

**O'FALLON CITY COUNCIL
MEETING MINUTES
April 18, 2005**

The meeting was called to order at 7:04 p.m. by Mayor Gary Graham, who then led "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, present; John West, present; Jerry Albrecht, present. A quorum was declared present.

Motion was made by J. Mouser and seconded by J. Albrecht to approve the minutes of the April 4, 2005, meeting. All ayes. Motion carried.

PUBLIC HEARING:

1. Municipal Budget for Fiscal Year 2005-2006. Opened to public at 7:05 p.m. Mayor Graham called three times for public input, but no one came forward. Closed to public at 7:06 p.m.
2. Annexation Agreement with Richard and Denise Pyles at 1137 Weil Road. Opened to public at 7:06 p.m. Mayor Graham called three times for public input, but no one came forward. Closed to public at 7:07 p.m.

RESIDENTS:

Mayor Graham welcomed Miss O'Fallon Sesquicentennial 2004, Meghan O'Connor, to the meeting. Miss O'Fallon spoke of her accomplishments since receiving her crown on August 13, 2004. She thanked everyone for the honor to serve our City.

REPORTS:

Clerk's Report: City Clerk Phil Goodwin presented three requests:

1. Request from the Senior Citizens of O'Fallon to conduct a quilt, afghan, savings bond, and grocery raffle from April – September 2005.
2. Request from the O'Fallon Booster Club to conduct a raffle during the Mayfest from May 20, 2005 – May 22, 2005.
3. Request from the O'Fallon Booster Club to sell alcohol at the Community Park during the Mayfest from May 20, 2005 – May 22, 2005 (Pending insurance for liquor liability).

A motion was made by R. Reckamp and seconded by D. Renner to approve the requests. All ayes. Motion carried.

Mayor's Report:

Mayor Graham announced there would be a fundraiser for the OTHS Endowment on Friday, April 22, at 7:00 p.m. at Far Oaks. There will be about 40 local artists who have donated various pieces of artwork and jewelry for this event.

The Mayor read a proclamation declaring April 23, 2005, as March of Dimes WalkAmerica Day. Nikki Kiefer, Logistics Coordinator for the March of Dimes, accepted the proclamation. Ms. Kiefer invited everyone to attend the WalkAmerica this Saturday, April 23, beginning at 9 a.m. in the O'Fallon Community Park. Many activities are planned, and all proceeds will go to those families who experience difficulties or birth defects with premature babies.

The Mayor said this month's meeting of the Southwestern Illinois Council of Mayors is scheduled for April 28 at the Holiday Inn in Collinsville. Aldermen who wish to attend should RSVP to Jamie no later than 4:30, Monday, April 25.

Mayor Graham announced that one of our citizens of 84 years, Mr. Eugene Brown, will celebrate his 100th birthday on April 29. The Mayor read a proclamation declaring April 29, 2005, as Eugene Brown Day in the City of O'Fallon. The proclamation will be delivered to Mr. Brown at the nursing home where he resides.

RESOLUTIONS:

Motion was made by J. Mouser and seconded by J. Albrecht to consider the Omnibus Rule for Resolution Items 1-4. All ayes. Motion carried.

ITEM 1 – Resolution Approving and Accepting the Minor Subdivision of O'Fallon Business Park, Lot 6

ITEM 2 – Resolution Approving and Accepting the Minor Subdivision of Central Park, 3rd Addition, 3rd Amendment

ITEM 3 – Resolution Approving and Accepting a Minor Subdivision Plat known as the Lakepointe Centre Professional Park Planned Unit Development

ITEM 4 – Resolution Providing a Certificate of Merit (Heritage Award) for the United Church of Christ located at 206 W. Adams

Motion was made by J. Mouser and seconded by E. True to approve Resolution Items 1-4.

ROLL CALL: N. Grogan, aye; 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; N. Drolet, aye; J. West, aye; J. Albrecht, aye; D. Horton, aye. All ayes. Motion carried.

ORDINANCES:

1st Readings

Motion was made by J. Mouser and seconded by N. Grogan to consider the Omnibus Rule for 1st Reading Ordinance Items 5, 6, 7, and 10. All ayes. Motion carried.

ITEM 5 - Ordinance Annexing Certain Territory, Scott Urban Property, including 21.31 acres

ITEM 6 - Ordinance Annexing Certain Territory, Richard Pyles, including approximately 4.8 acres

ITEM 7 - Ordinance Designating a Local Historic Landmark, Bernrueter Home, at 216 W. Adams

ITEM 10 – Ordinance Approving the Final Plat for the Windsor Creek Subdivision, Phase 2, 3, and 4

Motion was made by J. Mouser and seconded by E. True to place on 1st Reading Ordinance Items 5, 6, 7 and 10.

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; N. Drolet, aye; J. West, aye; J. Albrecht, aye; D. Horton, aye; N. Grogan, aye. All ayes. Motion carried.

Motion was made by J. Mouser and seconded by J. West to place on 1st Reading Ordinance Item 8.

ITEM 8 – Ordinance Amending Ordinance 3302, Revising Building Codes

N. Drolet expressed concern for the denials of “openings from a private garage directly into a room used for sleeping purposes”. He explained that if a residence had two bedrooms and one was this type of room, it would result in a diminished use of the facility, even though it had been used that way in the past. He noted there is no grandfather clause of any type in the Ordinance.

R. Reckamp said he appreciated the hard work done on the Ordinance but had some issues he does not agree with, such as the 800' cul-de-sac. He felt 500' was sufficient. R. Reckamp also said the Ordinance does not address interconnectivity in subdivisions, and he would like to see some official language about our idea of interconnectivity within and between subdivisions.

D. Renner said agreed with N. Drolet's comments.

B. Henry said the Fire Chief attended the Community Development meeting and indicated this was included in the Ordinance for added safety of the residents.

Mayor Graham asked if this was a change to or identical to what has been in the Code for the last five years. T. Shekell said this has been in the Building Code since 1983, as far as bedrooms egressing out into a garage. He said that in the past seven years that he has worked for the City, the inspectors have not seen one of these issues arise in the thousands of inspections they have completed. He explained the Fire Chief is opposed to it because of the fire rating between the garage and sleeping quarters, as well as the danger of carbon monoxide. T. Shekell added that if the City inspectors encountered such a situation, they would stamp the permit indicating the room should not be used for as a bedroom. Such is currently the case when a bedroom is located in a basement without proper egress.

Mayor Graham asked if a residence being sold today were found to have a room such as this, would we simply restrict them from using that as a bedroom in the future. T. Shekell said the Occupancy Permit would state that room is not suitable for bedroom purposes.

In response to T. Shekell's comment that this has been in the Building Code since 1983, D. Horton said we are talking about the Property Maintenance Code and not the Building Code; and he asked for clarification on whether this is new to the Property Maintenance Code. T. Shekell confirmed that it was new to the Property Maintenance Code, but it has been a law under the Building Code since 1983.

R. Reckamp asked how difficult would it be to modify the Ordinance after it has passed to insert some language regarding interconnectivity if we saw fit. T. Shekell said the Council adopted the Subdivision Ordinance about six to eight weeks ago, and we have language in the Code regarding interconnectivity of streets, stubbing to adjacent properties, etc. However, this Ordinance does not address those issues.

N. Drolet said that without some type of grandfather clause, we might annex a property that was considered a three-bedroom home and would now become a two-bedroom home after annexation. Mayor Graham said, in a case like this, the home was originally a two-bedroom home that the occupant converted to a three-bedroom home. He said we could grandfather those people, but they should come forward and disclose that information for our record. However, we need to decide if that home should move forward as a three-bedroom home at resale.

ROLL CALL: B. Henry, aye; R. Reckamp, aye; J. Mouser, aye; T. Bequette, aye; A. Medford, aye; M. Bennett, nay; D. Renner, nay; J. Boone, aye; N. Drolet, nay; J. West, aye; J. Albrecht, aye; D. Horton, nay; N. Grogan, aye; E. True, aye. Ayes – 10; Nays – 4. Motion carried.

Motion was made by J. Mouser and seconded by J. Albrecht to place on 1st Reading Ordinance Item 9.

ITEM 9 – Ordinance Disconnecting Certain Territory known as Threlkeld/Magna Land Trust Disconnection Containing Approximately 1.52 Acres

M. Bennett said he didn't like this situation, how it was handled, or the motivation behind it. He stated the de-annexation could not fix this situation. Instead, the rest of the neighborhood should de-annex from Shiloh and come to O'Fallon, and then the developer can build out.

R. Reckamp agreed with M. Bennett, saying there is no reason the City of O'Fallon should deliver its corporate property to a neighboring municipality. He noted a road directly east of the area whereby a line could be drawn down the middle of the street and very neatly divide that area in half, de-annexing everything on the north side of that line into O'Fallon.

D. Horton said while this was going through Committee, the only benefit he could see was a financial benefit for the developer. Mayor Graham responded that one benefit to the City might be to not have the responsibility of snow removal and other maintenance issues for one small section of the road.

ROLL CALL: R. Reckamp, nay; J. Mouser, aye; T. Bequette, nay; A. Medford, aye; M. Bennett, nay; D. Renner, aye; J. Boone, nay; N. Drolet, nay; J. West, aye; J. Albrecht, aye; D. Horton, nay; N. Grogan, aye; E. True, nay; B. Henry, aye. Ayes – 7; Nays – 7. Mayor Graham, aye. Motion carried.

2nd Readings

Motion was made by J. Mouser and seconded by D. Renner to consider the Omnibus Rule for 2nd Reading Ordinance Items 11-14. All ayes. Motion carried.

ITEM 11 - Shoppes at Greenmount Final Plat *(As Amended)*

ITEM 12 - Ordinance Amending Chapter 78, Schedule I, No Parking Jaclyn Drive

ITEM 13 – Ordinance Budgeting for all Corporate Purposes for the Fiscal Year Beginning May 1, 2005 and ending April 30, 2006

ITEM 14 - Ordinance Annexing Property known as Reno Annexation containing approximately 3.74 acres

Motion was made by J. Mouser and seconded by N. Grogan to approve 2nd Reading Ordinance Items 11-14.

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

STANDING COMMITTEES:

Community Development: J. Mouser stated they met on April 11, 2005, at 6:30 p.m. Motion was made by J. Mouser and seconded by D. Renner to approve the Special Event Permit request from the O'Fallon Booster Club to host the Mayfest from May 20-May 22, 2005. All ayes. Motion carried.

Their next meeting will be April 25, 2005, at 6:00 p.m.

Public Works: A. Medford said they have not met since the last City Council meeting.

Public Safety: E. True stated their minutes are attached from their meeting of April 11. Their next meeting is scheduled for May 9, 2005.

Finance/Administration: J. West stated they met before tonight's City Council meeting to discuss Warrant 86. A motion was made by J. West and seconded by R. Reckamp to approve Warrant 86 in the amount of \$289,145.57.

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

J. West said their next meeting would be April 25, 2005, at 5:30 p.m.

Parks/Environment: J. Albrecht stated they met on April 11, 2005, but did not have a quorum. There are no issues to bring before the Council. He announced that the Sports Complex Public Input meeting will be May 10 at 6 p.m. in the Public Safety building. Everyone is encouraged to attend and participate in the planning process. Their next meeting is scheduled for May 9, 2005.

At this time Mayor Graham commended D. Horton for his outstanding work as Alderman of Ward 1 during the past eight years. The Mayor presented a plaque to him for his service to the City. D. Horton said that although he will miss his work on the Council, he is looking forward to possible opportunities at Cahokia Mounds Historical Site.

J. Mouser applauded the O'Fallon EMS personnel and Police Officer Dan Wunder for their response to a call made concerning his grandson who was sick with a fever Sunday. J. Mouser stated the officers were efficient, professional and followed up later to check on the child's condition.

EXECUTIVE SESSION: None.

ADJOURNMENT:

Motion was made by D. Renner and seconded by J. West to adjourn. All ayes. Motion carried.

The meeting was adjourned at 7:42 p.m.

Respectfully submitted by,

Philip A. Goodwin, City Clerk

Minutes taken by
Sharon L. Wisely, Transcriptionist