

NOTICE OF & AGENDA FOR
CITY OF COLUMBIA, ILLINOIS
COMMITTEE MEETINGS TO BE HELD ON
MONDAY, SEPTEMBER 27, 2010
AT COLUMBIA CITY HALL
208 S. RAPP AVENUE
COLUMBIA, ILLINOIS

7:00 PM - Committee of the Whole

1. Low Speed Vehicle presentation/discussion
2. 1553 N. Main St. property soil/groundwater contamination discussion
3. Other items to be considered or discussed

7:10 PM - Parks, Playgrounds and Recreation

1. Parks useage/events application discussion
2. Other items to be considered or discussed

**MINUTES OF THE COMMITTEE OF THE WHOLE MEETING OF THE CITY
COUNCIL OF THE CITY OF COLUMBIA, ILLINOIS HELD MONDAY,
SEPTEMBER 27, 2010 IN THE COUNCIL ROOM OF CITY HALL**

I. CALL TO ORDER

Chairman Ebersohl called the Committee of the Whole Meeting of the City Council of the City of Columbia, Illinois to order at 7:03 p.m.

Upon Roll Call, the following members were:

Present: Chairman Ebersohl and Aldermen Agne, Niemietz, Row, Hejna, Oberkfell, Stumpf and Roessler and Mayor Hutchinson.

Absent: None.

Quorum Present.

Administrative Staff Present: City Administrator Al Hudzik, Accounting Manager Linda Sharp, City Engineer Ron Williams, Chief of Police and Ambulance Director Joseph Edwards and Accounting/Clerical Assistant Sandy Garmer.

Guests Present: Kevin Coker, Representative for Battery Specialists + Golf Cars.

Chairman Ebersohl stated the purpose of the meeting was to discuss (1) non-highway/low- speed vehicle street usage; (2) 1553 N. Main Street property soil/groundwater contamination; and (3) any other items to be considered.

II. NON-HIGHWAY/LOW-SPEED VEHICLE STREET USAGE DISCUSSION

Chairman Ebersohl requested that City Administrator Hudzik address the Committee on this issue. Hudzik distributed and briefly reviewed Section 10.12.010 (Speed restrictions) of the Municipal Code – he also referenced a five (5) page document from the Illinois Municipal League entitled “FAQ for Municipal Officials on the new law for the Operation of Non-Highway Vehicles and Low-Speed Vehicles” – he then introduced Kevin Coker of Highland, Illinois, owner of Battery Specialists + Golf Cars, a business that sells low-speed vehicles (“LSVs”). Mr. Coker addressed the Committee concerning this recently passed legislation and indicated the current models of LSVs are first generation vehicles offering safety features required by law and optional equipment to enhance safety; options are also available to increase performance and allow for greater user convenience; in responding to questions he stated (i) the average cost of an LSV approximates \$8,000; (ii) it takes an average of 5-7 seconds to attain a speed of 25 MPH; and (iii) average charge time is 6-8 hours which allows for approximately 30 miles of travel.

A general discussion then took place with all in attendance given the opportunity to make comments and express their opinions, which included: (a) since this legislation has just recently become law, it is unknown if any safety tests have been conducted on LSVs; (b) some governmental entities in the state (i) were not aware of the passage or provisions of the law on Non-Highway Vehicles and Low-Speed Vehicles; (ii) have allowed the operation of LSVs with some restrictions; (iii) have allowed both LSVs and Non-Highway Vehicles on their streets; and (iv) have prohibited the operation of LSVs on their streets; (c) Public Act 096-1434 prohibits the operation of Non-Highway Vehicles on streets unless an ordinance or resolution is adopted allowing their operation, whereas it allows the operation of LSVs on streets where the speed limit is 30 MPH or less unless prohibited by ordinance or resolution; (d) signage needs to be posted if LSVs are prohibited on eligible streets – the approximate cost of the signage and locations of the postings were also discussed; (e) whether additional liability would be incurred by the City if the signage was not properly posted as required by law vs. indemnification given to governmental entities by the provisions of Public Act 096-1434; (f) a valid driver's license, the rules of the road and insurance requirements apply to the operation of LSVs; (g) whether consultation was held with public safety personnel during the passage of this legislation; (h) the areas of the City where LSVs are currently allowed vs. where currently prohibited due to the speed limit restrictions contained in the law; (i) whether public input should be sought; (j) whether additional research is necessary; and (k) whether there is any urgency to act at this time due to the change in seasons and arrival of cooler weather.

During the discussion Chief Edwards expressed his opinion that LSVs should be prohibited on all streets in Columbia due to safety concerns – he expressed his concerns due to the amount of traffic traveling the streets of Columbia (approximately 30,000 vehicles/day on Route 3 and approximately 10,000 vehicles/day on Main Street), the multiple intersections in town, the traffic crashes and traffic congestion experienced in the City, the relative openness of LSVs offering minimal protection in the event of an accident, and the inability of LSVs to travel the speed limit on most City streets (since most have speed limits of 30 MPH (vs. a maximum allowable speed for LSVs of 25 MPH)). Chief Edwards stated he favors a full prohibition of the operation of LSVs on City streets at least until they can travel the speed limit on most City streets. Some Committee Members concurred with the remarks made by Chief Edwards and felt the safety concerns he expressed should result in the prohibition of the operation of LSVs on the City's streets. Other Members felt LSVs could be safely operated in many, if not all, areas in town where the speed limit was 30 MPH or less (as allowed by Public Act 096-1434) – references were made to motorcycles (including small motorcycles that did not require a special driver's license to ride), bicycles and walkers use of/or the crossing of streets safely, and the personal responsibility individuals should take for their own safety.

MOTION:

It was moved by Alderman Roessler and seconded by Alderman Row to recommend to the City Council that at this time the City accept and comply with the provisions of Public Act 096-1434, which allows for the operation of low-speed vehicles on the streets of the City where the speed limit is 30 miles per hour or less. Chairman Ebersohl and Aldermen Niemietz voted nay. Aldermen Agne, Row, Hejna, Oberkfell and Roessler voted yea. Alderman Stumpf voted present. **MOTION CARRIED.**

III. 1553 N. MAIN STREET PROPERTY SOIL/GROUNDWATER CONTAMINATION DISCUSSION

City Administrator Hudzik (i) distributed EXHIBITS A, B and C; (ii) briefly reviewed the seven (7) pages of e-mails previously distributed to the Committee Members; and (iii) briefly reviewed and touched upon the reasons approval of the Highway Authority Agreement was being requested – he indicated additional revisions (mostly grammatical) would be needed and that he and City Attorney Bruckert were working on the needed changes. City Engineer Williams then reviewed Paragraphs 7 and 8 dealing with the prohibition of the use of contaminated groundwater in the City’s right-of-way at the site (1553 N. Main Street) and access to the soil at that site; he also reviewed EXHIBIT C, which identified the approximate area of the City’s right-of-way at the site (for which the Highway Authority Agreement is being requested) and identified the locations of various soil borings and monitoring wells shown on EXHIBITS A & C; he indicated the Highway Authority Agreement does not restrict the City’s use of its right-of-way and continues to allow the City to maintain Main Street in that area. Several comments were made by Committee Members during the presentations by staff – all questions asked concerning the agreement and its future compliance were answered.

MOTION:

It was moved by Alderman Niemietz and seconded by Alderman Stumpf to recommend to the City Council approval of the Highway Authority Agreement in substantially the form presented, with minor revisions by the City Attorney and City Administrator, pertaining to soil and/or groundwater contamination on property located at 1553 N. Main Street. Chairman Ebersohl and Aldermen Agne, Niemietz, Row, Hejna, Oberkfell, Stumpf and Roessler voted yea. **MOTION CARRIED.**

IV. OTHER ITEMS TO BE CONSIDERED OR DISCUSSED

None.

V. ADJOURNMENT

MOTION:

It was moved by Alderman Row and seconded by Alderman Agne to adjourn the Committee of the Whole Meeting of the City Council of the City of Columbia, Illinois

held Monday, September 27, 2010 at 9:03 p.m. Upon Roll Call vote, Chairman Ebersohl and Aldermen Agne, Niemietz, Row, Hejna, Oberkfell, Stumpf and Roessler voted yea.

MOTION CARRIED.



GENE EBERSOHL, Chairman
COMMITTEE OF THE WHOLE

Minutes taken by:



SANDRA GARMER, Accounting/Clerical Assistant

**MINUTES OF THE PARKS, PLAYGROUNDS AND RECREATION
COMMITTEE MEETING OF THE CITY COUNCIL OF THE CITY OF
COLUMBIA, ILLINOIS HELD MONDAY, SEPTEMBER 27, 2010 IN THE
COUNCIL ROOM OF CITY HALL**

I. CALL TO ORDER

Chairman Mary Ellen Niemietz called the Parks, Playgrounds and Recreation Committee Meeting of the City Council of the City of Columbia, Illinois to order at 9:04 p.m.

Upon Roll Call, the following members were:

Present: Chairman Niemietz and Aldermen Ebersohl, Agne and Stumpf.

Absent: None.

Quorum Present.

Others Present: Mayor Hutchinson and Aldermen Row, Hejna, Oberkfell and Roessler.

Administrative Staff Present: City Administrator Al Hudzik, City Engineer Ron Williams, Director of Community and Economic Development Paul Ellis, Accounting Manager Linda Sharp and Accounting/Clerical Assistant Sandy Garmer.

Guests Present: Amber Schwellensattl.

Chairman Niemietz stated the purpose of the meeting was to discuss parks usage/events applications and any other items to be considered.

II. PARK USAGE/EVENTS APPLICATIONS

Chairman Niemietz called upon Director of Community and Economic Development Ellis to address the Committee on this issue. Mr. Ellis informed the Committee of an increase in special events requests being received for use of the City's parks and reminded them that the City's Play Commission continues in its efforts to work on proposed park use and special events applications. He indicated that requests have been received from two (2) different parties to have their wedding ceremonies in the parks in the fall of 2011, and this is one area the Play Commission is addressing in their application review. Paul then introduced Amber Schwellensattl, one of the parties that has requested the use of Metter Park in October, 2011 to have a wedding ceremony (a copy of Amber's application as well as her to (2) page letter detailing her proposed use of the park had been previously distributed to the Committee/Council Members). Amber distributed the simple sketch referenced in her letter and then reviewed the sketch and her proposed ceremony.

During and after Amber's presentation all in attendance were given the opportunity to make comments and ask questions, which included: (i) the decisions made by the Play Commission and City Council will set a precedent on these types of events; (ii) proof of insurance should be a part of the application process; (iii) whether security (police personnel) and/or clean-up (DOPW personnel) should be included and the cost of those services; (iv) the fees to be charged depending upon the event being held and the amount of City services required; and (v) consideration of an agreement to use Turner Hall's parking lot, when needed. It was the general consensus of the Committee/Council Members that staff meet to discuss these items and recommend the levels of supervision/clean-up services needed depending on the event being held and the anticipated attendance, and the applicable fees to charge. Chairman Niemietz asked for a straw poll vote from the Committee/Council Members to indicate if they approved of the concept of allowing special events, such as Amber's wedding ceremony to be held in Metter Park pending agreement on a park rental fee and other conditions as recommended by staff and agreed upon by the Play Commission and City Council. A straw poll was taken: Chairman Niemietz and Aldermen Ebersohl, Agne, Row, Hejna, Oberkfell, Stumpf and Roessler voted in favor of such a concept.

Mr. Ellis then addressed the application of Sara Kelley on behalf of St. Patrick's Homeless Center of St. Louis – her application requested the reservation of the Lions' Pavilion in Bolm-Schuhkraft Park on October 24, 2010, for the center to conduct a Charity Clothes Drive (through the holding of tournaments for donated prizes). Paul indicated that despite several requests, he had been unable to obtain any specific information on how the clothing drive would be held and the type of tournaments planned. City Administrator Hudzik then reviewed the e-mailed legal opinion received from John Long, attorney with the law firm of Belsheim & Bruckert (the City's Attorney), pertaining to the holding of fundraisers in Bolm-Shuhkraft Park, since it had been donated to the City for use as a public park and playground. The opinion stated that fundraisers could be held at the park but that admission to attend the fundraisers could not be charged. A discussion then took place among the Committee/Council Members including: (a) the providing of insurance by organizations holding fundraisers; (b) fees to be charged and whether there should be different fee amounts for local organizations vs. out of town organizations and dependent on facility rental vs. expanded land use during a special event. Mr. Ellis stated these items would be considered by the Play Commission during their work to complete the parks permit application process.

No action was taken on the application submitted by Sara Kelley (on behalf of St. Patrick's Homeless Center) since it did not contain enough information to allow for a decision to be made.

III. OTHER ITEMS TO BE CONSIDERED OR DISCUSSED

None.

IV. ADJOURNMENT

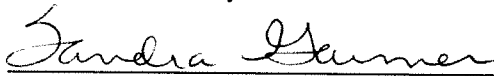
MOTION:

It was moved by Alderman Stumpf and seconded by Alderman Ebersohl to adjourn the Parks, Playgrounds and Recreation Committee Meeting held Monday, September 27, 2010 at 9:56 p.m. Upon Roll Call Vote, Chairman Niemietz and Aldermen Ebersohl, Agne and Stumpf voted yea. MOTION CARRIED.



MARY ELLEN NIEMIETZ, Chairman
PARKS, PLAYGROUNDS AND RECREATION COMMITTEE

Minutes Taken by:



SANDRA GARMER, Accounting/Clerical Assistant