

NOTICE OF & AGENDA FOR
CITY OF COLUMBIA, ILLINOIS
COMMITTEE MEETINGS TO BE HELD ON
MONDAY, AUGUST 23, 2010
AT COLUMBIA CITY HALL
208 S. RAPP AVENUE
COLUMBIA, ILLINOIS

7:00 PM - Committee of the Whole

1. Aldermanic Compensation discussion - April, 2011 Elected Officials
2. Old Town Project - Final Payout(s) discussion
3. ITEP Grant Application (Phase II of the Main Street Streetscape Project) discussion
4. Other items to be considered or discussed

7:10 PM - License, Insurance Claims, CEMA and Contracts

1. Internet Provider discussion
2. Other items to be considered or discussed

7:20 PM - Personnel

1. SWIC Student Intern discussion
2. Other items to be considered or discussed

7:30 PM - Finance, Claims, Bonds and Interest

1. Finance/Budgetary issues discussion
2. General Obligation Bond Issue Information Presentation/Discussion
3. Other items to be considered or discussed

**MINUTES OF THE COMMITTEE OF THE WHOLE MEETING OF THE CITY
COUNCIL OF THE CITY OF COLUMBIA, ILLINOIS HELD MONDAY,
AUGUST 23, 2010 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 7:03 p.m.

Upon Roll Call, the following members were:

Present: Chairman Ebersohl and Aldermen Agne, Niemietz, Row (arrived at 7:08 p.m.), Hejna, Oberkfell, Stumpf and Roessler and Mayor Hutchinson.

Absent: None.

Quorum Present.

Administrative Staff Present: City Administrator Al Hudzik, Accounting Manager Linda Sharp, Director of Community and Economic Development Paul Ellis, City Engineer Ron Williams, Chief of Police and Ambulance Director Joseph Edwards and Accounting/Clerical Assistant Sandy Garmer.

Guests Present: None.

Chairman Ebersohl stated the purpose of the meeting was to discuss (1) Aldermanic compensation for April, 2011 elected officials; (2) Old Town Project final payout(s); (3) ITEP Grant application (Phase II of the Main Street Streetscape Project); and (4) any other items to be considered.

**II. ALDERMANIC COMPENSATION DISCUSSION – APRIL, 2011 ELECTED
OFFICIALS**

Chairman Ebersohl made opening remarks and Mayor Hutchinson informed the Committee that the aldermanic compensation has to be determined for the officials elected at the upcoming April, 2011 election. City Administrator Hudzik reminded the Committee Members that aldermanic compensation needs to be approved at least 180 days prior to the elected aldermen taking office. Hudzik then reviewed documentation that had been previously distributed to the Committee, which included (a) a one page document containing pertinent excerpts from the Illinois Municipal Code pertaining to elected officials' compensation; (b) Ordinance No. 2695, approved November 18, 2008, setting the salaries of the city officials elected at the April 7, 2009 election; and (c)

Ordinance No. 2698, approved December 15, 2008, fixing the date for the commencement of terms of newly elected city officers.

A general discussion was then held among the Committee Members, which included: (i) the level of compensation to be paid to the aldermen elected in April, 2011; (ii) whether compensation parity should be maintained with the aldermen elected in April, 2009 for fiscal years 2011 and 2012; and (iii) the amount(s)/percentage(s), if any, said aldermanic compensation should be increased for fiscal years 2013 and 2014.

MOTION:

It was moved by Alderman Stumpf and seconded by Alderman Roessler to recommend to the City Council that the compensation of the city's aldermen elected at the April, 2011 municipal election be the same as those aldermen elected in April, 2009 for the city's fiscal year 2011 (05/01/11 – 04/30/12 (annual salary of \$5,192)) and fiscal year 2012 (05/01/12 – 04/30/13 (annual salary of \$5,400)), and that said aldermanic salaries be increased by 4% for each of the city's fiscal years of 2013 and 2014. Chairman Ebersohl and Aldermen Agne, Niemietz, Row, Henja, Oberkfell, Stumpf and Roessler voted yea.

MOTION CARRIED.

III. OLD TOWN PROJECT – FINAL PAYOUT(S) DISCUSSION

Chairman Ebersohl called upon City Engineer Ron Williams to address the Committee on this issue. Mr. Williams referenced the documents previously distributed to the Committee Members consisting of a Memo (from City Administrator Hudzik) pertaining to Old Town Project Pay Request information and its attachment entitled "Old Town Project – UPDATED to include pay request #28/Final". City Administrator Hudzik reviewed the accounting figures on page 3 of the attachment, which included the estimated final payment due Veile Construction (after deducting an estimated amount of \$40,000 for payment of legal fees (excluding legal fees paid by the city to the City Attorney)). City Administrator Hudzik then distributed a document entitled "Old Town Project – Phase 1 Legal Fees Incurred January 1, 2010 Through July 31, 2010" representing legal fees paid by the city to City Attorney Tom Adams (in the aggregate amount of \$12,420) for legal services necessitated due to Veile Construction failing to pay all project subcontractors and material men – Hudzik also informed the Committee Members that additional legal work has been done by Tom Adams on this project in August.

City Engineer Williams indicated that Veile did not complete the project within the timeframe allotted in the contract and that liquidated damages could be assessed against Veile – he indicated the time allotted for substantial completion of the project was one-hundred (100) working days and that Veile had exceeded that time allotment in November, 2009; he stated the contract also allotted another twenty (20) working days for the project to be totally completed and ready for final payment (for a grand total of 120 working days). Mr. Williams indicated that by his calculations Veile had taken an

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Memo from City Administrator Al Hudzik re: Aldermanic Compensation Information (1 page)
Illinois Municipal Code Excerpts (1 page)
Ordinance No. 2695 (4 pages)
Ordinance No. 2698 (2 pages)
Memo from City Administrator Al Hudzik re: Old Town Project Pay Request Information (4 pages)

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extra 33 working days (over the 120 allowed in the contract) to complete the project, and the contract allows the assessment of liquidated damages in the amount of \$1,250 per working day for not completing the project on time. Mr. Williams also indicated there may be provisions in the contract to allow the city to receive reimbursement of the legal fees it paid, which were necessitated by the subcontractors and material men not being paid by Veile.

A general discussion was held during the Final Payout(s) presentation in which all in attendance were given the opportunity to make comments, which included: (a) assessment of liquidated damages as allowed in the contract; (b) taking the proper legal actions that allow for reimbursement of legal fees paid to Tom Adams necessitated by Veile not properly paying project subcontractors and material men; (c) taking the proper actions to allow for the assessment of liquidated damages and the collecting of legal fees paid to Tom Adams (as described in (b)); (d) the possibility of negotiating a settlement with Veile on these issues without incurring a large amount of additional legal fees; and (e) the additional staff time required to address the liquidated damages/city's legal fees reimbursement issues prior to finalizing this project whether or not a negotiated settlement can be reached. City Administrator Hudzik and City Engineer Williams requested approval from the Committee Members allowing them to consult with attorney Tom Adams on how best to proceed with collecting said legal fees and/or liquidated damages from Veile Construction, including the use of a negotiated settlement. A straw poll was taken: Chairman Ebersohl and Aldermen Agne, Niemietz, Row, Hejna, Oberkfell, Stumpf and Roessler voted yea.

IV. ILLINOIS TRANSPORTATION ENHANCEMENT PROGRAM (ITEP) GRANT APPLICATION (PHASE II OF THE MAIN STREET STREETSCAPE PROJECT) DISCUSSION

Chairman Ebersohl called upon Director of Community and Economic Development Paul Ellis to address the Committee on this issue. Mr. Ellis informed the Committee that the grant application is due by August 31, 2010, and that he had recently spoken to Tom Cissell, an engineer with Oates Associates, who informed Paul it is not unusual for less than 100% of a project to be approved in the ITEP grant program – additionally, he indicated there may be some flexibility in the amount of the grant award accepted by the city. City Engineer Williams informed the Committee that the city wanted to be assured that the cost estimates included in the grant application would cover all final project costs – the increased estimated funding costs to the city were the result of a reduction of the lighting costs eligible to be paid with grant proceeds from 80% to 50% -- he also indicated that the engineering cost estimates were based upon standard IDOT contract terms, and the city may be able to reduce them by utilizing the assistant city engineer to perform some of the engineering work.

During the presentation, all in attendance were given the opportunity to make comments and ask questions – Mayor Hutchinson stated that he would be signing the grant

application so it could be sent in before the deadline. Mr. Williams did not know the state's timeframe on the awarding of ITEP grants.

V. OTHER ITEMS TO BE CONSIDERED OR DISCUSSED

In response to requests by various Committee Members: (1) bid proposals are being finalized for the Miller-Fiege Home roof replacement; (2) letters have been sent to the property owners adjacent to the private road in the Columbia Centre area that is in disrepair – the property owners have been given ninety (90) days to repair the road (some patchwork has recently been done); and (3) Mr. Ellis is currently compiling information (that will be shared with the Council in the future) on the vacant area of the Oak Street property.

VI. EXECUTIVE SESSION

City Administrator Hudzik requested that the Committee of the Whole hold an Executive Session to discuss employment of legal counsel to represent the city pertaining to employment discrimination allegations made against the city. Chairman Ebersohl entertained a motion to that effect.

MOTION-EXECUTIVE SESSION

It was moved by Alderman Niemietz and seconded by Alderman Stumpf to go into Executive Session at 8:23 p.m. to discuss employment of legal counsel to represent the city pertaining to employment discrimination allegations made against the city.

Chairman Ebersohl and Aldermen Agne, Niemietz, Row, Hejna, Oberkfell, Stumpf and Roessler voted yea. **MOTION CARRIED.**

MOTION – REGULAR SESSION

It was moved by Alderman Niemietz and seconded by Alderman Hejna to return to Regular Session of the Committee of the Whole Meeting at 8:38 p.m. Upon Roll Call vote, Chairman Ebersohl and Aldermen Agne, Niemietz, Row, Hejna, Oberkfell, Stumpf and Roessler voted yea. **MOTION CARRIED.**

Upon return to the Regular Session of the Committee of the Whole Meeting, the following Committee Members were present: Chairman Ebersohl and Aldermen Agne, Niemietz, Row, Hejna, Oberkfell, Stumpf and Roessler. Mayor Hutchinson was also present.

Chairman Ebersohl asked if there was any action to be taken as a result of the Executive Session of the Committee of the Whole Committee Meeting.

MOTION:

It was moved by Alderman Niemietz and seconded by Alderman Roessler to recommend to the City Council that the city employ Mark W. Wiesman, attorney with the firm of Gallop, Johnson & Neuman, to represent the city in responding to the employment discrimination allegations made against the city by Babatunde S. Owoseni. Chairman

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Memo from City Administrator Al Hudzik re: Aldermanic Compensation Information (1 page)

Illinois Municipal Code Excerpts (1 page)

Ordinance No. 2695 (4 pages)

Ordinance No. 2698 (2 pages)

Memo from City Administrator Al Hudzik re: Old Town Project Pay Request Information (4 pages)

Ebersohl and Aldermen Agne, Niemietz, Row, Hejna, Oberkfell, Stumpf and Roessler voted yea. **MOTION CARRIED.**

VII. ADJOURNMENT

MOTION:

It was moved by Alderman Niemietz and seconded by Alderman Hejna to adjourn the Committee of the Whole Meeting of the City Council of the City of Columbia, Illinois held Monday, August 23, 2010 at 8:40 p.m. Upon Roll Call vote, Chairman Ebersohl and Aldermen Agne, Niemietz, Row, Hejna, Oberkfell, Stumpf and Roessler voted yea.

MOTION CARRIED.



GENE EBERSOHL, Chairman
COMMITTEE OF THE WHOLE

Minutes taken by:



SANDRA GARMER, Accounting/Clerical Assistant

**MINUTES OF THE LICENSE, INSURANCE CLAIMS, CEMA AND
CONTRACTS COMMITTEE MEETING OF THE CITY COUNCIL OF THE
CITY OF COLUMBIA, ILLINOIS HELD MONDAY, AUGUST 23, 2010 IN THE
COUNCIL ROOM OF CITY HALL**

I. CALL TO ORDER

Chairman Roessler called the License, Insurance Claims, CEMA and Contracts Committee Meeting of the City Council of the City of Columbia, Illinois to order at 8:41 p.m.

Upon Roll Call, the following members were:

Present: Chairman Roessler and Aldermen Hejna, Oberkfell and Stumpf.

Absent: None.

Quorum Present.

Others Present: Mayor Hutchinson and Aldermen Ebersohl, Agne, Niemietz, and Row.

Administrative Staff Present: City Administrator Al Hudzik, Chief of Police and Ambulance Director Joseph Edwards, Accounting Manager Linda Sharp and Accounting/Clerical Assistant Sandy Garmer.

Guests Present: None.

Chairman Roessler stated the meeting was called to discuss proposals to providing internet services to the city and any other items to be considered.

II. INTERNET PROVIDER DISCUSSION

Chairman Roessler opened the meeting and called upon City Administrator Al Hudzik to address the Committee on this issue. Mr. Hudzik reviewed his Internet Provider Information Memo and its attachments from Wisper Technology Solutions, Charter Communications and Harrisonville Telephone Company, in which each of those companies proposed to provide internet services to the city. The letter from Wisper (the city's current internet provider) indicated that the city's current contract will expire on October 1, 2010, and proposed to continue its internet provider relationship with the city at an increased cost. A brief discussion was held during Mr. Hudzik's presentation after which it was the consensus of the Committee/Council Members that City Administrator Hudzik, Chief of Police Edwards and City Engineer Williams analyze the internet services proposals, meet with the necessary company personnel, and make a recommendation on which internet services provider to use.

III. OTHER ITEMS TO BE CONSIDERED OR DISCUSSED

None.

IV. ADJOURNMENT

MOTION:

It was moved by Alderman Henja and seconded by Alderman Oberfell to adjourn the License, Insurance Claims, CEMA and Contracts Committee Meeting held Monday, August 23, 2010 at 8:55 p.m. Upon Roll Call vote, Chairman Roessler and Aldermen Hejna, Oberfell and Stumpf voted yea. **MOTION CARRIED.**



MARK ROESSLER, Chairman

LICENSE, INSURANCE CLAIMS, CEMA AND CONTRACTS COMMITTEE

Minutes taken by:



SANDRA GARMER, Accounting/Clerical Assistant

**MINUTES OF THE PERSONNEL COMMITTEE MEETING OF THE CITY
COUNCIL OF THE CITY OF COLUMBIA, ILLINOIS HELD MONDAY,
AUGUST 23, 2010 IN THE COUNCIL ROOM OF CITY HALL**

I. CALL TO ORDER

Chairman Mary Ellen Niemietz called the Personnel Committee Meeting of the City Council of the City of Columbia, Illinois to order at 8:56 p.m.

Upon Roll Call, the following members were:

Present: Chairman Niemietz and Aldermen Ebersohl, Stumpf and Roessler.

Absent: None.

Quorum Present.

Others Present: Mayor Hutchinson and Aldermen Agne, Row, Hejna and Oberfell.

Administrative Staff Present: City Administrator Al Hudzik, Director of Community and Economic Development Paul Ellis, Accounting Manager Linda Sharp and Accounting/Clerical Assistant Sandy Garmer.

Guests Present: None.

Chairman Niemietz stated the purpose of the personnel meeting was to discuss a Southwestern Illinois College (SWIC) fall student internship and any other items to be considered.

II. SWIC STUDENT INTERNSHIP DISCUSSION

Chairman Niemietz called upon Director of the Community and Economic Development Paul Ellis to address the Committee on this issue. Mr. Ellis referred to Ms. Schuette's resume, which had previously been distributed to the Committee/Council Members. Ms. Schuette is working on her Associates Degree in Applied Science/Paralegal Studies and the SWIC program requires that she work for 160 hours as a student intern. Accounting Manager Linda Sharp and Mr. Ellis previously interviewed Ms. Schuette and feel she can be utilized in helping prepare various legal documents, agreements, resolutions and ordinances, thereby assisting City Hall staff in these areas (in addition to providing general administrative support). It was the consensus of the Committee/Council Members to allow Catherine Schuette to work at City Hall as a fall intern.

MOTION:

It was moved by Alderman Ebersohl and seconded by Alderman Stumpf to recommend to the City Council approval of a noncompensated fall internship through Southwestern Illinois College for student Catherine Schuette to work at City Hall (as recommended by Paul Ellis and Linda Sharp), contingent upon her successful completion of a pre-employment physical, as well as state and federal background checks. Chairman Niemietz and Aldermen Ebersohl, Stumpf and Roessler voted yea. **MOTION CARRIED.**

III. OTHER ITEMS TO BE CONSIDERED OR DISCUSSED

None.

IV. ADJOURNMENT

MOTION:

It was moved by Alderman Ebersohl and seconded by Alderman Roessler to adjourn the Personnel Committee Meeting held Monday, August 23, 2010 at 9:05 p.m. Upon Roll Call vote, Chairman Niemietz and Aldermen Ebersohl, Stumpf and Roessler voted yea. **MOTION CARRIED.**



MARY ELLEN NIEMIETZ, Chairman

PERSONNEL COMMITTEE

Minutes Taken by:



SANDRA GARMER, Accounting/Clerical Assistant

**MINUTES OF THE FINANCE, CLAIMS, BONDS AND INTEREST
COMMITTEE MEETING OF THE CITY COUNCIL OF THE CITY OF
COLUMBIA, ILLINOIS HELD MONDAY AUGUST 23, 2010 IN THE COUNCIL
ROOM OF CITY HALL**

I. CALL TO ORDER

Chairman Roessler called the Finance, Claims, Bonds and Interest Committee Meeting of the City Council of the City of Columbia, Illinois to order at 9:06 p.m.

Upon Roll Call, the following members were:

Present: Chairman Roessler and Aldermen Ebersohl, Hejna and Stumpf.

Absent: None.

Quorum Present.

Others Present: Mayor Hutchinson and Aldermen Agne, Niemietz, Row and Oberkfell.

Administrative Staff Present: City Administrator Al Hudzik, Accounting Manager Linda Sharp and Accounting/Clerical Assistant Sandy Garmer.

Guests Present: None.

Chairman Roessler stated the meeting was called to discuss finance/budgetary issues, general obligation bond issue information and any other items to be considered.

II. FINANCE/BUDGETARY ISSUES DISCUSSION

Chairman Roessler opened the meeting and asked the Committee/Council Members if there were any finance/budgetary issues that needed to be discussed at this meeting. There were none.

**III. GENERAL OBLIGATION (G.O.) BOND ISSUE INFORMATION
PRESENTATION/DISCUSSION**

Chairman Roessler called upon City Administrator Al Hudzik to address the Committee on this issue. After distribution of a Memo from Accounting Manager Sharp entitled "Capital List for Bond Issue Consideration" and its attachment, Mr. Hudzik reviewed the two (2) page document previously distributed containing responses by attorney Kurt Froehlich to questions by Sharp and Hudzik pertaining to General Obligation Bond issues. Ms. Sharp then reviewed her Memo and its attachment entitled "List of Capital Items to Consider for Bond Issue – August 23, 2010" identifying various items that the proceeds of a city G.O. Bond Issue could fund. Ms. Sharp indicated this list is not all-inclusive of the items that may be funded by a city G.O. Bond Issue (since any items allowable by state statutes can be funded), but it is indicative of some of the items that

may be funded by such a G.O. Bond Issue – the attachment reflected a Grand Total of \$590,900 of items identified, but bond proceeds would only be available to fund items aggregating to the amount of G.O. Bonds the City Council decided should be issued, if any. Ms. Sharp's Memo referenced a bond issue of \$450,000 for six years since the city's current outstanding G.O. Bond Issue is due to be paid in full in December, 2010, the last principal bond payment is \$75,000, and the term of said G.O. Bond Issue was six years (i.e., \$75,000 X 6 (yrs) = \$450,000).

A general discussion was held during the presentation during which all Committee/Council Members were given the opportunity to make comments and ask questions, which included (1) whether or not bonds should be issued as a replacement of the bonds issued in 2004 and that are maturing in December, 2010; (2) if bonds are issued, the amount of bonds to be issued and the term – discussion took place on whether or not to increase the issue beyond the \$450,000 amount (referenced in the Memo) with the term (in years) to be increased accordingly, due to the relatively low current interest rate environment; and (3) what items would be funded by the bond proceeds.

MOTION:

It was moved by Alderman Ebersohl and seconded by Alderman Stumpf to recommend to the City Council approval for city staff to take the steps necessary for the city to proceed with the issuance of general obligation bonds in the amount of \$450,000 with a six year term. Chairman Roessler and Aldermen Ebersohl, Hejna and Stumpf voted yea.

MOTION CARRIED.

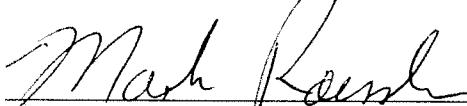
IV. OTHER ITEMS TO BE CONSIDERED OR DISCUSSED

None.

V. ADJOURNMENT

MOTION:

It was moved by Alderman Ebersohl and seconded by Alderman Hejna to adjourn the Finance, Claims, Bonds and Interest Committee Meeting held Monday, August 23, 2010 at 9:28 p.m. Upon Roll Call vote, Chairman Roessler and Aldermen Ebersohl, Hejna and Stumpf voted yea. **MOTION CARRIED.**



MARK ROESSLER, Chairman
FINANCE, CLAIMS, BONDS AND INTEREST COMMITTEE

Minutes taken by:



SANDRA GARMER, Accounting/Clerical Assistant