

**MINUTES OF THE ORDINANCE, PLANNING AND ZONING COMMITTEE  
MEETING OF THE CITY COUNCIL OF THE CITY OF COLUMBIA, ILLINOIS  
HELD MONDAY, OCTOBER 24, 2011 IN THE COUNCIL ROOM OF CITY  
HALL**

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**I. CALL TO ORDER**

Chairman Jim Agne called the Ordinance, Planning and Zoning Committee Meeting of the City Council of the City of Columbia, Illinois to order at 7:02 p.m.

Upon Roll Call, the following members were:

Present: Chairman Agne and Aldermen Niemietz and Reis.

Absent: Alderman Ebersohl.

Quorum Present.

Others Present: Mayor Hutchinson and Aldermen Roessler, Huch, Mathews and Piazza.

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

Guests Present: Joe and Susan Caito (representing the proposed indoor shooting range).

Chairman Agne stated the purpose of the meeting was to discuss and review (1) Special Use Permit requirements for: (i) an Indoor Shooting Range (Joe and Susan Caito); and (ii) Momentum Church; and (2) any other items to be considered.

**II. REVIEW/DISCUSSION OF SPECIAL USE PERMIT REQUIREMENTS: (i)  
INDOOR SHOOTING RANGE (JOE AND SUSAN CAITO); AND (ii)  
MOMENTUM CHURCH**

Chairman Agne called the meeting to order and made opening remarks concerning the Special Use Permit applications for an indoor shooting range in an A-1 (Agricultural) zoned district and a church in a BP-2 (Business Park) zoned district, both of which were recommended for approval by the Plan Commission and the Zoning Board of Appeals. Chairman Agne reviewed the second page of the documents from City Engineer Ron Williams (previously distributed to the Committee/Council Members), which described the requirements to be met for a Special Use Permit to be issued to (i) a church located in a BP-2 zoned district; and (ii) a shooting range located in an A-1 zoned district. A question was then asked about the structural sound resistance of the indoor shooting range, which was answered by Mr. Caito stating that the walls would be constructed of ten (10) inch thick poured concrete rather than eight (8) inch concrete blocks (as originally proposed), with multiple rows of sound baffle in the ceiling area. It was the

consensus of the Committee/Council Members that the standard Special Use Permit requirements in each of the zoning districts apply with no additional criteria to be stipulated.

**MOTION:**

It was moved by Aldermen Niemietz and seconded by Alderman Reis to recommend to the City Council adoption of an ordinance approving of a Special Use Permit to allow Momentum Church to locate in an existing building (at 504 DD Road) in a BP-2 (Business Park) zoned district without stipulating specific criteria to the requirements allowing such special use. Upon Roll Call vote, Chairman Agne and Aldermen Niemietz and Reis voted yea. **MOTION CARRIED.** A straw poll of the other Aldermen was taken: Roessler, Huch, Mathews and Piazza voted yea.

**MOTION:**

It was moved by Aldermen Niemietz and seconded by Alderman Reis to recommend to the City Council adoption of an ordinance approving of a Special Use Permit to allow Joe and Susan Caito to construct and operate an Indoor Shooting Range at 310 BB Road in an A-1 (Agricultural) zoned district without stipulating specific criteria to the requirements allowing such special use. Upon Roll Call vote, Chairman Agne and Aldermen Niemietz and Reis voted yea. **MOTION CARRIED.** A straw poll of the other Aldermen was taken: Roessler, Huch, Mathews and Piazza voted yea.

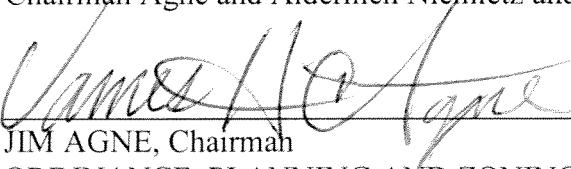
**III. OTHER ITEMS TO BE CONSIDERED OR DISCUSSED**

None.

**IV. ADJOURNMENT**

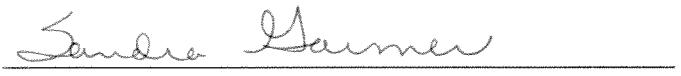
**MOTION:**

It was moved by Aldermen Reis and seconded by Alderman Niemietz to adjourn the Ordinance, Planning and Zoning Committee Meeting of the City Council of the City of Columbia, Illinois held Monday, October 24, 2011, at 7:09 p.m. Upon Roll Call vote, Chairman Agne and Aldermen Niemietz and Reis voted yea. **MOTION CARRIED.**

  
JIM AGNE, Chairman

ORDINANCE, PLANNING AND ZONING COMMITTEE

Minutes taken by:

  
SANDRA GARMER, Accounting/Clerical Assistant

**MINUTES OF THE COMMITTEE OF THE WHOLE MEETING OF THE CITY  
COUNCIL OF THE CITY OF COLUMBIA, ILLINOIS HELD MONDAY,  
OCTOBER 24, 2011 IN THE COUNCIL ROOM OF CITY HALL**

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**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 7:11 p.m.

Upon Roll Call, the following members were:

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

Absent: None.

Quorum Present.

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

Guests Present: Jim Vogt, an engineer with Heneghan & Associates, representing David Levinson/Clayton Forsyth Realty, Oscar Arras, Regional Account Manager with Utility Service Partners, Inc., and Philip Carr, Business Development Director with GoodEnergy, L.P.

Chairman Ebersohl stated the meeting was called for the purpose of (1) the presentation/discussion of the Service Line Warranties of America's Utility Service Line Warranty Program; (2) the Columbia Lakes Area Community Unit Plan (North & South) Cooperation Agreement(s) review/discussion; (3) the Municipal Electric Aggregation presentation/discussion; (4) the Public Comments Ordinance review/discussion; (5) discussion on allowing electronic attendance at meetings; and (6) any other items to be considered or discussed.

**II. COLUMBIA LAKES AREA COMMUNITY UNIT PLAN (“CUP”) (NORTH & SOUTH) COOPERATION AGREEMENT(S) REVIEW/DISCUSSION**

(Note: In addition to the individuals listed hereon in I., three (3) members of the public were in attendance.)

Chairman Ebersohl opened the meeting and called upon City Engineer Ron Williams to address the Committee Members on this issue. Ron reviewed documents previously

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Distribution Item – 10/24/11 Committee of the Whole Meeting: Cooperation Agreement Columbia Lakes (CUP) (9 pages)

Distribution Item – 10/24/11 Committee of the Whole Meeting: NLC Service Line Protection Program for Columbia, IL – Kevin Hutchinson (9 pages)

Memo (and Attachments) from City Administrator Al Hudzik re: Municipal Electric Aggregation Info (24 pages)

Memo (and Attachments) from City Administrator Al Hudzik re: Public Comments at Meetings Info (7 pages)

Memo (and Attachments) from City Administrator Al Hudzik re: Electronic Attendance at Meetings Info – February 28<sup>th</sup> Committee of the Whole Meeting (9 pages)

distributed to the Committee Members (pertaining to these proposed CUPs) consisting of (i) a Draft of a Cooperation Agreement for Community Unit Development Plans; and (ii) a proposed “Appendix A” for said Cooperation Agreement – he also informed the Committee Members that the CUP legal descriptions and concept plans would also be attachments to the final Cooperation Agreement. Ron then reviewed each item of the Proposed “Appendix A” under headings of “Landscape/Buffer Zones”, “Architecture/Building”, “Amenities”, “Construction”, “Miscellaneous” and “Other Items for Discussion”. During and after Ron’s review, all in attendance, including members of the public, were given the opportunity to ask questions, make comments or express their opinions, which included (a) removing language referring to a six (6) ft. tall privacy fence along Columbia Lakes Drive; (b) the advisability of including a gate that is located next to private residential property in the fencing; (c) the need to have definitive architectural guidelines for multiple roof peaks, elevations and styles; (d) suggestion for the developer to submit language re: building values per square foot of the CUP developments matching existing (Columbia Lakes Subdivision) single family home values per square foot; (e) the advisability of including the request for free access to all CUP amenities by Columbia Lakes Subdivision residents in the cooperation agreement; (f) working with City Attorney Terry Bruckert on impact fee (or similar) language; (g) showing locations of dumpsters on the final plans; (h) adding the requirement that construction dumpsters are to be covered with tarps; (i) the proper Landscape/Buffer setback distance to require; and (j) requesting that the developer submit proposed language on several of the items he committed to do when he met with Columbia Lakes Subdivision residents. City Engineer Ron Williams will (i) work with Alderman Agne on definitive language for architectural style guidelines; (ii) continue to work on proposed cooperation agreement language (including “Appendix A” language) to present to the Committee Members for their review at a future meeting; and (iii) forward a copy of the proposed cooperation agreement to the developer for informational (and review) purposes.

### **III. PRESENTATION/DISCUSSION OF SERVICE LINE WARRANTIES OF AMERICA'S UTILITY SERVICE LINE WARRANTY PROGRAM**

Mayor Hutchinson introduced Oscar Arras, Regional Account Manager with Utility Service Partners, Inc. (“USP”). Oscar informed the Committee Members that USP has partnered with the National League of Cities (“NLC”) in offering the NLC Service Line Warranty Program and he distributed a folder to each Committee Member containing documents (describing and pertaining to said program) entitled “Case Study” (Beckley, West Virginia), “Participating is Easy”, “FAQs”, “National Roll Out Schedule” and “Building Peace of Mind, One Community at a Time”. He then described the program (warranties offered for outside sewer and waterline repairs) and touched upon some of the documentation included in the folders distributed, as well as the Marketing Agreement(s) to be entered into by the city and Utility Service Partners Private Label, Inc. if the city decided to offer the program to its citizens – he informed the Committee

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Members that each citizen would make his/her own choice on whether or not to participate in the warranty program – USP just asks that the city support the program. He also indicated that a small amount of revenue (i.e., a License Fee) would be generated for the city for allowing the offering of this warranty program, and that the normal cost to participate currently approximates \$4.50 - \$5.50/month/participant for each of the programs. Oscar also indicated that USP tries to utilize local contractors to perform the warranty work. During and after Oscar's presentation all in attendance were given the opportunity to ask questions, make comments and express their opinions, which included (a) whether or not the homeowners have the choice of which contractor to use (Oscar stated that contractors are normally pre-qualified at negotiated rates) – a suggestion was made to include the list of pre-qualified contractors on the literature mailed to residents if the program is offered; (b) there is a ceiling on repairs (e.g., \$4,000@) covered by the warranty program; (c) benefits include unclogging tree roots from sewer lines; (d) local codes must be followed on repairs; and (e) there is no deductible to the homeowner – they pay only the monthly premium and the cost of repairs exceeding the ceiling. It was the consensus of the Committee Members (after taking a straw poll in which all were in favor) to move forward on this program based on the presentation made by Mr. Arras.

#### **IV. MUNICIPAL ELECTRIC AGGREGATION PRESENTATION/DISCUSSION**

City Administrator Al Hudzik made opening remarks and indicated that Philip Carr gave a presentation on this topic at the Southwest Illinois City Management Association meeting on October 7<sup>th</sup> (and that the power point presentation given at that meeting had previously been distributed to the Committee Members along with other documentation pertaining to this topic). He then introduced Philip Carr, Business Development Director (Electricity & Natural Gas) at GoodEnergy L.P. Philip reviewed the municipal electric aggregation concept and indicated that only Ohio and Illinois have passed legislation allowing local governments to offer electric aggregation on behalf of their residents and small commercial retail customers. The basic concept allows cities to approve documents allowing aggregation of their residents and small commercial retail customers electricity usage on an opt-out basis (i.e., the city will negotiate electricity rates applicable to all eligible users unless they choose to opt-out and select a different electricity supplier) – the opt-out program is subject to passage of a referendum by the citizens. Philip indicated that GoodEnergy has been meeting with several local governmental agencies in the central and southern areas of Illinois, and the company plans to send out Requests for Proposals ("RFPs") for all those entities (at the same time) in an effort to receive more competitive bids (for each entity) due to the aggregation of the electrical usage (page 23 (a part of the power point document) of the documents distributed to the Committee Members contained some of the entities to be included in the RFP mailings). This program applies only to the company supplying the electricity – AmerenIP will still deliver the electricity and send the billings for both the delivery and supply of the electricity. Philip also indicated that the next general election will be held on March 20, 2012 and there is a deadline for adopting the documents necessary to allow

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this question to appear on the ballot. If GoodEnergy is selected as the consultant, the company will provide the financial support needed for the marketing of this concept and will be actively involved in developing the required plan of operation, which explains the bidding and transition process pertaining to electricity aggregation – the company would also assist in the two (2) public hearings required by law and handle the RFP on behalf of their clients. Philip said GoodEnergy is not paid by the city – instead the company receives its fees from the electricity suppliers. During and after Philip's presentation all in attendance were able to ask questions, make comments and express their opinions, which included (i) the RFPs will request rates for a specific time frame (e.g., 18 mos., 24 mos., 30 mos.) and the city has the ability to accept or decline any and all proposals; (ii) residents will be given multiple opportunities to opt-out of the program and receive their electricity from the supplier of their choice; (iii) Ameren normally publishes its rates annually (in May) for the following year – the RFP can incorporate language that the successful electricity supplier must match the AmerenIP rates, if those rates are lower; (iv) each city will be signing its own contract with the successful supplier; and (v) sending out RFPs at the same time as other cities utilizing GoodEnergy as a consultant should lead to more competitive quotes by suppliers. Hudzik recommended that the city move forward with the electric aggregation program allowed by state law (on an opt-out basis) and that GoodEnergy be used as the consultant.

**MOTION:**

It was moved by Aldermen Reis and seconded by Alderman Huch that city staff compile and present the documents to allow the city to proceed with a Municipal Electric Aggregation Opt-Out Program plan and to utilize the services of GoodEnergy, L.P., as the consultant in the implementation of such plan. Upon Roll Call vote, Chairman Ebersohl and Aldermen Agne, Niemietz, Roessler, Huch, Mathews, Piazza and Reis voted yea. **MOTION CARRIED.**

**V. PUBLIC COMMENTS ORDINANCE REVIEW/DISCUSSION**

City Administrator Hudzik reviewed his Memo re: Public Comments at Meetings and its attachments consisting of (i) the language of Public Act 096-1473 (including giving the public the right to address public officials under rules established and recorded by the public body); and (ii) a proposed ordinance (drafted by City Attorney Bruckert) to establish the rules for the public to address public officials. Hudzik indicated the documents had been distributed for informational purposes, that changes would be made to the proposed ordinance, and that it would again be presented (as changed) in the future.

**VI. DISCUSSION ON ALLOWING ELECTRONIC ATTENDANCE AT MEETINGS**

City Administrator Hudzik reviewed documentation distributed and discussed at the February 28, 2011 Committee of the Whole meeting pertaining to this topic (Note: a copy of the minutes of that meeting (showing the motion made to recommend that the council

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allow electronic attendance at meetings failed) was a part of the documentation previously distributed to the Committee Members), including (a) a proposed ordinance (drafted by City Attorney Bruckert) Defining a Meeting and Adopting Procedures for Electronic Attendance at Meetings and its attached "Electronic Attendance at Meetings Rules"; and (b) text from 5 ILCS 120/7 (Attendance by a means other than physical presence) and 5 ILCS 120/1.02 (containing statutory language defining "Meeting" and "Public body"). Hudzik indicated he planned to speak with Attorney Bruckert on some possible changes to the proposed rules and asked that the Committee consider allowing electronic attendance at meetings as an option available to those who qualify and are physically unable to attend a meeting. During Hudzik's review/presentation all in attendance were given the opportunity to ask questions, make comments and express their opinions.

**MOTION:**

It was moved by Aldermen Agne and seconded by Alderman Piazza to recommend that the City Council adopt an ordinance, including the rules and procedures to be followed, to allow electronic attendance at meetings. Upon Roll Call vote, Chairman Ebersohl and Aldermen Agne, Niemietz, Roessler, Huch, Mathews, Piazza and Reis voted yea.

**MOTION CARRIED.**

**VII. OTHER ITEMS TO BE CONSIDERED OR DISCUSSED**

None.

**VIII. ADJOURNMENT**

**MOTION:**

It was moved by Alderman Niemietz and seconded by Alderman Huch to adjourn the Committee of the Whole Meeting of the City Council of the City of Columbia, Illinois held Monday, October 24, 2011 at 9:55 p.m. Upon Roll Call vote, Chairman Ebersohl and Aldermen Agne, Niemietz, Roessler, Huch, Mathews, Piazza and Reis voted yea.

**MOTION CARRIED.**



GENE EBERSOHL, Chairman  
COMMITTEE OF THE WHOLE

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, OCTOBER 24, 2011 IN THE  
COUNCIL ROOM OF CITY HALL**

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**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 9:56 p.m.

Upon Roll Call, the following members were:

Present: Chairman Roessler and Aldermen Ebersohl, Huch and Piazza.

Absent: None.

Quorum Present.

Others Present: Mayor Hutchinson and Aldermen Agne, Niemietz, Mathews and Reis.

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

Guests Present: None.

Chairman Roessler stated the purpose of the meeting was to discuss (1) the real estate tax levy for the current fiscal year; and (2) any other items to be considered.

**II. TAX LEVY DISCUSSION**

Chairman Roessler opened the meeting and called upon City Administrator Al Hudzik to address the Committee on this issue. Hudzik reviewed the six (6) pages of information previously distributed to the Committee/Council Members consisting of the following: (i) the first page of tax levy ordinances for the city's fiscal years ending April 30, 2011 (Ordinance No. 2832) and April 30, 2010 (Ordinance No. 2762); (ii) a worksheet entitled "Tax Levy Computation Worksheet for Tax Year Ending April 30, 2011"; (iii) Tax Levy Rates for Year 2010 Payable in 2011; (iv) Taxing Body – City of Columbia Tax Extension and EAV History – labeled as "Calculations for 2009 Tax Year – Taxes Payable in 2010" but also containing figures for the 2010 tax year taxes payable in 2011; and (v) Admiral Parkway TIF District Tax Year 2010 – Taxes Payable in 2011. During his presentation Hudzik gave a historical perspective of the tax levies approved by the City Council in recent years, and all in attendance were given the opportunity to ask questions and make comments, which included: (a) none of the funds are at the maximum

rates that can be levied by statute; (b) no levy would occur for fire protection since the city's fire department merged into the Columbia Fire Protection District in June; (c) the possibility of an increase in the city's tax rate as measured in the dollar amount of taxes/\$100 of assessed property value in the event the total aggregate amount of the city's equalized assessed value doesn't experience a percentage increase greater than the percentage increase in real estate taxes levied; (d) that other governmental entities may increase their tax levies; and (e) that the state's inconsistent payment of funds due cities, and the state legislature's increasing willingness to consider reductions in funds paid to cities, as well as continued economic sluggishness, continues to add to the difficulties in funding city government. Hudzik (A) indicated the documentation reviewed and discussed at this meeting was for informational purposes only; (B) stated that the city is awaiting the Police Pension Fund's actuarial report and request for their levy this year; and (C) asked the Committee/Council Members to give consideration to the amount of taxes to be levied this year; he also indicated that this issue will be addressed again at a future Committee Meeting.

### **III. OTHER ITEMS TO BE CONSIDERED OR DISCUSSED**

None.

### **IV. ADJOURNMENT**

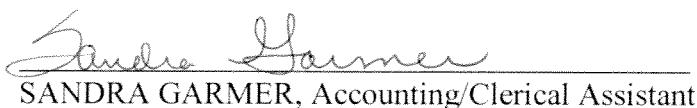
#### **MOTION:**

It was moved by Alderman Ebersohl and seconded by Alderman Huch to adjourn the Finance, Claims, Bonds and Interest Committee Meeting held Monday, October 24, 2011 at 10:28 p.m. Upon Roll Call vote, Chairman Roessler and Aldermen Ebersohl, Huch and Piazza voted yea. **MOTION CARRIED.**



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

Minutes taken by:

  
SANDRA GARMER, Accounting/Clerical Assistant