

MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF COLUMBIA,
ILLINOIS HELD MONDAY, DECEMBER 15, 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 checked="" 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, December 1, 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, December 1, 2008, as amended and on file at City Hall.

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

The minutes of the first Executive Session of the City Council held Monday, November 17, 2008 were submitted for approval.

Corrections were forwarded to Mr. Hoeffken. Alderman Unnerstall stated he still did not agree with the recommended changes to the minutes and they misrepresented what he had stated. Mr. Hoeffken stated the minutes were as close to verbatim as they could get without actually being verbatim.

MOTION:

It was moved and seconded to approve the minutes of the first Executive Session of the City Council held Monday, November 17, 2008, as amended and on file at City Hall.

Moved by: Niemietz Second: Ebersohl Vote: Roll Call

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

Motion Failed 5 To 3

III. DELEGATIONS

A. Columbia Middle School Girls Softball Team

Mayor Hutchinson recognized the Columbia Middle School Girls Softball Team for winning second place in the Illinois State Softball Championship.

IV. REPORT OF OFFICERS

A. City Clerk

Mr. Hoeffken presented his report to the Council.

B. Police Department

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

C. EMS Department

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

D. Fire Department

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

1. New Member - Columbia Volunteer Fire Department

MOTION:

It was moved and seconded to approve the appointment of Blake Ray as a new member of the Columbia Volunteer Fire Department.

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

E. Plan Commission

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

F. City Engineer

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

1. Ordinance No. 2696 - West Locust Parking

MOTION:

It was moved and seconded to pass Ordinance No. 2696, an ordinance amending Chapter 10.40.020 (Time Limit Parking on Specific Streets) of Title 10 (Vehicles and Traffic) of the Municipal Code of the City eliminating the parking restriction of fifteen (15) minutes along West Locust Street from the northeasterly line of Rapp Avenue for a distance of one hundred sixty-five (165) feet in the City of Columbia, Illinois.

Moved by: Ebersohl 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

2. Columbia Lakes IV Subdivision Final Plat

There was a discussion by the Council regarding how to ensure the residential waste site is identified on the final plat and prevent the

possibility of the City being responsible for any remediation of the site in the future.

MOTION:

It was moved and seconded to properly document the residential waste site on the final plat for the Columbia Lakes IV Subdivision and require the inclusion of a disclaimer for the waste site study conducted by MACTEC.

Moved by: Oberkfell 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

MOTION:

It was moved and seconded to include a disclaimer and notes regarding the residential waste site on the Columbia Lakes IV Subdivision Final Plat and to incorporate the waste site study conducted by MACTEC into the plat and to include a disclaimer or designate as an out lot.

Moved by: Oberkfell 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

G. Community and Economic Development

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

1. Domex Properties Request

Mr. Ellis informed the Council the request by Domex Properties has been temporarily tabled.

2. Economic Development Strategy for 2009

MOTION:

It was moved and seconded to approve the Economic Development Strategy for the City of Columbia, Illinois.

Moved by: Agne 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

H. City Attorney

1. Ordinance No. 2697 - Library Tax Levy

MOTION:

It was moved and seconded to pass Ordinance No. 2697, an ordinance providing for the levy of a tax of .02% of the value of the taxable property in the City of Columbia, Monroe and St. Clair Counties, Illinois for the Library purposes pursuant to Section 5/3-1 of the Illinois Local Library Act for the fiscal year of the City commencing May 1, 2008 and ending April 30, 2009.

Moved by: Unnerstall 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

2. Ordinance No. 2698 - Elected City Officers Date

MOTION:

It was moved and seconded to pass Ordinance No. 2698, an ordinance fixing the date for the commencement of the terms of newly elected City Officers.

Moved by: Row Second: Agne 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

3. Ordinance No. 2699 - Abate Taxes

MOTION:

It was moved and seconded to pass Ordinance No. 2699, an ordinance abating certain taxes of the City of Columbia, Monroe and St. Clair Counties, Illinois.

Moved by: Hejna 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

4. Ordinance No. 2700 - Warderman Cemetery Escrow/Trust

MOTION:

It was moved and seconded to pass Ordinance No. 2700, an ordinance authorizing a Warderman Cemetery Escrow/Trust to pay for the burial of paupers at the Warderman Cemetery located in the City of Columbia, Illinois to be funded by a donation from Charles Todd, Jr. 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	Yea

Motion Carried 9 To 0

5. Shoemaker School House Litigation

Mr. Adams informed the Council the Appellate Court has ruled in favor of the City but did not rule on the personal property that is in the building. Mr. Adams asked for direction in addressing this issue. Alderman Niemietz suggested Ms. Reiken be sent a notice by registered letter informing her she can remove any personal property during normal business hours under the supervision of a member of the Department of Public Works and the Police Department. Alderman Row suggested the deadline for recovery of the property be January 31, 2009.

MOTION:

It was moved and seconded to direct the City Attorney to draft and deliver by registered mail a letter to Ms. Annie Reiken offering her the opportunity to remove personal items from the Shoemaker School House by January 31, 2009 during normal business hours with a member of the Department of Public Works and the Police Department present during the removal of the items.

Moved by: Oberkfell 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 accept the report of all Departments and Officers as presented.

Moved by: Ebersohl 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 December 11, 2008; the total amount of the vouchers to be paid is three hundred ninety-four thousand, seven hundred thirty-six dollars, and thirty-two cents (\$394,736.32).

Moved by: Hejna 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

B. Statement of Funds

The Statement of Funds for November 2008 was presented to the Council.

MOTION:

It was moved and seconded to accept the Statement of Funds for November 2008 as presented.

Moved by: Hejna 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

C. Budget Schedule Fiscal Year 2009/2010

The budget schedule for fiscal year 2009/2010 was presented to the Council. Alderman Hejna requested the budget process be moved from the Committee Of The Whole to the Finance Committee. Aldermen Oberkfell and Unnerstall agreed with

Alderman Hejna and Alderman Unnerstall stated a lot of credit is due Alderman Hejna for the work she has done with the current finances of the City. Alderman Agne stated the budget process is conducted under the Committee Of The Whole because all committees have a vested interest in the budget process and to also ensure all Aldermen are part of the vote before the budget is presented to the Council for formal vote. Alderman Ebersohl stated this has always been the process and former Alderman Willie Eckert was present and was asked his opinion. Mr. Eckert stated in the past, the Chairman of the Committee Of The Whole would call the meeting to order and then turn control of the meeting over to the Finance Chair. Alderman Ebersohl stated he had no problem continuing this process. It was agreed to keep the budget process under the Committee Of The Whole.

D. Ordinance No. 2701 - Tax Levy Ordinance

MOTION:

It was moved and seconded to pass Ordinance No. 2701, an ordinance levying the taxes for the fiscal year ending April 30, 2009.

Moved by: Niemietz Second: Ebersohl Vote: Roll Call

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

Motion Carried 6 To 3

E. Financial Statement Presentation - April 30, 2008

Mr. Jim Schmersahl presented the Annual Audit for the fiscal year ending April 30, 2008 to the Council.

MOTION:

It was moved and seconded to approve the Annual Audit of the City of Columbia, Illinois for the fiscal year ending April 30, 2008 as presented and on file at City Hall.

Moved by: Hejna 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

A. Executive Order - City Administrator

Mayor Hutchinson informed the Council he was issuing an Executive Order and appointing Mr. Albert Hudzik as "temporary" City Administrator effective immediately.

Aldermen Unnerstall, Hejna, and Oberkfell expressed displeasure over the Mayor's action with Aldermen Unnerstall and Oberkfell reading prepared statements.

VII. NEW BUSINESS

A. Mayor Pro Tem

MOTION:

It was moved and seconded to appoint Alderman Ebersohl as Mayor Pro Tem effective December 20, 2008 until December 28, 2008.

Moved by: Niemietz Second: Agne Vote: Roll Call

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

Motion Carried 7 To 1

VIII. REPORT OF STANDING COMMITTEES

A. Personnel Committee

Minutes of the Executive Session of the Personnel Committee meeting held Monday, December 8, 2008 were presented to the Council for approval.

Alderman Niemietz tabled approval of the Executive Session minutes until her review of the minutes is complete.

Minutes of the Personnel Committee meeting held Monday, December 8, 2008 were presented to the Council for approval.

MOTION:

It was moved and seconded to approve the minutes of the Personnel Committee meeting held Monday, December 8, 2008 as on file at City Hall.

Moved by: Niemietz 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

Minutes of the Executive Session of the Personnel Committee meeting held Monday, September 22, 2008 were presented to the Council for approval.

MOTION:

It was moved and seconded to approve the minutes of the Executive Session of the Personnel Committee meeting held Monday, September 22, 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
Niemietz	Yea	Hejna	Yea		

Motion Carried 8 To 0

Minutes of the Personnel Committee meeting held Monday, September 22, 2008 were presented to the Council for approval.

MOTION:

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

Moved by: Niemietz 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

IX. CALL FOR COMMITTEE MEETINGS

Monday, January 12, 2009
7:00 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 9:21 PM for the purpose of discussing personnel.

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

MOTION:

It was moved and seconded to return to Regular Session of the City Council at 9:50 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.

A. Family Medical Leave

MOTION:

It was moved and seconded to direct Ms. Linda Sharp, Accounting Manager, to discuss the Family Medical Leave issue discussed in Executive Session with the City Attorney and propose an acceptable solution to the employee and report back to the Council.

Moved by: Row 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

XI. ADJOURNMENT

MOTION:

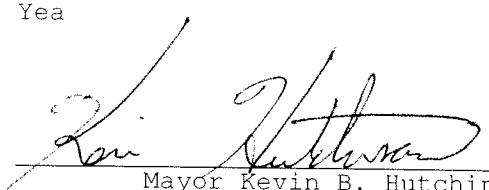
It was moved and seconded to adjourn the Regular City Council Meeting held Monday, December 15, 2008 at 9:52 PM.

Moved by: Row 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. Hoeffken City Clerk


Mayor Kevin B. Hutchinson