Unnerstall, to accept the report of the Ambulance Director as presented. Upon Voice vote, all Aldermen present voted yea. Motion Carried.

D. Plan Commission

The report of the Plan Commission was presented to the Council.

MOTION:

It was moved by Alderman Unnerstall, and seconded by Alderman Agne, to accept the report of the Plan Commission as presented. Upon Voice vote, all Aldermen present voted yea. Motion Carried.

E. City Attorney

1. Ordinance No. 2543 - False Alarms

Mayor Hutchinson expressed concern as to whether the City had the authority under state statutes to enact this ordinance. Mr. Adams stated that he thought it could be defended under state statutes that regulate citizen health and safety.

MOTION:

It was moved by Alderman Ebersohl, and seconded by Alderman Niemietz, to pass Ordinance No. 2543, an ordinance regulating and prohibiting false alarms. Upon Roll Call vote, Aldermen Conrad, Ebersohl, Agne, Niemietz, Unnerstall, Huch, and Mayor Hutchinson voted yea. Motion Carried.

2. Ordinance No. 2544 - Amend Nuisance Ordinance

MOTION:

It was moved by Alderman Huch, and seconded by Alderman Ebersohl, to pass Ordinance No. 2544, an ordinance amending Chapters 8.20, 8.24, 10.28, and 10.32 of the City of Columbia, Illinois Municipal Code to eliminate the prior notice and opportunity to abate a nuisance requirement for a nuisance ordinance violation under the current City Code and to change the definition of antique vehicle in the City's Abandoned Vehicle Code. Upon Roll Call vote, Aldermen Conrad, Ebersohl, Agne, Niemietz, Unnerstall, Huch, and Mayor Hutchinson voted yea. Motion Carried.

3. Order of the City Council

Mr. Adams informed the Council that the City needs to address the construction standard for the "No Named" street/driveway to be added to the Wegman Trust by the city as is required by the Economic Development Agreement for the Admiral Trost Development, and also needs to hire Heneghan and Associates to perform the survey work involved. Alderman Niemietz expressed concern about insuring the construction of the road is sufficient to handle the appropriate type of traffic that will be frequenting the development. It was agreed to refer the construction standard of the road/driveway to the City Engineer.

MOTION:

It was moved by Alderman Ebersohl, and seconded by Alderman Huch, to employ Heneghan & Associates to perform the survey work involved with the "No Named" street/driveway to be added to the Wegman Trust by the city as is required by the Economic Development Agreement for the Admiral Trost Development. Upon Roll Call vote, Aldermen Conrad, Ebersohl, Agne, Niemietz, Unnerstall, and Huch voted yea. Motion Carried.

4. Ordinance No. 2545 - Occupancy Permit Variance

There was a discussion by the Council regarding the funding source for this ordinance. It was agreed to inquire if the developer of the subdivision, or the business owner, would be willing to pay for the legal expenses involved in preparing this ordinance.

MOTION:

It was moved by Alderman Agne, and seconded by Alderman Conrad, to pass Ordinance No. 2545, an ordinance granting an Occupancy Permit Variance for Lot 8 and resubdivided Lot 9 of the Admiral Trost Development Subdivision. Upon Roll Call vote, Aldermen Conrad, Ebersohl, Agne, Niemietz, Unnerstall, Huch, and Mayor Hutchinson voted yea. Motion Carried.

5. Ordinance No. 2546 - Cable TV Franchise

MOTION:

It was moved by Alderman Conrad, and seconded by Alderman Ebersohl, to pass Ordinance No. 2546, an ordinance authorizing a Compromise and Settlement Agreement between the City of Columbia, Illinois and Charter Communications Entertainment I, L.L.C., a Limited Liability Company, with regard to dismissal of City of Columbia, Illinois Ordinance Violation - Monroe County Illinois Circuit Court Case No. 07-OV-8 involving operation of a Cable Television System in the rights-of-way of the City without a Cable Television Franchise. Upon Roll Call vote, Aldermen Conrad, Ebersohl, Agne, Niemietz, Unnerstall, Huch, and Mayor Hutchinson voted yea. Motion Carried.

Ordinance No. 2547 - Cable TV Franchise

MOTION:

It was moved by Alderman Conrad, and seconded by Alderman Agne, to pass Ordinance No. 2547, an ordinance granting a new Cable Television Franchise to Charter Communications Entertainment I, L.L.C. for a new term of three years subject to the conditions within the ordinance. Upon Roll Call vote, Aldermen Conrad, Ebersohl, Agne, Niemietz, Unnerstall, Huch, and Mayor Hutchinson voted yea. Motion Carried.

MOTION:

It was moved by Alderman Huch, and seconded by Alderman Niemietz, to accept the report of the City Attorney as presented. Upon Voice vote, all Aldermen present voted yea. Motion Carried.

F. Administration Department

1. City Facilities Reservation Policy

MOTION:

It was moved by Alderman Unnerstall, and seconded by Alderman Ebersohl, to approve the City of Columbia, Illinois Policy for Reservation of Recreation Facilities. Upon Roll Call vote, Aldermen Conrad, Ebersohl, Agne, Niemietz, Unnerstall, and Huch voted yea. Motion Carried.

2. Gibault Tennis Court Request

MOTION:

It was moved by Alderman Unnerstall, and seconded by Alderman Conrad, to approve the Gibault High School Tennis Court Reservation Request as submitted and on file at City Hall. Upon Roll Call vote, Aldermen Conrad, Ebersohl, Agne, Niemietz, Unnerstall, and Huch voted yea. Motion Carried.

3. Architectural Review Board Recommendation

MOTION:

It was moved by Alderman Agne, and seconded by Alderman Conrad, to accept the recommendation of the Architectural Review Board and approve the use of Arriscraft, a limestone/silicate compressed masonry product, for the construction of the Reliance Bank facility. Upon Roll Call vote, Aldermen Conrad, Ebersohl, Agne, Niemietz, Unnerstall, and Huch voted yea. Motion Carried.

4. Education Reimbursement Letter

MOTION:

It was moved by Alderman Niemietz, and seconded by Alderman Huch, to forward the Letter Agreement for Education Reimbursement to Chief Edwards and Deputy Chief Paul for their review and signature. Upon Roll Call vote, Aldermen Conrad, Ebersohl, Agne, Niemietz, Unnerstall, and Huch voted yea. Motion Carried.

5. Ordinance No. 2548 - Wardermann Cemetery Radar Scanning

MOTION:

It was moved by Alderman Unnerstall, and seconded by Alderman Conrad, to pass Ordinance No. 2548, an ordinance employing Ground Penetrating Radar Systems, Inc. (GPRS, INC.) of Sylvania, Ohio to provide ground penetration radar mapping services to the City of Columbia, Illinois for Wardermann Cemetery. Upon Roll Call vote, Aldermen Conrad, Ebersohl, Agne, Niemietz, Unnerstall, Huch, and Mayor Hutchinson voted yea. Motion Carried.

6. Ordinance No. 2549 - Appointed Officials

MOTION:

It was moved by Alderman Niemietz, and seconded by Alderman Ebersohl, to pass Ordinance No. 2549, an ordinance filling Offices and setting the compensation of Appointed City Officers for the fiscal year of the City commencing May, 1, 2007 and ending April 30, 2008. Upon Roll Call vote, Aldermen Conrad, Ebersohl, Agne, Niemietz, Unnerstall, Huch, and Mayor Hutchinson voted yea. Motion Carried.

7. Ordinance No. 2550 - Fee Ordinance

MOTION:

It was moved by Alderman Ebersohl, and seconded by Alderman Huch, to pass Ordinance No. 2550, an ordinance establishing the fees for services offered by the City of Columbia, Illinois for the fiscal year of the City commencing May 1, 2007 and ending April 30, 2008. Upon Roll Call vote, Aldermen Conrad, Ebersohl, Agne, Niemietz, Unnerstall, Huch, and Mayor Hutchinson voted yea. Motion Carried.

8. Ordinance No. 2551 - Budget Ordinance

MOTION:

It was moved by Alderman Hutch, and seconded by Alderman Ebersohl, to pass Ordinance No. 2551, an ordinance establishing the Budget for the City of Columbia, Illinois for the fiscal year of the City commencing May 1, 2007 and ending April 30, 2008. Upon Roll Call vote, Aldermen Conrad, Ebersohl, Agne, Niemietz, Unnerstall, Hutch, and Mayor Hutchinson voted yea. Motion Carried.

9. 2008 REJIS Order for Information Technology Services

MOTION:

It was moved by Alderman Conrad, and seconded by Alderman Niemietz, to approve the Order for Additional Hours for 300 additional hours as part of the Technical Agreement with REJIS for the fee of \$21,000.00. Upon Roll Call vote, Aldermen Conrad, Ebersohl, Agne, Niemietz, Unnerstall, and Hutch voted yea. Motion Carried.

G. City Clerk

Mr. Hoeffken presented his report to the Council.

V. CLAIMS & ACCOUNTS

A. Statement of Funds

The report of the City Auditor was presented to the Council.

MOTION:

It was moved by Alderman Hutch, and seconded by Alderman Conrad, to accept the report of the City Auditor as presented. Upon Voice vote, all Aldermen present voted yea. Motion Carried.

B. Vouchers

MOTION:

It was moved by Alderman Hutch, and seconded by Alderman Conrad, to authorize the payment of vouchers received through April 12, 2007; the total amount of the vouchers to be paid is three hundred sixty-five thousand, two hundred seventy-nine dollars, and forty-four cents (\$365,279.44). Upon Roll Call vote, Aldermen Conrad, Ebersohl, Agne, Niemietz, Unnerstall, and Hutch voted yea. Motion Carried.

VI. OLD BUSINESS

There was no Old Business brought before the Council.

VII. NEW BUSINESS

There was no New Business brought before the Council.

VIII. REPORT OF STANDING COMMITTEES

A. Parks, Playgrounds, and Recreation Committee

Minutes of the Parks, Playgrounds, and Recreation Committee meeting held Monday, April 2, 2007 were presented to the Council for approval.

MOTION:

It was moved by Alderman Unnerstall, and seconded by Alderman Ebersohl, to approve the minutes of the Parks, Playgrounds, and Recreation Committee meeting held Monday, April 2, 2007 as amended and on file at City Hall. Upon Voice vote, all Aldermen present voted yea. Motion Carried.

B. Streets, Sidewalks, Drainage, and Public Utilities Committee
Minutes of the Streets, Sidewalks, Drainage, and Public Utilities Committee meeting held Monday, April 2, 2007 were presented to the Council for approval.

Corrections were forwarded to the City Administrator.

MOTION:

It was moved by Alderman Ebersohl, and seconded by Alderman Niemietz, to approve the minutes of the Streets, Sidewalks, Drainage, and Public Utilities Committee meeting held Monday, April 2, 2007 as amended and on file at City Hall. Upon Voice vote, all Aldermen present voted yea. Motion Carried.

C. Personnel Committee

Minutes of the Personnel Committee and Executive Session of the Personnel Committee meeting held Monday, April 9, 2007 were presented to the Council for approval.

Corrections were forwarded to the City Administrator.

MOTION:

It was moved by Alderman Niemietz, and seconded by Alderman Ebersohl, to approve the minutes of the Executive Session of the Personnel Committee meeting held Monday, April 9, 2007 as amended and on file at City Hall. Upon Voice vote, all Aldermen present voted yea. Aldermen Conrad and Unnerstall abstained since they were not present for the meeting. Motion Carried.

MOTION:

It was moved by Alderman Niemietz, and seconded by Alderman Ebersohl, to approve the minutes of the Personnel Committee meeting held Monday, April 9, 2007 as amended and on file at City Hall. Aldermen Conrad and Unnerstall abstained since they were not present for the meeting. Upon Voice vote, all Aldermen present voted yea. Motion Carried.

D. Ordinances, Planning, and Zoning Committee &

Streets, Sidewalks, Drainage, and Public Utilities Committee

Minutes of the joint meeting of the Ordinance, Planning, and Zoning Committee and the Streets, Sidewalks, Drainage, and Public Utilities Committee meeting held Monday, April 9, 2007 were presented to the Council for approval.

Corrections were forwarded to the City Administrator.

MOTION:

It was moved by Alderman Agne, and seconded by Alderman Niemietz, to approve the minutes of the joint meeting of the Ordinance, Planning, and Zoning Committee and the Streets, Sidewalks, Drainage, and Public Utilities Committee meeting held Monday, April 9, 2007 as amended and on file at City Hall. Upon Voice vote, all Aldermen present voted yea. Aldermen Conrad and Unnerstall abstained since they were not present for the meeting. Motion Carried.

IX. EXECUTIVE SESSION

Mayor Hutchinson informed the Council that he would entertain a motion to go into Executive Session for the purpose of discussing personnel.

MOTION:

It was moved by Alderman Conrad, and seconded by Alderman Niemietz, to direct the Mayor to go into Executive Session at 8:55 PM for the purpose of discussing personnel. Upon Roll Call vote, Aldermen Conrad, Ebersohl, Agne, Niemietz, Unnerstall, and Huch voted yea. Motion Carried.

MOTION:

It was moved by Alderman Hutch, and seconded by Alderman Ebersohl, to return to Regular Session of the City Council at 9:50 PM. Upon Roll Call vote, Aldermen Conrad, Ebersohl, Agne, Niemietz, Unnerstall, and Hutch voted yea. Motion Carried.

Upon return to Regular Session, Aldermen Conrad, Ebersohl, Agne, Niemietz, Unnerstall, Hutch and Mayor Hutchinson were present.

Mayor Hutchinson inquired if there was any business to be brought before the Council as a result of the Executive Session.

A. Ordinance No. 2552 - Salary Ordinance

MOTION:

It was moved by Alderman Niemietz, and seconded by Alderman Ebersohl, to pass Ordinance No. 2552, an ordinance establishing the salary/remuneration of employees of the City of Columbia, Illinois for the fiscal year of the City commencing May 1, 2007 and ending April 30, 2008. Upon Roll Call vote, Aldermen Conrad, Ebersohl, Niemietz, Hutch, and Mayor Hutchinson voted yea. Aldermen Agne and Unnerstall voted nay. Motion Carried.

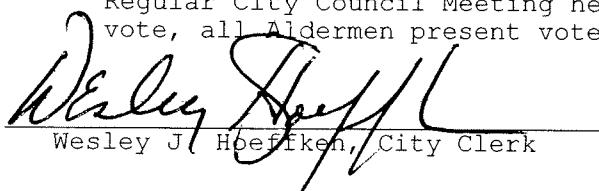
X. CALL FOR COMMITTEE MEETINGS

There was no Call for Committee Meetings.

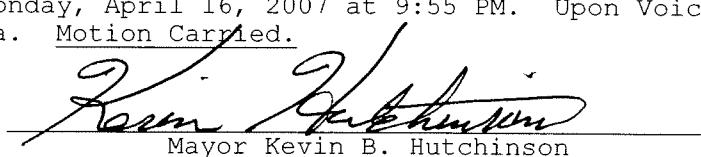
XI. ADJOURNMENT

MOTION:

It was moved by Alderman Hutch, and seconded by Alderman Niemietz, to adjourn the Regular City Council Meeting held Monday, April 16, 2007 at 9:55 PM. Upon Voice vote, all Aldermen present voted yea. Motion Carried.



Wesley J. Hoeffken, City Clerk



Kevin B. Hutchinson