

**MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF COLUMBIA,
ILLINOIS HELD MONDAY, JANUARY 7, 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:

Present: Aldermen Ebersohl, Agne, Niemietz, Unnerstall, Row, Hejna, Oberkfell, and Stumpf.

Absent: None.

Quorum Present.

Administrative Staff Present: City Clerk Wes Hoeffken, City Administrator Anthony Traxler, City Attorney Tom Adams, Building Inspector Al Holden, City Engineer Ron Williams, Fire Chief Mike Roediger, and Special Counsel Wayne Skigen.

The Council recited the Pledge of Allegiance.

II. APPROVAL OF MINUTES

The minutes of the Executive Session of the City Council held Monday, December 3, 2007 were submitted for approval.

MOTION:

It was moved by Alderman Unnerstall, and seconded by Alderman Stumpf, to approve the minutes of the Executive Session of the City Council held Monday, December 3, 2007, as on file at City Hall. Upon Roll Call vote, Aldermen Ebersohl, Agne, Niemietz, Unnerstall, Row, Hejna, Oberkfell, and Stumpf voted yea. Motion Carried.

The minutes of the Regular Meeting of the City Council held Monday, December 3, 2007 were submitted for approval.

Corrections were forwarded to Mr. Hoeffken.

MOTION:

It was moved by Alderman Unnerstall, and seconded by Alderman Stumpf, to approve the minutes of the Regular Meeting of the City Council held Monday, December 3, 2007, as amended and on file at City Hall. Upon Roll Call vote, Aldermen Ebersohl, Agne, Niemietz, Unnerstall, Row, Hejna, Oberkfell, and Stumpf voted yea. Motion Carried.

The minutes of the Executive Session of the City Council held Monday, December 17, 2007 were submitted for approval.

MOTION:

It was moved by Alderman Row, and seconded by Alderman Unnerstall, to approve the minutes of the Executive Session of the City Council held Monday, December 17, 2007, as on file at City Hall. Upon Roll Call vote, Aldermen Ebersohl, Agne, Niemietz, Unnerstall, Row, Hejna, Oberkfell, and Stumpf voted yea. Motion Carried.

The minutes of the Regular Meeting of the City Council held Monday, December 17, 2007 were submitted for approval.

Corrections were forwarded to Mr. Hoeffken.

MOTION:

It was moved by Alderman Unnerstall, and seconded by Alderman Row, to approve the minutes of the Regular Meeting of the City Council held Monday, December 17, 2007, as amended and on file at City Hall. Upon Roll Call vote, Aldermen Ebersohl, Agne, Niemietz, Unnerstall, Row, Hejna, Oberkfell, and Stumpf voted yea. Motion Carried.

III. DELEGATIONS

A. Levee Resolution and Information - Dale Haudrich

Mr. Haudrich introduced Mr. Steve Nagel of the East West Gateway Coordinating Council. Mr. Nagel explained the history of the levee decertification situation, the importance of showing a united front and having all communities within Madison, St. Clair, and Monroe Counties support the AR Resolution.

Alderman Oberkfell stated it is important the communities stick together, but has a concern about the seventh "whereas" paragraph that "will provide less stringent construction requirements for structures within the City of Columbia" and requested the City not waste all of the hard efforts put forth by all of the various committees and lower our standards. Mr. Nagel explained this clause does not limit building requirements but limits things like building heights, and does not restrict the City from enforcing higher building standards. Alderman Stumpf inquired if the levee further south could be included in this united effort. Mr. Nagel explained the agricultural levees further south are not part of the decertification and will not be part of the upgrade endeavor. Alderman Unnerstall inquired if the seventh clause is critical to the resolution. Mr. Nagel explained he would have to confer with FEMA for their feedback and added FEMA has been fairly flexible. Mr. Adams inquired if it would be satisfactory to change the verbiage for that clause to "will allow for applicable City construction requirements". Alderman Row inquired if the resolution should be the same for all municipalities supporting it. Mr. Nagel stated FEMA liked the boiler plate approach, but worse case, they won't throw out the application, just request the differences in the resolutions be worked out. Alderman Row then stated the seventh paragraph has nothing to do with City building codes, but rather FEMA standards and does not think it needs to be removed. Alderman Niemietz stated the Council should approve as submitted to show a united front.

Alderman Row stated in regards to Columbia Crossing, in an interest of showing a good faith to move forward from this impasse, he would like to encourage all Aldermen to move forward on the PMOA, Horner & Shifrin contract, the Mixed Use Development Zoning District, and the levee AR Zone Certification Resolution. In exchange for moving forward on these issues, he would like the Council to revisit some of the language used in the Master Development Agreement. Alderman Row added he has some issues associated with language related to project cost and incentives and believes the MDA, as written, can be perceived as a blank check, with no checks or balances afforded to the City. Alderman Row then inquired of Mr. Grewe, if this was fair and also inquired if he would be willing to meet with the City, John Brancaglione, and Mr. Skigen to address these concerns. Mr. Grewe stated he has made it known he will answer any and all questions of concern to the citizens and has not, and will not hide behind the "lawsuit". Mr. Grewe explained the PMOA, Exhibit H, and Horner & Shifrin have nothing to do with incentives, and if the PMOA is passed, he would confer with his legal team to discuss his options. Mr. Grewe then stated specific to Alderman Row's question, he would not address any questions until the City acts first.

1. Resolution No. 19-2007 - Restoration Zone

MOTION:

It was moved by Alderman Niemietz, and seconded by Alderman Ebersohl, to pass Resolution No. 19-2007, a resolution supporting the Restoration Zone (AR Zone) Request. Upon Roll Call vote, Aldermen

Ebersohl, Agne, Niemietz, Unnerstall, Row, Hejna, Oberkfell, Stumpf, and Mayor Hutchinson voted yea. Motion Carried.

IV. REPORT OF OFFICERS

A. Fire Department

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

1. Ordinance No. 2618 - Fire Truck Purchase

MOTION:

It was moved by Alderman Ebersohl, and seconded by Alderman Stumpf, to pass Ordinance No. 2618, an ordinance authorizing an amendment to the contract between Pierce Manufacturing, Inc. and the City of Columbia, Illinois for the purchase of a platform fire truck amending the purchase work order. Upon Roll Call vote, Aldermen Ebersohl, Agne, Niemietz, Unnerstall, Row, Hejna, Oberkfell, Stumpf, and Mayor Hutchinson voted yea. Motion Carried.

B. City Engineer

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

1. Water Service Truck Purchase

MOTION:

It was moved by Alderman Row, and seconded by Alderman Ebersohl, to accept the recommendation of the City Engineer and accept the low bid of \$32,241.17 submitted by Merz Ford for the purchase of a new Water Department Water Service Truck and to authorize the purchase of same. Upon Roll Call vote, Aldermen Ebersohl, Agne, Niemietz, Unnerstall, Row, Hejna, Oberkfell, and Stumpf voted yea. Motion Carried.

2. Valmeyer Sidewalk Bid Approval

MOTION:

It was moved by Alderman Row, and seconded by Alderman Stumpf, to accept the recommendation of the City Engineer and accept the low bid of \$89,093.00 submitted by Diverse Construction Group for the Valmeyer Road Sidewalk Project and to authorize the entering into a contract. Upon Roll Call vote, Aldermen Ebersohl, Agne, Niemietz, Unnerstall, Row, Hejna, Oberkfell, and Stumpf voted yea. Motion Carried.

3. Ordinance No. 2619 - Employ Craig D. Hiser

MOTION:

It was moved by Alderman Ebersohl, and seconded by Alderman Stumpf, to pass Ordinance No. 2619, an ordinance employing Craig D. Hiser of Columbia, Illinois to render professional services to the City of Columbia, Illinois in connection with easement and right-of-way acquisition for the Milton Street Improvement Project from South Rapp Avenue to the dead end west of Olympia Street. Upon Roll Call vote, Aldermen Ebersohl, Agne, Niemietz, Unnerstall, Row, Hejna, Oberkfell, and Stumpf voted yea. Motion Carried.

4. Old Town Project - Waive Mortgage Subordination Agreements

MOTION:

It was moved by Alderman Ebersohl, and seconded by Alderman Unnerstall, to accept the recommendation of the City Engineer and waive achieving mortgage subordination agreements and/or partial release of mortgages where it proves difficult to achieve such items or a fee is required. Upon Roll Call vote, Aldermen Ebersohl, Agne, Niemietz, Unnerstall, Row, Hejna, Oberkfell, and Stumpf voted yea. Motion Carried.

MOTION:

It was moved by Alderman Ebersohl, and seconded by Alderman Unnerstall, to accept the recommendation of the City Engineer and waive achieving tenant's consent for multiple tenant properties where it proves difficult to achieve such consents. Upon Roll Call vote, Aldermen Ebersohl, Agne, Niemietz, Unnerstall, Row, Hejna, Oberkfell, and Stumpf voted yea. Motion Carried.

5. Old Route 3 Bridge Replacement Project

MOTION:

It was moved by Alderman Row, and seconded by Alderman Agne, to accept the recommendation of the City Engineer and authorize the purchase of pipe material from Schulte Supply at the cost of \$6,283.86 and authorize the installation of the line stops by IMCO at a cost of \$7,000.00 for the Old Route 3 Bridge Replacement Project. Upon Roll Call vote, Aldermen Ebersohl, Agne, Niemietz, Unnerstall, Row, Hejna, Oberkfell, and Stumpf voted yea. Motion Carried.

6. Ordinance No. 2620 - Removal of Stop Sign

MOTION:

It was moved by Alderman Ebersohl, and seconded by Alderman Unnerstall, to pass Ordinance 2620, an ordinance amending Section 10.52.020 (Schedule "B") of Chapter 10.52 (Traffic Schedules) of Title 10, of the Municipal Code of the City governing Stop Intersections in the City of Columbia, Illinois. Upon Roll Call vote, Aldermen Ebersohl, Agne, Niemietz, Unnerstall, Row, Hejna, Oberkfell, Stumpf, and Mayor Hutchinson voted yea. Motion Carried.

7. Ordinance No. 2621 - Reliance Bank Occupancy Permit

MOTION:

It was moved by Alderman Hejna, and seconded by Alderman Agne, to pass Ordinance No. 2621, an ordinance granting a variance to issue an Occupancy Permit for Reliance Bank, even though all subdivision improvements have not been performed. Upon Roll Call vote, Aldermen Ebersohl, Agne, Niemietz, Unnerstall, Row, Hejna, Stumpf, and Mayor Hutchinson voted yea. Alderman Oberkfell abstained for personal reasons. Motion Carried.

8. Bolm-Schuhkraft Park Comfort Station

Mr. Williams informed the Council all of the paperwork for the comfort station is ready to be forwarded to the contractor, but wanted to make sure the Council still wanted to proceed with the project. Alderman Unnerstall stated he voted no on the initial motion and his position has not changed. There were no other comments from the Council.

9. Ordinance No. 2622 - Braddock Point Subdivision Improvement Plans

MOTION:

It was moved by Alderman Stumpf, and seconded by Alderman Unnerstall, to pass Ordinance No. 2622, an ordinance approving the Improvement Plans for the Braddock Point Subdivision as submitted and on file at City Hall. Upon Roll Call vote, Aldermen Ebersohl, Agne, Niemietz, Unnerstall, Row, Hejna, Oberkfell, Stumpf, and Mayor Hutchinson voted yea. Motion Carried.

C. Building and Zoning

The monthly report of the Zoning Administrator was presented to the Council.

D. Plan Commission

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

E. City Attorney

1. Ordinance No. 2623 - Dolores J. Bovinette Variance

MOTION:

It was moved by Alderman Agne, and seconded by Alderman Stumpf, to pass Ordinance No. 2623, an ordinance granting a Zoning Code Rear Yard Setback Variance to Dolores J. Bovinette for her homestead real estate having the assigned address of 226 Wenkel Street, Columbia, Illinois and which property is located in an R-6 (One Family Dwelling Zoned District) in the City. Upon Roll Call vote, Aldermen Ebersohl, Agne, Niemietz, Unnerstall, Row, Hejna, Oberkfell, Stumpf, and Mayor Hutchinson voted yea. Motion Carried.

2. Resolution No. 20-2007 - Columbia Lakes III, Phase 4 Subdivision

MOTION:

It was moved by Alderman Ebersohl, and seconded by Alderman Row, to pass Resolution No. 20-2007, a resolution releasing a Letter of Credit Performance Guarantee for Cooperation Agreement requiring construction of cul-de-sac at the terminus of Edwards Drive in the Columbia Lakes III, Phase 4 Subdivision in the City of Columbia, Illinois. Upon Roll Call vote, Aldermen Ebersohl, Agne, Niemietz, Unnerstall, Row, Hejna, Oberkfell, Stumpf, and Mayor Hutchinson voted yea. Motion Carried.

3. Resolution No. 21-2007 - Columbia Lakes III, Phase 4 Subdivision

MOTION:

It was moved by Alderman Ebersohl, and seconded by Alderman Unnerstall, to pass Resolution No. 21-2007, a resolution releasing a Letter of Credit Maintenance Guarantee No. 270 issued by the First National Bank of St. Louis for the repair and maintenance of infrastructure improvements in the Columbia Lakes III, Phase 4 Subdivision in the City of Columbia, Illinois. Upon Roll Call vote, Aldermen Ebersohl, Agne, Niemietz, Unnerstall, Row, Hejna, Oberkfell, Stumpf, and Mayor Hutchinson voted yea. Motion Carried.

4. Virginia Payne Trust Annexation Agreement

Mr. Adams informed the Council this issue has already been resolved.

F. Administration Department

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

1. Request For Proposal - Banking Services

MOTION:

It was moved by Alderman Hejna, and seconded by Alderman Unnerstall, to accept the recommendation of the City Administrator and accept the proposal from 1st National Bank of Waterloo to provide banking services to the City of Columbia. Upon Roll Call vote, Aldermen Ebersohl, Agne, Niemietz, Unnerstall, Row, Hejna and Stumpf voted yea. Alderman Oberkfell abstained for personal reasons. Motion Carried.

2. New Hire Recommendations

Mr. Traxler informed the Council this issue would be addressed in Executive Session under personnel.

G. Mayor

Mayor Hutchinson informed the Council he will email his report to the Council.

H. Street Graphics

The report of the Street Graphics Advisory Committee was presented to the Council.

1. Immaculate Conception Cemetery Monument Sign Request

MOTION:

It was moved by Alderman Agne, and seconded by Alderman Oberkfell, to accept the recommendation of the Street Graphics Advisory Committee and approve the Variance Request for the proposed Immaculate Conception Cemetery monument sign as requested and on file at City Hall. Upon Roll Call vote, Aldermen Ebersohl, Agne, Niemietz, Unnerstall, Row, Hejna, Oberkfell, and Stumpf voted yea. Motion Carried.

MOTION:

It was moved by Alderman Agne, and seconded by Alderman Stumpf, to accept the report of all Departments and Officers as presented. Upon Voice vote, all Aldermen present voted yea. Motion Carried.

V. CLAIMS & ACCOUNTS

A. Vouchers

MOTION:

It was moved by Alderman Hejna, and seconded by Alderman Stumpf, to authorize the payment of vouchers received through January 3, 2008; the total amount of the vouchers to be paid is two hundred eighty-eight thousand, five hundred sixty-one dollars, and eleven cents (\$288,561.11). Upon Roll Call vote, Aldermen Ebersohl, Agne, Niemietz, Unnerstall, Row, Hejna, Oberkfell, and Stumpf voted yea. Motion Carried.

B. Report of Collections

The Report of Collections for the period commencing October 26, 2007 and ending November 25, 2007 was presented to the Council.

MOTION:

It was moved by Alderman Unnerstall, and seconded by Alderman Niemietz, to approve the Report of Collections for the period commencing October 26, 2007 and ending November 25, 2007, as submitted and on file at City Hall. Upon Voice vote, all Aldermen present voted yea. Motion Carried.

VI. OLD BUSINESS

A. Columbia Crossing Litigation Report

Mr. Traxler distributed a summary schedule for the Columbia Crossing related litigation and consulting costs.

VII. NEW BUSINESS

A. Employee Appreciation Event

Mayor Hutchinson informed the Council the proposed employee appreciation event is included in the current budget and inquired if there were any objections to proceeding with the event. There were none.

VIII. EXECUTIVE SESSION

Mayor Hutchinson informed the Council he would entertain a motion to go into Executive Session for the purpose of discussing litigation regarding the Columbia Crossing Development and personnel.

MOTION:

It was moved by Alderman Agne, and seconded by Alderman Row, to direct the Mayor to go into Executive Session at 8:40 PM for the purpose of discussing litigation

regarding the Columbia Crossing Development and personnel. Upon Roll Call vote, Aldermen Ebersohl, Agne, Niemietz, Unnerstall, Row, Hejna, Oberkfell, and Stumpf voted yea. Motion Carried.

MOTION:

It was moved by Alderman Unnerstall, and seconded by Alderman Niemietz, to return to the Regular Session of the City Council at 10:37 PM. Upon Roll Call vote, Aldermen Ebersohl, Agne, Niemietz, Unnerstall, Row, Hejna, Oberkfell, and Stumpf voted yea. Motion Carried.

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. New Hire - Accounting Manager

MOTION:

It was moved by Alderman Niemietz, and seconded by Alderman Row, to direct the City Administrator to proceed with negotiations for the employment of an Accounting Manager as discussed in Executive Session. Upon Roll Call vote, Aldermen Agne, Niemietz, Unnerstall, Row, Oberkfell, and Stumpf voted yea. Alderman Hejna voted nay. Alderman Ebersohl was absent. Motion Carried.

B. January 21, 2008 City Council Meeting Agenda

MOTION:

It was moved by Alderman Row, and seconded by Alderman Niemietz, to direct Mayor Hutchinson to include the PMOA and the Horner & Shifrin Amendments 1, 2, and 3 as action items on the agenda for the January 21, 2008 City Council meeting. Upon Roll Call vote, Aldermen Ebersohl, Agne, Niemietz, Unnerstall, Row, Hejna, Oberkfell, and Stumpf voted yea. Motion Carried.

IX. REPORT OF STANDING COMMITTEES

A. Water and Sewer Committee

Minutes of the Water and Sewer Committee meeting held Monday, December 10, 2007 were presented to the Council for approval.

These minutes had been approved at the December 17, 2007 meeting of the Council.

B. Finance, Claims, Bonds and Interest Committee

Minutes of the Finance, Claims, Bonds and Interest Committee meeting held Monday, December 10, 2007 were presented to the Council for approval.

These minutes had been approved at the December 17, 2007 meeting of the Council.

C. Ordinance, Planning, and Zoning Committee

Minutes of the Ordinance, Planning, and Zoning Committee meeting held Monday, December 10, 2007 were presented to the Council for approval.

Alderman Agne reviewed several changes with the Council. Alderman Agne stated he was going to further review the minutes and then forward to John Brancaglione and then forward the final corrections to the Council.

D. Committee Of The Whole

Minutes of the Committee Of The Whole meeting held Monday, December 10, 2007 were presented to the Council for approval.

Corrections were forwarded to Mr. Hoeffken.

MOTION:

It was moved by Alderman Ebersohl, and seconded by Alderman Unnerstall, to approve the minutes of the Executive Session of the Committee Of The Whole Committee meeting held Monday, December 10, 2007 as amended and on file at City Hall. Upon Roll Call vote, Aldermen Ebersohl, Agne, Unnerstall, Row, Hejna, Oberkfell, and Stumpf voted yea. Alderman Niemietz abstained because she was not present for the meeting. Motion Carried.

MOTION:

It was moved by Alderman Ebersohl, and seconded by Alderman Unnerstall, to approve the minutes of the Committee Of The Whole Committee meeting held Monday, December 10, 2007 as on file at City Hall. Upon Roll Call vote, Aldermen Ebersohl, Agne, Unnerstall, Row, Hejna, Oberkfell, and Stumpf voted yea. Alderman Niemietz abstained because she was not present for the meeting. Motion Carried.

E. Committee Of The Whole

Minutes of the Committee Of The Whole meeting held Saturday, December 15, 2007 were presented to the Council for approval.

Corrections were forwarded to Mr. Hoeffken.

MOTION:

It was moved by Alderman Ebersohl, and seconded by Alderman Row, to approve the minutes of the Executive Session of the Committee Of The Whole Committee meeting held Saturday, December 15, 2007 as amended and on file at City Hall. Upon Roll Call vote, Aldermen Ebersohl, Agne, Niemietz, Unnerstall, Row, Hejna, Oberkfell, and Stumpf voted yea. Motion Carried.

MOTION:

It was moved by Alderman Row, and seconded by Alderman Unnerstall, to approve the minutes of the Committee Of The Whole Committee meeting held Saturday, December 15, 2007 as on file at City Hall. Upon Roll Call vote, Aldermen Ebersohl, Agne, Niemietz, Unnerstall, Row, Hejna, Oberkfell, and Stumpf voted yea. Motion Carried.

1. Resignation of Tom Kuhn

MOTION:

It was moved by Alderman Niemietz, and seconded by Alderman Hejna, to accept the resignation of Tom Kuhn effective December 31, 2007. Upon Roll Call vote, Aldermen Ebersohl, Agne, Niemietz, Unnerstall, Row, Hejna, Oberkfell, and Stumpf voted yea. Motion Carried.

X. CALL FOR COMMITTEE MEETINGS

Monday, January 14, 2008

6:30 PM - Finance, Claims, Bonds, and Interest

7:00 PM - Streets, Sidewalks, Drainage, and Public Utilities

7:15 PM - Ordinances, Planning, and Zoning

7:30 PM - Personnel

7:45 PM - Parks, Playgrounds, and Recreation

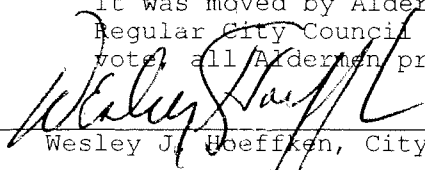
Monday, January 28, 2008

7:00 PM - Fire Department

XI. ADJOURNMENT

MOTION:

It was moved by Alderman Agne, and seconded by Alderman Niemietz, to adjourn the Regular City Council Meeting held Monday, January 7, 2008 at 11:03 PM. Upon Voice vote, all Aldermen present voted yea. Motion Carried.


Wesley J. Hoeffken, City Clerk


Mayor Kevin B. Hutchinson