

**MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF COLUMBIA,
ILLINOIS HELD MONDAY, OCTOBER 6, 2008 IN THE COUNCIL ROOM OF CITY HALL**

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:

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

Alderman Row arrived at 7:05 PM.

Quorum Present.

Administrative Staff Present:

<input checked="" type="checkbox"/> City Clerk Wes Hoeffken	<input checked="" type="checkbox"/> Accounting Manager Linda Sharp
<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 checked="" type="checkbox"/> Director of Economic Development Paul Ellis
<input checked="" type="checkbox"/> Fire Chief Mike Roediger	<input type="checkbox"/> Deputy Chief of Police Jerry Paul
<input type="checkbox"/> Deputy CEMS Director Ken Buss	

The Council recited the Pledge of Allegiance.

II. APPROVAL OF MINUTES

The minutes of the Regular Meeting of the City Council held Monday, September 15, 2008 were submitted for approval.

Corrections were forwarded to Mr. Hoeffken.

MOTION:

It was moved and seconded to approve the minutes of the Regular Meeting of the City Council held Monday, September 15, 2008, as amended and on file at City Hall.

Moved by: Unnerstall Second: Oberkfell Vote: Roll Call

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

Motion Carried 7 To 0

III. DELEGATIONS

There were no delegations present.

IV. REPORT OF OFFICERS

A. Building and Zoning

The monthly report of the Building and Zoning Department was presented to the Council.

B. City Engineer

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

Alderman Row arrived at 7:05 PM.

1. Acceptance of Bids - Old Town Improvement Project

MOTION:

It was moved and seconded to accept the low bid of \$2,409,212.25 submitted by Veile Construction for the Old Town Improvement Project.

Moved by: Ebersohl 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

2. Acceptance of Bids - Legion Street Project

MOTION:

It was moved and seconded to accept the low bid of \$314,156.55 submitted by Hank's Excavating & Landscaping, Inc. and authorize the Illinois Department of Transportation to award the contract for the Legion Street Improvement Project.

Moved by: Ebersohl 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

C. Plan Commission

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

D. City Attorney

1. Ordinance No. 2682 - Broadband Telephone System Easement

MOTION:

It was moved and seconded to pass Ordinance No. 2682, an ordinance authorizing and approving the form of a 20 foot wide by 20 foot long Broadband Communication Service Easement for Harrisonville Telephone Company from the City of Columbia, Illinois on the abandoned ICG Railroad Right-of-Way belonging to the City of Columbia and located at or near the intersection of Rueck Road and Industrial Drive in the City on the Railroad Right-of-Way for hardware for said communication system to be located across from the Guardian Self Storage facility on Rueck Road in the City of Columbia, Illinois.

Moved by: Row Second: Niemietz Vote: Roll Call

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

Motion Carried 9 To 0

E. Administration Department

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

1. Ordinance No. 2683 - Graphic Design and Digital Printing Services

MOTION:

It was moved and seconded to pass Ordinance No. 2683, an ordinance allowing Graphic Design and Digital Printing Services in a CP (Commercial Park) 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	Yea

Motion Carried 9 To 0

F. Fire Department

The report of the Fire Department was presented to the Council.

G. Mayor

Mayor Hutchinson deferred his report until the next Council meeting.

MOTION:

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

Moved by: Row Second: Agne 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 October 1, 2008; the total amount of the vouchers to be paid is two hundred seventy-one thousand, nine hundred ninety-nine dollars, and eighty-three cents (\$271,999.83).

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. Ambulance Financing Options

Accounting Manager Linda Sharp presented financing options for the purchase of a new ambulance to the Council.

MOTION:

It was moved and seconded to accept the low bid of 4.25% interest rate as submitted by Columbia National Bank for the lease purchase for a 2008 ambulance.

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

VI. OLD BUSINESS

There was no Old Business brought before the Council.

VII. NEW BUSINESS

A. Hi Jenks Parade and Event

MOTION:

It was moved and seconded to approve the Hi Jenks Parade route and use of the Metter Park Band Stand as requested by the Columbia Chamber of Commerce, contingent upon coordination with the Columbia Police Department, the City Clerk's Office, Community and Economic Development, and the Department of Public Works.

Moved by: Niemietz 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. St. Paul United Church of Christ - Building Permit

MOTION:

It was moved and seconded to approve the request of the St. Paul United Church of Christ and waive the Building Permit fee for the construction of a pavilion.

Moved by: Row Second: Stumpf 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 meeting and the Executive Session of the Personnel Committee held Monday, September 22, 2008 were presented to the Council for approval.

Mayor Hutchinson recommended the Executive Session minutes be deferred for approval since the latest version of the minutes was just distributed this evening.

Corrections were forwarded to the City Clerk.

1. Content of Minutes

Alderman Niemietz expressed concern over the amount of verbatim verbiage in the committee minutes and suggested the Council make a decision of either verbatim minutes, or an executive summary type minutes. Alderman Row stated it should be all or nothing and not just selective verbiage, but prefers summary only. Alderman Unnerstall agreed with Alderman Row. Alderman Hejna stated she prefers the detail in the minutes. Alderman Unnerstall added some detail might be required, especially to explain why an alderman voted for, or against a related issue. Alderman Stumpf recommended this issue be addressed in Committee. Mayor Hutchinson referred this issue to Committee.

2. Interim City Administrator

Mayor Hutchinson informed the Council he has received the resignation of Ms. Theresa Lucas-Stephan. Mayor Hutchinson then explained that Mr. Sinda is

still willing to work with the City on an interim basis under a contract through the end of the current fiscal year. Alderman Niemietz added the resource issue is complicated with the temporary absence of Ms. Chilovich, and fortunately, staff is willing to cover her duties, but warned this will result in some overtime. Alderman Unnerstall stated he would like to see a better comparison of administrator salaries to compare what Columbia was paying for a City Administrator. Alderman Stumpf stated this discussion was varying from the issue of advertising for an interim City Administrator. Mayor Hutchinson stated at the time the motion was made in Personnel Committee, the City did not know they were losing another staff member.

MOTION:

It was moved and seconded to accept the recommendation of the Personnel Committee and advertise for the possible hiring of an interim City Administrator.

Moved by: Stumpf Second: Ebersohl Vote: Roll Call

Alderman Ebersohl asked if it is wise to advertise for a City Administrator if there are members of the Council who are not ready to proceed to hire. Alderman Unnerstall stated he wants comparable salary data. Alderman Row stated he would be comfortable hiring Mr. Sinda as an interim City Administrator and saves the City the expense of advertising, but more importantly, whether cities similar to Columbia in population and budget feel the need to have a City Administrator. Alderman Row also stated current staff prefers that type of administration. Alderman Stumpf stated advertising costs are minimal, and the timeline is for the beginning of November. Alderman Oberkfell stated a number of administrator duties are financial related and this should be sent back to committee to clear up the open issues before hiring anyone. Alderman Ebersohl thought the interim Administrator would help redefine the duties of a full-time Administrator. Alderman Niemietz stated Mr. Sinda is a range rider and can work with the City to redefine the position. Alderman Unnerstall stated his first thought is to replace Ms. Lucas-Stephan and is not sure the City needs a City Administrator given the size of the City.

Alderman Ebersohl withdrew his second of the motion. Alderman Stumpf withdrew his motion. Alderman Stumpf inquired as to the salary for Mr. Sinda. Mayor Hutchinson stated it would be the same salary, plus benefits budgeted for Mr. Traxler, when he was the City Administrator.

MOTION:

It was moved and seconded to accept the recommendation of the Personnel Committee and advertise for the possible hiring of an interim City Administrator.

Moved by: Stumpf Second: Hejna Vote: Roll Call

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

Motion Failed 5 To 3

Alderman Row stated he would prefer the compensation, not include benefits, but would support the employment of Mr. Sinda.

MOTION:

It was moved and seconded to employ Mr. Hank Sinda as an interim City Administrator until the end of the current fiscal year, at an hourly rate comparable to the rate of pay and benefits budget for a City Administrator in the current fiscal year budget.

Moved by: Niemietz Second: Agne Vote: Roll Call

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

Motion Carried 5 To 4

Alderman Unnerstall inquired if the previous motion is legal since it was not on the agenda. Mayor Hutchinson stated this issue has been previously discussed by the Council and added this could be considered an emergency situation. Mr. Adams said if this is an emergency, it is treated as an exception to normal practice. Mr. Adams added the matter could be put on the agenda for the next City Council meeting and the City Council could then vote again to ratify the decision to hire Mr. Hank Sinda as an Interim City Administrator at that meeting in order to satisfy the Open Meetings Act requirement that action items must be noticed up on the agenda for a public meeting.

B. Joint Meeting of the Parks, Playground, and Recreation Committee and Streets, Sidewalks, Drainage, and Public Utilities Committee
Minutes of the joint meeting of the Parks, Playgrounds, and Recreation Committee and the Streets, Sidewalks, Drainage, and Public Utilities Committee meeting held Monday, September 22, 2008 were presented to the Council for approval.

Corrections were forwarded to the City Clerk.

1. Jennifer Court Cul-de-sac Variance

MOTION:

It was moved and seconded to accept the recommendation of the Parks, Playgrounds, and Recreation Committee and the Streets, Sidewalks, Drainage, and Public Utilities Committee and, upon submittal of the Columbia Lakes IV preliminary plat, recommend a variance for the Jennifer Court cul-de-sac requirement, relieve the Letter of Credit for the completion of the Jennifer Court cul-de-sac, and require curbs and gutters along with the proper flow to detention on Jennifer Court to give the street a finished look and function per the recommendation of the City Engineer.

Moved by: Ebersohl 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

2. Columbia Soccer Club Request

Alderman Niemietz stated unlike other cooperative park efforts, this request is for a private organization and there are about 30 other private organizations that will want similar consideration and is not sure the citizens would approve of using tax dollars for a donation to a private organization. Alderman Stumpf stated this will only cost the City about \$1,000.00. Alderman Niemietz stated this is not a matter of cost, but the issue is using public dollars for a private organization on private property. Alderman Stumpf stated this is a good thing even if it is setting a bad precedence. Alderman Unnerstall stated Alderman Niemietz makes a good point, but stated the City does support other organizations such as Sister Cities and Western Egyptian. Alderman Niemietz added Sister Cities is an organization as adopted by the City of Columbia and the Senior Center and July 4th Committee serve the public at large.

MOTION:

It was moved and seconded to accept the recommendation of the Parks, Playgrounds, and Recreation Committee and the Streets, Sidewalks, Drainage, and Public Utilities Committee and approve the request of the Columbia Soccer Club for assistance from the Department of Public Works in the hauling of rock from the Columbia Quarry to the Columbia Soccer Club complex.

Moved by: Stumpf Second: Unnerstall Vote: Roll Call

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

Motion Carried 5 To 3

MOTION:

It was moved and seconded to approve the minutes of the joint meeting of the Parks, Playground, and Recreation Committee and the Streets, Sidewalks, Drainage, and Public Utilities Committee meeting held Monday, September 22, 2008 as amended and on file at City Hall.

Moved by: Row Second: Ebersohl Vote: Roll Call

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

Motion Carried 7 To 1

C. Ordinance, Planning, and Zoning Committee

Minutes of the Ordinance, Planning, and Zoning Committee meeting held Monday, September 22, 2008 were presented to the Council for approval.

1. Revise Main Street Façade Guidelines

Alderman Agne stated he is deferring action on this recommendation to allow for additional discussion at another Committee meeting.

MOTION:

It was moved and seconded to approve the minutes of the Ordinance, Planning, and Zoning Committee meeting held Monday, September 22, 2008 as on file at City Hall.

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

IX. CALL FOR COMMITTEE MEETINGS

Monday, October 13, 2008

7:00 PM - Municipal Buildings, Property, and Capital Improvements

7:10 PM - Committee Of The Whole

7:20 PM - Ordinance, Planning, and Zoning

X. EXECUTIVE SESSION

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

MOTION:

It was moved and seconded to direct the Mayor to go into Executive Session at 8:50 PM for the purpose of discussing the Columbia Crossing litigation.

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

MOTION:

It was moved and seconded to return to the Regular Session of the City Council at 10:15 PM.

Moved by: Hejna 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

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. City Web Site

MOTION:

It was moved and seconded to add all depositions related to the Columbia Crossing litigation to the City's web site.

Moved by: Hejna Second: Ebersohl Vote: Roll Call

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

Alderman Unnerstall abstained since one of the depositions is his.

Motion Carried 8 To 0

B. Fish Lake Interchange Moratorium

MOTION:

It was moved and seconded to place a temporary moratorium on any work on the Fish lake Interchange specific to the Columbia Crossing, LLC development.

Moved by: Oberkfell Second: Agne Vote: Roll Call

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

Motion Failed 5 To 4

XI. ADJOURNMENT

MOTION:

It was moved and seconded to adjourn the Regular City Council Meeting held Monday, October 6, 2008 at 10:30 PM.

Moved by: Stumpf Second: Ebersohl 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. Hoefken
Wesley J. Hoefken, City Clerk

Yea

Kevin B. Hutchinson
Mayor Kevin B. Hutchinson