

MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF COLUMBIA,
ILLINOIS HELD MONDAY, NOVEMBER 7, 2011 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	Huch	<input checked="" type="checkbox"/> Present	<input type="checkbox"/> Absent
Agne	<input type="checkbox"/> Present	<input checked="" type="checkbox"/> Absent	Mathews	<input type="checkbox"/> Present	<input checked="" type="checkbox"/> Absent
Niemietz	<input checked="" type="checkbox"/> Present	<input type="checkbox"/> Absent	Piazza	<input type="checkbox"/> Present	<input checked="" type="checkbox"/> Absent
Roessler	<input checked="" type="checkbox"/> Present	<input type="checkbox"/> Absent	Reis	<input checked="" type="checkbox"/> Present	<input type="checkbox"/> Absent

Quorum Present.

Those in attendance recited the Pledge of Allegiance which, at the request of Mayor Hutchinson, was led by special guest Rich Dreher, a 50 year veteran of the Columbia Volunteer Fire Department.

Administrative Staff Present:

<input checked="" type="checkbox"/> City Clerk Ron Colyer	<input checked="" type="checkbox"/> City Administrator Al Hudzik
<input checked="" type="checkbox"/> City Attorney John Long	<input checked="" type="checkbox"/> Chief of Police & Ambulance Director Joe Edwards
<input type="checkbox"/> Building Inspector Al Holden	<input type="checkbox"/> City Treasurer Bob Naumann
<input checked="" type="checkbox"/> City Engineer Ron Williams	<input type="checkbox"/> Director of Economic Development Paul Ellis
<input type="checkbox"/> Assistant City Engineer Tim Ahrens	<input checked="" type="checkbox"/> Deputy Chief of Police Jerry Paul
<input type="checkbox"/> Deputy CEMS Director Ken Buss	<input checked="" type="checkbox"/> Accounting Manager Linda Sharp
<input type="checkbox"/> Head Librarian Erica Pyle	<input checked="" type="checkbox"/> Plan Commissioner Wes Hoeffken

II. DELEGATIONS

A. Animal Shelter Appreciation Week

A Proclamation for Animal Shelter Appreciation Week November 6th through 12th in Columbia, Illinois was presented to the City Council and given a Resolution Number, 07-2011.

B. Rich Dreher - 50 Year Anniversary with the Fire Department

A Proclamation honoring Columbia Volunteer Fireman Rich Dreher for 50 years of service with the Columbia Volunteer Fire Department was presented by Mayor Hutchinson.

III. READ AND APPROVE MINUTES

A. Regular City Council Meeting of October 17, 2011

The minutes of the Regular City Council Meeting of the City Council held Monday, October 17, 2011 were submitted for approval.

MOTION:

It was moved and seconded to approve the minutes of the Regular Meeting of the City Council held Monday, October 17, 2011 as on file at City Hall.

Moved by: Roessler Second: Huch Vote: Roll Call

Ebersohl	Abstain	Roessler	Yea	Piazza	Absent
Agne	Absent	Huch	Yea	Reis	Yea
Niemietz	Abstain	Mathews	Absent		

Motion Carried 5 To 0

B. Executive Session Meeting of October 17, 2011

The minutes of the Executive Session Meeting of the City Council held Monday, October 17, 2011 were submitted for approval.

MOTION:

It was moved and seconded to approve the minutes of the Executive Session Meeting of the City Council held Monday, October 17, 2011 as on file at City Hall.

Moved by: Roessler	Second: Reis	Vote: Roll Call			
Ebersohl	Abstain	Roessler	Yea	Piazza	Absent
Agne	Absent	Huch	Yea	Reis	Yea
Niemietz	Abstain	Mathews	Absent		

Motion Carried 5 To 0

IV. REPORT OF DEPARTMENTS/OFFICERS

A. Plan Commission Meeting Minutes - October 24, 2011

The Plan Commission Meeting Minutes of October 24, 2011 were presented to the City Council by Plan Commissioner Wes Hoeffken.

B. Police Department

1. Crossing Guard Replacement Discussion

This item was referred to Committee.

2. Swearing in of Officer Cameron Rettig

Mayor Hutchinson swore in new Columbia Police Officer Cameron Rettig.

C. Building Department

1. Special Use Request - Indoor Shooting Range

Zoning Board of Appeals is requesting City Council recommendation.

2. Special Use Request - Momentum Church

Zoning Board of Appeals is requesting City Council recommendation.

D. Community & Economic Development Report

The monthly report of Community & Economic Development was presented to the City Council in paper form by Director Paul Ellis.

E. City Engineer/Department of Public Works

1. Engineer's Report

City Engineer Ron Williams presented the City Engineer's Report to the City Council.

2. Permit Resolution for Illinois Route 3 Water Service Relocations

MOTION:

It was moved and seconded to pass and approve Resolution No. 08-2011, a Permit Resolution for the City of Columbia, located in the County of

Monroe, State of Illinois, to install and maintain 4 - 3/4 to 1 and 1/2 inch water lines according to conditions and restrictions of Permit No. 8-28264 within the right of way of FA Route 4 (IL Route 3), which by law comes under the jurisdiction and control of the Department of Transportation of the State of Illinois.

Moved by: Huch Second: Ebersohl Vote: Roll Call

Ebersohl	Yea	Roessler	Yea	Piazza	Absent
Agne	Absent	Huch	Yea	Reis	Yea
Niemietz	Yea	Mathews	Absent		

Motion Carried 5 To 0

3. Ordinance Granting Special Use Permit for an Indoor Shooting Range for Property at 310 BB Road

MOTION:

It was moved and seconded to pass and approve Ordinance No. 2905, an Ordinance to grant a Special Use Permit for Real Estate having the assigned address of 310 BB Road, in the City of Columbia, Illinois for Joseph A. Caito, Jr. and Susan Creech to allow for the operation of an Indoor Shooting Range in an A-1 (Agricultural Zoned District) in the City of Columbia, Illinois.

Moved by: Ebersohl Second: Niemietz Vote: Roll Call

Ebersohl	Yea	Roessler	Yea	Piazza	Absent
Agne	Absent	Huch	Yea	Reis	Yea
Niemietz	Yea	Mathews	Absent	Hutchinson	Yea

Motion Carried 6 To 0

4. Ordinance Granting Special Use Permit for a Church for Property at 504 DD Road

MOTION:

It was moved and seconded to pass and approve Ordinance No. 2906, an Ordinance to grant a Special Use Permit for Real Estate having the assigned address of 504 DD Road, in the City of Columbia, Illinois for Momentum Church to allow for the operation of a church in a BP-2 (Business Park Zoned District) in the City of Columbia, Illinois.

Moved by: Reis Second: Roessler Vote: Roll Call

Ebersohl	Yea	Roessler	Yea	Piazza	Absent
Agne	Absent	Huch	Yea	Reis	Yea
Niemietz	Yea	Mathews	Absent	Hutchinson	Yea

Motion Carried 6 To 0

5. Ordinance Naming a Private Drive to be called Ludman Lane off West Ludman Street

MOTION:

It was moved and seconded to pass and approve Ordinance No. 2907, an Ordinance naming a Private Drive off of the 200 block of West Ludman Street South in the City of Columbia, Illinois

Moved by: Ebersohl Second: Reis Vote: Roll Call

Ebersohl	Yea	Roessler	Yea	Piazza	Absent
Agne	Absent	Huch	Yea	Reis	Yea
Niemietz	Yea	Mathews	Absent		

Motion Carried 5 To 0

6. Payment to State of Illinois for Rueck Road Phase IV

MOTION:

It was moved and seconded to make the first of three annual payments due to the Illinois Department of Transportation (IDOT) in the amount of \$55,970.71 for Rueck Road Phase IV.

Moved by: Ebersohl Second: Huch Vote: Roll Call

Ebersohl	Yea	Roessler	Yea	Piazza	Absent
Agne	Absent	Huch	Yea	Reis	Yea
Niemietz	Yea	Mathews	Absent		

Motion Carried 5 To 0

F. City Attorney

City Attorney John Long had no report.

G. Finance Department

1. An Ordinance Amending Ordinance No. 2864 Which Established the Budget of the City of Columbia, Illinois for its Fiscal Year Commencing May 1, 2011 and Ending April 30, 2012

Note: This was a change to the budget to pay IDOT \$55,970.71 for the first of three annual payments for Rueck Road Phase IV.

MOTION:

It was moved and seconded to pass and approve Ordinance No. 2908, an Ordinance amending Ordinance No. 2864 which established the budget of the City of Columbia, Illinois for its fiscal year commencing May 1, 2011 and ending April 30, 2012.

Moved by: Roessler Second: Huch Vote: Roll Call

Ebersohl	Yea	Roessler	Yea	Piazza	Absent
Agne	Absent	Huch	Yea	Reis	Yea
Niemietz	Yea	Mathews	Absent	Hutchinson	Yea

Motion Carried 6 To 0

2. Vouchers To Be Paid

MOTION:

It was moved and seconded to authorize the payment of vouchers received through November 3, 2011; the total amount of the vouchers to be paid is four hundred thirty-four thousand, three hundred eight dollars and ten cents (\$434,308.10).

Moved by: Roessler Second: Ebersohl Vote: Roll Call

Ebersohl	Yea	Roessler	Yea	Piazza	Absent
Agne	Absent	Huch	Yea	Reis	Yea
Niemietz	Yea	Mathews	Absent		

Motion Carried 5 To 0

3. Statement of Funds

The City's Statement of Funds through September 30, 2011 was presented to the City Council by Ms. Linda Sharp. The statement indicated a cash and investment balance of \$6,154,896.30. The balance is \$1,021,412.62 higher than the \$5,133,483.68 balance of August 31, 2011.

The statement indicated that as of September 30, 2011, the State of Illinois is three months (July, August and September) behind in the payment of collected income tax receipts, totaling \$176,413.87 due to the City of Columbia.

MOTION:

It was moved and seconded to approve the Statement of Funds through September 30, 2011 as presented.

Moved by: Roessler		Second: Niemietz		Vote: Roll Call	
Ebersohl	Yea	Roessler	Yea	Piazza	Absent
Agne	Absent	Huch	Yea	Reis	Yea
Niemietz	Yea	Mathews	Absent		

Motion Carried 5 to 0

H. Administration Department - Report

1. Resolution Authorizing the City of Columbia, Illinois, to Participate in the State of Illinois Federal Surplus Property Program

MOTION:

It was moved and seconded to pass and approve Resolution No. 09-2011, a Resolution authorizing the City of Columbia, Illinois to participate in the State of Illinois Federal Surplus Property Program.

Moved by: Huch		Second: Reis		Vote: Roll Call	
Ebersohl	Yea	Roessler	Yea	Piazza	Absent
Agne	Absent	Huch	Yea	Reis	Yea
Niemietz	Yea	Mathews	Absent		

Motion Carried 5 to 0

2. Update on Employment Discrimination Charges Filed by Babatunde Owoseni against the City with the U.S. Equal Employment Opportunity Commission

City Administrator Hudzik summarized the Dismissal and Notice of Rights report from the U.S. Equal Employment Opportunity Commission (EEOC) regarding the matter.

3. Administrator's Report

City Administrator Al Hudzik offered to answer any questions or concerns that the Council may have. There were none.

I. Mayor's - Report

1. Mayor's Report

Mayor Hutchinson presented the Mayor's Report for the month of October 2011 to the City Council.

Accept Department and Officers Reports

MOTION:

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

Moved by: Reis		Second: Roessler		Vote: Roll Call	
Ebersohl	Yea	Roessler	Yea	Piazza	Absent
Agne	Absent	Huch	Yea	Reis	Yea
Niemietz	Yea	Mathews	Absent		

Motion Carried 5 To 0

V. OLD BUSINESS

None.

VI. NEW BUSINESS

None.

VII. REPORT OF STANDING COMMITTEES

A. Committee of the Whole

1. Recommend to the City Council that City Staff compile and present the documents to allow the City to proceed with a Municipal Electric Aggregation Opt-Out Program Plan and to utilize the services of Good Energy, L.P. as the consultant in the implementation of such plan.

MOTION:

It was moved and seconded that City Staff compile and present the documents to allow the City to proceed with a Municipal Electric Aggregation Opt-Out Program Plan and to utilize the services of Good Energy, L.P. as the consultant in the implementation of such plan.

Moved by: Ebersohl		Second: Reis		Vote: Roll Call	
Ebersohl	Yea	Roessler	Yea	Piazza	Absent
Agne	Absent	Huch	Yea	Reis	Yea
Niemietz	Yea	Mathews	Absent		

Motion Carried 5 to 0

2. Recommend that the City Council adopt an ordinance, including the rules and procedures to be followed, to allow electronic attendance at meetings.

MOTION:

It was moved and seconded to adopt an ordinance, including the rules and procedures to be followed, to allow electronic attendance at meetings.

Moved by: Ebersohl		Second: Niemietz		Vote: Roll Call	
Ebersohl	Yea	Roessler	Yea	Piazza	Absent
Agne	Absent	Huch	Yea	Reis	Yea
Niemietz	Yea	Mathews	Absent		

Motion Carried 5 to 0

3. Regular Session Minutes - October 10, 2011

The Regular Session Minutes of the Committee of the Whole Committee Meeting held Monday, October 10, 2011 were presented for approval.

MOTION:

It was moved and seconded to approve the minutes of the Regular Session of the Committee of the Whole Committee Meeting held Monday, October 10, 2011 as on file at City Hall.

Moved by: Ebersohl		Second: Reis		Vote: Roll Call	
Ebersohl	Yea	Roessler	Yea	Piazza	Absent
Agne	Absent	Huch	Yea	Reis	Yea
Niemietz	Yea	Mathews	Absent		

Motion Carried 5 to 0

4. Executive Session Minutes - October 10, 2011

The Executive Session Minutes of the Committee of the Whole Committee Meeting held Monday, October 10, 2011 were presented for approval.

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 10, 2011 as on file at City Hall.

Moved by: Ebersohl		Second: Niemietz		Vote: Roll Call	
Ebersohl	Yea	Roessler	Yea	Piazza	Absent
Agne	Absent	Huch	Yea	Reis	Yea
Niemietz	Yea	Mathews	Absent		

Motion Carried 5 to 0

5. Regular Session Minutes - October 24, 2011

The Regular Session Minutes of the Committee of the Whole Committee Meeting held Monday, October 24, 2011 were presented for approval.

MOTION:

It was moved and seconded to approve the minutes of the Regular Session of the Committee of the Whole Committee Meeting held Monday, October 24, 2011 as on file at City Hall.

Moved by: Ebersohl		Second: Roessler		Vote: Roll Call	
Ebersohl	Yea	Roessler	Yea	Piazza	Absent
Agne	Absent	Huch	Yea	Reis	Yea
Niemietz	Yea	Mathews	Absent		

Motion Carried 5 to 0

B. Parks, Playgrounds and Recreation

1. Regular Session Minutes - October 10, 2011

The Regular Session Minutes of the Parks, Playgrounds and Recreation Committee Meeting held Monday, October 10, 2011 were presented for approval.

MOTION:

It was moved and seconded to approve the minutes of the Regular Session of the Parks, Playgrounds and Recreation Committee Meeting held Monday, October 10, 2011 as on file at City Hall.

Moved by: Niemietz		Second: Reis		Vote: Roll Call	
Ebersohl	Yea	Roessler	Yea	Piazza	Absent
Agne	Absent	Huch	Yea	Reis	Yea
Niemietz	Yea	Mathews	Absent		

Motion Carried 5 to 0

C. Ordinance, Planning and Zoning

1. Recommend to the City Council adoption of an ordinance approving of a Special Use Permit to allow Momentum Church to locate in an existing building (at 504 DD Road) in a BP-2 (Business Park) zoned district without stipulating specific criteria to the requirements allowing such special use.

See page 3 - Item IV-E-4 - of these minutes - Ordinance No. 2906.

2. Recommend to the City Council adoption of an ordinance approving of a Special Use Permit to allow Joe and Susan Caito to construct and operate an Indoor Shooting Range at 310 BB Road in an A-1 (Agricultural) zoned district without stipulating specific criteria to the requirements allowing such special use.

See page 3, Item IV-E-3 - of these minutes - Ordinance No. 2905.

3. Regular Session Minutes - October 24, 2011

Tabled.

D. Finance, Claims, Bonds and Interest

1. Regular Session Minutes - October 24, 2011

The Regular Session Minutes of the Finance, Claims, Bonds and Interest Committee Meeting held Monday, October 24, 2011 were presented for approval.

MOTION:

It was moved and seconded to approve the minutes of the Regular Session of the Finance, Claims, Bonds and Interest Committee Meeting held Monday, October 24, 2011 as on file at City Hall.

Moved by: Roessler		Second: Reis		Vote: Roll Call	
Ebersohl	Yea	Roessler	Yea	Piazza	Absent
Agne	Absent	Huch	Yea	Reis	Yea
Niemietz	Yea	Mathews	Absent		

Motion Carried 5 to 0

VIII. CALL FOR COMMITTEE MEETINGS - NOVEMBER 14, 2011

Personnel Committee - 7:00 P.M. - Executive Session - Pending Litigation Update/Discussion

Committee of the Whole - 7:10 P.M. - Community Unit Plan (CUP) Cooperation Agreement(s) Review/Discussion; Municipal Electric Aggregation Update

IX. EXECUTIVE SESSION

A. Pending Litigation Update/Discussion

Mayor Hutchinson informed the Council that he would entertain a motion to go into Executive Session for an update/discussion on pending litigation.

MOTION:

It was moved and seconded to direct the Mayor to go into Executive Session at 7:45 P.M. for an update/discussion on pending litigation.

Moved by: Ebersohl		Second: Huch		Vote: Roll Call	
Ebersohl	Yea	Roessler	Yea	Piazza	Absent
Agne	Absent	Huch	Yea	Reis	Yea
Niemietz	Yea	Mathews	Absent		

Motion Carried 5 To 0

MOTION:

It was moved and seconded to return to Regular Session of the City Council at 8:00 P.M.

Moved by: Niemietz		Second: Reis		Vote: Roll Call	
Ebersohl	Yea	Roessler	Yea	Piazza	Absent
Agne	Absent	Huch	Yea	Reis	Yea
Niemietz	Yea	Mathews	Absent		

Motion Carried 5 To 0

Upon return to Regular Session, Aldermen Ebersohl, Niemietz, Roessler, Huch, Reis 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.

B. Motion from Executive Session

MOTION:

It was moved and seconded (1) to employ Mark Weisman, attorney with the firm of Gallop, Johnson & Neuman, to represent the city on any claims/filings made against the city by Michelle L. Wrigley to any federal or state agencies; and (2) to ratify any actions taken to date by Mr. Weisman pertaining to same.

Moved by: Huch		Second: Roessler		Vote: Roll Call	
Ebersohl	Yea	Roessler	Yea	Piazza	Absent
Agne	Absent	Huch	Yea	Reis	Yea
Niemietz	Yea	Mathews	Absent		

Motion Carried 5 To 0

X. ADJOURNMENT

MOTION:

It was moved and seconded to adjourn the Regular City Council Meeting held Monday, November 7, 2011 at 8:02 P.M.

Moved by: Niemietz

Second: Roessler

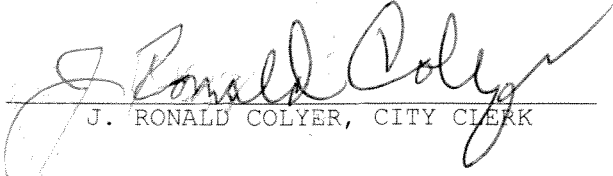
Vote: Roll Call

Ebersohl Yea
Agne Absent
Niemietz Yea

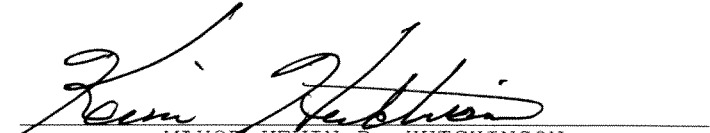
Roessler Yea
Huch Yea
Mathews Absent

Piazza Absent
Reis Yea

Motion Carried 5 To 0



J. RONALD COLYER, CITY CLERK



MAYOR KEVIN B. HUTCHINSON