

**MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF COLUMBIA,
ILLINOIS HELD MONDAY, MARCH 20, 2006 IN THE COUNCIL ROOM OF CITY HALL**

I. CALL TO ORDER

Mayor Hutchinson called the City Council of Columbia, Illinois to order at 7:04 PM.

Upon Roll Call, the following members were:

Present: Aldermen Ebersohl, Agne, Niemietz, Unnerstall, Koesterer, Row, and Huch.

Absent: Alderman Conrad.

Quorum Present.

Administrative Staff Present: City Clerk Wes Hoeffken, City Attorney Tom Adams, City Administrator Anthony Traxler, Chief of Police Joe Edwards, EMS Asst. Director Ken Buss, Fire Chief Mike Roediger, Building Commissioner John Kildea, Engineering Consultant Ken Vaughn, and Director of Community and Economic Development Mike Hemmer.

The Council recited the Pledge of Allegiance.

II. APPROVAL OF MINUTES

The minutes of the Executive Session of the City Council held Monday, March 6, 2006 were submitted for approval.

MOTION:

It was moved by Alderman Niemietz, and seconded by Alderman Ebersohl, to approve the minutes of the Executive Session of the City Council held Monday, March 6, 2006, as on file at City Hall. Upon Roll Call vote, Aldermen Ebersohl, Agne, Niemietz, Unnerstall, Koesterer, Row, and Huch voted yea. Motion Carried.

The minutes of the Regular Meeting of the City Council held Monday, March 6, 2006 were submitted for approval.

Corrections were forwarded to Mr. Hoeffken.

MOTION:

It was moved by Alderman Unnerstall, and seconded by Alderman Ebersohl, to approve the minutes of the Regular Meeting of the City Council held Monday, March 6, 2006, as amended and on file at City Hall. Upon Roll Call vote, Aldermen Ebersohl, Agne, Niemietz, Unnerstall, Koesterer, Row, and Huch voted yea. Motion Carried.

III. DELEGATIONS

There were no delegations present.

IV. REPORT OF OFFICERS

A. Police Department

The report of the Chief of Police was presented to the Council.

MOTION:

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

B. Ambulance Director

The monthly report of the Director of the Columbia Emergency Medical Service was presented to the Council.

1. 12-Lead Heart Monitor Purchase

MOTION:

It was moved by Alderman Koesterer, and seconded by Alderman Niemietz, to authorize the Assistant EMS Director to proceed with the purchase of two 12-lead heart monitors at a total cost of \$56,000.00 to be paid in Fiscal Year 2006-2007. Upon Roll Call vote, Aldermen Ebersohl, Agne, Niemietz, Unnerstall, Koesterer, Row, and Huch voted yea. Motion Carried.

2. Public Safety Complex Elevator

MOTION:

It was moved by Alderman Agne, and seconded by Alderman Ebersohl, to authorize the additional expense of \$4,700.00 for ThyssenKrupp Elevator Company to construct a special drill bit to remove the existing elevator shaft, contingent upon the City Attorney reviewing the services contract. Upon Roll Call vote, Aldermen Ebersohl, Agne, Niemietz, Unnerstall, Koesterer, Row, and Huch voted yea. Motion Carried.

MOTION:

It was moved by Alderman Ebersohl, and seconded by Alderman Koesterer, to accept the report of the Ambulance Director as presented. Upon Voice vote, all Aldermen present voted yea. Motion Carried.

C. Fire Department

The monthly report of the Columbia Fire Company was presented to the Council.

MOTION:

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

D. Administration Department

MOTION:

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

E. Plan Commission

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

MOTION:

It was moved by Alderman Agne, 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.

F. City Attorney

1. Ordinance No. 2449 – Permitted and Special Uses in C-1

MOTION:

It was moved by Alderman Agne, and seconded by Alderman Niemietz, to pass Ordinance No. 2449, an ordinance amending the City of Columbia, Illinois Zoning Code to change some of the uses that are permitted to

be located in a C-1 (Neighborhood Business Zoned District) as permitted uses and to the uses allowed in that zoned district by Special Use Permit only. Upon Roll Call vote, Aldermen Ebersohl, Agne, Niemietz, Unnerstall, Koesterer, Row, Huch, and Mayor Hutchinson voted yea. Motion Carried.

2. Pine Creek Subdivision Preliminary Plat

MOTION:

It was moved by Alderman Row, and seconded by Alderman Agne, to accept the recommendation of the City Engineer and deny approval of the Improvement Plat for the Pine Creek Subdivision as submitted. Upon Roll Call vote, Aldermen Ebersohl, Agne, Niemietz, Unnerstall, Koesterer, Row, and Huch voted yea. Motion Carried.

3. Intergovernmental Cooperative Agreement

Mayor Hutchinson stated that this issue would be discussed in Executive Session prior to any Council action.

4. Ordinance No. 2450 - Adams Setback Variance

MOTION:

It was moved by Alderman Huch, and seconded by Alderman Row, to pass Ordinance No. 2450, an ordinance granting a Zoning Code Rear Yard Setback Variance to John and Patricia Adams for their homestead real estate having the assigned address of #7 Ahna Court, Columbia, Illinois and located in an R-5 (One-Family Dwelling Zoned District) in the City. Upon Roll Call vote, Aldermen Ebersohl, Agne, Niemietz, Unnerstall, Koesterer, Row, Huch, and Mayor Hutchinson voted yea. Motion Carried.

G. City Engineer

The monthly report of the Engineering Consultant was presented to the Council.

1. Resolution No. 16-2005 - IDOT - Rueck Road

MOTION:

It was moved by Alderman Ebersohl, and seconded by Alderman Unnerstall, to pass Resolution No. 16-2005, a Resolution for improvement by Municipality under the Illinois Highway Code for improvements to Rueck Road from Lakefield Drive to Veterans Memorial Parkway. Upon Roll Call vote, Aldermen Ebersohl, Agne, Niemietz, Unnerstall, Koesterer, Row, Huch, and Mayor Hutchinson voted yea. Motion Carried.

2. Part-time Summer DOPW Employees

MOTION:

It was moved by Alderman Niemietz, and seconded by Alderman Koesterer, to authorize the Engineering Consultant to advertise for part-time summer employees for the Department of Public Works. Upon Roll Call vote, Aldermen Ebersohl, Agne, Niemietz, Unnerstall, Koesterer, Row, and Huch voted yea. Motion Carried.

3. Resolution No. 17-2005 - IDOT - Carl & Legion Streets

MOTION:

It was moved by Alderman Ebersohl, and seconded by Alderman Huch, to pass Resolution No. 17-2005, a Resolution for improvement by Municipality under the Illinois Highway Code for improvements to Carl Street and Legion Street from IL Route 3 (FAP 312) to Kunz Street.

Upon Roll Call vote, Aldermen Ebersohl, Agne, Niemietz, Unnerstall, Koesterer, Row, Huch, and Mayor Hutchinson voted yea. Motion Carried.

4. Ordinance No. 2451 - Gundlach & Rapp Sanitary Sewer Project

MOTION:

It was moved by Alderman Ebersohl, and seconded by Alderman Huch, to pass Ordinance No. 2451, An Ordinance to authorize a Contract to employ Midwest Excavating, Inc. to install a sanitary sewer line extension for Gundlach Street and Rapp Avenue in the City of Columbia, Illinois. Upon Roll Call vote, Aldermen Ebersohl, Agne, Niemietz, Unnerstall, Koesterer, Row, Huch, and Mayor Hutchinson voted yea. Motion Carried.

5. Resolution No. 18-2005 - N. Main Street Right Turn Lane

MOTION:

It was moved by Alderman Ebersohl, and seconded by Alderman Koesterer, to pass Resolution No. 18-2005, a Resolution entering into an agreement with the State of Illinois for the construction of a right turn lane along North Main Street onto northbound FAP Route 312 (IL Route 3). Upon Roll Call vote, Aldermen Ebersohl, Agne, Niemietz, Unnerstall, Koesterer, Row, Huch, and Mayor Hutchinson voted yea. Motion Carried.

6. Ordinance No. 2452 - Right of Way Encroachment Enforcement

MOTION:

It was moved by Alderman Ebersohl, and seconded by Alderman Niemietz, to pass Ordinance No. 2452, an Ordinance regulating encroachment on public right of way in the City of Columbia, Illinois. Upon Roll Call vote, Aldermen Ebersohl, Agne, Niemietz, Unnerstall, Koesterer, Row, Huch, and Mayor Hutchinson voted yea. Motion Carried.

7. Resolution No. 19-2005 - N. Main Street Plans and Specifications

MOTION:

It was moved by Alderman Ebersohl, and seconded by Alderman Niemietz, to pass Resolution No. 19-2005, a Resolution approving plans and specifications for FAP Route 312 (IL Route 3), State Section 66-31 City Section 05-00044-00TL, in the City of Columbia, Monroe County, Illinois. Upon Roll Call vote, Aldermen Ebersohl, Agne, Niemietz, Unnerstall, Koesterer, Row, Huch, and Mayor Hutchinson voted yea. Motion Carried.

8. Ordinance No. 2453 - IDOT Agreement - Main Street Improvements

MOTION:

It was moved by Alderman Ebersohl, and seconded by Alderman Agne, to pass Ordinance No. 2453, an Ordinance authorizing an agreement between the Illinois Department of Transportation and the City of Columbia, Illinois for the construction of a right turn lane along North Main Street onto northbound FAP Route 312 (IL Route 3). Upon Roll Call vote, Aldermen Ebersohl, Agne, Niemietz, Unnerstall, Koesterer, Row, Huch, and Mayor Hutchinson voted yea. Motion Carried.

9. DOPW Equipment Lease

MOTION:

It was moved by Alderman Agne, and seconded by Alderman Unnerstall, to authorize a 36-month lease of a DA-COM Wide Format Copier/Scanner for the Department Of Public Works with the purchase to be made in fiscal

year 2006-2007. Upon Roll Call vote, Aldermen Ebersohl, Agne, Niemietz, Unnerstall, Koesterer, Row, and Huch voted yea. Motion Carried.

MOTION:

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

V. CLAIMS & ACCOUNTS

A. Report of Collections

The Report of Collections for the period commencing January 26, 2006 and ending February 25, 2006 was presented to the Council.

MOTION:

It was moved by Alderman Huch, and seconded by Alderman Koesterer, to approve the Report of Collections for the period commencing January 26, 2006 and ending February 25, 2006, as submitted and on file at City Hall. Upon Voice vote, all Aldermen present voted yea. Motion Carried.

B. Vouchers

MOTION:

It was moved by Alderman Huch, and seconded by Alderman Unnerstall, to authorize the payment of vouchers received through March 17, 2006; the total amount of the vouchers to be paid is one hundred eighty-three thousand, nine hundred thirty-five dollars, and eighty-nine cents (\$183,935.89). Upon Roll Call vote, Aldermen Ebersohl, Agne, Niemietz, Unnerstall, Koesterer, Row, and Huch voted yea. Motion Carried.

VI. OLD BUSINESS

A. Lawlor Funeral Home

Alderman Row stated that he would like to see the Council reconsider its previous action regarding the Lawlor Funeral Home parking lot expansion. Alderman Row stated that the Lawlors were not notified about this issue being on the Council's agenda. Alderman Huch stated that he too would like to see the Council reconsider especially since the Zoning Board of Appeals recommended that the new parking lot be surfaced with oil and chip. Alderman Unnerstall inquired if the City Clerk agreed if the action could be reconsidered. Mayor Hutchinson stated that he would allow a motion to reconsider as he had previously allowed since the City is waiting on a legal opinion from the Illinois Attorney General.

Mike Lawlor then addressed the Council and provided a brief history of the property and previous intents to surface the parking lot. Mr. Lawlor stated that the City has several oil and chip parking lots and should not hold private businesses to a different standard. Alderman Unnerstall stated that he would not support this request because the City is in the process of upgrading Old Town and also because of the precedence this would be setting. Alderman Huch inquired at what point this becomes a safety issue for parking if the property is not made into a parking lot. Mr. Lawlor stated that if he is required to hard surface the lot, he will not construct a parking lot. Mayor Hutchinson stated that he agreed with Aldermen Row and Huch and need to reach out to business owners.

There was no motion to reconsider.

VII. EXECUTIVE SESSION

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

MOTION:

It was moved by Alderman Row, and seconded by Alderman Huch, to direct the Mayor to go into Executive Session at 8:25 PM for the purpose of discussing litigation and land acquisition. Upon Roll Call vote, Aldermen Ebersohl, Agne, Niemietz, Unnerstall, Koesterer, Row, and Huch voted yea. Motion Carried.

MOTION:

It was moved by Alderman Koesterer, and seconded by Alderman Ebersohl, to return to Regular Session of the City Council at 8:57 PM. Upon Roll Call vote, Aldermen Ebersohl, Agne, Niemietz, Unnerstall, Koesterer, Row, and Huch voted yea. Motion Carried.

Upon return to Regular Session, Aldermen Ebersohl, Agne, Niemietz, Unnerstall, Koesterer, 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.

A. Ordinance No. 2454 – Intergovernmental Cooperative Agreement

MOTION:

It was moved by Alderman Huch, and seconded by Alderman Koesterer, to pass Ordinance No. 2454, an ordinance authorizing an Intergovernmental Cooperative Agreement between the City of Columbia, Illinois, the Village of Dupo, Illinois, and the Township of Sugar Loaf, Illinois with regard to their Facility Planning Area boundaries in Monroe County, Illinois. Upon Roll Call vote, Aldermen Koesterer, Huch, and Mayor Hutchinson voted yea. Aldermen Ebersohl, Agne, Niemietz, Unnerstall, and Row voted nay. Motion Failed.

B. City Attorney Report

MOTION:

It was moved by Alderman Koesterer, and seconded by Alderman Huch, to accept the report of the City Attorney as presented. Upon Voice vote, all Aldermen present voted yea. Motion Carried.

VIII. NEW BUSINESS

A. Temporary Banner Request

MOTION:

It was moved by Alderman Agne, and seconded by Alderman Ebersohl, to approve the Temporary Banner Request for the St. Paul United Church of Christ as submitted and on file at City Hall. Upon Roll Call vote, Aldermen Ebersohl, Agne, Niemietz, Unnerstall, Koesterer, Row, and Huch voted yea. Motion Carried.

B. Blue Bow Campaign – Child Abuse Prevention Month Proclamation

MOTION:

It was moved by Alderman Agne, and seconded by Alderman Huch, to authorize Mayor Hutchinson to sign the Blue Bow Campaign – Child Abuse Prevention Month Proclamation. Upon Roll Call vote, Aldermen Ebersohl, Agne, Niemietz, Unnerstall, Koesterer, Row, and Huch voted yea. Motion Carried.

C. Temporary Banner Request

MOTION:

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

D. K of C Annual Tootsie Roll Drive

MOTION:

It was moved by Alderman Agne, and seconded by Alderman Niemietz, to approve the request of the Knights of Columbus to hold their annual Tootsie Roll Drive September 15 - 16, 2006 as submitted and on file at City Hall. Upon Roll Call vote, Aldermen Ebersohl, Agne, Niemietz, Unnerstall, Koesterer, Row, and Huch voted yea. Motion Carried.

IX. REPORT OF STANDING COMMITTEES

A. Personnel

The minutes of the Personnel Committee meeting and the Executive Session of the Personnel Committee 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 Executive Session of the Personnel Committee meeting held Monday, February 27, 2006 as submitted and on file at City Hall. Upon Voice vote, all Aldermen present voted yea. Motion Carried.

MOTION:

It was moved by Alderman Niemietz, and seconded by Alderman Ebersohl, to approve the minutes of the Personnel 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.

X. CALL FOR COMMITTEE MEETINGS

Monday, March 27, 2006

7:00 PM - Personnel

7:05 PM - Ordinances, Planning, and Zoning

7:10 PM - Finance, Claims, Bonds, and Interest

XI. ADJOURNMENT

MOTION:

It was moved by Alderman Niemietz, and seconded by Alderman Koesterer, to adjourn the Regular City Council Meeting held Monday, March 20, 2006 at 9:11 PM. Upon Voice vote, all Aldermen present voted yea. Motion Carried.

Wesley J. Hoeffken, City Clerk

Mayor Kevin Hutchinson

