

**Minutes of the Regular Meeting of the City Council of the City of Columbia, Illinois
Held Monday, June 21, 2021 in the Council Room of City Hall.**

A. Call Meeting to Order

Mayor Hill called the City Council of Columbia, Illinois to order at 7:00 PM.

B. Roll Call

Present: Aldermen Niemietz, Roessler, Huch, Martens, Riddle, Garmer and Khoury

Absent: Holtkamp

Quorum present.

Administrative Staff present:

City Clerk Andrew Hitzemann
City Attorney Terry Bruckert
City Engineer Chris Smith
Director of IT James Mitchell
EMS Chief Kim Lamprecht

City Administrator Douglas Brimm*
Chief of Police Jason Donjon
Deputy Chief of Police Karla Heine
Dir. of Community Dev. Scott Dunakey

C. Pledge of Allegiance

Those in attendance recited the Pledge of Allegiance.

D. Proclamations/Recognitions/Presentations

Mayor Hill recognized the Columbia High School Boys Baseball team and Columbia High School Girls Soccer Team for winning Regional Championship games and Columbia High School Track Runner Abby Venhaus who qualified for three individual events for State.

E. Public Input

There was no public input.

F. Comments & Announcements - Mayor

There were no Mayor Comments & Announcements

G. Comments & Announcements - Aldermen

There were no Aldermen Comments & Announcements.

H. Comments & Announcements - Department Directors

There were no Department Directors Comments & Announcements.

I. Consent Agenda

City Clerk Hitzemann read the Consent Agenda.

1. Motion to Approve Minutes of the June 7, 2021 Regular City Council Meeting

2. Motion to Approve Closed Session Minutes of the June 7, 2021 Regular City Council Meeting
3. Motion to Approve Payment of Vouchers for the Period of June 5, 2021 through June 11, 2021 totaling \$242,634.58

Alderman Niemietz questioned the \$1,000 expense for West County EMS and Fire and it was confirmed it was for training.

Alderman Garmer questioned the expense in association with Cunningham, Vogel & Rost and Attorney Bruckert confirmed it was in association with the litigation involving the cell phone towers.

Motion:

It was moved by Alderman Huch, and seconded by Alderman Khoury, to approve the Consent Agenda as read.

Motion Passed.

Roll Call Vote results:

7 Aye: Niemietz, Roessler, Huch, Martens, Riddle, Garmer and Khoury

0 Nay:

1 Absent: Holtkamp

0 Abstain:

J. Unfinished Business

1. Review Mayors Veto of Ordinance No. 3573

Attorney Bruckert explained Mayor Hill has the right to veto an ordinance if done in the appropriate amount of time which occurred with Ordinance No. 3573. City Council can overturn with a two-thirds majority.

There were no objections to the veto of Ordinance No. 3573.

2. Ordinance No. 3577 to Provide for the Appointment of Members of Certain Boards, Commissions and Committees of the City of Columbia, Illinois for the Fiscal Year of the City Commencing May 1, 2021 and Ending April 30, 2022

Motion:

It was moved by Alderman Niemietz, and seconded by Alderman Huch, to pass and approve Ordinance No. 3577 to Provide for the Appointment of Members of Certain Boards, Commissions and Committees of the City of Columbia, Illinois for the Fiscal Year of the City Commencing May 1, 2021 and Ending April 30, 2022

Motion Passed.

Roll Call Vote results:

7 Aye: Niemietz, Roessler, Huch, Martens, Riddle, Garmer, and Khoury

0 Nay:

1 Absent: Holtkamp

0 Abstain:

3. Ordinance No. 3578 Approving a Plat of Survey and Land Transfer by Way of Real Estate Exchange Between Parcel No. 04-20-281-015-000 and Parcel No. 04-20-281-016-000 in the City of Columbia, Monroe County, Illinois

Motion:

It was moved by Alderman Martens, and seconded by Alderman Riddle, to pass and approve Ordinance No. 3578 Approving a Plat of Survey and Land Transfer by Way of Real Estate Exchange Between Parcel No. 04-20-281-015-000 and Parcel No. 04-20-281-016-000 in the City of Columbia, Monroe County, Illinois

Motion Passed.

Roll Call Vote results:

7 Aye: Niemietz, Roessler, Huch, Martens, Riddle, Garmer, and Khoury

0 Nay:

1 Absent: Holtkamp

0 Abstain:

4. Ordinance No. 3579 Approving and Accepting a Waterline Easement to Serve the Proposed Ogle Estates Subdivision Located in the City of Columbia, Monroe County, Illinois

Director of Community Development Scott Dunakey clarified this is the water easement needed to service Ogle Estates.

Motion:

It was moved by Alderman Garmer, and seconded by Alderman Martens, to pass and approve Ordinance No. 3579 Approving and Accepting a Waterline Easement to Serve the Proposed Ogle Estates Subdivision Located in the City of Columbia, Monroe County, Illinois

Motion Passed.

Roll Call Vote results:

7 Aye: Niemietz, Roessler, Huch, Martens, Riddle, Garmer, and Khoury

0 Nay:

1 Absent: Holtkamp

0 Abstain:

5. Ordinance No. 3580 Approving a Plat of Survey and Land Transfer by Way of Real Estate Exchange Between Parcel No. 04-15-102-004-000 and Parcel No. 04-15-102-001-000 Located in the City of Columbia, Monroe County, Illinois

Motion:

It was moved by Alderman Martens, and seconded by Alderman Riddle, to pass and approve Ordinance No. 3580 Approving a Plat of Survey and Land Transfer by Way of Real Estate Exchange Between Parcel No. 04-15-102-004-000 and Parcel No. 04-15-102-001-000 Located in the City of Columbia, Monroe County, Illinois

Motion Passed.

Roll Call Vote results:

7 Aye: Niemietz, Roessler, Huch, Martens, Riddle, Garmer, and Khoury
0 Nay:
1 Absent: Holtkamp
0 Abstain:

6. Resolution No. 2021-11 Approving a Special Event Park Use Agreement Between the City of Columbia and Songs4Soliders NFP for the Organization's 2021 Benefit Concert

Director of Community Development Scott Dunakey outlined the times and dates agreed upon for the benefit concert and mentioned a procedure was added to ensure the condition of the baseball field and the park had to be returned to pre-event conditions within two weeks.

Motion:

It was moved by Alderman Garmer, and seconded by Alderman Riddle, to pass and approve Resolution No. 2021-11 Approving a Special Event Park Use Agreement Between the City of Columbia and Songs4Soliders NFP for the Organization's 2021 Benefit Concert

Motion Passed.

Roll Call Vote results:

7 Aye: Niemietz, Roessler, Huch, Martens, Riddle, Garmer, and Khoury
0 Nay:
1 Absent: Holtkamp
0 Abstain:

K. New Business

1. Discussion of Proposed Annexation Agreement, Annexation, and R-3 Zoning of a 54.06-acre Tract of Land in Unincorporated St. Clair County for Bluff Ridge Estates Subdivision

Director of Community Development Scott Dunakey presented a staff report through a Power Point Presentation. Wild Oak LLC purchased five parcels with intentions to build a 116 Lot Residential Subdivision near Rueck Road and Rueck Parkway. Three parcels are currently within the city and Zoned R-3. The other two parcels are currently unincorporated within St. Clair County. There is currently no development on the parcels. The two adjacent subdivisions are Brellinger and Briar Lakes. The area consist of hills and a flood plain. They will not develop the flood plain. Certified mail notices were sent out on May 23rd and the public notice was in the Republic Times on May 26th. There were no objections in the public hearing held on June 14th. Both Brellinger and Briar Lakes are zoned R-2. 54 out of 116 proposed lots exceed the minimum lot size of R-2 and they are proposing to exceed R-3 masonry requirements through covenants. Proposed development is compatible with existing planned land uses in the vicinity and will result in minimal land use impacts. Transportation Impact would be an additional 1,160 trips per day. The peak traffic would be in the A.M and P.M. hours. The predominant traffic would be associated with Quarry Road to I-255 and secondary traffic would be Rueck Road to Main Street. The calculations are based on the ITE Trip Generation Manual. Currently there is a 12 inch Water main along Rueck Road and an 8 inch sewer main at Rueck Road and Hoffman Estates Drive which ties to a 10 inch main. Both would have ample capacity, but there is concern with pressure due to the slope of the landscape.

The proposed Annexation Agreement Provisions would include a guarantee annexation and R-3 zoning. This would be applicable to entire development and not just parcels being annexed. It does require consistency with Concept Plan. There is no city cost participation in any of the improvements. They asked for the bridge design and type to be specified for engineering consideration. There would be one primary entrance with one emergency access. There would be no off-site improvements except for utility connections. There would be subdivision code variances with some due to the slope of the land. There would be only local streets and no collectors, up to 12% street grade allowed, streets to exceed 500-ft max cul-de-sac length, and streets to exceed 1,300-ft max block length.

The findings of the staff are that the proposed development and R-3 zoning are compatible with land uses and development in vicinity. The current zoning likely contributes to diminishing the property value. Approval would benefit the owner and also have positive impacts to health, safety, and welfare of the community. The approval would also alleviate hardship to the owner while providing benefits to the public. Due to surrounding property having similar pre-development conditions, the property is suitable for requested zoning. The current agricultural zoning has hurt the site's development potential. The proposal is consistent with the comprehensive plan and would also fill a community need for new housing.

The staff recommends approval of the annexation agreement, annexation, and proposed R-3 Zoning. The Plan Commission's recommendation is to adopt the findings

of the staff report and approve the annexation agreement, annexation, and proposed R-3 Zoning. The recommendations are not binding and subject to change.

Alderman Niemiets brought up concern with the cul-de-sac and Mr. Dunakey explained that due to the topography there are not a lot of options. Another concern brought forward is whose responsibility would be the 90 degree on Rueck Road. The majority of the traffic would be on Rueck Parkway.

Mayor Hill expressed concern with the line of site on the 90 degree turn and the ability of the bridge on Rueck Road to handle the emergency access.

Mr. Dunakey confirmed that there would be sidewalks on both sides of the street.

Alderman Martens inquired about common area and Mr. Dunakey confirmed the frontage would be common area in addition to a portion in the Northeast side.

Alderman Roessler questioned what would be used to get to the Whelan property in case of emergency and Mr. Dunakey confirmed they would use the current bridge and that they were in the fire district. Alderman Roessler also requested clarification on proposed drainage.

Alderman Garmer confirmed it would be a standard 20 year agreement.

Mayor Hill had a question regarding the street lights in the proposed subdivision due to possible vehicle break-ins. Mr. Dunakey confirmed that would be in the next phase of development.

2. Consideration of a Motion to Exercise the City Council's Power of Administrative Review of the Zoning Hearing Officer's Ruling on a Front Yard Setback Variance Request

Director of Community Development Scott Dunakey explained this is a first request like this since the City moved to having a Zoning Hearing Officer. The Zoning Hearing Officer's decision is final unless City Council would want administrative review. Within 21 days of the ruling, by motion the Council can exercise their power of review. The applicant would provide the evidence and then the Council could reverse the ruling by two-thirds majority.

Rick and Sonya Leppo of 472 Wernings Drive applied for a variance to construct a sun room. The public hearing occurring on May 18th. The Zoning Hearing Officer provided a ruling on June 9th denying the requested variance. To approve a variance you need to meet three conditions. The first is that the property cannot yield a reasonable return under the strict application of regulations. The second is the hardship is due to unique circumstances that can't be attributed to any action or fault of the owner. The third is the variance, if granted, will not alter the essential character of the locality. The ZHO ruling was that it did not satisfy the first and second conditions but it did satisfy the third condition. If the council would not want to use administrative review then the ruling would be final on July 1st. If the answer is yes, then the Council would need to make a motion and then set a date for the public hearing. The staff doesn't make recommendations on variances other than follow the code.

Alderman Khoury stated that they deserve a public hearing to let them discuss the matter further.

Alderman Garmer asked how many of these cases the ZHO has seen since we have switched to this process and Mr. Dunakey confirmed this was the second.

Alderman Roessler explained that the history of switching to a Zoning Hearing Officer was to prevent inconsistency and for everyone to receive a fair and impartial ruling.

Alderman Martens inquired with Attorney Bruckert what would be the role of the City Council. Attorney Bruckert advised the City Council would need to prove why all three elements were independently met. The discretion is based upon following the rules for why all three conditions are being met. Two-thirds of the council would have to approve at the hearing and the Council would have to write up the ruling.

Motion:

It was moved by Alderman Khoury, and seconded by Alderman Huch, to Exercise the City Council's Power of Administrative Review of the Zoning Hearing Officer's Ruling regarding 472 Wernings Drive Variance Request

Motion Passed.

Roll Call Vote results:

5 Aye: Roessler, Huch, Martens, Riddle, and Khoury

2 Nay: Niemietz and Garmer

1 Absent: Holtkamp

0 Abstain:

3. Motion to Approve a Supplemental Engineering Agreement with Oates and Associates for Quarry Road Project

City Engineer Chris Smith explained that three projects were consolidated into one agreement. Adjustments were made due to City requests and IDOT concerns. Phase 1 is completed except for seeding.

Motion:

It was moved by Alderman Martens, and seconded by Alderman Garmer, to pass and approve a Supplemental Engineering Agreement with Oates and Associates for Quarry Road Project

Motion Passed.

Roll Call Vote results:

7 Aye: Niemietz, Roessler, Huch, Martens, Riddle, Garmer, and Khoury

0 Nay:

1 Absent: Holtkamp

0 Abstain:

4. Motion to Approve a Traffic Signal Master Agreement with Illinois Department of Transportation

City Engineer Chris Smith explained this is a ten year agreement with the State in regards to the maintenance and energy cost of the traffic signals in Columbia. The City is responsible for half. The State bids out the electrical portion and coordinates the work.

Motion:

5. It was moved by Alderman Niemietz, and seconded by Alderman Garmer, to pass and approve a Traffic Signal Master Agreement with Illinois Department of Transportation

Motion Passed.

Roll Call Vote results:

7 Aye: Niemietz, Roessler, Huch, Martens, Riddle, Garmer, and Khoury

0 Nay:

1 Absent: Holtkamp

0 Abstain:

L. Closed Session

There was no business addressed in Closed Session.

M. Announcements

Mayor Hill announced that the Fourth of July celebration at Legion Park will be happening this year.

N. Adjournment

Motion:

It was moved by Alderman Garmer, and seconded by Alderman Martens, to adjourn the Regular City Council meeting held Monday, June 21, 2021 at 8:37 PM.

Motion Passed.

Roll Call Vote results:

7 Aye: Niemietz, Roessler, Huch, Martens, Riddle, Garmer and Khoury

0 Nay:

1 Absent: Holtkamp

0 Abstain:



ANDREW HITZEMANN, CITY CLERK



MAYOR BOB HILL

NOTE: Member attended remotely, as noted above with an asterisk (*) by their name.