

**MINUTES OF THE COMMITTEE OF THE WHOLE MEETING OF THE CITY
COUNCIL OF THE CITY OF COLUMBIA, ILLINOIS HELD MONDAY,
JULY 23, 2012 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 7:00 p.m.

Upon Roll Call, the following members were:

Present: Chairman Ebersohl and Aldermen Agne (arrived at 7:05 p.m.), Niemiets, Roessler, Huch and Reis and Mayor Hutchinson.

Absent: Alderman Mathews and Piazza.

Quorum Present.

Administrative Staff Present: City Administrator Al Hudzik, City Engineer Ron Williams, City Attorney Terry Bruckert, Accounting Manager Linda Sharp and Accounting/Clerical Assistant Sandy Garmer.

Guests Present: Louis Schlafly, representing the Columbia July 4th Committee (left the meeting at 7:20 P.M.) and Jaimie Thompson, an associate with Lathrop & Gage, LLP, representing Attorney John P. King (left the meeting at 8:12 P.M.).

Chairman Ebersohl stated the meeting was called for the purpose of (1) receiving a presentation by the Columbia July 4th Committee concerning the 2012 fireworks cancellation; (2) reviewing a proposed Columbia Lakes Area Community Unit Plan (North & South) Cooperation Agreement; and (3) addressing any other items to be considered or discussed.

**II. JULY 4TH COMMITTEE PRESENTATION ON 2012 FIREWORKS
CANCELLATION**

Chairman Ebersohl opened the meeting and called upon Louis "Hutch" Schlafly, Co-Chairman of the Columbia July 4th Committee to address the Committee Members on this issue. Mr. Schlafly (i) reminded the Committee Members that this year's 4th of July fireworks display was cancelled (for public safety reasons) due to the extremely high temperatures and dry weather conditions – the decision to cancel the fireworks display was made by the July 4th Committee at the request of the Columbia Fire Protection District and with the concurrence of the city, which rescinded the Special Event Permit for the fireworks display (at the July 2nd city council meeting); and (ii) reviewed the

Committee of the Whole Meeting
July 23, 2012

Page 1 of 4

Memo from City Administrator Al Hudzik re: July 4th Committee Presentation to the Committee of the Whole on 07/23/12 (2 pages)

E-mail from Legal Administrative Assistant Margie Higginbotham to City Engineer Ron Williams re: Columbia, IL (proposed Columbia Lakes Cooperation Agreement for Community Unit Development Plans language changes) (1 page)

Draft Cooperation Agreement for Community Unit Development Plans (6 pages) and its "Appendix A" for Cooperation Agreement - Columbia Lakes Community Unit Plans (CUP) North and South (4 pages)

applicable terms of the fireworks display contract (which document had previously been distributed to the Committee Members) concerning the fireworks display cancellation. He reviewed the two (2) available options: (1) payment of a 40% penalty in the amount of \$5,400 (i.e., 40% of the \$13,500 contract price); or (2) payment of a 15% penalty in the amount of \$2,025 (i.e., 15% of the \$13,500 contract price) with an increase in the fireworks display contractual amount from \$13,500/yr. for the next two (2) years to \$16,250/yr. (i.e., an increase of \$2,750 for each of the next two (2) years) for the company waiving the 40% cancellation penalty – this option includes a larger fireworks display in each of those years. The July 4th Committee planned to pay the 40% cancellation fee (Option (1)) in the amount of \$5,400, and was requesting that the city contribute \$2,200 (i.e., 40% of the \$5,500 city budgeted amount for the 2012 fireworks display) toward that payment. During Mr. Schlafly’s presentation, all in attendance were given the opportunity to make comments, ask questions and express their opinions. It was the general consensus of the Committee Members that having a larger fireworks display for the next two (2) years, even though the cost would be approximately 15% higher (i.e., the Option (2) cancellation penalty), was more preferable than paying a penalty and receiving nothing in return – choosing this option would not impact the July 4th Committee’s cash flow as much, and additional contributions (of \$2,025) could be solicited over the next two (2) years. City Administrator Al Hudzik and Mr. Schlafly indicated they would meet in the near future to further discuss this issue.

III. COLUMBIA LAKES AREA COMMUNITY UNIT PLAN (NORTH & SOUTH) COOPERATION AGREEMENT(S) REVIEW/DISCUSSION

City Engineer Ron Williams then reviewed the “Draft Cooperation Agreement for Community Unit Development Plans” and its “Appendix A” documents, as well as the “Appendix A” language addition requested by attorney John P. King (per the e-mail Mr. Williams received from Legal Administrative Assistant Margie Higginbotham), on behalf of the CUP developer (all of which had previously been distributed to the Committee Members). Ron advised the Committee Members of some grammatical changes to the “Draft” Cooperation Agreement text and stated the “Appendix A” language incorporated provisions discussed (and agreed upon by Committee Members) at previous Committee Meetings, with the exception of the “Appendix A” Miscellaneous provision text pertaining to the payment of a \$100 fee with the issuance of each initial occupancy permit (which language had been changed at the recommendation of City Attorney Terry Bruckert (see July 9th Committee Meeting minutes)). Ron’s presentation also included a review of six (6) architectural renderings of proposed building units (from a meeting David Levinson held with Columbia Lakes residents in July 2011), each of which was projected on a screen for viewing – it was Ron’s opinion that five (5) of the six (6) renderings complied with the Architecture/Building section language appearing in the “Appendix A” document. During Ron’s presentation, all in attendance were given the opportunity to make comments, ask questions and express their opinions, which included (i) the language change in the “Appendix A” Miscellaneous section provision would result in the collection of \$28,200 (i.e., 282 units @\$100), whereas original discussions

contained language for the fee to be assessed on an ongoing basis – additional consideration should be given to the fee amount to be included in that section due to the changed language; additionally, school district personnel should be contacted and asked to provide a detailed analysis of the financial impact the CUPs may have on the school district (due to school age children living in the units); (ii) that the developer has agreed to the \$100 initial occupancy fee/unit; (iii) comments pertaining to the architectural renderings – preferences were stated by some Committee Members; and (iv) a brief discussion pertaining to unit firewalls. It was the consensus of the Committee Members not to accept the proposed language addition requested by attorney John P. King on behalf of the developer, and that City Engineer Williams (a) advise Mr. King of the discussions occurring at this meeting; and (b) continue work on finalizing the Cooperation Agreement.

IV. **OTHER ITEMS TO BE CONSIDERED OR DISCUSSED**

City Administrator Al Hudzik distributed copies of two (2) e-mails he received from EMS Chief Ken Buss pertaining to the pricing and distribution of the Automated External Defibrillators (AEDs) to be purchased with funds contributed to the city by the Sophia and Elmer Oerter Charitable Foundation and the Norman Kutterer Family Foundation (in the aggregate amount of \$40,760.50). He also informed the Committee Members that (a) the Columbia Municipal Code requires competitive bidding on equipment purchases in excess of \$20,000 (unless waived by a vote of two-thirds (2/3) of the city's aldermen); and (b) the city budget would have to be amended to purchase the AEDs since the foundation contributions had just been received, and sufficient funds were not appropriated in the budget for their purchase. It was Hudzik's recommendation that (i) the competitive bidding requirements be waived, since the presentation made to the foundations included the \$1,852.75/unit cost, and the foundations donated the exact amount necessary to purchase twenty-two (22) AEDs at that unit cost (i.e., no actual city funds are being used for the purchase); and (ii) the necessary budgetary amendments be made.

MOTION:

It was moved by Alderman Roessler and seconded by Alderman Niemietz to recommend to the City Council that (i) city staff present the necessary budget amendment documentation to the city council to allow for the purchase of twenty-two (22) Automated External Defibrillators ("AEDs") for city and Columbia Fire Protection District usage; and (ii) competitive bidding requirements for the purchase of said AEDs be waived since their purchase is being funded by contributions from the Sophia and Elmer Oerter Charitable Foundation and the Norman Kutterer Family Foundation. Upon Roll Call vote, Chairman Ebersohl and Aldermen Agne, Niemietz, Roessler, Huch and Reis voted yea. **MOTION CARRIED.**

V. ADJOURNMENT

MOTION:

It was moved by Alderman Roessler and seconded by Alderman Niemietz to adjourn the Committee of the Whole Meeting of the City Council of the City of Columbia, Illinois held Monday, July 23, 2012 at 8:18 p.m. Upon Roll Call vote, Chairman Ebersohl and Aldermen Agne, Niemietz, Roessler, Huch and Reis voted yea. **MOTION CARRIED.**



GENE EBERSOHL, Chairman
COMMITTEE OF THE WHOLE

Minutes taken by:



SANDRA GARMER, Accounting/Clerical Assistant

**MINUTES OF THE MUNICIPAL BUILDINGS, PROPERTY AND CAPITAL
IMPROVEMENTS COMMITTEE MEETING OF THE CITY COUNCIL OF THE
CITY OF COLUMBIA, ILLINOIS HELD MONDAY, JULY 23, 2012 IN THE
COUNCIL ROOM OF CITY HALL**

I. CALL TO ORDER

Acting Chairman Agne (Chairman John Piazza absent) called the Municipal Buildings, Property and Capital Improvements Committee Meeting of the City Council of the City of Columbia, Illinois to order at 8:19 p.m.

Upon Roll Call, the following members were:

Present: Aldermen Agne, Niemietz and Huch.

Absent: Chairman Piazza.

Quorum Present.

Others Present: Mayor Hutchinson and Aldermen Ebersohl, Roessler and Reis.

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

Guests Present: None.

Acting Chairman Agne stated the purpose of the meeting was to (1) receive updates on the following city-owned properties (i) the Shoemaker School; (ii) the Miller-Fiege Home; and (iii) the Oak Street Building; and (2) address any other items that may need to be considered or discussed.

**II. SHOEMAKER SCHOOL, MILLER-FIEGE HOME AND OAK STREET
BUILDING UPDATES/DISCUSSION**

Acting Chairman Agne called upon Community and Economic Development Director Paul Ellis to address the Committee/Council Members on this topic. Paul gave a PowerPoint presentation informing those in attendance of some of the renovations that have been made to: (i) the Shoemaker School; (ii) the Oak Street Building; and (iii) the Miller-Fiege Home; Paul's presentation included pictures of the buildings, detailed the current use of each building, and contained his recommendations concerning items to be addressed (at each building). During Paul's presentation, all in attendance were given the opportunity to make comments, ask questions and express their opinions. It was the consensus of the Committee/Council Members that Paul (a) continue his oversight of these buildings and their improvements (as funds are available); and (b) keep the council updated on his actions.

III. OTHER ITEMS TO BE CONSIDERED OR DISCUSSED

None.

IV. ADJOURNMENT


MOTION:

It was moved by Alderman Niemietz and seconded by Alderman Huch to adjourn the Municipal Buildings, Property and Capital Improvements Committee Meeting held Monday, July 23, 2012 at 8:58 p.m. Upon Roll Call vote, Aldermen Agne, Niemietz and Huch voted yea. MOTION CARRIED.



JAMES AGNE, Acting Chairman
MUNICIPAL BUILDINGS, PROPERTY AND CAPITAL IMPROVEMENTS
COMMITTEE

Minutes Taken by:



SANDRA GARMER, Accounting/Clerical Assistant

**MINUTES OF THE COLUMBIA CROSSING LITIGATION SETTLEMENT SPECIAL
COMMITTEE MEETING OF THE CITY COUNCIL OF THE CITY OF COLUMBIA,
ILLINOIS HELD MONDAY,
JULY 23, 2012 IN THE COUNCIL ROOM OF CITY HALL**

I. CALL TO ORDER

Mayor Hutchinson called the Columbia Crossing Litigation Settlement Special Committee Meeting of the City Council of the City of Columbia, Illinois to order at 9:00 p.m.

Upon Roll Call, the following members were:

Present: Mayor Hutchinson and Alderman Ebersohl.

Absent: Alderman Mathews.

Others Present: Aldermen Agne, Niemietz, Roessler, Huch and Reis.

Quorum Present.

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

Guests Present: None.

Mayor Hutchinson stated the meeting was called for the purpose of discussing settlement options to litigation currently pending against the city.

II. EXECUTIVE SESSION

Mayor Hutchinson entertained a motion to go into Executive Session to receive an update on and discuss settlement options on the Columbia Crossing, LLC pending litigation matter.

MOTION – EXECUTIVE SESSION

It was moved by Alderman Ebersohl and seconded by Mayor Hutchinson to go into Executive Session at 9:02 p.m. to receive an update on and discuss settlement options on the Columbia Crossing, LLC pending litigation matter. Upon Roll Call vote, Mayor Hutchinson and Alderman Ebersohl voted yea. **MOTION CARRIED.**

MOTION – REGULAR SESSION

It was moved by Alderman Ebersohl and seconded by Mayor Hutchinson to return to the Regular Session of the Columbia Crossing Litigation Settlement Special Committee Meeting at 9:16 p.m. Upon Roll Call vote, Mayor Hutchinson and Alderman Ebersohl voted yea. **MOTION CARRIED.**

Upon return to the Regular Session of the Columbia Crossing Litigation Settlement Special Committee Meeting, Mayor Hutchinson and Alderman Ebersohl were present. Other Council Members present: Aldermen Agne, Niemietz, Roessler, Huch and Reis.

Mayor Hutchinson asked if there was any action to be taken as a result of the Executive Session of the Columbia Crossing Litigation Settlement Special Committee Meeting – there was none.

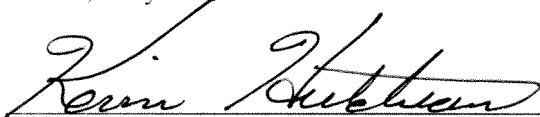
III. OTHER ITEMS TO BE CONSIDERED OR DISCUSSED

None.

IV. ADJOURNMENT

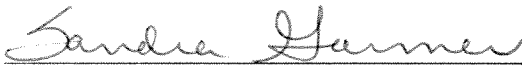
MOTION:

It was moved by Alderman Ebersohl and seconded by Mayor Hutchinson to adjourn the Columbia Crossing Litigation Settlement Special Committee Meeting of the City Council of the City of Columbia, Illinois held Monday, July 23, 2012 at 9:16 p.m. Upon Roll Call vote, Mayor Hutchinson and Alderman Ebersohl voted yea. **MOTION CARRIED.**



KEVIN B. HUTCHINSON, Mayor

Minutes taken by:



SANDRA GARMER, Accounting/Clerical Assistant

**MINUTES OF THE PERSONNEL COMMITTEE MEETING OF THE CITY
COUNCIL OF THE CITY OF COLUMBIA, ILLINOIS HELD MONDAY,
JULY 23, 2012 IN THE COUNCIL ROOM OF CITY HALL**

I. CALL TO ORDER

Chairman Jeff Huch called the Personnel Committee Meeting of the City Council of the City of Columbia, Illinois to order at 9:17 p.m.

Upon Roll Call, the following members were:

Present: Chairman Huch and Aldermen Ebersohl, Niemietz and Roessler.

Absent: None.

Others Present: Mayor Hutchinson and Aldermen Agne and Reis.

Quorum Present.

Administrative Staff Present: City Administrator Al Hudzik, City Engineer Ron Williams, City Attorney Terry Bruckert and Accounting/Clerical Assistant Sandy Garmer.

Guests Present: None.

Chairman Huch stated the meeting was called for the purpose of discussing (1) collective bargaining negotiations and employee wages; and (2) any other items to be considered.

II. EXECUTIVE SESSION

Chairman Huch entertained a motion to go into Executive Session to discuss collective bargaining negotiations and employee wages.

MOTION – EXECUTIVE SESSION

It was moved by Alderman Ebersohl and seconded by Alderman Roessler to go into Executive Session at 9:18 p.m. to discuss collective bargaining negotiations and employee wages. Upon Roll Call vote, Chairman Huch and Aldermen Ebersohl, Niemietz and Roessler voted yea. **MOTION CARRIED.**

MOTION – REGULAR SESSION

It was moved by Alderman Roessler and seconded by Alderman Niemietz to return to the Regular Session of the Personnel Committee Meeting at 9:29 p.m. Upon Roll Call vote, Chairman Huch and Aldermen Ebersohl, Niemietz and Roessler voted yea. **MOTION CARRIED.**

Upon return to the Regular Session of the Personnel Committee Meeting, the following Committee Members were present: Chairman Huch and Aldermen Ebersohl, Niemietz and Roessler. Other Council Members present: Mayor Hutchinson and Aldermen Agne and Reis.

Chairman Huch asked if there was any action to be taken as a result of the Executive Session of the Personnel Committee Meeting – there was none.

III. OTHER ITEMS TO BE CONSIDERED OR DISCUSSED


City Administrator Al Hudzik informed the Committee/Council Members that Head Librarian Erica Pyle submitted her resignation, since she has accepted a position at Kaskaskia College – her last day will be July 31st. He also advised them that said position would be advertised and the Library's Board of Trustees would oversee the Head Librarian selection process.

IV. ADJOURNMENT

MOTION:

It was moved by Alderman Niemietz and seconded by Alderman Roessler to adjourn the Personnel Committee Meeting held Monday, July 23, 2012 at 9:31 p.m. Upon Roll Call vote, Chairman Huch and Aldermen Ebersohl, Niemietz and Roessler voted yea.

MOTION CARRIED.



JEFF HUCH, Chairman
PERSONNEL COMMITTEE

Minutes Taken by:



SANDRA GARMER, Accounting/Clerical Assistant