

MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF COLUMBIA,  
ILLINOIS HELD MONDAY, JUNE 18, 2007 IN THE COUNCIL ROOM OF CITY HALL

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I. CALL TO ORDER

Mayor Hutchinson called the City Council of Columbia, Illinois to order at 7:00 PM.

Upon Roll Call, the following members were:

Present: Aldermen Ebersohl, Agne, Niemietz, Unnerstall, Row, Hejna, Oberkfell, and Stumpf.

Absent: None.

Quorum Present.

Administrative Staff Present: City Clerk Wes Hoeffken, City Administrator Anthony Traxler, City Attorney Tom Adams, Chief of Police Joe Edwards, Building Inspector Al Holden, City Treasurer Bob Naumann, Director of Community and Economic Development Mike Hemmer, and Fire Chief Mike Roediger.

The Council recited the Pledge of Allegiance.

II. APPROVAL OF MINUTES

The minutes of the Executive Session of the City Council held Monday, June 4, 2007 were submitted for approval.

Corrections were forwarded to Mr. Hoeffken.

MOTION:

It was moved by Alderman Agne, and seconded by Alderman Hejna, to approve the minutes of the Executive Session of the City Council held Monday, June 4, 2007, as amended and on file at City Hall. Upon Roll Call vote, Aldermen Ebersohl, Agne, Niemietz, Unnerstall, Row, Hejna, Oberkfell, and Stumpf voted yea. Motion Carried.

The minutes of the Regular Meeting of the City Council held Monday, June 4, 2007 were submitted for approval.

MOTION:

It was moved by Alderman Niemietz, and seconded by Alderman Row, to approve the minutes of the Regular Meeting of the City Council held Monday, June 4, 2007, as submitted and on file at City Hall. Upon Roll Call vote, Aldermen Ebersohl, Agne, Niemietz, Unnerstall, Row, Hejna, Oberkfell, and Stumpf voted yea. Motion Carried.

III. DELEGATIONS

A. Chief Francis W. Fromme Proclamation

Mayor Hutchinson read the Francis Fromme Proclamation establishing the first week of Fire Prevention Month (October 2007) as Chief Francis Fromme Week in honor for the many years of dedicated service to the City.

MOTION:

It was moved by Alderman Row, and seconded by Alderman Ebersohl, to approve the Francis W. Fromme Proclamation establishing the first week of Fire Prevention Month (October 2007) as Chief Francis Fromme Week in honor for the many years of dedicated service to the City. Upon Roll Call vote, Aldermen Ebersohl, Agne, Niemietz, Unnerstall, Row, Hejna, Oberkfell, Stumpf, and Mayor Hutchinson voted yea. Motion Carried.

B. Columbia High School Baseball Team Recognition  
Mayor Hutchinson recognized the Columbia High School Baseball Team for their State Championship and presented certificates to the coaches and players.

C. Resolution No. 04-2007 - Columbia Crossing PMOA  
Mayor Hutchinson introduced Marsia Geldert-Murphey, Kaskaskia Engineering Group, and asked her to explain the Programmatic Memorandum of Agreement. Ms. Geldert-Murphey stated that the PMOA defines the process for addressing the cultural resources in the Columbia Crossing area and explained that even though the Federal Highway Department is not involved in the process, they are required to approve access to the highway. Ms. Geldert-Murphey then explained that the Area of Potential Effect (APE) is approximately 2000 acres and the agreement explains what needs to be done in that entire area, versus having to negotiate separate agreements for each parcel of land. Ms. Geldert-Murphey stated that the PMOA satisfies requirements for the State Historic Preservation Office and also addresses all federal requirements of due diligence defined under Section 106. Scott Hardin, of SCI Engineering, stated that the State can also trigger Section 106.

Alderman Unnerstall stated that this agreement might be committing the City prematurely since no one knows how, or if, that area will be developed. Ms. Geldert-Murphey stated that as the governing local agency, the City needs to make sure all property owners have done what they are already legally required to do and that the agreement does not financially obligate the City. Ms. Geldert-Murphey added that the Sauget Business Park has a similar agreement versus separate individual agreements for each parcel of land. Alderman Niemietz inquired if this agreement would save money by eliminating separate agreements. Ms. Geldert-Murphey stated that negotiating these agreements is very time consuming and that a PMOA agreement for the entire area will save a lot of time and money, especially knowing that the PMOA being presented took over 12 months to negotiate. Alderman Stumpf inquired about the excavation already underway in the bottoms. Ms. Geldert-Murphey stated that the Illinois Department of Transportation is already conducting Phase III Mitigation for the area impacted by the proposed interchange and is paying for the study. Mayor Hutchinson stated that this study is required for the Access Justification Report. Alderman Stumpf stated he would be more comfortable with the agreement if the City Attorney reviewed the agreement. Mayor Hutchinson stated that the City hired Mr. Grimm to negotiate and prepare the agreement. Alderman Stumpf inquired if this agreement would open up the potential for more digs. Ms. Geldert-Murphey stated that the agreement does not create any additional digs, but merely acts as a guideline for the processes already required by state and federal laws, and that the agreement won't be utilized until after development begins. Mr. Scott Hardin, of SCI Engineering stated that the agreement does not commit the City and does not open up the area, but serves as a guideline. Ms. Geldert-Murphey stated that the Federal Highway Department is the administering body.

Mayor Hutchinson explained that all of the landowners in the Area of Potential Effect were notified about the PMOA via a letter from the City and no one contacted the City to express any concerns. Mayor Hutchinson then inquired if there were any of the landowners present who might have questions about the PMOA. Mr. Ken Stumpf stated that he did not have any questions about the PMOA.

Alderman Unnerstall stated that the agreement does have the City taking responsibility for all of the public easements in the APE. Mayor Hutchinson stated that the agreement is not changing commitment; just streamlining the process and either way the City will need to take responsibility for the public easements and that this agreement will actually save the city money by not requiring a separate PMOA for each easement on every parcel of land in the APE. Alderman Oberkfell said that technically, the agreement is not required and does not see any reason to streamline the process at this point in time.

MOTION:

It was moved by Alderman Agne, and seconded by Alderman Niemietz to pass Resolution No. 04-2007, a resolution approving a Programmatic Memorandum of Agreement. Upon Roll Call vote, Aldermen Ebersohl, Agne, Niemietz, and Mayor Hutchinson voted yea. Aldermen Unnerstall, Row, Hejna, Oberkfell, and Stumpf voted nay. Motion Failed.

Mr. Grimm, attorney for the City who negotiated that PMOA, stated that he was not offended by the request to have the City Attorney review the PMOA and added that none of the negotiations for the agreement are over legal requirements but over the process. Mr. Grimm added that the various agencies have a lot of discretion to scrutinize any areas of development and this agreement predefines the process for all of the agencies.

MOTION:

It was moved by Alderman Niemietz, and seconded by Alderman Agne to direct the City Attorney to review the Programmatic Memorandum of Agreement and report back to the Council. Upon Roll Call vote, Aldermen Ebersohl, Agne, Niemietz, Row, Hejna, and Stumpf voted yea. Aldermen Unnerstall and Oberkfell voted nay. Motion Carried.

**IV. REPORT OF OFFICERS**

A. Police Department

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

B. EMS Department

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

C. Fire Department

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

D. Plan Commission

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

E. City Attorney

1. Ordinance No. 2565 - Setback Variance - Patrick and Julia Arnold

MOTION:

It was moved by Alderman Unnerstall, and seconded by Alderman Row, to pass Ordinance No. 2565, an ordinance granting a Zoning Code Rear Yard Setback Variance to Patrick and Julia Arnold for the homestead real estate having the assigned address of 206 North Briegel Street, Columbia, Illinois, which is located in an R-6 (One-Family Dwelling Zoned District) in the City. Upon Roll Call vote, Aldermen Ebersohl, Agne, Niemietz, Unnerstall, Row, Hejna, Oberkfell, Stumpf, and Mayor Hutchinson voted yea. Motion Carried.

2. Ordinance No. 2566 - Special Use Permit - Groomingdale's

MOTION:

It was moved by Alderman Agne, and seconded by Alderman Stumpf, to pass Ordinance No. 2566, an ordinance granting a Special Use Permit for real estate having the assigned address of 117 - 119 Mark Drive, in the City of Columbia, Illinois for Michelle (Crowder) Gaither doing business as Groomingdale's LTD. to allow for the operation of a pet grooming business in a C-3 (Highway Business Zoned District) in the City. Upon Roll Call vote, Aldermen Ebersohl, Agne, Niemietz, Unnerstall, Row, Hejna, Oberkfell, Stumpf, and Mayor Hutchinson voted yea. Motion Carried.

3. Resolution No. 04-2007 - Braddock Point Subdivision

MOTION:

It was moved by Alderman Row, and seconded by Alderman Unnerstall, to pass Resolution No. 04-2007, a resolution conditionally approving the Preliminary Subdivision Plat for the Braddock Point Subdivision in the County of St. Clair and State of Illinois. Upon Roll Call vote, Aldermen Ebersohl, Agne, Niemietz, Unnerstall, Row, Hejna, Oberkfell, Stumpf, and Mayor Hutchinson voted yea. Motion Carried.

F. Administration Department

1. Policy For Use Of City Storage Yard

MOTION:

It was moved by Alderman Row, and seconded by Alderman Oberkfell, to approve the City of Columbia Policy for Use of the City Storage Yard as on file with the City Clerk's Office. Upon Roll Call vote, Aldermen Ebersohl, Agne, Niemietz, Unnerstall, Row, Hejna, Oberkfell, and Stumpf voted yea. Motion Carried.

2. Brellinger 3<sup>rd</sup> Addition Improvement Plans

MOTION:

It was moved by Alderman Ebersohl, and seconded by Alderman Oberkfell, to approve the Improvement Plans for the Brellinger 3<sup>rd</sup> Addition Subdivision. Upon Roll Call vote, Aldermen Ebersohl, Agne, Niemietz, Unnerstall, Row, Hejna, Oberkfell, and Stumpf voted yea. Motion Carried.

3. The Legends Improvement Plans

Aldermen Row and Stumpf expressed concerns about road and drainage improvements along Gall Road. Alderman Row stated that the City Attorney and City Engineer need to review the situation before the Council takes any action.

MOTION:

It was moved by Alderman Stumpf, and seconded by Alderman Hejna, to table approval of the Improvement Plans for The Legends Subdivision until the road and ditch improvements issue is resolved. Upon Roll Call vote, Aldermen Ebersohl, Agne, Niemietz, Unnerstall, Row, Hejna, Oberkfell, and Stumpf voted yea. Motion Carried.

4. Rueck Road Phase IV Improvement Project

MOTION:

It was moved by Alderman Ebersohl, and seconded by Alderman Row, to approve the increased project costs of \$57,575.45 for the Rueck Road Phase IV Improvement Project as submitted by Illinois Excavators. Upon Roll Call vote, Aldermen Ebersohl, Agne, Niemietz, Unnerstall, Row, Hejna, Oberkfell, and Stumpf voted yea. Motion Carried.

5. Ordinance No. 2567 - Parking in City Parks

MOTION:

It was moved by Alderman Ebersohl, and seconded by Alderman Row, to pass Ordinance No. 2567, an ordinance amending Chapter 10.36 (Parking Generally) of Title 10 (Vehicles and Traffic) of the Municipal Code of the City by adding a new section 10.36.110 (Parking on Improved Surfaces within City Parks) governing parking in City Parks in the City of Columbia, Illinois. Upon Roll Call vote, Aldermen Ebersohl, Agne, Niemietz, Unnerstall, Row, Hejna, Oberkfell, Stumpf, and Mayor Hutchinson voted yea. Motion Carried.

6. Ordinance No. 2568 - Amend Salary Ordinance

MOTION:

It was moved by Alderman Hejna, and seconded by Alderman Ebersohl, to pass Ordinance No. 2568, an ordinance amending Ordinance No. 2549 which fills the offices and sets the compensation of Appointed City Officers 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 Ebersohl, Agne, Niemietz, Unnerstall, Row, Hejna, Oberkfell, Stumpf, and Mayor Hutchinson voted yea. Motion Carried.

7. RFP For Janitorial Services

Mr. Traxler informed the Council that the RFP for Janitorial Services is ready for distribution and that ads will also be placed in several publications.

G. City Clerk

Mr. Hoeffken presented his report to the Council.

1. Ordinance No. 2569 - Prevailing Wages

MOTION:

It was moved by Alderman Niemietz, and seconded by Alderman Ebersohl, to pass Ordinance No. 2569, an ordinance of the City of Columbia, Illinois ascertaining the Prevailing Wages for laborers, workmen, and mechanics employed on Public Works of the City. Upon Roll Call vote, Aldermen Ebersohl, Agne, Niemietz, Unnerstall, Row, Hejna, Oberkfell, Stumpf, and Mayor Hutchinson voted yea. Motion Carried.

2. Disclosure Of Interest In Property In A TIF District

Mr. Hoeffken informed the council that Alderman Stumpf has submitted a Disclosure of Interest in Property located in the Admiral Parkway Tax Increment Redevelopment District in the City of Columbia, Illinois which written Disclosure is included in the minutes of this City Council meeting; Section 11-74.4-4 Tax Increment Allocation Redevelopment Act of the State of Illinois(65ILCS 5/11-74.4-4).

3. Past Due Invoices

Alderman Unnerstall stated that despite previous legal consultation regarding past due invoices, he would still like to see the City Clerk place liens on properties for past due invoices for building permits that have been submitted for other properties. Mr. Hoeffken stated that as an elected official, he did not think it was in the best interest of the City to intentionally subject it to potential litigation when the City Attorney has already stated that we can not place a lien on one property for a past due invoice for a building for another. Mr. Hoeffken also stated that he and Mr. Holden have the building permit situation under control and that Stop Work Orders are issued if construction begins on a building before the building permit is paid for.

4. Resolution No. 05-2007 - Release of Executive Session Minutes

MOTION:

It was moved by Alderman Row, and seconded by Alderman Ebersohl, to pass Resolution No. 05-2007, a resolution regarding the release of Closed Session Minutes. Upon Roll Call vote, Aldermen Ebersohl, Agne, Niemietz, Unnerstall, Row, Hejna, Oberkfell, Stumpf, and Mayor Hutchinson voted yea. Motion Carried.

MOTION:

It was moved by Alderman Ebersohl, and seconded by Alderman Hejna, to accept all the reports of all Departments and Officers as presented and on file at City Hall. Upon Voice vote, all Aldermen present voted yea. Motion Carried.

**V. CLAIMS & ACCOUNTS**

A. Statement of Funds

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

MOTION:

It was moved by Alderman Hejna, and seconded by Alderman Unnerstall, 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 Hejna, and seconded by Alderman Row, to authorize the payment of vouchers received through June 4, 2007; the total amount of the vouchers to be paid is two hundred thirty-seven thousand, five hundred ninety-six dollars, and ninety-nine cents (\$237,596.99). Upon Roll Call vote, Aldermen Ebersohl, Agne, Niemietz, Unnerstall, Row, Hejna, Oberkfell, and Stumpf voted yea. Motion Carried.

**VI. OLD BUSINESS**

A. Ordinance No. 2570 - Committee Appointments

Alderman Unnerstall expressed his concern about the appointments for the Library Board. Alderman Oberkfell stated that he had submitted several names to the Mayor and those people were not assigned to any of the committees. Mayor Hutchinson stated that he did appoint some of those people and the rest have been added to the list he maintains for future appointments.

MOTION:

It was moved by Alderman Agne, and seconded by Alderman Stumpf, to pass Ordinance No. 2570, an ordinance providing for the appointment of members of certain Boards and Commissions 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 Ebersohl, Agne, Niemietz, Stumpf, and Mayor Hutchinson voted yea. Aldermen Unnerstall, Row, Hejna, and Oberkfell voted nay. Motion Carried.

B. Quality Collision

Mr. Traxler informed the Council that there is a temporary hold on the Columbia Collision request.

C. Ordinance No. 2571 - Hotel/Motel Tax Rebate Agreement

Alderman Unnerstall expressed his preference that the City control these funds rather than being rebated to the developer. Alderman Oberkfell stated that several people have contacted him about the hotel being located too close to the Middle School. Mayor Hutchinson stated that he was not aware of this being a safety issue and stated that the hotel is being constructed on the back side of the development.

MOTION:

It was moved by Alderman Stumpf, and seconded by Alderman Agne, to pass Ordinance No. 2571, an ordinance providing for a Hotel and Motel Accommodation Tax Rebate Financing Agreement between the City of Columbia, Illinois and Columbia Hospitality Company, LLC, an Illinois limited liability company. Upon Roll Call vote, Aldermen Ebersohl, Agne, Niemietz,

Row, Stumpf, and Mayor Hutchinson voted yea. Aldermen Unnerstall, Hejna and Oberkfell voted nay. Motion Carried.

## **VII. 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 Row, and seconded by Alderman Unnerstall, to direct the Mayor to go into Executive Session at 9:06 PM for the purpose of discussing personnel. Upon Roll Call vote, Aldermen Ebersohl, Agne, Niemietz, Unnerstall, Row, Hejna, Oberkfell, and Stumpf voted yea. Motion Carried.

### MOTION:

It was moved by Alderman Row, and seconded by Alderman Unnerstall, to return to Regular Session of the City Council at 10:02 PM. Upon Roll Call vote, Aldermen Ebersohl, Agne, Niemietz, Unnerstall, Row, Hejna, Oberkfell, and Stumpf voted yea. Motion Carried.

Upon return to Regular Session, Aldermen Ebersohl, Agne, Niemietz, Unnerstall, Row, Hejna, Oberkfell, Stumpf 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. Bargaining Unit Request**

#### MOTION:

It was moved by Alderman Niemietz, and seconded by Alderman Hejna, to direct Anthony Traxler and Mark Weismann to proceed with the bargaining unit request as discussed in Executive Session. Upon Roll Call vote, Aldermen Ebersohl, Agne, Niemietz, Unnerstall, Row, Hejna, Oberkfell, and Stumpf voted yea. Motion Carried.

## **VIII. NEW BUSINESS**

### **A. Steelworkers Insurance Renewal**

#### MOTION:

It was moved by Alderman Unnerstall, and seconded by Alderman Ebersohl, to approve the Steel workers Insurance Renewal as submitted for the current year, effective July 1, 2007 through June 30, 2008. Upon Roll Call vote, Aldermen Ebersohl, Agne, Niemietz, Unnerstall, Row, Hejna, Oberkfell, and Stumpf voted yea. Motion Carried.

## **IX. REPORT OF STANDING COMMITTEES**

### **A. Parks, Playgrounds, and Recreation Committee**

Minutes of the Parks, Playgrounds, and Recreation Committee meeting held Monday, June 11, 2007 were presented to the Council for approval.

#### **1. Fort Piggott**

##### MOTION:

It was moved by Alderman Niemietz, and seconded by Alderman Ebersohl, to direct the City Attorney to proceed with negotiations for the agreement with the Columbia Historical Society regarding Fort Piggott. Upon Roll Call vote, Aldermen Ebersohl, Agne, Niemietz, Unnerstall, Row, Hejna, Oberkfell, and Stumpf voted yea. Motion Carried.

MOTION:

It was moved by Alderman Stumpf, and seconded by Alderman Hejna, to approve the minutes of the Parks, Playgrounds, and Recreation Committee meeting held Monday, June 11, 2007 as submitted and on file at City Hall. Upon Voice vote, all Aldermen present voted yea. Motion Carried.

B. Water and Sewer Committee

Minutes of the Water and Sewer Committee meeting held Monday, June 11, 2007 were presented to the Council for approval.

MOTION:

It was moved by Alderman Row, and seconded by Alderman Oberkfell, to approve the minutes of the Water and Sewer meeting held Monday, June 11, 2007 as submitted and on file at City Hall. Upon Voice vote, all Aldermen present voted yea. Motion Carried.

C. Ordinance, Planning, and Zoning Committee

Minutes of the Ordinance, Planning, and Zoning Committee meeting held Monday, June 11, 2007 were presented to the Council for approval.

Corrections were forwarded to the City Administrator.

1. Quality Collision Fence Request

MOTION:

It was moved by Alderman Agne, and seconded by Alderman Niemietz, to allow Quality Collision to place a fence on the old Riverview Ford property with landscaping on all sides except for the area facing Route 3 which will be used for tow truck access, contingent upon the purchase of the property. Upon Roll Call vote, Aldermen Ebersohl, Agne, Niemietz, Unnerstall, Row, Hejna, Oberkfell, and Stumpf voted yea. Motion Carried.

2. Floodway Designation

MOTION:

It was moved by Alderman Agne, and seconded by Alderman Ebersohl, to table any action on the proposed Floodway Designation (visible stakes) until further review by the Council and City staff. Upon Roll Call vote, Aldermen Ebersohl, Agne, Niemietz, Unnerstall, Row, Hejna, Oberkfell, and Stumpf voted yea. Motion Carried.

MOTION:

It was moved by Alderman Agne, and seconded by Alderman Niemietz, to approve the minutes of the Ordinance, Planning, and Zoning Committee meeting held Monday, June 11, 2007 as amended and on file at City Hall. Upon Voice vote, all Aldermen present voted yea. Motion Carried.

D. Refuse Collection, and Recycling Committee and Municipal Buildings

Minutes of the joint meeting of the Refuse Collection and Recycling Committee and Municipal Buildings, Property, and Capital Improvements Committee meeting held Monday, June 11, 2007 were presented to the Council for approval.

MOTION:

It was moved by Alderman Row, and seconded by Alderman Oberkfell, to approve the minutes of the joint meeting of the Refuse Collection and Recycling Committee and Municipal Buildings, Property, and Capital Improvements Committee meeting held Monday, June 11, 2007 as submitted and on file at City Hall. Upon Voice vote, all Aldermen present voted yea. Motion Carried.

**X. CALL FOR COMMITTEE MEETINGS**

Monday, June 25, 2007

7:00 PM - Fire and Ambulance

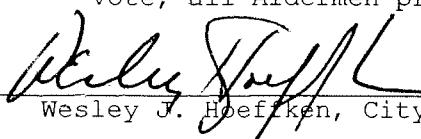
7:05 PM - Municipal Buildings, Property, and Capital Improvements

7:10 PM - Committee of the Whole

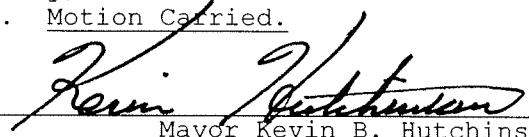
**XI. ADJOURNMENT**

**MOTION:**

It was moved by Alderman Unnerstall, and seconded by Alderman Agne, to adjourn the Regular City Council Meeting held Monday, June 18, 2007 at 10:31 PM. Upon Voice vote, all Aldermen present voted yea. Motion Carried.



Wesley J. Hoefkken, City Clerk



Mayor Kevin B. Hutchinson

**DISCLOSURE OF INTEREST IN PROPERTY  
LOCATED IN THE ADMIRAL PARKWAY TAX  
INCREMENT REDEVELOPMENT DISTRICT IN THE  
CITY OF COLUMBIA, ILLINOIS**

**RECEIVED**

**To: The City Clerk**  
City of Columbia, Illinois  
Columbia City Hall  
208 South Rapp Avenue  
Columbia, Illinois 62236

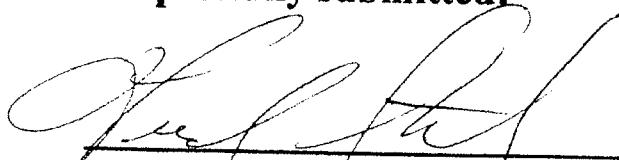
JUN 01 2007 *John*  
CITY OF COLUMBIA, IL

**In accordance with the requirements of Section 11-74.4-4 of the Tax Increment Allocation Redevelopment Act of the State of Illinois (65 ILCS 5/11-74.4-4) I hereby disclose that I am the owner of two (2) parcels of property located in the Admiral Parkway Tax Increment Redevelopment District in the City of Columbia, Illinois which tracts of property have the Monroe County, Illinois permanent parcel numbers of 04-21-203-001 and 04-21-281-001.**

**I request that the City Council of the City of Columbia, Illinois enter upon the minute books of the City Council an acknowledgement of this disclosure in accordance with the requirement of said Act.**

**Dated at Columbia, Illinois May 30, 2007.**

**Respectfully submitted:**

  
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**Fred Stumpf, Alderman  
City of Columbia, Illinois City  
Council**