

**O'FALLON CITY COUNCIL
MEETING MINUTES
August 16, 2004**

The meeting was called to order at 7:04 p.m. by Mayor Gary Graham, who then led in the "The Pledge of Allegiance to the Flag".

Philip Goodwin, City Clerk, called the roll: David Horton, present; Nila Grogan, present; Ed True, present; Becky Henry, present; Rick Reckamp, present; Jerry Mouser, present; Tom Bequette, present; Allen Medford, present; Michael Bennett, present; Dennis Renner, present; Jason Boone, present; Ned Drolet, excused; John West, present; Jerry Albrecht, present. A quorum was declared present.

APPROVAL OF MINUTES

Motion was made by J. Mouser and seconded by E. True to approve the minutes of the August 2nd meeting. All ayes. Motion carried.

PUBLIC HEARING:

Annexation Agreement with Larry and Amy Murano at 8629 Oak Hill School Road for approximately 2.47 acres, 04-22.0-400-014

Open to public at 7:06 p.m. No comments were made for or against this hearing. Closed to public at 7:06 p.m.

RESIDENTS:

E. True made an apology to the 45 people who attended the Public Safety Meeting. In discussing the roadblocks, they were told that it would be on hold. After that meeting they found out it could not be put on hold, that it had to come up for a vote tonight. He stated they tried to contact organizations to give them the right information.

Chip Shaffer, President O'Fallon VFW Post 805, voiced his concerns regarding Item 5, solicitation by charitable organizations. He stated the roadblock for the poppy sales is a vital source of funds for the VFW, which is used to support needy veterans. He gave the history of the poppy and read the poem of Planters Field. He stated that the VFW conducted the first poppy distribution in 1922, and that it is the official flower of the VFW. Needy veterans, who are paid for their work, assemble these flowers. He stated that it is difficult to sell these at storefronts and feels it is an insult to the members of the VFW to ask them to do so. He stated at O'Fallon Wal-Mart's grand opening funds were awarded to other organizations; few went to O'Fallon based organizations. He understands the

safety concerns, but stated that perhaps the City should ban trucks that haul hazardous materials, trains, close the pool, etc. He stated that the underlying issue was not really safety but the objections by residents of O'Fallon and that was the driving force to shut down the roadblocks. He asked his Ward 1 Aldermen to vote no to ban the roadblocks, and he further asked them to place this issue on the next general election ballot so that all residents of the City can have a say on this issue, not just a select few.

Mayor Graham asked if the VFW would be willing to post a one million dollar bond and name the City as insured. Mr. Shaffer stated that according to the association, they have insurance policies. The quartermaster of the Post stated VFW 805 carries a liability policy covering their organization on any events and any of their volunteers in the amount of one million per event. Mayor Graham stated roadblocks are only done at two locations in O'Fallon and he is unaware of any complaints from citizens, and he further stated that the issue here is that organizations guarantee that one of their members would not sue the City for injuries.

Brandon Meddows, Commander OUSART questioned the Sesquicentennial Celebration and liability during those events. He stated the standards set up for the roadblocks are safe. He further stated their organization has the insurance. Mayor Graham stated the City Council has the responsibility to protect the citizens' tax monies if there was a claim.

Bob Cunningham, Knights of Columbus, spoke on behalf of the 500 members who live in the City. He stated the cooperation of the City has allowed the Tootsie Roll drive to help the mentally handicapped children in the City. He understood the validity of the need for insurance and stated the insurance they carry automatically names the municipality up to two million in coverage for each day.

Jerry Mouser made comment that he heard many opinions this weekend from several people; that they had enjoyed the Sesquicentennial Celebration very much. He thanked all who worked on that event, stating it was the City at its best.

REPORTS

Clerk:

Request from the O'Fallon United Church of Christ to conduct a raffle for a quilt from August – December 2004. Motion was made by D. Renner and seconded by E. True. All ayes. Motion carried.

Mayor:

Mayor Graham read a proclamation declaring the week of August 16, 2004 as Edward A. Fulton Jr. High School Girls Track Team Week in honor of these

outstanding athletes. They placed 3rd at State. The following girls were recognized: Megan Riley, Katie Fisher, Lauren Yeager, Kristin Hutchinson, Elaine Patton, Crystal Carter.

An Arts Commission presentation was conducted by Jodi Caticchhio and Lynn Stawarski explaining their plan for the 2nd annual Arts Festival. They also stated that this years Arts Festival could be a venue and an option for organizations to raise money. Ms. Caticchhio stated that if organizations were interested in fundraising they could provide them with a CD, tapes or handouts with this information. This years' Art Festival theme will be focusing on famous artists. The individuals who participate in creating a work of art will donate 50 cents for each activity, and this money will be given to the organization that is volunteering at that booth on that day.

This month's Southwestern Illinois Council of Mayors will be held at the Mascoutah Country Club on Thursday, August 26, 2004. Call Jamie by August 23rd to make your reservation.

RESOLUTIONS

ITEM 1 - Resolution Authorizing the Mayor to Enter into an Agreement with Local #670, Laborers' International Union of America, AFL-CIO covering rates of pay, wages, hours of employment, and other conditions of employment for members of said union employed by the City of O'Fallon, Illinois. ***Held until after Executive Session.***

ITEM 2 – Resolution Authorizing the Mayor to Sign a Pre-Annexation Agreement with Larry and Amy Murano Located at 8629 Oak Hill School Road

Motion was made by J. Mouser and seconded by D. Renner approve Resolution Item 2. **ROLL CALL:** E. True, aye; B. Henry, aye; R. Reckamp, aye; J. Mouser, aye; T. Bequette aye; A. Medford, aye; M. Bennett, aye; D. Renner, aye; J. Boone, aye; J. West, aye; J. Albrecht, aye D. Horton, aye. Grogan, aye. All ayes. Motion carried.

ORDINANCES

1st Reading

ITEM 3 – Ord. Annexing Certain Territory, Voelkle Annexation, containing 1.44 acres.

Motion was made by J. Mouser and seconded by J. Albrecht to approve on 1st Reading Ordinance Item 3. **ROLL CALL:** E. True, aye; B. Henry, aye; R. Reckamp, aye; J. Mouser, aye; T. Bequette aye; A. Medford, aye; M. Bennett, aye; D. Renner, aye; J. Boone, aye; J. West, aye; J. Albrecht, aye D. Horton, aye; Grogan, aye. All ayes. Motion carried.

ITEM 4 – Ord. Amending Chapter 52 with Regard to a Water Rate Increase.

M. Bennett raised discussion about the tap fee per room for hotel, which has never been implemented. Dean Rich stated that it was put in after the Econo Lodge was built. Discussion was made regarding whether the one-time business tap fee minus the room is enough for a hotel. Discussion was made about Shiloh and Caseyville and water and sewer rates.

Motion was made by A. Medford and seconded by J. West to approve Item 4 on 1st Reading. **ROLL CALL:** E. True, aye; B. Henry, aye; R. Reckamp, aye; J. Mouser, aye; T. Bequette aye; A. Medford, aye; M. Bennett, aye; D. Renner, aye; J. Boone, aye; J. West, aye; J. Albrecht, aye, D. Horton, aye, N. Grogan, aye. All ayes. Motion denied.

2nd Readings

ITEM 5 - Ord. Rescinding Title XI, Chapter 111, Section 111.08, Regarding Solicitation by Charitable and Nonprofit Organizations (**AMENDED**)

Motion was made by E. True and seconded by R. Reckamp to approve on 2nd Reading Item 5. Discussion was made regarding making changes to the Ordinance.

Motion was made by J. Albrecht and seconded by D. Horton to amend the Ordinance to formalize the insurance requirement; to state if the group meets all current requirements and provides the City with evidence that the group is insured for one million dollars and has named the City as additionally insured, they can have a road block. Elimination of the last sentence in the last paragraph and taking out the word “rescinded” from the Ordinance.

D. Horton and M. Bennett raised discussion about the clarification of O’Fallon based organization. D. Renner stated if the organization has a chapter in the City they are O’Fallon based, which was echoed by Mayor Graham. J. Boone reminded the City Council members that they would vote each time an organization comes before them.

ROLL CALL: E. True, aye; B. Henry, aye; R. Reckamp, aye; J. Mouser, aye; T. Bequette aye; A. Medford, aye; M. Bennett, aye; D. Renner, aye; J. Boone, aye; J. West, aye; J. Albrecht, aye D. Horton, aye; Grogan, aye. All ayes. Motion carried.

Motion was made by J. Mouser and J. Albrecht to approve Item 5 under 2nd reading *as amended*. **ROLL CALL:** E. True, aye; B. Henry, aye; R. Reckamp, aye; J. Mouser, aye; T. Bequette aye; A. Medford, aye; M. Bennett, aye; D.

Renner, aye; J. Boone, aye; J. West, aye; J. Albrecht, aye D. Horton, aye;
Grogan, aye. All ayes. Motion carried.

ITEM 6 - Ord. Proposing the Establishment of Special Service Area Number One (Shoppes at Greenmount) and the Issuance of Special Service Area Bonds in an Amount Sufficient to Pay Costs, and Setting a Date and Providing Notice for a Related Public Hearing

ITEM 7 - Ord. Proposing the Establishment of Special Service Area Number Two (Greenmount Commercial) and the Issuance of Special Service Area Bonds in an Amount Sufficient to Pay Costs, and Setting a Date and Providing Notice for a Related Public Hearing

ITEM 8 -. Ord. Annexing Certain Territory, Kildea Annexation containing in total approximately 17.72 acres

ITEM 9 -. Ord. Annexing Certain Territory known as Begole and Schmisser Tracts

Motion was made by J. Mouser and seconded by E. True to consider Items 6, 7, 8 & 9 on 2nd reading under the omnibus rule. All ayes. Motion carried.

Motion was made by J. Mouser and seconded by N. Grogan to pass Items 6, 7, 8 & 9 on 2nd reading under the omnibus rule. **ROLL CALL:** E. True, aye; B. Henry, aye; R. Reckamp, aye; J. Mouser, aye; T. Bequette aye; A. Medford, aye; M. Bennett, aye; D. Renner, aye; J. Boone, aye; J. West, aye; J. Albrecht, aye. D. Horton, aye, N. Grogan, aye. All ayes. Motion carried.

STANDING COMMITTEES

Community Development: J. Mouser everyone has a copy of the last meeting in their packet. They meet August 17th at 6:00 p.m.

Public Works: A. Medford stated they met and the minutes are in the packet.

Motion was made by A. Medford and seconded by J. West to approve the purchase of the Nextel proposal in the amount of \$8,200. **ROLL CALL:** E. True, aye; B. Henry, aye; R. Reckamp, aye; J. Mouser, aye; T. Bequette aye; A. Medford, aye; M. Bennett, aye; D. Renner, aye; J. Boone, aye; J. West, aye; J. Albrecht, aye. D. Horton, aye, N. Grogan, aye. All ayes. Motion carried.

No meeting on Thursday this week.

J. Albrecht made comment that they received a letter from the City Engineer regarding Moye School detention ponds and storm water concerns in Quail

Meadows. He stated he appreciates the professional job that the engineering staff is doing to solve long-standing problems.

M. Bennett raised a concern with weeds and maintenance issues in Ward 5, as well as the proposed new law to change the City's ability to enforce those issues. He stated they have a small subdivision where the owner is going through bankruptcy and it is a real mess. He stated they need a policy of how to handle this. He questioned sharing the cost of clean up with Fairview Heights.

D. Horton stated he was glad that Pat Judge was back on staff.

M. Bennett raised discussion regarding the budgeted code enforcement position and feels it is imperative to fill that position quickly.

Safety: E. True stated they met August 11th and discussed Item 5, which is finally put to bed tonight. The next meeting is September 13th at 7:30 p.m.

Personnel/Finance: J. West stated the minutes of the August 5th meeting are in the packet. They met before the meeting to consider Warrant #70. A motion was made by J. West and seconded by R. Reckamp to approve Warrant #70 in the amount of \$706,182.012. **ROLL CALL:** E. True, aye; B. Henry, aye; R. Reckamp, aye; J. Mouser, aye; T. Bequette aye; A. Medford, aye; M. Bennett, aye; D. Renner, aye; J. Boone, aye; J. West, aye; J. Albrecht, aye. D. Horton, aye, N. Grogan, aye. All ayes. Motion carried.

Next meeting on Thursday is cancelled.

Parks/Environment: J. Albrecht stated the next meeting is September 13th. He stated the Sesquicentennial was an excellent event, and he thanked the Parks Department, Mary Jeanne Hutchison and Pam Funk.

D. Renner made comment regarding Lake St. Ellen. He stated that parents need to teach their children how to throw away trash in the trash containers that are out there.

Mayor Graham stated over \$115,000 was raised to put on the Sesquicentennial and he thanked the sponsors. He gave a special recognition to Pam Funk; Caitlin McEvily; Todd Eschmann, O'Fallon Progress; Brian Keller, Historical Society; Gary Hursey, Homecoming Committee; 15 City staff and supervisors; Police Chief Betten; Fire Chief Saunders; Art Voellinger; Jodi Caticchio, and Mary Jeanne Hutchinson. He also thanked all the volunteers, which totaled over 400 citizens involved in this event. E. True also thanked Mayor Graham for having the vision to make this successful event happen.

EXECUTIVE SESSION: To discuss union negotiations and sale of City

property.

Motion was made by D. Renner and seconded by A. Medford to go into Executive Session. **ROLL CALL:** E. True, aye; B. Henry, aye; R. Reckamp, aye; J. Mouser, aye; T. Bequette aye; A. Medford, aye; M. Bennett, aye; D. Renner, aye; J. Boone, aye; J. West, aye; J. Albrecht, aye; D. Horton, aye; N. Grogan, aye. All ayes. Motion carried. Council went into Executive Session at 8:05 p.m.

ACTION TAKEN DURING EXECUTIVE SESSION:

ITEM 1 - Resolution Authorizing the Mayor to Enter into an Agreement with Local #670, Laborers' International Union of America, AFL-CIO covering rates of pay, wages, hours of employment, and other conditions of employment for members of said union employed by the City of O'Fallon, Illinois.

Motion was made by M. Bennett and seconded by A. Medford to approve Item 1. **ROLL CALL:** E. True, aye; B. Henry, aye; R. Reckamp, aye; J. Mouser, aye; T. Bequette aye; A. Medford, aye; M. Bennett, aye; D. Renner, aye; J. Boone, aye; J. West, aye; J. Albrecht, aye; D. Horton, aye; N. Grogan, aye. All ayes. Motion carried.

Mayor Graham thanked Ed Owens, Steve Trokey, and the Union as they made the future park system work for the City of O'Fallon. He stated they have gone above and beyond to help establish the parks for the future of the City.

ADJOURNMENT

Motion was made by M. Bennett and seconded by J. Albrecht to adjourn. All ayes. Motion carried.

The meeting was adjourned at 8:30 p.m.

Respectfully submitted by,

Philip A. Goodwin, City Clerk

T. Donna Hall