

**MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF COLUMBIA,
ILLINOIS HELD MONDAY, NOVEMBER 3, 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

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 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 Executive Session of the City Council held Monday, October 6, 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, October 6, 2008, as amended 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

The minutes of the Executive Session of the City Council held Monday, October 20, 2008 were submitted for approval.

MOTION:

It was moved and seconded to approve the minutes of the Executive Session of the City Council held Monday, October 20, 2008, as on file at City Hall.

Moved by: Unnerstall Second: Oberkfell 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, October 20, 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, October 20, 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

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.

1. Lake Shore Drive - Vacate Excess Right-of-Way

Alderman Niemietz inquired if there was any reason to retain the right-of-way. Alderman Hejna requested a cost analysis to proceed with the vacation of the right-of-way and suggested action be tabled until a Street Committee meeting is held to review the issue. Alderman Hejna also inquired as to who would incur the cost for the vacation. Mayor Hutchinson stated the homeowner's association would be responsible for any expenses related to the vacation of the right-of-way.

2. Lake Shore Drive - Sidewalk Installation

This item was referred to the Streets, Sidewalks, Drainage, and Public Utilities Committee.

3. Ordinance No. 2686 - Village of Wernings

MOTION:

It was moved and seconded to pass Ordinance No. 2686, an ordinance conditionally approving the second Preliminary Plat for the Village of Wernings Subdivision in the City of Columbia, Illinois.

Moved by: Ebersohl 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

4. Ordinance No. 2687 - Village of Wernings

MOTION:

It was moved and seconded to pass Ordinance No. 2687, an ordinance approving the Final Subdivision Plat for the Village of Wernings Phase One Subdivision in the City of Columbia, Illinois.

Moved by: Ebersohl Second: Row Vote: Roll Call

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

Motion Carried 9 To 0

5. Burns & McDonnell Additional Fees

Mr. Mark Harrison, of Burns & McDonnell, addressed the Council regarding a request for additional fees for the Old Town project. Mayor Hutchinson explained the history of the engineering for this project and expressed concern about the request for additional fees for a contract that was bid by other firms and awarded to Burns & McDonnell based on the proposed services and fees. Alderman Row inquired if this situation would delay any construction in Old Town and also inquired if the Assistant City Engineer could perform some of the services. Mr. Williams stated the engineer of record should complete the shop drawings and stated this would not defer any construction on the project. Alderman Hejna stated she was not sure the City could afford any additional engineering expenses. This issue was referred to committee.

6. Ordinance No. 2688 - Veile Construction, Inc. Agreement

MOTION:

It was moved and seconded to pass Ordinance No. 2688, an ordinance authorizing an agreement to employ Veile Construction, Inc. of Illinois of Belleville, Illinois to construct the Old Town Improvements - Phase 1.

Moved by: Row Second: Unnerstall 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

7. Purchase 2-Ton Truck

MOTION:

It was moved and seconded to accept the recommendation of the City Engineer and purchase an International dump truck through the State Procurement Program at a cost of \$55,523.00 and to purchase the dump body, warning lights, plow, and spreader from Monroe Equipment at a cost of \$34,255.00 for a total purchase price of \$89,778.00.

Moved by: Hejna 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

8. Ordinance No. 2689 - Landfill Monitoring Well Easement

MOTION:

It was moved and seconded to pass Ordinance No. 2689, an ordinance approving a Surface Water Monitoring Points Easement for the City of Columbia landfill closure from 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: Ebersohl 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

9. Illinois Excavators Payment

MOTION:

It was moved and seconded to accept the recommendation of the City Engineer and authorize the payment of \$8,639.00 to Illinois Excavators to finalize payment on the Rueck Road Phase IV project.

Moved by: Ebersohl 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

10. REJIS Services Contract

This item was referred to the License, Insurance Claims, CEMA, and Contracts Committee.

11. IEPA and Columbia Lakes IV Dump Site

This item was referred to the Streets, Sidewalks, Drainage, and Public Utilities Committee.

C. Community and Economic Development

The report of the Director of Community and Economic Development was presented to the Council.

1. Ordinance No. 2690 - Street Graphics Program

MOTION:

It was moved and seconded to pass Ordinance No. 2690, an ordinance governing the development of a Street Graphics Program for Main Street in the City of Columbia, Illinois and restricting the use of financial assistance grants from the Main Street Façade Program for signage.

Moved by: Agne Second: Row 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

D. Plan Commission

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

E. City Attorney

1. Winnifred Fiege Property Acquisition - Additional Antiques

Mr. Adams explained the City now owns the Fiege property at 140 South Main Street and the estate has identified additional antiques that are available for sale to the City and actually belong to the other antiques already purchased by the City. Alderman Agne stated he believes the antiques are overpriced. This issue was referred to the Municipal Buildings, Property, and Capital Improvements Committee.

MOTION:

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

Moved by: Agne Second: Hejna 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 31, 2008; the total amount of the vouchers to be paid is one hundred forty-seven thousand, nine hundred ninety-five dollars, and fifty-three cents (\$147,995.53).

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. Statement of Funds

There was no Statement of Funds report.

VI. OLD BUSINESS

A. Phone System

Mayor Hutchinson inquired about the status of the new phone system. Alderman Unnerstall stated the contract needs to be reviewed in Committee.

B. City Hall Vacancies

Mayor Hutchinson requested a Personnel Committee meeting be scheduled to discuss filling the City Administrator and Administrative Assistant vacancies. Alderman Niemietz stated the Personnel Committee previously met and made a recommendation to the Council, but the action failed. Mayor Hutchinson stated he would like to try one more time to fill the open positions.

VII. NEW BUSINESS

A. Sample Ballot

Alderman Row inquired as to why a sample petition was not included in the election packets for the next City election. Mr. Hoeffken explained it was not required by the Illinois State Board of Elections (ISBE) and also explained the ISBE publishes a handbook for candidates that explains how to complete a nomination petition. Mr. Hoeffken also explained the preface to the handbook recommends a candidate contact an attorney to insure the petition is completed correctly. Alderman Unnerstall stated the sample petition should be included but since Mr. Hoeffken was unwilling to do so, also stated that per Chapter 2.10.120 (Other Duties) of the Municipal Code of the City, the Council can order the City Clerk to include the example petition in the election packets. Mr. Hoeffken stated the ISBE governs local elections and the Council does not have the authority to regulate elections, and cautioned the Council about taking any action related to this matter. Alderman Hejna asked why Mr. Hoeffken included the sample petition two years ago but has not chosen not to do so this year.

VIII. REPORT OF STANDING COMMITTEES

A. Committee Of The Whole

Minutes of the Committee Of The Whole meeting held Monday, October 27, 2008 and the minutes of the Executive Session of the Committee Of The Whole meeting held Monday, October 13, 2008 were presented to the Council for approval.

1. Executive Session Minutes - October 13, 2008

MOTION:

It was moved and seconded to approve the minutes of the Executive Session of the Committee Of The Whole Committee meeting held Monday, October 13, 2008 as submitted and on file at City Hall.

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. Verizon Government Wireless Phone Contract

Alderman Hejna stated it is a poor business practice to accept this contract without seeking a competitive bid from other service providers. Alderman Hejna also stated she noticed the cell phones from Verizon have already arrived and can not believe someone had the audacity to order them without Council approval. Ms. Linda Sharp explained the phones had not been ordered by anyone and the phones arrived unexpectedly from Verizon. Ms. Sharp added she suspects the salesman was trying to meet an October 31 sales deadline. Alderman Unnerstall stated the City Council had not seen Verizon's proposed contract and he could not approve this contract sight unseen. Mayor Hutchinson explained this is a government contract that piggybacks an existing contract that provides discounts to municipal governments.

MOTION:

It was moved and seconded to accept the recommendation of the Committee of the Whole and approve the Verizon Government Wireless Contract for the City of Columbia, Illinois.

Moved by: Ebersohl Second: Row Vote: Roll Call

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

Motion Carried 5 To 3

MOTION:

It was moved and seconded to approve the minutes of the Committee Of The Whole Committee meeting held Monday, October 27, 2008 as on file at City Hall.

Moved by: Ebersohl Second: Row Vote: Roll Call

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

Alderman Niemietz abstained because she was not present for the meeting.

Motion Carried 8 To 0

B. Ordinance, Planning, and Zoning Committee

Minutes of the Ordinance, Planning, and Zoning Committee meeting held Monday, October 27, 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 Ordinance, Planning, and Zoning Committee meeting held Monday, October 27, 2008 as amended and on file at City Hall.

Moved by: Agne Second: Unnerstall Vote: Roll Call

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

Alderman Niemietz abstained because she was not present for the meeting.

Motion Carried 8 To 0

C. License, Insurance Claims, CEMA, and Contracts Committee

Minutes of the License, Insurance Claims, CEMA, and Contracts Committee meeting held Monday, October 27, 2008 were presented to the Council for approval.

1. Labor Attorney Invoices

Alderman Unnerstall stated he talked to Mr. Mark Weisman who suggested this might make too much information available to the public via a Freedom of Information Request and that could put the city in a precarious position. Alderman Niemietz expressed concern about personnel issues that would be highlighted in the invoices. Alderman Hejna stated the summary information would not be disseminated beyond the Council. Alderman Unnerstall stated that while there are valid concerns not to include the detail, he thought the detail included in the invoices from Hepler Broom for the Columbia Crossing litigation worked well. Mayor Hutchinson stated detailed invoices should then be required of all attorneys.

MOTION:

It was moved and seconded to accept the recommendation of the License, Insurance Claims, CEMA, and Contracts Committee and require all attorneys providing professional services to the City to provide detailed invoices of services rendered, including a summary of who contacted the attorney, what was discussed, and what guidance was provided.

Moved by: Unnerstall Second: Oberkfell Vote: Roll Call

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

Motion Carried 6 To 2

MOTION:

It was moved and seconded to approve the minutes of the License, Insurance Claims, CEMA, and Contracts Committee meeting held Monday, October 27, 2008 as on file at City Hall.

Moved by: Unnerstall Second: Oberkfell Vote: Roll Call

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

Alderman Niemietz abstained because she was not present for the meeting.

Motion Carried 8 To 0

D. Finance, Claims, Bonds and Interest Committee

Minutes of the Finance, Claims, Bonds and Interest Committee meeting held Monday, October 27, 2008 were presented to the Council for approval.

1. City Stickers

Alderman Agne stated he would like to eliminate the City Sticker program but can not support this recommendation without first identifying a replacement funding source. Mayor Hutchinson stated the funds generated by the program would be used to finance sidewalk improvements for the Safe Routes program and eliminating city stickers would eliminate the funding source to make improvements required by the Safe Routes program. Mayor Hutchinson also stated the City receives \$6.00 for every \$1.00 spent on the city sticker program. Alderman Hejna stated a better alternative would be to eliminate excessive legal fees.

MOTION:

It was moved and seconded to accept the recommendation of the Finance, Claims, Bonds, and Interest Committee and eliminate the sale of City Stickers for the 2008 - 2009 Fiscal Year.

Moved by: Hejna 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

2. Grant Application Policy

Mayor Hutchinson inquired if the recommendation was to enact a policy, or initiate the process to create a policy. Mayor Hutchinson also expressed concern about enacting a policy since each department head is responsible for their own budgets and understands the need for grants to supplement their budget revenues. Alderman Unnerstall stated there is frequently ongoing maintenance costs associated with grants and this creates an ongoing budget issue for the City. Alderman Row suggested this issue be referred back to Committee for additional review and recommendation.

3. Review Bond Costs

MOTION:

It was moved and seconded to accept the recommendation of the Finance, Claims, Bonds, and Interest Committee and direct the Chairman of the Finance, Claims, Bonds, and Interest Committee to research bond costs and cash seizures of the City and report back to the Finance, Claims, Bonds, and Interest Committee.

Moved by: Hejna Second: Unnerstall Vote: Roll Call

Ebersohl	Present	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 Finance, Claims, Bonds and Interest Committee meeting held Monday, October 27, 2008 as on file at City Hall.

Moved by: Hejna Second: Oberkfell Vote: Roll Call

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

Alderman Niemietz abstained because she was not present for the meeting.

Motion Carried 8 To 0

E. Parks, Playgrounds, and Recreation Committee

There was no Parks, Playgrounds, and Recreation Committee meeting held Monday, October 27, 2008.

F. Personnel Committee

There was no Personnel Committee meeting held Monday, October 27, 2008.

IX. CALL FOR COMMITTEE MEETINGS

Monday, November 10, 2008

6:30 PM	- Personnel
7:30 PM	- Streets, Sidewalks, Drainage, and Public Utilities
8:00 PM	- Municipal Buildings, Property, and Capital Improvements
8:30 PM	- License, Insurance Claims, CEMA, and Contracts
9:00 PM	- Finance, Claims, Bonds, and Interest
9:30 PM	- Parks, Playgrounds, and Recreation

X. 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 and seconded to direct the Mayor to go into Executive Session at 9:57 PM for the purpose of discussing personnel.

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

MOTION:

It was moved and seconded to return to Regular Session of the City Council at 10:23 PM.

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

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. There was none.

XI. ADJOURNMENT

MOTION:

It was moved and seconded to adjourn the Regular City Council Meeting held Monday, November 3, 2008 at 10:24 PM.

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

Wesley J. Heeffken

Wesley J. Heeffken, City Clerk

Kevin B. Hutchinson

Mayor Kevin B. Hutchinson