

**MINUTES OF THE COMMITTEE OF THE WHOLE MEETING OF THE CITY
COUNCIL OF THE CITY OF COLUMBIA, ILLINOIS HELD MONDAY,
JANUARY 26, 2015 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 Committee Members - Aldermen Agne, Niemietz, Roessler, Huch, Mathews, Reis and Holtkamp. Mayor Hutchinson was also present.

Absent: None.

Quorum Present.

Administrative Staff Present: City Administrator James Morani, City Attorney Terry Bruckert, Building Inspector and Interim Zoning Administrator Justin Osterhage, Interim Director of Public Works Tim Ahrens, Accounting Manager Linda Sharp, Director of Community and Economic Development Paul Ellis and Deputy Clerk Donna Mehaffey.

Guests Present: Joe and Karin Callis, Jr. of Joe's Towing, Tammy Reyes of 435 N. Rapp St., Rudy Landgraf of 425 N. Rapp St., Chris Feix of 519 N. Kaempf St., Mark Braun of 123 W. Monroe St., Marcus Shane of 430 N. Kaempf St., Brandy Menning of 525 Micah's Way, Dustin Row of Songs 4 Soldiers Organization, Dr. Beth Horner of Columbia Community Unit School District No. 4, Jessica Whaley of the Columbia Khoury League, Dan Voelkel of the Columbia Khoury League and Columbia Athletic Association, David Wittenauer representing the new agreement for the former Video Exchange property, other guests representing Songs 4 Soldiers and other guests for or against the applications for Joe's Towing.

Chairman Ebersohl stated the meeting was called for the purpose of discussing: (1) Approval of Minutes from January 12, 2015 Committee of the Whole Meeting; (2) Approval of Minutes from January 12, 2015 Committee of the Whole Meeting – Executive Session; (3) Request for guardrail on Valmeyer Road; (4) Songs 4 Soldiers – Special Event Request; (5) MOU with Columbia Khoury League and Columbia Athletic Association; (6) Zoning Code Text Amendment and Special Use Permit Application from Joe's Towing LLC/Joseph Callis, Jr. (Vehicle Towing and Storage); (7) Deck Variance Request from Steve and Brandy Menning; (8) Executive Session 5 ILCS 120/2(c)(1): Personnel; (9) Agreement for Dirt Removal/Wetlands Development Plan (Admiral Trost Development

Park/Former Video Exchange Site); (10) Bond Refunding Update; (11) FY 2015-2016 Budget Timeline; (12) Bidding and Contract Procedures; (13) Analysis of City Engineer vs. Director of Planning & Zoning Position; and (14) Other items to be considered or discussed.

II. APPROVAL OF MINUTES – JANUARY 12, 2015 COMMITTEE OF THE WHOLE MEETING

The minutes of the January 12, 2015 Committee of the Whole committee meeting were submitted for approval.

MOTION:

It was moved by Alderman Niemietz and seconded by Alderman Holtkamp, to approve the minutes of the January 12, 2015 Committee of the Whole committee meeting. Upon Roll Call vote, Chairman Ebersohl and Aldermen Agne, Niemietz, Roessler, Huch, Mathews, Reis and Holtkamp voted yea. **MOTION CARRIED.**

III. APPROVAL OF MINUTES – JANUARY 12, 2015 COMMITTEE OF THE WHOLE MEETING – EXECUTIVE SESSION

The Executive Session minutes of the January 12, 2015 Committee of the Whole committee meeting were submitted for approval.

MOTION:

It was moved by Alderman Reis and seconded by Alderman Holtkamp, to approve the Executive Session minutes of the January 12, 2015 Committee of the Whole committee meeting. Upon Roll Call vote, Chairman Ebersohl and Aldermen Agne, Niemietz, Roessler, Huch, Mathews, Reis and Holtkamp voted yea. **MOTION CARRIED.**

IV. SONGS 4 SOLDIERS – SPECIAL EVENT REQUEST

Mr. Dustin Row addressed the Mayor and committee members on the Songs 4 Soldiers Special Event Request and noted that the location requested is new—the Bolm-Schuhkraft Memorial Park baseball field which is larger (3 acres) and was previously held at the Columbia Centre Shopping Center parking lot (1 acre). Mr. Row said the new location would work well, the event keeps growing and that they basically outgrew the previous location. Mr. Row reviewed the venue change items as listed on the application and added that there will be a two (2) minute display of fireworks provided by Gateway Pyrotechnics, a professional fireworks company. Mayor Hutchinson reminded Mr. Row that the fireworks company should have the Songs4Soldiers Organization, City of Columbia and the Columbia Community Unit School District No. 4 added as additional insured on their liability insurance certificate for the event. Mr. Row added that to prevent parking on the grass in the park, American Flags could be added along Veteran's Parkway and along the

streets in the park. Concerns raised by Chairman Ebersohl and some of the committee members were noise from the concert; baseball games already scheduled at the park (There are no games scheduled per the Columbia Khoury League and the Columbia Athletic Association.); admission and vendor sales. (Songs 4 Soldiers will be asking for a \$10.00 donation.) Mayor Hutchinson and Alderman Huch added that the vendor sales and donation admission is no different than previous events held at the park where vendors sold items, food, etc.; donations were asked for a car show plus 5k and bike ride registrations. There was also a discussion on what the intent was for the bequeath of the park property. Alderman Ebersohl added that the Songs 4 Soldiers Special Event Permit application should have first been directed to Parks, Playgrounds and Recreation Committee Chairman - Alderman Niemietz.

All in attendance were given the opportunity to ask questions and offer comments.

MOTION:

It was moved by Alderman Huch and seconded by Alderman Reis to approve the Songs 4 Soldiers Concert to be held Saturday, September 12, 2015 from 4:00 P.M. to 11:00 P.M. with a rain date of September 13, 2015 from 2:00 P.M. to 9:00 P.M. at the Bolm-Schuhkraft Memorial Park baseball field. Upon Roll Call vote, Chairman Ebersohl and Aldermen Agne, Niemietz, Roessler, Huch, Mathews, Reis and Holtkamp voted yea.

MOTION CARRIED.

V. MOU WITH COLUMBIA KHOURY LEAGUE AND COLUMBIA ATHLETIC ASSOCIATION

Director of Community and Economic Development Paul Ellis addressed the Mayor and committee on the proposed Memorandum of Understanding (MOU) that he distributed to the Mayor and committee members between the City of Columbia, the Columbia Khoury League, Inc., the Columbia Athletic Association, Inc. and the Columbia Unit School District No. 4. Mr. Ellis went over the officers for the Columbia Khoury League and the Columbia Athletic Association per the committee's request.

Fees for the parks were discussed as were first rights terms. Mayor Hutchinson added that fees to be charged are no different than the fees the City currently charges for reserving a park pavilion. City Attorney Terry Bruckert stated the MOU needs to be a full fledged agreement and added that an MOU is just an agreement to agree. Since there is again a question of charging fees for the parks, Mr. Ellis will make sure everyone receives a copy of the park land bequeath especially City Attorney Terry Bruckert for his review.

All present were given the opportunity to ask questions and offer comments.

Mayor Hutchinson requested that any changes to the agreement be made with red line changes and be distributed electronically.

It was the consensus of the Mayor and committee that this item be tabled. It was noted that the next committee meeting agenda will have the Batting Cages Agreement.

**VI. ZONING CODE TEX AMENDMENT AND SPECIAL USE PERMIT
APPLICATION FROM JOE'S TOWING LLC/JOSEPH CALLIS, JR. (VEHICLE
TOWING AND STORAGE)**

Building Inspector and Interim Zoning Administrator Justin Osterhage addressed the Mayor and committee members and explained the memo regarding the two applications from Joe's Towing. The City's Zoning Board of Appeals voted to recommend to the City Council approving the zoning change, but their decision is only advisory. City Administrator James Morani, Mr. Osterhage, Mayor Hutchinson and committee members have concerns about vehicle towing and storage being located in a downtown area (C-2 General Business District) Zoning District.

Mr. Joe Callis, Jr. of Joe's Towing addressed the Mayor and committee on his situation. Mr. Callis is currently located at 906 N. Main Street and the owner of that property has expressed retirement soon, which is the part of the reason for Mr. Callis' relocation plus he needs to expand his business. Mr. Callis has looked to locate to other areas of the City, one being the old Rouse's Discount Store area off old Route 3, but noted all of the locations are quite costly. The Charlie's CarStar location at 431 N. Main Street would work out best for Mr. Callis plus it was where the old Kruse Chevrolet dealership was located and they had tow trucks at that location. Mr. Callis added that the 431 N. Main Street location would be a good joint venture with Charlie's CarStar and would have much more room to expand his business.

It was noted that the City has just received the Safe Routes to School grant which will be located along Monroe Street. (Monroe Street runs along the side of the Charlie's CarStar property.)

Ms. Tammy Reyes of 435 N. Rapp Street again addressed the committee against the proposals. Ms. Reyes stated she is worried about the police impoundments at the location as the vehicle owners will be desperately trying to obtain their personal belongings in the middle of the night. Mr. Callis stated all belongings from the vehicle are given to the owner at the time of the towing—no personal belongings are left in the vehicle.

Mr. Rudy Landgraf of 425 N. Rapp Street addressed the committee against the proposals. Mr. Landgraf backs Ms. Reyes 100% on her concerns and asked what other properties Mr. Callis has looked at for his towing business. Mr. Landgraf also has concerns on the condition of the wooden privacy fence around Charlie's CarStar as it is deteriorating and is

an eye sore. Mr. Landgraf added that Charlie's CarStar is noisy and that most neighbors do not want the towing business—they want to beautify Columbia.

Mr. Chris Feix of 519 N. Kaempf Street addressed the committee against the proposals. Mr. Feix is good with Charlie's CarStar business, but has concerns with owners getting into their vehicles after a police impoundment especially with children in the neighborhood.

Mr. Mark Braun of 123 W. Monroe Street addressed the committee against the proposals. Mr. Braun stated that Charlie's CarStar is quiet after closing, but his major concern would be the noise.

Mr. Marcus Shane of 430 N. Kaempf Street addressed the committee against the proposals. Mr. Shane stated that the towing operation at that location would be an eye sore and he has concern about his small children.

Alderman Niemietz expressed that she cannot consider the applications for the Zoning Amendment and Special Use Permit for Joe's Towing to be located at 431 N. Main Street in a C-2 (General Business District) and that a C-3 (Highway Business District) would be more appropriate.

All in attendance were given the opportunity to ask questions and offer comments.

MOTION:

It was moved by Alderman Agne and seconded by Alderman Niemietz to deny the Zoning Code Text Amendment and Special Use Permit Application from Joe's Towing LLC/Joseph Callis, Jr. (Vehicle Towing and Storage) at 431 N. Main Street located in a C-2 (General Business District). Upon Roll Call vote, Chairman Ebersohl and Aldermen Agne, Niemietz, Roessler, Huch, Mathews, Reis and Holtkamp voted yea. **MOTION CARRIED.**

VII. DECK VARIANCE REQUEST FROM STEVE AND BRANDY MENNING

Building Inspector and Interim Zoning Administrator Justin Osterhage addressed the Mayor and committee members on the Steve and Brandy Menning Deck Variance Request and added that the Zoning Board of Appeals had voted 5 to 1 to deny the request. Mr. Osterhage reviewed his concerns with the size of the deck and recommended the deck be either a 12 foot x 12 foot or a 10 foot x 12 foot deck with stairs as a side staircase. (Photos of the area in question were distributed to the Mayor and committee members – two (2) pages.)

Mrs. Brandy Menning addressed the Mayor and committee members and said the present deck and retaining wall was completed by the builder. Chairman Ebersohl stated that a variance request is for a hardship and that a 12 foot x 12 foot deck should be adequate.

Mrs. Menning stated she was never informed about the zoning and it was noted that this was between her and her builder. Alderman Agne stated that the measurement for the deck must be from the main frame of the home, not from the bay window patio door.

After a discussion, it was the consensus of the committee that Mrs. Menning needs to agree on either a 10 foot x 12 foot deck or a 12 foot x 12 foot deck.

MOTION:

It was moved by Alderman Reis and seconded by Alderman Agne to approve the Deck Variance Request from Steve and Brandy Menning at 525 Micah's Way to construct either a 10 foot x 12 foot deck or a 12 foot x 12 foot deck, with the staircase located on the side, construction of the deck beginning at the main frame of the home with the deck structure encroaching 11 feet into the rear yard setback. Upon Roll Call vote, Chairman Ebersohl and Aldermen Agne, Niemietz, Roessler, Huch, Mathews, Reis and Holtkamp voted yea.

MOTION CARRIED.

VIII. EXECUTIVE SESSION

Chairman Ebersohl entertained a motion to go into Executive Session to discuss Personnel.

MOTION:

It was moved by Alderman Reis and seconded by Alderman Agne to go into Executive Session at 8:08 P.M. to discuss Personnel. Upon Roll Call vote, Chairman Ebersohl and Aldermen Agne, Niemietz, Roessler, Huch, Mathews, Reis and Holtkamp voted yea.

MOTION CARRIED.

IX. REGULAR SESSION

MOTION:

It was moved by Alderman Reis and seconded by Alderman Agne to return to the Regular Session of the Committee of the Whole meeting at 8:34 P.M. Upon Roll Call vote, Chairman Ebersohl and Aldermen Agne, Niemietz, Roessler, Huch, Mathews, Reis and Holtkamp voted yea. **MOTION CARRIED.**

Upon return to the Regular Session of the Committee of the Whole meeting, Mayor Hutchinson and the following committee members were present: Chairman Ebersohl and Aldermen Agne, Niemietz, Roessler, Huch, Mathews, Reis and Holtkamp.

Chairman Ebersohl asked if there was any action to be taken as a result of the Executive Session of the Committee of the Whole meeting. There was none.

X. REQUEST FOR GUARD RAIL ON VALMEYER ROAD

Interim Director of Public Works Tim Ahrens addressed the Mayor and committee on this request. Mr. Ahrens stated that the guard rail was requested by Mr. Bob Henson of the First Baptist Church. (Mr. Henson was not present at the committee meeting.) Mr. Ahrens also said the guard rail would cost \$6,000.00 and the price is only good for 30 days due to the cost of steel prices. Mr. Ahrens said that Mr. Henson's main concern was the safety issue if there is snow and ice on Valmeyer Road; the turn could be missed and someone could end up in the creek. It was noted that right now there are big boulders at the location for the guard rail to block off the area and they are on their own property. After a discussion about who created the safety issues, it was the consensus of the committee and Mayor that the First Baptist Church pay for their own guard rail and that this is not the City's responsibility. (It was also noted that the new Immaculate Conception Church paid for their new road with guard rails; the City of Columbia did not pay for any of it.)

**XI. AGREEMENT FOR DIRT REMOVAL/WETLANDS DEVELOPMENT PLAN
(ADMIRAL TROST DEVELOPMENT PARK/FORMER VIDEO EXCHANGE
SITE)**

Director of Community and Economic Development Paul Ellis addressed the Mayor and committee with Mr. David Wittenauer present representing the redevelopment site for the old Video Exchange. Mr. Ellis distributed proposed talking points to the Mayor and committee. Mr. Ellis added that the talking points were taken out of the memorandum of understanding (MOU) which covered the (i) City's Responsibilities, (ii) Responsibilities of the Pendleton and Wittenauer IRAs and the (iii) Schedule. Mr. Ellis stated the Video Exchange site has been an eyesore, the proposed agreement would benefit the wetland expansion in Admiral Trost Park and feels the schedule is doable. Mr. Wittenauer addressed the Mayor and committee and stated that the Video Exchange property was purchased 18 months ago. Alderman Huch questioned if Mr. Wittenauer had spoken to Mr. Joe Koppeis (Owner of Columbia Centre) or the Columbia National Bank concerning potential drainage problems. Mayor Hutchinson added that per Mr. Koppeis, drainage problems may also come from the schools. Interim Public Works Director Tim Ahrens stated that there are different tributaries in the area and even though they are close to each other, they should all work together and noted that all the areas are reviewed by Federal Agencies. There was also some questions regarding the soil at the Admiral Trost Subdivision Park and it was also mentioned that the work will benefit the Admiral Trost Subdivision Park Wetlands Project. Army Corps of Engineers 404 permits were discussed for the area; the culvert under Valmeyer Road and the dirt excavation from the Admiral Trost Subdivision Park. Mr. Wittenauer added that he won't be able to get the Army Corps of Engineers 404 permit unless the City of Columbia can obtain their permit. The City has 12 months from the date of the agreement to install the larger culvert under Valmeyer Road.

Alderman Roessler questioned the flow of water when flooding occurs at the old Video Exchange site. Interim Director of Public Works Tim Ahrens responded that the problem is that the culvert is too small.

All in attendance were given the opportunity to make comments and ask questions about the proposed agreement.

Mr. Ellis reported that the agreement will be reviewed by City Attorney Terry Bruckert and it is the intent to have it ready for the February 2, 2015 City Council meeting.

XII. BOND REFUNDING UPDATE

Accounting Manager Linda Sharp updated the committee on the bond refunding. Mrs. Sharp has been working with the placement agent and the agent had the due date for the bids extended one (1) week until February 24, 2015. Mrs. Sharp explained that it was extended because some of their investors had additional requirements. One large investor wanted an overlapping debt worksheet which required a lot of research beyond Mrs. Sharp's knowledge, so the placement agent did the worksheet. Also, there was another agreement that one of the investors wanted developed from their bond counsel which also contributed to the due date being extended one (1) week.

XIII. FY 2015-2016 BUDGET TIMELINE

Accounting Manager Linda Sharp addressed the Mayor and committee members on the fiscal year 2015-2016 budget schedule. Mrs. Sharp reported that she had a meeting with the department heads on January 14th and discussed with them the tentative schedule. Mrs. Sharp also added the budget will be completed at the April 20th City Council meeting.

XIV. BIDDING AND CONTRACT PROCEDURES

City Administrator James Morani reviewed the Columbia Municipal Code, Section 2.54, Bidding and Contract Procedures with the Mayor and committee. Mr. Morani stated that the Illinois State Statutes had changed the public bidding requirements for public works contracts from \$10,000.00 to \$20,000.00. The City's Municipal Code book has not been updated and needs to be changed to reflect the State Statutes. Mr. Morani recommends the Municipal Code be consistent with the State Statutes plus the City does not want to be in violation of its own ordinances. With this change, the City will not be required to obtain public bids for purchases under \$20,000.00. It was the consensus of the Mayor and committee to move ahead with this recommended change.

MOTION:

It was moved by Alderman Reis and seconded by Alderman Huch to update the City of Columbia Municipal Code Book, Section 2.54, Bidding and Contract Procedures, to reflect the Illinois State Statutes change of public bidding requirements for public works contracts from \$10,000.00 to \$20,000.00. Upon Roll Call vote, Chairman Ebersohl and Aldermen Agne, Niemietz, Roessler, Huch, Mathews, Reis and Holtkamp voted yea. **MOTION CARRIED.**

XV. ANALYSIS OF CITY ENGINEER VS. DIRECTOR OF PLANNING & ZONING POSITION

City Administrator James Morani addressed the Mayor and committee on the analysis of the positions of City Engineer vs. a Director of Planning and Zoning. Mr. Morani stated that someone could be placed in previous City Engineer Ron Williams' position and would not necessarily need to be a Professional Engineer. Mr. Morani stressed the need now for a Director of Planning and Zoning for the City's development needs and also said he wasn't sure if the City needed a Professional Engineer on staff. Mr. Morani reported that Director of Community and Economic Development Paul Ellis is overloaded on work and that some of his duties could be handed over to someone else.

Mr. Morani distributed information showing past, current and proposed scenarios for the vacant City Engineer position. Mr. Morani affirmed that the City needs someone to review development plans, especially the new Revitalization/Development Agreement (41 acres) for property owned by Admiral Parkway, Inc. (Joe Koppeis) which is very complex.

Mr. Morani also stated that the City's Subdivision Code needs to be placed on the City's Code Master (Columbia Municipal Code) especially for the developers. City Attorney Terry Bruckert added that the City's Municipal Code needs to be codified.

Mr. Morani reviewed both job descriptions and distributed a draft of an ad for a Director of Planning & Development Administration to the Mayor and committee. Alderman Huch would like to add that residency is required (the draft job advertisement stated "preferred") and everyone was in agreement with that change. It was the consensus of the committee to move forward with the advertisement.

MOTION:

It was moved by Alderman Huch and seconded by Alderman Niemietz to move forward with the advertisement for the Director of Planning and Development Administration position with the residency requirement. Upon Roll Call vote, Chairman Ebersohl and Aldermen Agne, Niemietz, Roessler, Huch, Mathews, Reis and Holtkamp voted yea.

MOTION CARRIED.

XVI. OTHER ITEMS TO BE CONSIDERED OR DISCUSSED

There were no other items to be considered or discussed.

XVII. ADJOURNMENT

MOTION:

It was moved by Alderman Roessler 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, January 26, 2015 at 9:39 P.M. Upon voice 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:

Donna Mehafey

DONNA MEHAFFEY, Deputy Clerk