

MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF COLUMBIA,
ILLINOIS HELD MONDAY, JUNE 16, 2008 IN THE COUNCIL ROOM OF CITY HALL

I. CALL TO ORDER

Alderman Ebersohl called the City Council of Columbia, Illinois to order at 7:02 PM. Upon Roll Call, the following members were:

Ebersohl	<input checked="" type="checkbox"/> Present	<input type="checkbox"/> Absent	Row	<input checked="" type="checkbox"/> Present	<input type="checkbox"/> Absent
Agne	<input checked="" type="checkbox"/> Present	<input type="checkbox"/> Absent	Hejna	<input checked="" type="checkbox"/> Present	<input type="checkbox"/> Absent
Niemietz	<input checked="" type="checkbox"/> Present	<input type="checkbox"/> Absent	Oberkfell	<input checked="" type="checkbox"/> Present	<input type="checkbox"/> Absent
Unnerstall	<input checked="" type="checkbox"/> Present	<input type="checkbox"/> Absent	Stumpf	<input checked="" type="checkbox"/> Present	<input type="checkbox"/> Absent

Quorum Present.

Administrative Staff Present:

<input checked="" type="checkbox"/> City Clerk Wes Hoeffken	<input checked="" type="checkbox"/> City Administrator Anthony Traxler
<input checked="" type="checkbox"/> City Attorney Tom Adams	<input type="checkbox"/> Chief of Police Joe Edwards
<input checked="" type="checkbox"/> Building Inspector Al Holden	<input type="checkbox"/> City Treasurer Bob Naumann
<input checked="" type="checkbox"/> City Engineer Ron Williams	<input type="checkbox"/> Director of Economic Development Paul Ellis
<input checked="" type="checkbox"/> Fire Chief Mike Roediger	<input checked="" type="checkbox"/> Deputy Chief of Police Jerry Paul
<input type="checkbox"/> Deputy CEMS Director Ken Buss	<input type="checkbox"/> Accounting Manager Linda Sharp

Mayor Pro Tem

Alderman Ebersohl informed the Council Mayor Hutchinson would not be present for the Council meeting. Alderman Ebersohl then asked for a motion to appoint a Mayor Pro Tem.

MOTION:

It was moved and seconded to appoint Alderman Gene Ebersohl as Mayor Pro Tem for the June 16, 2008 City Council Meeting.

Moved by: Agne Second: Niemietz Vote: Roll Call

Ebersohl	Abstain	Unnerstall	Yea	Oberkfell	Yea
Agne	Yea	Row	Yea	Stumpf	Yea
Niemietz	Yea	Hejna	Yea		

Motion Carried 8 To 0

The Council recited the Pledge of Allegiance.

II. APPROVAL OF MINUTES

The minutes of the Executive Session of the City Council held Monday, June 2, 2008 were submitted for approval.

Corrections were forwarded to Mr. Hoeffken.

MOTION:

It was moved and seconded to approve the minutes of the Executive Session of the City Council held Monday, June 2, 2008, as amended and on file at City Hall.

Moved by: Unnerstall Second: Hejna Vote: Roll Call

Ebersohl	Yea	Unnerstall	Yea	Oberkfell	Yea
Agne	Yea	Row	Yea	Stumpf	Yea
Niemietz	Yea	Hejna	Yea		

Motion Carried 8 To 0

The minutes of the Regular Meeting of the City Council held Monday, June 2, 2008 were submitted for approval.

MOTION:

It was moved and seconded to approve the minutes of the Regular Meeting of the City Council held Monday, June 2, 2008, as submitted and on file at City Hall.

Moved by: Niemietz Second: Row Vote: Roll Call

Ebersohl	Yea	Unnerstall	Yea	Oberkfell	Yea
Agne	Yea	Row	Yea	Stumpf	Yea
Niemietz	Yea	Hejna	Yea		

Motion Carried 8 To 0

III. DELEGATIONS

There were no delegations present.

IV. REPORT OF OFFICERS

A. Library Board

The monthly report of the Library Board was presented to the Council.

B. City Clerk

Mr. Hoeffken presented his report to the Council.

1. Ordinance No. 2658 - Prevailing Wages

MOTION:

It was moved and seconded to pass Ordinance No. 2658, an ordinance ascertaining the Prevailing Rate of Wages for laborers, workmen, and mechanics employed on public works of the City of Columbia, Illinois.

Moved by: Niemietz Second: Unnerstall Vote: Roll Call

Ebersohl	Yea	Unnerstall	Yea	Oberkfell	Yea
Agne	Yea	Row	Yea	Stumpf	Yea
Niemietz	Yea	Hejna	Yea	Hutchinson	Absent

Motion Carried 8 To 0

C. Fire Department

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

1. New Member of the Columbia Volunteer Fire Department

MOTION:

It was moved and seconded to accept Mark Schaefer as a new member of the Columbia Volunteer Fire Department effective June 3, 2008.

Moved by: Niemietz Second: Hejna Vote: Roll Call

Ebersohl	Yea	Unnerstall	Yea	Oberkfell	Yea
Agne	Yea	Row	Yea	Stumpf	Yea
Niemietz	Yea	Hejna	Yea		

Motion Carried 8 To 0

2. Foreign Fire Tax

Mr. Roediger requested the Council transfer the Foreign Fire Tax in the amount of \$10,441.00 into the bank account established for the fund. Mayor Pro Tem Ebersohl recommended this be referred to the Finance Committee for review and identification as to which fund to charge this against.

D. Police Department

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

E. EMS Department

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

1. New Member of the Columbia EMS Department

MOTION:

It was moved and seconded to accept the recommendation of Ken Buss, the Deputy Director of the Columbia Emergency Medical Service, and employ Michael Mueller as a paid volunteer paramedic for the Columbia Emergency Medical Service, contingent upon all required medical exams and drug testing being completed.

Moved by: Stumpf Second: Niemietz Vote: Roll Call

Ebersohl	Yea	Unnerstall	Yea	Oberkfell	Yea
Agne	Yea	Row	Yea	Stumpf	Yea
Niemietz	Yea	Hejna	Yea		

Motion Carried 8 To 0

F. Plan Commission

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

G. City Engineer

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

1. Estates at Palmer Creek Subdivision

Mr. Adams informed the City Council that there is about five acres of green space in the middle of the subdivision (much of which is in a flood plain) that the annexation agreement for the subdivision requires to be either: (i) public park land to be owned and maintained by the City or (ii) common ground in the subdivision to be used for recreational uses and purposes to be owned and maintained by the subdivision homeowners association for the use and benefit of the owners of lots in the subdivision. Mr. Adams advised the City Council not require that this area will be a dedicated public park available to be used by the City residents but maintained by the subdivision homeowners association without the consent of the subdivider and that Mr. Sean Gooding (the president of Pangea Development, Inc., the subdivision developer) was present at the meeting and if he wanted to agree to the area being public city park to be maintained by the homeowners association, we can amend the annexation agreement to provide for that. Mr. Sean Gooding stated it would not be fair to the homeowners to have to maintain as a public access area. Alderman Niemietz stated this would also have a negative impact on the sale of the lots. Alderman Stumpf stated the topography along Palmer Creek is rough and does not think the City should pursue owning and maintaining the property. Mr. Adams stated a decision is required before final subdivision plat approval, but not before preliminary plat approval; and, the proposed ordinance for preliminary plat approval could be amended to provide the decision on the green space area being public park or subdivision common ground would be made before final subdivision plat approval and the ordinance passed as thusly amended. Alderman Unnerstall stated this is a major policy issue and the Park Committee should weigh the pros and cons of this parcel, especially if the area is turned over to the homeowners and then years from now the City decides the area could be used in the future. Alderman Niemietz questioned the need for a Park Committee recommendation, adding this is part of the conservation subdivision that was required as part of the annexation agreement for this subdivision. Alderman Niemietz cautioned against changing direction mid-stream, especially since this was already brought before the Plan Commission and City Council. Alderman Niemietz then

questioned why the need to start scrutinizing recommending boards to the Council. Alderman Unnerstall stated he is concerned about public access to private common ground, and did not want to create another situation like Gedern. Mr. Traxler stated it is expensive to maintain this type of property, but through proper code enforcement, it is possible to insure the homeowners association maintains the property. Mr. Gooding stated the developers are obligated to construct the walking trails and the only issue is whether the property is City owned and maintained for public use, or privately owned and maintained by the subdivision. Alderman Unnerstall asked what happens when an adjoining subdivision also builds walking trails, but they can not be connected because the area in this subdivision is private. Alderman Niemietz stated that while this is a nice concept, the City does not have funding for another park, and reminded the Council the City already owns 17 acres off Rueck Road, and 33 acres in the Admiral Trost Subdivision that are on hold because of a lack of funds. Mr. Adams stated the preliminary plat could be approved without this decision, as long as a decision is reached prior to final plat approval.

Alderman Oberkfell inquired about the flood way area onto lots 14 and 23. Mr. Williams explained the developer will need to acquire a Letter of Map Amendment from FEMA before building permits will be issued for those two lots. Alderman Stumpf stated he is in favor of leaving the common area as private common area for the subdivision. Mr. Williams stated that from a maintenance perspective, pocket parks are a maintenance drain, because you have to transport the appropriate equipment to and from the area. Alderman Row stated he agreed with Alderman Stumpf. Alderman Agne stated this encourages other developers to provide local private parks in their developments. Alderman Niemietz stated this is a way to have natural greenspace without the maintenance expense.

H. Zoning Board of Appeals

The report of the Zoning Board of Appeals was presented to the Council.

1. Ordinance No. 2659 - Groomingdale's Special Use Permit

MOTION:

It was moved and seconded to pass Ordinance No. 2659, 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 boarding business in connection with a pet grooming business in a C-3 (Highway Business Zoned District) in the City of Columbia, Illinois.

Moved by: Agne Second: Stumpf Vote: Roll Call

Ebersohl	Yea	Unnerstall	Yea	Oberkfell	Yea
Agne	Yea	Row	Yea	Stumpf	Yea
Niemietz	Yea	Hejna	Yea	Hutchinson	Absent

Motion Carried 8 To 0

I. City Attorney

1. Ordinance No. 2660 - Real Estate Property Exchange

MOTION:

It was moved and seconded to pass Ordinance No. 2660, an ordinance authorizing the Real Estate Exchange Agreement between Mark A. Sharkey and Judy A. Sharkey, his wife, and the City of Columbia, Illinois for the City to exchange a Vehicle Parking Easement for fee title to property the City needs for its Old Town Renovation Project in the City of Columbia, Illinois.

Moved by: Row Second: Oberkfell Vote: Roll Call

Ebersohl	Yea	Unnerstall	Yea	Oberkfell	Yea
Agne	Yea	Row	Yea	Stumpf	Yea
Niemietz	Yea	Hejna	Yea	Hutchinson	Absent

Motion Carried 8 To 0

2. Ordinance No. 2661 - Infrastructure Dedication

MOTION:

It was moved and seconded to pass Ordinance No. 2661, an ordinance accepting dedication and ownership of the infrastructure capital improvements in the Brellinger First Addition Subdivision in the City of Columbia, Illinois including the streets, sanitary sewer, potable water system, and storm sewers located in the subdivision.

Moved by: Hejna Second: Niemietz Vote: Roll Call

Ebersohl	Yea	Unnerstall	Yea	Oberkfell	Yea
Agne	Yea	Row	Yea	Stumpf	Yea
Niemietz	Yea	Hejna	Yea	Hutchinson	Absent

Motion Carried 8 To 0

3. Ordinance No. 2662 - Infrastructure Dedication

MOTION:

It was moved and seconded to pass Ordinance No. 2662, an ordinance accepting dedication and ownership of the infrastructure capital improvements in the Brellinger Second Addition Subdivision in the City of Columbia, Illinois including the streets, sanitary sewer, potable water system, and storm sewers located in the subdivision.

Moved by: Hejna Second: Oberkfell Vote: Roll Call

Ebersohl	Yea	Unnerstall	Yea	Oberkfell	Yea
Agne	Yea	Row	Yea	Stumpf	Yea
Niemietz	Yea	Hejna	Yea	Hutchinson	Absent

Motion Carried 8 To 0

4. Resolution No. 02-2008 - Estates at Palmer Creek Subdivision

Alderman Unnerstall stated this is a good opportunity to acquire future park land and voting for this will result in losing an opportunity for a nice public greenway path along Palmer Creek.

MOTION:

It was moved and seconded to pass Resolution No. 02-2008, a resolution approving the Preliminary Subdivision Plat for the Estates at Palmer Creek Subdivision located in the City of Columbia, County of Monroe and State of Illinois.

Moved by: Agne Second: Stumpf Vote: Roll Call

Ebersohl	Yea	Unnerstall	Nay	Oberkfell	Yea
Agne	Yea	Row	Yea	Stumpf	Yea
Niemietz	Yea	Hejna	Nay	Hutchinson	Absent

Motion Carried 6 To 2

5. Ordinance No. 2663 - Surface Water Monitoring Easement

MOTION:

It was moved and seconded to pass Ordinance No. 2663, an ordinance approving a Surface Water Monitoring Points Easement for the City of Columbia land

fill closure from the Columbia Quarry Company, a Missouri Corporation authorized to conduct business in the State of Illinois, on, over, along, and across property where the Columbia Quarry Plant is located and to authorize the Mayor to execute and the City Attorney to record the same for and on behalf of the City.

Moved by: Niemietz Second: Row Vote: Roll Call

Ebersohl	Yea	Unnerstall	Yea	Oberkfell	Yea
Agne	Yea	Row	Yea	Stumpf	Yea
Niemietz	Yea	Hejna	Yea	Hutchinson	Absent

Motion Carried 8 To 0

J. Administration Department

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

1. Ordinance No. 2664 - Civic Progress Committee Appointment

MOTION:

It was moved and seconded to pass Ordinance No. 2664, an ordinance amending Ordinance No. 2657 which provided 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, 2008 and ending April 30, 2009.

Moved by: Hejna Second: Niemietz Vote: Roll Call

Ebersohl	Yea	Unnerstall	Yea	Oberkfell	Yea
Agne	Yea	Row	Yea	Stumpf	Yea
Niemietz	Yea	Hejna	Yea	Hutchinson	Absent

Motion Carried 8 To 0

MOTION:

It was moved and seconded to accept the report of all Departments and Officers as presented.

Moved by: Niemietz Second: Row Vote: Voice

Ebersohl	Yea	Unnerstall	Yea	Oberkfell	Yea
Agne	Yea	Row	Yea	Stumpf	Yea
Niemietz	Yea	Hejna	Yea		

Motion Carried 8 To 0

V. CLAIMS & ACCOUNTS

A. Vouchers

MOTION:

It was moved and seconded to authorize the payment of vouchers received through June 13, 2008; the total amount of the vouchers to be paid is two hundred thirty-four thousand, two hundred sixty-four dollars, and sixty-three cents (\$234,264.63).

Moved by: Hejna Second: Unnerstall Vote: Roll Call

Ebersohl	Yea	Unnerstall	Yea	Oberkfell	Yea
Agne	Yea	Row	Yea	Stumpf	Yea
Niemietz	Yea	Hejna	Yea		

Motion Carried 8 To 0

B. Financial Reports

MOTION:

It was moved and seconded to accept the April Financial Report.

Moved by: Hejna Second: Unnerstall Vote: Roll Call

Ebersohl Yea	Unnerstall Yea	Oberkfell Yea
Agne Yea	Row Yea	Stumpf Yea
Niemietz Yea	Hejna Yea	

Motion Carried 8 To 0

VI. OLD BUSINESS

A. Library Board Appointment

Mayor Pro Tem Ebersohl stated there would be no action taken on this issue at this evening's meeting.

Alderman Oberkfell stated he would like to discuss the creation of an ad hoc committee whose function would solely be to develop a draft ordinance regarding "Big Box" development. Alderman Agne stated this is part of the meeting agenda for the Ordinance, Planning, and Zoning Committee that is to be scheduled. Alderman Oberkfell stated it should be a committee of Alderman Agne, himself, and a few Main Street business owners, and members of the Chamber of Commerce. Alderman Hejna agreed with Alderman Oberkfell. Mayor Pro Tem Ebersohl stated this item is not on the meeting agenda.

VII. NEW BUSINESS

A. Helmets First and Kiwanis Trailers

MOTION:

It was moved and seconded to approve the request to allow Helmets First and the Kiwanis Club to park their trailers in the City storage lot, contingent upon the proper forms being completed by both parties.

Moved by: Niemietz Second: Row Vote: Roll Call

Ebersohl Yea	Unnerstall Yea	Oberkfell Yea
Agne Yea	Row Yea	Stumpf Yea
Niemietz Yea	Hejna Yea	

Motion Carried 8 To 0

VIII. REPORT OF STANDING COMMITTEES

A. Personnel Committee

Minutes of the Personnel Committee and the Executive Session of the Personnel Committee meeting held Monday, June 9, 2008 were presented to the Council for approval.

Corrections were forwarded to the City Clerk.

MOTION:

It was moved and seconded to approve the minutes of the Executive Session of the Personnel Committee meeting held Monday, June 9, 2008 as amended and on file at City Hall.

Moved by: Niemietz Second: Stumpf Vote: Roll Call

Ebersohl Yea	Unnerstall Yea	Oberkfell Yea
Agne Yea	Row Yea	Stumpf Yea

Motion Carried 8 To 0

1. Personnel - James McDaniel

MOTION:

It was moved and seconded to accept the recommendation of the Personnel Committee and to proceed with the James McDaniel personnel matter as previously discussed and agreed and to expedite the process.

Moved by: Niemietz Second: Hejna Vote: Roll Call

Ebersohl	Yea	Unnerstall	Yea	Oberkfell	Yea
Agne	Yea	Row	Yea	Stumpf	Yea
Niemietz	Yea	Hejna	Yea		

Motion Carried 8 To 0

MOTION:

It was moved and seconded to approve the minutes of the Personnel Committee meeting held Monday, June 9, 2008 as on file at City Hall.

Moved by: Niemietz Second: Row Vote: Roll Call

Ebersohl	Yea	Unnerstall	Yea	Oberkfell	Yea
Agne	Yea	Row	Yea	Stumpf	Yea
Niemietz	Yea	Hejna	Yea		

Motion Carried 8 To 0

B. Fire Department Committee

Minutes of the Fire Department Committee meeting held Monday, June 9, 2008 were presented to the Council for approval.

Mayor Pro Tem Ebersohl requested approval of the minutes be deferred until the next meeting of the City Council.

C. Water and Sewer Committee

Minutes of the Water and Sewer Committee meeting held Monday, June 9, 2008 were presented to the Council for approval.

1. Crown Linen

MOTION:

It was moved and seconded to accept the recommendation of the Water and Sewer Committee and to waive the late fees charged to Crown Linen for water and sewer charges, since Crown Linen was unaware the City was already adjusting the charges for Crown Linen.

Moved by: Row Second: Agne Vote: Roll Call

Ebersohl Yea	Unnerstall Yea	Oberkfell Yea
Agne Yea	Row Yea	Stumpf Yea
Niemietz Yea	Hejna Yea	

Motion Carried 8 To 0

MOTION:

It was moved and seconded to approve the minutes of the Water and Sewer Committee meeting held Monday, June 9, 2008 as on file at City Hall.

Moved by: Row Second: Agne Vote: Roll Call

Ebersohl	Yea	Unnerstall	Yea	Oberkfell	Yea
Agne	Yea	Row	Yea	Stumpf	Yea
Niemietz	Yea	Hejna	Yea		

Motion Carried 8 To 0

IX. CALL FOR COMMITTEE MEETINGS

Monday, July 14, 2008

7:00 PM - Finance, Claims, Bonds, and Interest

7:10 PM - Joint Meeting

Finance, Claims, Bonds, and Interest

Fire Department

7:20 PM - Ordinance, Planning, and Zoning

X. EXECUTIVE SESSION

Mayor Pro Tem Ebersohl inquired if there was any reason to go into Executive Session. There was none.

Alderman Unnerstall stated the proposed Mixed Use Development District review and discussion should be done as a Committee of the Whole, otherwise there will be another stagnant decision. Mr. Traxler advised against changing the procedure mid-stream of litigation. Alderman Agne stated the committees of the City Council were established to address specific issues, and this is an issue that should be addressed by the Ordinance, Planning, and Zoning Committee. Alderman Hejna stated she agreed, but the budget process was removed from the Finance Committee and addressed by the Committee of the Whole. Mr. Traxler stated the budget process has been handled by the Committee of the Whole for the past several years.

Alderman Hejna disagreed. Alderman Oberkfell stated that in the interest of time, an ad hoc committee should be formed so it can begin to discuss the development of a draft ordinance regarding "Big Box" development, especially since the next time Council members can meet in committee is July 14, 2008. Alderman Agne stated this will be addressed by the Ordinance, Planning, and Zoning Committee. Alderman Unnerstall stated John Brancaglione previously said the City should enact a big box ordinance sooner, rather than later, and is afraid if the ad hoc committee isn't established, this could go on too long. Mr. Hoeffken stated this issue was not on the meeting agenda.

XI. ADJOURNMENT

MOTION:

It was moved and seconded to adjourn the Regular City Council Meeting held Monday, June 16, 2008 at 8:45 PM.

Moved by: Agne Second: Niemietz Vote: Roll Call

Ebersohl	Yea	Unnerstall	Yea	Oberkfell	Yea
Agne	Yea	Row	Yea	Stumpf	Yea
Niemietz	Yea	Hejna	Yea		

Motion Carried 8 To 0

Wesley J. Voetfken City Clerk

Gene Ebersohl, Mayor Pro Tem