

**MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF COLUMBIA,  
ILLINOIS HELD MONDAY, MARCH 6, 2006 IN THE COUNCIL ROOM OF CITY HALL**

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**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, and Huch.

Absent: Aldermen Conrad and Koesterer.

Quorum Present.

Administrative Staff Present: City Clerk Wes Hoeffken, City Attorney Tom Adams, Building Commissioner John Kildea, Engineering Consultant Ken Vaughn, Director of Community and Economic Development Mike Hemmer, and Assistant EMS Director Ken Buss.

The Council recited the Pledge of Allegiance.

**II. APPROVAL OF MINUTES**

The minutes of the Executive Session of the City Council held Monday, February 20, 2006 were submitted for approval.

MOTION:

It was moved by Alderman Unnerstall, and seconded by Alderman Row, to approve the minutes of the Executive Session of the City Council held Monday, February 20, 2006, as presented and on file at City Hall. Upon Roll Call vote, Aldermen Ebersohl, Niemietz, Unnerstall, Row, and Huch voted yea. Alderman Agne abstained since he was not present for that meeting. Motion Carried.

The minutes of the Regular Meeting of the City Council held Monday, February 20, 2006 were submitted for approval.

MOTION:

It was moved by Alderman Row, and seconded by Alderman Niemietz, to approve the minutes of the Regular Meeting of the City Council held Monday, February 20, 2006, as presented and on file at City Hall. Upon Roll Call vote, Aldermen Ebersohl, Niemietz, Unnerstall, Row, and Huch voted yea. Alderman Agne abstained since he was not present for that meeting. Motion Carried.

**III. DELEGATIONS**

There were no delegations present.

**IV. REPORT OF OFFICERS**

A. Community and Economic Development Department

The report of the Director of Community and Economic Development was presented to the Council

MOTION:

It was moved by Alderman Niemietz, and seconded by Alderman Unnerstall, to accept the report of the Director of Community and Economic Development as presented. Upon Voice vote, all Aldermen present voted yea. Motion Carried.

B. Fire Department

The monthly report of the Fire Marshall was deferred until the next meeting of the City Council.

C. Ambulance Department

1. Request For Proposal - New Ambulance

MOTION:

It was moved by Alderman Huch, and seconded by Alderman Niemietz, to authorize the Assistant Ambulance Director to proceed with the Request For Proposal for a new ambulance for potential purchase in the fiscal year beginning May 1, 2006. Upon Roll Call vote, Aldermen Ebersohl, Agne, Niemietz, Unnerstall, Row, and Huch voted yea. Motion Carried.

D. Plan Commission

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

1. Sackman Airfield

MOTION:

It was moved by Alderman Unnerstall, and seconded by Alderman Ebersohl, to draft and send a letter to the Illinois Department of Transportation expressing concern about the proposed Connector Corridor and the impact it might have on the Sackman Airfield. Upon Roll Call vote, Aldermen Ebersohl, Agne, Niemietz, Unnerstall, Row, and Huch voted yea. Motion Carried.

MOTION:

It was moved by Alderman Unnerstall, and seconded by Alderman Niemietz, to accept the report of the Plan Commission as presented. Upon Voice vote, all Aldermen present voted yea. Motion Carried.

E. Zoning Board of Appeals

The report of the Zoning Board of Appeals was presented to the Council.

1. Patricia and John Adams Rear Yard Set-Back Variance

MOTION:

It was moved by Alderman Ebersohl, and seconded by Alderman Huch, to accept the recommendation of the Zoning Board of Appeals and grant a variance from Chapter 17.20, Rear Yard, as requested by John and Patricia Adams reducing their rear yard set-back by 2  $\frac{1}{2}$  feet to 27  $\frac{1}{2}$  feet for the construction of a deck on their property located at 7 Ahna Court, Lot 13 of Stemler Woods and located in an R-5 Single Family Zoned District. Upon Roll Call vote, Aldermen Ebersohl, Agne, Niemietz, Unnerstall, Row, and Huch voted yea. Motion Carried.

2. Lawlor Funeral Home - Parking Lot Variance

Alderman Agne stated that if the new lot is considered as a separate lot from the existing lot, then Mr. Lawlor would only have to hard surface the new lot and not the existing lot. Alderman Agne then stated that the City has gone to great lengths to improve the surface of parking lots within the City and should require this new lot to be hard surfaced. Alderman Unnerstall stated that the City is spending \$4,000,000.00 in Old Town and need to require this lot to be hard surface to complement the Old Town efforts. Alderman Row stated the he is in favor of granting the variance because it is in Old Town and the City does not do much for the businesses in Old Town. Alderman Row also stated that the City granted a similar type of variance to Mr. Ralph Buettner for exterior building materials when he expanded his development on Main Street several years ago. Alderman Niemietz

stated that the City has set precedence with requiring other businesses to hard surface their parking lots.

MOTION:

It was moved by Alderman Row, and seconded by Alderman Huch, to accept the recommendation of the Zoning Board of Appeals and grant a variance from Ordinance No. 2259, Section 17.44 which requires all off-street parking areas in the City to be surfaced with cement, concrete, or asphaltic concrete for the surface of a new parking lot to be constructed at 224 South Metter Street which is located in a C-2 Central Business Zoned District as requested by Michael Lawlor. Upon Roll Call vote, Aldermen Row and Huch voted yea. Aldermen Ebersohl, Agne, Niemietz, and Unnerstall voted nay. Motion Failed.

MOTION:

It was moved by Alderman Row, and seconded by Alderman Unnerstall, to accept the report of the Zoning Board of Appeals as presented. Upon Voice vote, all Aldermen present voted yea. Motion Carried.

F. Building and Zoning Department

The monthly report of the Building and Zoning Department was presented to the Council.

1. Temporary Banner Request

MOTION:

It was moved by Alderman Agne, and seconded by Alderman Unnerstall, to approve the Temporary Banner Request for the Columbia Kiwanis Foundation as submitted and on file at City Hall. Upon Roll Call vote, Aldermen Ebersohl, Agne, Niemietz, Unnerstall, Row, and Huch voted yea. Motion Carried.

MOTION:

It was moved by Alderman Niemietz, and seconded by Alderman Agne, to accept the report of the Building and Zoning Department as presented. Upon Voice vote, all Aldermen present voted yea. Motion Carried.

G. City Clerk

Mr. Hoeffken presented his report to the Council.

H. City Engineer

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

1. Pinecreek Improvement Plans

Mr. Vaughn recommended that the Council not approve the Improvement Plans for the Pinecreek Subdivision. Alderman Row stated that he thought the preliminary plat had expired and consequently the City could not act on the Improvement Plans. Mr. Brian Thompson stated that shortly after he filed the original improvement plans, there were delays because the City was trying to define where a City sewer line was to be located. Mr. Thompson then requested that the City provide a written list of the shortfalls for the improvement plans. Mr. Vaughn stated that minutes of the last meeting between the City and the developer were kept and forward to Mr. Thompson and that the minutes identified the outstanding issues. Mr. Art Morris, attorney for STS Custom Homes, stated that the primary issue is the dam and water drainage and that there is water flowing onto the property that is being directed there by the City and that the City needs to provide a solution for this extra water flow. Alderman Row stated there are a lot of issues for this development, but as long as the City owns the railroad right-of-way and the drainage situation continues to exist, the City is going to own the problem. Alderman Row also stated that the 2 to 1 slope is not acceptable and minimally the City should not

accept anything more than a 3 to 1 slope. Mr. Adams stated that State Statute requires final plat within one year after approval of the preliminary plat. Mr. Adams then stated that the deadline for the current preliminary plat has expired and that the City can either extend the deadline for the current plat, or require a new preliminary plat to be filed. Mr. Adams then stated that a motion would be required only if the City wishes to extend the deadline for the preliminary plat. Mr. Morris expressed concerns about the money that has been expended on numerous updates to the improvement plans at the City's request when the preliminary plat had expired.

MOTION:

It was moved by Alderman Row, and seconded by Alderman Unnerstall, to extend the deadline for the Preliminary Plat for the Pinecreek Subdivision currently on file with the City. Upon Roll Call vote, Aldermen Ebersohl, Agne, Niemietz, Unnerstall, Row, and Huch voted nay. Motion Failed.

2. Gundlach & Rapp Street Sewer Bid Award

MOTION:

It was moved by Alderman Ebersohl, and seconded by Alderman Agne, to reject the low bid submitted by H&M Backhoe due to the City's prior unfortunate and unhappy experience in hiring them to perform work of a similar character and to accept the low bid of \$38,256.01, as submitted by Midwest Excavating, Inc. for the Gundlach and Rapp Street Sewer Project. Upon Roll Call vote, Aldermen Ebersohl, Agne, Niemietz, Unnerstall, Row, and Huch voted yea. Motion Carried.

**V. EXECUTIVE SESSION**

Mayor Hutchinson informed the Council that he would entertain a motion to go into Executive Session for the purpose of discussing land acquisition.

MOTION:

It was moved by Alderman Row, and seconded by Alderman Agne, to direct the Mayor to go into Executive Session at 8:05 PM for the purpose of discussing litigation and land acquisition. Upon Roll Call vote, Aldermen Ebersohl, Agne, Niemietz, Unnerstall, Row, and Huch voted yea. Motion Carried.

MOTION:

It was moved by Alderman Ebersohl, and seconded by Alderman Unnerstall, to return to Regular Session of the City Council at 8:25 PM. Upon Roll Call vote, Aldermen Ebersohl, Agne, Niemietz, Unnerstall, Row, and Huch voted yea. Motion Carried.

Upon return to Regular Session, Aldermen Ebersohl, Agne, Niemietz, Unnerstall, Row, Huch 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. There was none.

**VI. MAYOR'S REPORT**

February 2006 Report

Mayor Hutchinson presented his report to the Council.

**VII. CLAIMS & ACCOUNTS**

A. Vouchers

MOTION:

It was moved by Alderman Huch, and seconded by Alderman Row, to authorize the payment of vouchers received through March 3, 2006; the total amount of

the vouchers to be paid is two hundred forty-four thousand, five hundred thirty-two dollars, and twelve cents (\$244,532.12). Upon Roll Call vote, Aldermen Ebersohl, Agne, Niemietz, Unnerstall, Koesterer, and Huch voted yea. Motion Carried.

## **VIII. OLD BUSINESS**

There was no old business brought before the Council.

## **IX. NEW BUSINESS**

There was no new business brought before the Council.

## **X. REPORT OF STANDING COMMITTEES**

### **A. Committee of the Whole**

Minutes of the Committee of the Whole meeting held Monday, February 27, 2006 were presented to the Council for approval.

#### **MOTION:**

It was moved by Alderman Row, and seconded by Alderman Agne, to approve the minutes of the Committee of the Whole meeting held Monday, February 27, 2006 as amended and on file at City Hall. Upon Voice vote, all Aldermen present voted yea. Motion Carried.

### **B. Ordinances, Planning, and Zoning Committee**

Minutes of the Ordinance, Planning, and Zoning Committee meeting held Monday, January 23, 2006 and the meeting held Monday, February 27, 2006 were presented to the Council for approval.

#### **1. C-1 Zoning Recommendations**

##### **MOTION:**

It was moved by Alderman Agne, and seconded by Alderman Row, to accept the recommendation of the Ordinances, Planning, and Zoning Committee and authorize the City Attorney to draft an ordinance to move Clothing, Apparel, Novelty, and Sign Shops to the Special Use Section and Retail to be added before Bakery Shops as set forth in Ordinance No. 2417 in a C-1 Zoned District. Upon Roll Call vote, Aldermen Ebersohl, Agne, Niemietz, Unnerstall, Row, and Huch voted yea. Motion Carried.

##### **MOTION:**

It was moved by Alderman Agne, and seconded by Alderman Unnerstall, to accept the recommendation of the Ordinances, Planning, and Zoning Committee and authorize the City Attorney to draft an ordinance to limit the square footage for a single business to 4,000 sq. ft. and limit a single building to 16,000 sq. ft. in a C-1 Zoned District. Upon Roll Call vote, Aldermen Ebersohl, Agne, Niemietz, Unnerstall, Row, and Huch voted yea. Motion Carried.

#### **2. Preservation Commission**

##### **MOTION:**

It was moved by Alderman Agne, and seconded by Alderman Row, to accept the recommendation of the Ordinances, Planning, and Zoning Committee and forward the Preservation Commission Ordinance Revision to the Council for review and approval. Upon Roll Call vote, Aldermen Ebersohl, Agne, Niemietz, Unnerstall, Row, and Huch voted yea. Motion Carried.

#### **3. Civic Progress Committee**

MOTION:

It was moved by Alderman Agne, and seconded by Alderman Niemietz, to accept the recommendation of the Ordinances, Planning, and Zoning Committee and forward the Civic Progress Committee Ordinance to the City Attorney for legal review. Upon Roll Call vote, Aldermen Ebersohl, Agne, Niemietz, Unnerstall, Row, and Huch voted yea. Motion Carried.

Corrections were forwarded to the City Administrator.

MOTION:

It was moved by Alderman Agne, and seconded by Alderman Niemietz, to approve the minutes of the Ordinances, Planning, and Zoning Committee meeting held Monday, January 23, 2006 as amended and on file at City Hall. Upon Voice vote, all Aldermen present voted yea. Motion Carried.

Corrections were forwarded to the City Administrator.

MOTION:

It was moved by Alderman Niemietz, and seconded by Alderman Agne, to approve the minutes of the Ordinances, Planning, and Zoning Committee meeting held Monday, February 27, 2006 as amended and on file at City Hall. Upon Voice vote, all Aldermen present voted yea. Motion Carried.

C. Parks, Playgrounds, and Recreation Committee

Minutes of the Parks, Playgrounds, and Recreation Committee meeting held Monday, February 27, 2006 were presented to the Council for approval.

Corrections were forwarded to the City Administrator.

MOTION:

It was moved by Alderman Niemietz, and seconded by Alderman Ebersohl, to approve the minutes of the Parks, Playgrounds, and Recreation Committee meeting held Monday, February 27, 2006 as amended and on file at City Hall. Upon Voice vote, all Aldermen present voted yea. Motion Carried.

D. Personnel Committee

Minutes of the Personnel Committee meeting held Monday, February 27, 2006 and minutes of the Executive Session of the Personnel Committee meeting held Monday, February 27, 2006 were presented to the Council for approval.

Approval of the minutes was deferred until the next Regular Meeting of the Council until the City Administrator can review and provide comments.

**XI. CALL FOR COMMITTEE MEETINGS**

Monday, March 13, 2006

7:00 PM - Parks, Playgrounds, and Recreation  
7:05 PM - Ordinances, Planning, and Zoning

**XII. ADJOURNMENT**

MOTION:

It was moved by Alderman Huch, and seconded by Alderman Niemietz, to adjourn the Regular City Council Meeting held Monday, March 6, 2006 at 8:57 PM. Upon Voice vote, all Aldermen present voted yea. Motion Carried.

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Wesley J. Hoeffken, City Clerk

Mayor Kevin Hutchinson