

**MINUTES OF THE EXECUTIVE SESSION OF THE COMMITTEE OF THE
WHOLE MEETING OF THE CITY COUNCIL OF THE CITY OF COLUMBIA,
ILLINOIS HELD MONDAY, JULY 22, 2013 IN THE COUNCIL ROOM OF CITY
HALL**

I. CALL TO ORDER

Chairman Gene Ebersohl called the Executive Session of the Committee of the Whole Meeting of the City Council of the City of Columbia, Illinois to order at 8:26 p.m.

Upon Roll Call, the following members were:

Present: Chairman Ebersohl and Aldermen Agne, Niemietz, Roessler, Huch, Mathews, Reis and Holtkamp and Mayor Hutchinson.

Absent: None.

Quorum Present.

Administrative Staff Present: City Administrator Al Hudzik, City Engineer Ron Williams (left at 8:47 p.m.), City Attorney Terry Bruckert, Accounting Manager Linda Sharp (left at 8:47 p.m.) and Accounting/Clerical Assistant Sandra Garmer.

Guests Present: None.

II. EXECUTIVE SESSION

Chairman Ebersohl stated the Executive Session was called to (a) discuss the purchase or lease of real property for use by the City; (b) review Executive Session minutes for publication; and (c) receive an update on litigation currently pending against the city.

Discussion on the Purchase or Lease of Real Property for Use by the City

Chairman Ebersohl called upon City Administrator Al Hudzik to address the Committee Members on this issue. Hudzik reviewed the Uniform Residential Appraisal Report for property located at 118 W. Sand Bank Road (located adjacent to the city's Department of Public Works (DOPW) offices) having an effective appraisal date of April 19, 2013, and showing an appraised value of \$98,000 (Note: City Engineer Ron Williams received the appraisal report from attorney Tom Adams, who represents the property's owner(s) and has inquired as to whether or not the city would have an interest in purchasing said property); copies of said appraisal report had previously been distributed to the Committee Members. Hudzik then reviewed funding sources available for the purchase of said property (including a departmental breakdown). During Hudzik's review, all in attendance were given the opportunity to make comments, ask questions and express their opinions, including (i) whether the property may contain any asbestos or other

hazardous materials, which may affect the ultimate purchase price/demolition expenses associated with the property; (ii) the zoning restrictions on the property and what other uses may be allowable (in the event it is not purchased by the city (as an extension of its DOPW property)); (iii) the value of the property to a purchaser other than the city due to its proximity to the city's DOPW property; (iv) attorney Adams has offered access to the property to allow city personnel to inspect it; and (v) the process (by statutory requirements) to be followed in the event the city purchases the property. It was the general consensus of the Committee Members that attorney Adams be notified that the city has an interest in purchasing the property and would like to inspect it prior to making a formal offer.

Review of Executive Session Minutes for Publication

City Administrator Al Hudzik then reviewed his Memo of July 18th re: Information for July 22, 2013 Committee of the Whole Mtg (Executive Session Minutes Review) and its enclosed documents, which had previously been distributed to the Committee Members, consisting of three (3) revised listings of Executive Session minutes from previous Committee Meetings, as well as copies of the Executive Session minutes of various City Council and Council Committee meetings (that were also reviewed at the July 8th Committee of the Whole Meeting) to be released with redactions, which copies reflected the proposed redactions (as determined at said July 8th Committee of the Whole Meeting). Each of the Executive Session Meeting minutes (both City Council Meetings and Committee Meetings) listed on the "minutes to be released with redactions" listings were reviewed (meeting by meeting) to verify the redactions to be made prior to publication. It was the general consensus of the Committee Members that the redactions shown accurately reflected the discussions from the July 8th meeting and city staff was instructed to prepare the necessary documentation to allow for publication of Executive Session Minutes (in full or with redactions) as discussed at this meeting and the one held on July 8th. City Administrator Hudzik indicated he would present the necessary documentation at the August 5th City Council Meeting, and he again reminded the Committee Members that the actual Executive Session minutes were available for inspection at the City Hall.

Horner & Shifrin, Inc. v. City of Columbia (12-CV-1050-MJR-DGW)

Attorney Terry Bruckert updated the Committee Members on the Horner & Shifrin litigation – he indicated Mayor Hutchinson's deposition has been scheduled for August 1st and that city staff continues to work on locating documentation requested by the attorneys representing Horner & Shifrin; additionally, Bruckert informed the Committee Members that he intends to file Summary Judgment documentation (in the near future) requesting that this litigation be dismissed.

III. ADJOURNMENT

MOTION:

It was moved by Alderman Agne and seconded by Alderman Roessler to adjourn the Executive Session of the Committee of the Whole Meeting of Monday, July 22, 2013 at 8:56 p.m. Upon Roll Call vote, Chairman Ebersohl and Aldermen Agne, Niemietz, Roessler, Huch, Mathews, Reis and Holtkamp voted yea. **MOTION CARRIED.**

Gene Ebersohl
GENE EBERSOHL, Chairman
COMMITTEE OF THE WHOLE

Minutes Taken By:

Sandra Garner
SANDRA GARMER, Accounting/Clerical Assistant

Albert G. Hudzik
ALBERT G. HUDZIK, City Administrator