

**O'FALLON CITY COUNCIL  
MEETING MINUTES  
July 5, 2005**

The meeting was called to order at 7:02 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, present; Rick Reckamp, present; Jerry Mouser, excused; 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 N. Drolet and seconded by D. Renner to approve the minutes of the June 20, 2005. All ayes. Motion carried.

**RESIDENTS:**

Frank Morski, former alderman, and a resident of Colleen Drive came forward to speak on several issues. His first concern was on the water shortage that the City experienced recently. He inquired why the City did not pay 20 million dollars to conduct a water study to connect with the City of St. Louis water. He said we should have paid for that study instead of paying for the automatic water meter readers.

His second concern was the deficient notification of citizens regarding the boil order that the City imposed. He was not aware of it for 24 hours after it was issued. He stated that local access and television does not work. He thinks that the police and fire departments should have gone out street by street to notify residents.

Also, he spoke about the traffic problems in his neighborhood. He claims that he has called Mr. Boone on numerous occasions about the speeding. He wanted a speed trailer placed on his street, but saw that it was in Mascoutah. He wants better traffic control.

Finally, he complained about the illegal fireworks that went off in his neighborhood. He said there was a lot set off between 10:00 p.m. and midnight. He said that the police did not issue any citations, as far as he knows.

Mayor Graham responded that the water conservation will be lifted in the morning. Illinois American had the water shortage, not the city. Illinois American could not deliver water up the hill. The County and other cities would not join us in researching the feasibility of the water study. The City simply does not have rights to eminent domain. For clarification, the automatic readers cost the city three million dollars with a four in a half year payoff.

Regarding the boil order notification, the city placed the notice in the paper, had it on the website, and had the notice on Channel 10. In the past, the Council turned down the reverse 911 system that could have notified the residents by telephone. It would have cost \$35,000. Today that same system is approximately \$150,000. He recommends that this Council approve it.

On traffic, we have speeding all over the city. We cannot legislate for people to obey the law.

Regarding fireworks, the police were taking care of the problems as they were called in. We expect people to comply with the law. We do not want people hurt or blinded.

Next a resident since 1987, Steve Engler, who also resides on Colleen stepped forward. He called the police on several occasions with complaints about speeding. As for the fireworks, he said a patrolman did come by and warned the people about setting off fireworks, but they resumed after he left. This occurred after 10:00 p.m. He believed that alcohol was involved. He believes that a citation should have been issued.

Finally, he was not pleased with how the city informed residents of the boil order. His daughter has Lupus, and he was concerned about her consumption of the water before he was notified. He wants the city to come up with a better notification system.

Then Fire Chief, Brent Saunders, came forward to commend Dennis Sullivan and Dan Gentry, along with the water department in their communication with the fire department throughout the boil order. They kept the fire department updated on a 24 hour basis. They did a great job during this critical period.

## **REPORTS:**

**Mayor's Report:** Mayor Graham read a proclamation declaring the month of July as "Parks and Recreation month" in O'Fallon. On Friday, July 15<sup>th</sup> from 8:00-10:00 p.m., the Parks department is offering "Free Swim" at the Memorial Pool.

Mayor Graham acknowledged scout, Mark Reholm, of Troop 85 who is earning his Citizenship badge.

The mayor stated that the water conservation initiative will be lifted at 8:00 a.m. tomorrow morning. The City contracted with Illinois American Water to use up to 10 million gallons of water a day. We were operating at 6 ½ million a few weeks ago. Citizens have asked whether wells are the answer, but he does not think they are. We are working with Illinois American for a solution to this problem.

## RESOLUTIONS:

Motion was made by D. Renner and seconded by E. True to consider the Omnibus Rule for Resolution Items 3-7. All ayes. Motion carried.

Motion was made by D. Renner and seconded by N. Grogan to approve Resolution Items 3-7. Mayor Graham read the items out as follows:

ITEM 3 - Resolution Authorizing the Mayor to Execute an Agreement with SCI Engineering, Inc. for Testing Services on the State Street Resurfacing Project

ITEM 4 - Resolution Authorizing the Mayor to Execute an Agreement with the Illinois Department of Natural Resources (IDNR) for the St. Ellen SAG Reclamation Project (Elm/Orchard Streets Area Water and Sewer Line Rehabilitation for a Grant in the amount of \$300,000)

ITEM 5 - Resolution Authorizing the Mayor to Execute an Agreement with Gateway Geospatial for the Personal Services for GIS Data Entry into the Cityworks Database in an amount not to exceed \$50,000

ITEM 6 - Resolution Authorizing the Mayor to Sign a Final Plat Amending Villas of Braeswood Subdivision – Phase 2 Located Along Scott-Troy Road

ITEM 7 – Resolution Approving and Accepting a Subdivision of Land to be known as the Minor Subdivision of Central Park Plaza 3<sup>rd</sup> Addition, 4<sup>th</sup> Amendment

**ROLL CALL:** Nila Grogan, aye; Mary Schmidt, aye; Ed True, aye; Becky Henry, aye; Rick Reckamp, aye; Tom Bequette, aye; Allen Medford, aye; Michael Bennett, aye; Dennis Renner, aye; Jason Boone, aye; Ned Drolet, aye; John West, aye; Jerry Albrecht, aye. All ayes. Motion carried.

Mayor Graham stated that Item 1 would be held until after it is discussed in Executive Session.

Mayor Graham read Item 2 as follows:

ITEM 2 - Resolution Authorizing the Mayor to Execute an Agreement with Merrell Brothers of St. Charles, Missouri for the South Sludge Lagoon Cleaning and Sludge Disposal in the amount of \$74,367

Motion was made by J. Albrecht and seconded by A. Medford to approve Resolution Item 2.

Discussion: R. Reckamp stated that the resolution should be amended to include the prevailing wage. A. Medford reminded everyone that the project was a maintenance project – not for construction. Mayor Graham replied that the workers are contracted – not city employees. He said the taxpayers would probably prefer to accept the lower bid.

**ROLL CALL:** Nila Grogan, aye; Mary Schmidt, aye; Ed True, aye; Becky Henry, aye; Rick Reckamp, no; Tom Bequette, aye; Allen Medford, aye; Michael Bennett, aye; Dennis Renner, aye; Jason Boone, aye; Ned Drolet, aye; John West, aye; Jerry Albrecht, aye. 12 – ayes; 1 no. Motion carried.

## **ORDINANCES:**

### **1<sup>st</sup> Readings**

Motion was made by A. Medford and seconded by J. West to place on 1<sup>st</sup> Reading Item 8 as follows:

ITEM 8 - Ord. Authorizing the Purchase of Real Estate Located Adjacent to City Hall

ROLL CALL: Nila Grogan, aye; Mary Schmidt, no; Ed True, aye; Becky Henry, aye; Rick Reckamp, aye; Tom Bequette, aye; Allen Medford, aye; Michael Bennett, aye; Dennis Renner, aye; Jason Boone, aye; Ned Drolet, aye; John West, aye; Jerry Albrecht, aye. 12 – ayes, 1 no. Motion carried.

Motion was made by A. Medford and seconded by J. Albrecht to place on 1<sup>st</sup> Reading Item 9 as follows:

ITEM 9 – Ord. Annexing Property known as Porter Road containing approximately 86 Acres

**ROLL CALL:** Nila Grogan, aye; Mary Schmidt, aye; Ed True, aye; Becky Henry, aye; Rick Reckamp, aye; Tom Bequette, aye; Allen Medford, aye; Michael Bennett, aye; Dennis Renner, aye; Jason Boone, aye; Ned Drolet, aye; John West, aye; Jerry Albrecht, aye. All ayes. Motion carried.

Motion was made by A. Medford and seconded by E. True to place on 1<sup>st</sup> Reading Item 10 as follows:

ITEM 10 – Ord. Amending Ord. 3345 and Ord. 3204 (D), Chapter 51, Sewer Relating to a Sewer Rate Reduction

Discussion followed. Mayor Graham inquired as to how many houses were eliminated by the reduction. D. Sullivan said that he thinks that 400 points of service were eliminated. Mike Bennett asked how much savings this amounted to with the elimination. D. Rich stated that we eliminated the business and the dairies, so it is \$60,000 for the 10% for three months. Residents have been conserving. M. Bennett

also stated that we were the only city that provided this reduction. He also discussed the percentage of people that have pools, or water their lawns, or wash their cars to the extent that it would matter. R. Reckamp replied that there was no way to measure the reduction precisely. We do not want to charge people for water that does not go down the sewer. D. Renner stated that the residents on Caseyville Sewer do not receive a reduction, so it does not benefit all of the citizens. M. Schmidt inquired whether the software could measure a 10% increase in water consumption and give the discount to those who had that increase. D. Rich said that he may be able to measure it next year.

ROLL CALL: Nila Grogan, aye; Mary Schmidt, aye; Ed True, aye; Becky Henry, aye; Rick Reckamp, aye; Tom Bequette, aye; Allen Medford, aye; Michael Bennett, no; Dennis Renner, no; Jason Boone, aye; Ned Drolet, aye; John West, aye; Jerry Albrecht, aye. 11 – ayes, 2 - no. Motion carried.

## **2<sup>nd</sup> Readings**

Motion was made by J. Albrecht and seconded by E. True to approve 2<sup>nd</sup> Reading Ordinance Item 11, as follows:

ITEM 11 - Ord. Annexing Certain Territory, (City Owned Property Bounded by Porter and Oberneufemann Roads, Approximately 200+ Acres)

Discussion – T. Shekell answered D. Renner on the question about annexing property and stated that there are no plans to annex the property on the east side of Simmons Road.

**ROLL CALL:** Nila Grogan, aye; Mary Schmidt, aye; Ed True, aye; Becky Henry, aye; Rick Reckamp, aye; Tom Bequette, aye; Allen Medford, aye; Michael Bennett, aye; Dennis Renner, aye; Jason Boone, aye; Ned Drolet, aye; John West, aye; Jerry Albrecht, aye. All ayes. Motion carried.

Motion was made by A. Medford and seconded by J. West to approve 2<sup>nd</sup> Reading Ordinance number 12, as follows:

12. Ord. Approving the Transfer of Real Estate to John and Sherry Yoch regarding the Right-of-Way for Seven Hills Road

**ROLL CALL:** Nila Grogan, aye; Mary Schmidt, aye; Ed True, aye; Becky Henry, aye; Rick Reckamp, aye; Tom Bequette, aye; Allen Medford, aye; Michael Bennett, aye; Dennis Renner, aye; Jason Boone, aye; Ned Drolet, aye; John West, aye; Jerry Albrecht, aye. All ayes. Motion carried.

Motion was made by A. Medford and seconded by E. True to approve 2<sup>nd</sup> Reading Ordinance number 13, as follows:

13. Ord. Amending Chapter 77, Stop Signs, regarding Shadow Ridge and Whitfield

Discussion: M. Schmidt stated that yield signs would be more appropriate at this location.

**ROLL CALL:** Nila Grogan, aye; Mary Schmidt, aye; Ed True, aye; Becky Henry, aye; Rick Reckamp, aye; Tom Bequette, aye; Allen Medford, aye; Michael Bennett, aye; Dennis Renner, aye; Jason Boone, aye; Ned Drolet, aye; John West, aye; Jerry Albrecht, aye. All ayes. Motion carried.

#### **STANDING COMMITTEES:**

**Community Development:** In J. Mouser's absence, Mayor Graham stated that the minutes were enclosed and that their next meeting will be Monday, July 11, 2005, at 6:30 p.m., as usual.

**Public Works:** Motion was made by A. Medford and seconded by D. Renner to approve the purchase of Badger Meters in the amount of \$49,568.50, three backhoes from Erb Equipment for \$114,990 and the purchase of clean rock from Top Ag Co-op in the amount of \$25,625.

**ROLL CALL:** Nila Grogan, aye; Mary Schmidt, aye; Ed True, aye; Becky Henry, aye; Rick Reckamp, aye; Tom Bequette, aye; Allen Medford, aye; Michael Bennett, aye; Dennis Renner, aye; Jason Boone, aye; Ned Drolet, aye; John West, aye; Jerry Albrecht, aye. All ayes. Motion carried.

Mayor Graham noted that the automatic readers have a sending unit on the top of each and they are flush to the ground, but we are still experiencing damage on the units. The City will replace the first one, but the homeowner will have to pay for the replacements of any others. The replacements are \$200 each. We appreciate a call if the unit is too high, or if you are experiencing any problems.

M. Bennett inquired who set the policy for the replacement of the damaged units. He said that some of residents were not notified of the damages to the meters until months later. He said they had wanted to see the damaged units, but we no longer have them. He stated that the whole process should be discussed at the committee level.

Mayor Graham reminded the citizens that Waste Management provides special cans that can be picked up by the truck, so the cans must be placed unobstructed at the curb. We have a good rate by using these cans instead of the driver having to get off of the truck.

M. Bennett asked A. Medford about Item 16 in the Public Works minutes regarding Central School. He answered that it will be discussed at the next meeting.

A. Medford said they are scheduled to meet July 25 2005, at 7:30 p.m.

**Public Safety:** E. True stated that their next meeting is scheduled for July 11, 2005, at 7:30 p.m.

**Finance/Administration:** J. West stated the minutes from the meeting are in the packets and that they met before tonight's City Council meeting to discuss Warrant 91.

Motion was made by J. West and seconded by R. Reckamp to approve Warrant 91 in the amount of \$884,630.52.

**ROLL CALL:** Nila Grogan, aye; Mary Schmidt, aye; Ed True, aye; Becky Henry, aye; Rick Reckamp, aye; Tom Bequette, aye; Allen Medford, aye; Michael Bennett, aye; Dennis Renner, aye; Jason Boone, aye; Ned Drolet, aye; John West, aye; Jerry Albrecht, aye. All ayes. Motion carried.

Their next meeting is scheduled for July 25, 2005, at 5:30 p.m.

D. Renner complimented the Waste Management drivers after the storm. He also witnessed some yard waste dumping. It is a serious issue. Mayor Graham said that yard waste was placed in the dumpster at the park and on the school property. J. Betten said that there is a fine up to \$750 per illegal dumping incident. Mayor Graham said that we have about 1000 homes that are not on the Waste Management system, since we did not force the citizens to contract with them.

**Parks/Environment:** J. Albrecht stated their next meeting is scheduled for July 11, 2005, at 5:30 p.m.

It was decided that the Council did not need to go into Executive Session to discuss the pending litigation for Hilltop Road. D. Funk said that we are just acknowledging that Hilltop Road is a public road. When we annexed up to it, it became a city roadway. D. Funk stated that he is working on an intergovernmental agreement with the Township to maintain Hilltop Road, as it is.

Motion was made by E. True and seconded by N. Grogan to approve Item 1, a Resolution Authorizing the City to Settle the Pending Litigation for Hilltop Road.

**ROLL CALL:** Nila Grogan, aye; Mary Schmidt, aye; Ed True, aye; Becky Henry, aye; Rick Reckamp, no; Tom Bequette, aye; Allen Medford, aye; Michael Bennett, aye; Dennis Renner, aye; Jason Boone, aye; Ned Drolet, aye; John West, aye; Jerry Albrecht, aye. 12 – ayes. 1 - no. Motion carried.

#### **ADJOURNMENT:**

Motion was made by D. Renner and seconded by E. True to adjourn. All ayes. Motion carried.

The meeting was adjourned at 7:55 p.m.

Respectfully submitted by,

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Philip A. Goodwin, City Clerk

*Minutes taken by*  
Maryanne Fair, Deputy City Clerk