

**O'FALLON CITY COUNCIL
MEETING MINUTES
May 2, 2005**

The meeting was called to order at 7:07 p.m. by Mayor Gary Graham, who then led "The Pledge of Allegiance to the Flag."

Philip Goodwin, City Clerk, called the roll: Nila Grogan, present; Mary Schmidt, present; Ed True, present; Becky Henry, excused; 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.

Motion was made by D. Renner and seconded by J. Albrecht to approve the minutes of the April 18, 2005, meeting. All ayes. Motion carried.

Mayor Graham stated half of the Council was sworn in before the meeting, along with the Treasurer, Clerk and Mayor. He introduced and welcomed Judge Lloyd Karmeier, Supreme Court Justice of the State of Illinois, who earlier had sworn in the newly elected officials.

Judge Karmeier expressed his thanks for the manner in which our community honored him at the Katy Cavins Center and other venues during his recent election; and he commended the new Aldermen, the Mayor and the entire City Council for our fine community.

PUBLIC HEARING: None.

RESIDENTS:

Mayor Graham invited any residents of O'Fallon who would like to speak to the Council to step to the microphone, but no one came forward.

REPORTS:

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

1. Reappoint Maryanne Fair as Deputy City Clerk
2. Request from Lady Jets Girls Basketball Club to conduct a roadblock on June 12 from 10 a.m. to 12:00 p.m. and June 13 from 10:00 a.m. to 2:00 p.m.
3. Request to permit Applebee's to sell alcohol at the Katy Cavins Community Center on May 5, 2005, from 3:30 to 5:30 p.m. for the District 90 Steve Fager Retirement Party

A motion was made by J. Mouser and seconded by D. Renner to approve all three requests.

J. Albrecht asked if the Lady Jets were a local organization. P. Goodwin stated they are from Madison County, but they have a local sponsor and were approved by the Council last year. J. Albrecht indicated last year they had young girls standing in the street.

J. Boone said when the Lady Jets were approved last year; there was a follow-up discussion in the Public Safety Committee. They concluded these groups had to be an organization based in O'Fallon and not just have a sponsor from O'Fallon.

Mayor Graham said a vote was not needed for the reappointment of Maryanne Fair.

A motion was made by J. Mouser and seconded by D. Renner to withdraw the earlier motion to approve all three requests. All ayes. Motion approved.

A motion was made by J. Mouser and seconded by D. Renner to approve the request from the Lady Jets Girls Basketball Club.

E. True affirmed that at last year's Public Safety Committee, they decided future organizations must be based in O'Fallon in order to conduct a roadblock.

Mayor Graham said we want to help these organizations; however, this is a safety issue, and a sister city was recently sued for this type of incident.

M. Bennett asked if the Ordinance states a minimum age for people participating in a roadblock. J. Albrecht said he believes the minimum age is 16.

ROLL CALL: M. Schmidt, nay; E. True, nay; R. Reckamp, nay; J. Mouser, nay; T. Bequette, nay; A. Medford, nay; M. Bennett, nay; D. Renner, nay; J. Boone, nay; J. West, nay; J. Albrecht, nay; N. Grogan, nay. All nays. Motion failed.

A motion was made by R. Reckamp and seconded by N. Grogan to approve the request to permit Applebee's to sell alcohol at the Katy Cavins Center on May 5, 2005. All ayes. Motion approved.

Mayor's Report:

Mayor Graham announced the passing of Chuck Henry, who was on the District 90 School Board and who was the husband of Alderwoman Becky Henry. Mr. Henry did a lot of volunteer work with youth and spent a tremendous amount of time with our schools. Also Les Kjar, who was the head of the Southwestern Illinois YMCA, passed away on Sunday. Mayor Graham remembered him as a great individual who was

instrumental in having the YMCA built in O'Fallon. A moment of silence was held in remembrance of these two men.

The Mayor read several proclamations for the month of May. The first proclamation declared May 14, 2005, as "Jason and Sarah West" Day. Sarah West has earned her Master of Science Degree in Civil Engineering, and Jason West has earned his Bachelor of Science Degree in Social Science Education. These are the children of Alderman John West.

Mayor Graham read a proclamation declaring May 6, 2005, as "Military Spouse Day" in honor of the important contributions of our military spouses. In 1984 President Ronald Reagan set aside a day to recognize the significant contributions of our military spouses. Secretary of Defense Casper Weinberger established the Friday before Mother's Day as the annual day to recognize the profound importance of spouse commitment to the readiness and well being of all service members. The Mayor said the City of O'Fallon is proud of our military spouses and the contributions they have made to our community.

Mayor Graham invited Dan Gentry, Public Works Division Manager, to come forward and presented to him a proclamation declaring May 15 – May 21, 2005, as "National Public Works Week" in honor of the contributions that public works employees make to our everyday lives.

The Mayor asked Brian Keller, O'Fallon's local historian, to come forward and presented to him a proclamation declaring May 2005 as "National Historic Preservation Month."

Mayor Graham asked Deputy Clerk Maryanne Fair to step forward as City Clerk Philip Goodwin read a proclamation declaring May 1 – May 7, 2005, as "Municipal Clerks Week" in recognition of the vital services the Municipal Clerks perform and their dedication to the community. P. Goodwin commended Mrs. Fair for the work she does for the City. He announced her graduation as Municipal Clerk and said she is taking courses now for Master Municipal Clerk, a level only a few people in the State of Illinois have achieved. Mrs. Fair also received her bachelor's degree this year from St. Louis University.

Mayor Graham reminded the Council that the groundbreaking for Legacy Lincoln Mercury would be held on May 5 at 9 a.m.

RESOLUTIONS:

Motion was made by R. Reckamp and seconded by E. True to consider the Omnibus Rule for Resolution Items 1-5. All ayes. Motion carried.

Motion was made by J. Mouser and seconded by E. True to approve Resolution Items 1-5.

ITEM 1 – Resolution Authorizing the Director of Finance to Secure a Lease/Purchase Agreement for Vehicles for FY 2005/2006

ITEM 2 – Resolution Adopting the Annual Capital Improvement Program (CIP)

ITEM 3 – Resolution Authorizing the Mayor to Execute an Agreement with AMEC Earth & Environmental, Inc. for Facilitation and Consultation Services in the Support of the Storm Water Action Committee for an amount not to exceed \$34,708

ITEM 4 – Resolution Authorizing the Mayor to Execute an Agreement with T-N-T Excavating, for the Seven Hills Water Tower Site Grading in the amount of \$95,814.63

ITEM 5 – Resolution Authorizing the Mayor to Enter into a Letter Agreement with Halloran Construction for Lot 14 of Shoppes at Green Mount for the Construction of a Sprint Cell Tower

ROLL CALL: E. True, 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; N. Grogan, aye; M. Schmidt, 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 7-9. M. Bennett asked for confirmation that the five conditions listed for Sunrise Center II will all be part of the final product and adhered to. T. Shekell said “yes.” All ayes. Motion carried.

Motion was made by J. Mouser and seconded by D. Renner to place on 1st Reading Ordinance Items 7-9.

ROLL CALL: 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; N. Grogan, aye; M. Schmidt, aye; E. True, aye. All ayes. Motion carried.

ITEM 7 – Ordinance Amending Ordinance 623, Zoning, Planned Use for Sunrise Center II

ITEM 8 – Ordinance Amending Ordinance 623, Zoning, Planned Use for Central School District 104, Early Childhood Center

ITEM 9 – Ordinance Amending Ordinance 623, Zoning, Planned Use for O’Fallon Storage

Motion was made by J. Mouser and seconded by J. Albrecht to place on 1st Reading Ordinance Item 6.

ITEM 6 – Ordinance Approving the Final Plat of the Estates at Prairie Crossing – 2nd Addition

ROLL CALL: J. Mouser, aye; T. Bequette, aye; A. Medford, aye; M. Bennett, aye; D. Renner, aye; J. Boone, aye; J. West, aye; J. Albrecht, aye; N. Grogan, aye; M. Schmidt, aye; E. True, aye; R. Reckamp, nay. Ayes – 11; Nays – 1. Motion carried.

The Mayor said he would be asking the Council to go into Executive Session on pending litigation on Ordinance Item 10. It was decided to finish the rest of the agenda before going into Executive Session.

Motion was made by J. Mouser and seconded by N. Grogan to consider the Omnibus Rule for 2nd Reading Ordinance Items 11-15. All ayes. Motion carried.

Motion was made by J. Mouser and seconded by J. Albrecht to approve 2nd Reading Ordinance Items 11-15.

ITEM 11 – Ordinance Annexing Certain Territory, Scott Urban Property, including 21.31 acres

ITEM 12 – Ordinance Annexing Certain Territory, Richard Pyles, including approximately 4.8 acres

ITEM 13 – Ordinance Designating a Local Historic Landmark, Bernrueter Home, at 216 W. Adams

ITEM 14 – Ordinance Amending Ordinance 3302, Revising Building Codes

ITEM 15 – Ordinance Approving the Final Plat for the Windsor Creek Subdivision, Phase 2, 3, and 4

ITEM 16 – Ordinance Disconnecting Certain Territory known as Threlkeld/Magna Land Trust Disconnection Containing Approximately 1.52 Acres has been placed on hold.

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

J. Albrecht asked why Item 16 was placed on hold. T. Shekell stated the applicant's attorney could not be present tonight, and he wanted to be present when it was discussed; therefore, he asked if it could be postponed until the next meeting.

STANDING COMMITTEES:

Community Development: J. Mouser stated they met on April 25, 2005; and they have one motion coming from that committee meeting. Motion was made by J. Mouser and seconded by J. West to approve Special Event request from Keller Farms to operate a sweet corn stand at 1790 W. Hwy 50 from June 15 - August 30, 2005. All ayes. Motion carried.

Their next meeting will be May 9, 2005, at 6:30 p.m.

Public Works: A. Medford said they met on April 25, 2005. Motion was made by A. Medford and seconded by J. West to approve the WWTP Orbital Repairs by Rexel United in the amount of \$12,800.

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

Their next meeting will be May 23, 2005, at 7:30 p.m.

Public Safety: E. True stated their last meeting was April 11, 2005. Their next meeting is scheduled for May 9, 2005, at 7:30 p.m.

Finance/Administration: J. West stated they met before tonight's City Council meeting to discuss Warrant 87. A motion was made by J. West and seconded by R. Reckamp to approve Warrant 87 in the amount of \$502,282.95.

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

Their next meeting is scheduled for May 23, 2005, at 5:30 p.m.

Parks/Environment: J. Albrecht said their May meeting was cancelled. Their next meeting is scheduled for June 6, 2005, at 5:30 p.m.

EXECUTIVE SESSION: At 7:40 p.m. a motion was made by D. Renner and seconded by J. Albrecht to go into Executive Session to discuss imminent litigation and personnel.

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

At 8:03 p.m. City Council members returned from Executive Session.

ORDINANCES:

1st Readings (Continued)

ITEM 10 – Ordinance Amending Ordinance 623, Zoning, Planned Use for Stone Bridge Master Planned Development

Motion was made by R. Reckamp and seconded by E. True to place on 1st Reading Ordinance Item 10.

Motion was made by M. Schmidt and seconded by J. Boone to table Ordinance Item 10 because the clubhouse parking being in the right-of-way would require a variance.

Mayor Graham said there would first be a vote on tabling Ordinance Item 10. If that does not pass, then it will come to the Council for a vote.

ROLL CALL: J. Boone, aye; J. West, nay; J. Albrecht, nay; N. Grogan, aye; M. Schmidt, aye; E. True, nay; R. Reckamp, nay; J. Mouser, aye; T. Bequette, aye; A. Medford, nay; M. Bennett, aye; D. Renner, aye. Ayes – 7; Nays – 5. Motion carried.

Item 10 returns to Community Development Committee on May 9, 2005.

ADJOURNMENT:

Motion was made by M. Bennett and seconded by N. Grogan to adjourn. All ayes. Motion carried.

The meeting was adjourned at 8:07 p.m.

Respectfully submitted by,

Philip A. Goodwin, City Clerk

Minutes taken by
Sharon L. Wisely, Transcriptionist