

**MINUTES OF THE PUBLIC HEARING OF THE CITY COUNCIL OF THE CITY OF COLUMBIA,  
ILLINOIS HELD MONDAY, AUGUST 6, 2007 IN THE COUNCIL ROOM OF CITY HALL**

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**I. OPENING OF PUBLIC HEARING**

Mayor Hutchinson opened the Public Hearing of the City Council of the City of Columbia, Illinois at 7:45 PM.

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 Attorney Tom Adams, City Administrator Anthony Traxler, City Engineer Ron Williams, and City Building Inspector Al Holden.

**II. PUBLIC HEARING**

Mayor Hutchinson stated that the Public Hearing was called to hear comments from the public at large regarding the proposed Annexation Agreement between the City of Columbia, Illinois and the Virginia L. Payne Trust. Mayor Hutchinson then inquired if there were any comments from the public.

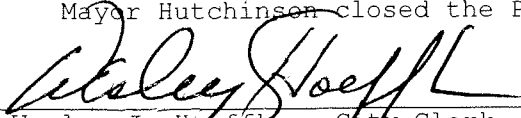
Mr. Jack Norman presented a list of twelve issues that he felt negates the legitimacy of the Public Hearing, specifically the failure of the City Clerk's Office to honor his Freedom of Information Request (FOIR) regarding a copy of the Annexation Agreement. Mr. Hoeffken stated that the FOIR referenced by Mr. Norman was filed with the City Clerk's Office at 4:45 today, August 6, 2007 and that pursuant to the Freedom of Information Act, his office has 7 days to review the request and provide the requested information. Mr. Hoeffken then stated that he is seeking a legal opinion as to whether the requested information can be released since it involves a document that has not been approved by the Council. Alderman Unnerstall stated that maybe the Public Hearing should be deferred if the information is not going to be available. Mr. Traxler stated that the notice for the hearing was posted June 17, 2007. Mayor Hutchinson stated that there was sufficient time to secure the requested information if the FOIR had been submitted allowing a reasonable amount of time for the Clerk's Office to respond. The City Attorney, Tom Adams, stated that there was a Notice of the Public Hearing published in the Clarion-Journal Newspaper on July 11, 2007 (26 days before the hearing).

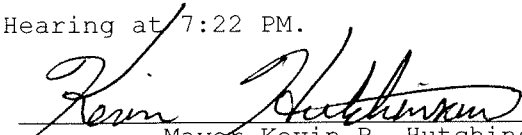
Sean Gooding, of Pangea, provided a summary of the proposed development. Former Mayor Lester Schneider inquired if the agreement has been reviewed by the Plan Commission and Zoning Board of Appeals. Mayor Hutchinson stated that both bodies have reviewed and approved the Agreement. Alderman Unnerstall expressed a concern over the 20-year duration of the Agreement and preferred something less, such as a 10-year limit. Mr. Gooding stated that the 20-year time limit was requested by the city and that he is willing to limit the Agreement to 10-years. Alderman Ebersohl expressed concern about sidewalks along Quarry Road and improvements to the road along the width of the proposed development. Mayor Hutchinson explained the City's requirement that improvements to Palmer Road would be required, but in lieu of making improvements to a road that could be eliminated in the near future, it would be beneficial to both parties to escrow a pre-determined amount of funds to make improvements to Quarry Road, including sidewalks, in the future. Alderman Niemietz stated that this would also be more conducive to the City's greenway plan. Mr. Gooding agreed to amend the Agreement to place funds in an escrow account as requested.

Mayor Hutchinson inquired if there were any other comments. There were none.

III. CLOSE PUBLIC HEARING

Mayor Hutchinson closed the Public Hearing at 7:22 PM.

  
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Wesley J. Hoeffken, City Clerk

  
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Mayor Kevin B. Hutchinson