

**O'FALLON CITY COUNCIL  
MEETING MINUTES  
August 1, 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, excused (arrived late); 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 D. Renner and seconded by N. Grogan to approve the minutes of the July 18, 2005, meeting. All ayes. Motion carried.

**PUBLIC HEARING:**

1. Annexation Agreement for the Ahl Property Subdivision Preliminary Plat containing 76.84 acres located on the corner of Old Collinsville Road and Milburn School Road. Mayor Graham asked the Council Members to note on the staff memorandum in their packets, the middle of Item B on page 1, the following sentence has been added: "However, staff shall reserve the right to make a final determination if a 7.5' side yard setback or a 10' utility easement shall govern, until such time improvement plans for the entire subdivision have been reviewed." He explained some ranch-style houses under our code would be allowed a 7.5' side yard setback; however, if there were multiple utilities but no basement, Public Works felt this would be dangerous without the extra space. This now allows the City to view the house plan with the utilities drawn before making that decision. Public hearing 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.

**RESIDENTS:**

Mayor Graham invited any residents of O'Fallon who would like to speak to the Council to step to the microphone.

Mr. Jeff Holland of Cambridge Condominiums spoke regarding the upcoming motion under Standing Committees to permit the construction of a 670 square foot restroom facility instead of a 2,000 square foot clubhouse at the Cambridge Condominiums. Mr. Holland explained that 47 residents voted on this issue, and only 5 residents wanted to pay the additional fee required for building the clubhouse. He noted that the State requires a majority vote on any amenity to the Cambridge Condos, Inc.

No other residents came forward to speak.

## REPORTS:

**Clerk's Report:** City Clerk Phil Goodwin announced the Zoning Board of Appeals meeting for August 23, 2005, has been cancelled. He also presented two requests:

1. Request from O'Fallon Homecoming to sell alcohol during the Homecoming event at the Community Park from August 12 – August 14, 2005, as well as conduct a parade on August 13<sup>th</sup> and sell raffle tickets during the event.

Motion was made by M. Bennett and seconded by D. Renner to approve the request. All ayes. Motion carried.

2. Request from the O'Fallon Kiwanis Club to conduct a roadblock on September 17, 2005, from 8:00 a.m. – 12:00 noon at the intersections of State/Lincoln and State/Smiley.

Motion was made by D. Renner and seconded by N. Grogan to approve the request. Ayes – 11; Nays – 1 (Drolet). Motion carried.

**Mayor's Report:** The Mayor recommended Shirley West for reappointment to the Investment Committee.

Motion was made by J. Boone and seconded by D. Renner to reappoint Shirley West to the Investment Committee. All ayes. Motion carried.

## RESOLUTIONS:

Motion was made by D. Renner and seconded by N. Grogan to consider the Omnibus Rule for Resolution Items 1-7. All ayes. Motion carried.

Motion was made by D. Renner and seconded by N. Grogan to approve Resolution Items 1-7.

ITEM 1 – Resolution Authorizing the Mayor to Sign a Pre-Annexation Agreement with MSJB Investments, LLC for a Development known as the Ahl Property (TR Hughes Subdivision at the Northeast Intersection of Milburn School Road and Old Collinsville Road

ITEM 2 – Resolution Approving and Accepting the Preliminary Plat for the Ahl Property (TR Hughes Subdivision)

ITEM 3 – Resolution Authorizing the Mayor to Sign a Letter of Support for the Household Hazardous Waste Day Co-Sponsored by the St. Clair County Health Department in O'Fallon's Community Park

ITEM 4 – Resolution Authorizing the Mayor to Execute an Agreement with Hoelscher Engineering for the Simmons/Porter/Obernuefemann/Venita/Ogles Water Line Project in the amount of \$58,900

ITEM 5 – Resolution Authorizing the Mayor to Execute an Agreement with Fulton Group, LLC for Engineering Services

ITEM 6 – Resolution to Revise the Building Permit Fees

ITEM 7 – Resolution Authorizing the Mayor to Execute an Agreement for Sale of Property located along Westwood Drive

**ROLL CALL:** M. Schmidt, aye; B. Henry, aye; R. Reckamp, 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; N. Grogan, aye. All ayes. Motion carried.

M. Bennett asked how residents should dispose of items such as computers and electronics. Dean Rich, Director of Finance and Administration, said Phoenix Recycling would be providing this service for City residents. He said the program is just now getting underway; and within the next few weeks, details of the service will be made available.

Mayor Graham said there have been questions regarding the disposal of appliances such as refrigerators, stoves, etc. He stated this service is provided under the City's Waste Management contract for a nominal fee.

## **ORDINANCES:**

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

Motion was made by D. Renner and seconded by B. Henry to consider the Omnibus Rule for 1<sup>st</sup> Reading Ordinance Items 8, 9, 10 and 12. All ayes. Motion carried.

B. Henry asked for clarification on the numbering of the 1<sup>st</sup> Reading Items. On the agenda, it appeared as though Item 11 was on hold. However, L. Reime stated Item 11 was not on hold. Instead, the item on hold was listed directly after Item 11 but was not assigned a number.

Motion was made by D. Renner and seconded by B. Henry to include Item 11 in the previous Omnibus Rule. All ayes. Motion carried.

Motion was made by D. Renner and seconded by N. Grogan to place on 1<sup>st</sup> Reading Ordinance Items 8-12.

ITEM 8 – Ordinance Amending Chapter 52, Section 52.080, Water Rate Change

ITEM 9 – Ordinance Amending Section 52.121, Regarding Authority of the City

ITEM 10 – Ordinance Amending Ordinance 623, Zoning, Planned Use known as Suburban Extended Stay Hotel Development

ITEM 11 – Ordinance Approving the Final Plat of the Clock Tower Plaza/Green Mount Lakes

ITEM 12 – Ordinance Approving a Pre-Development Agreement with Drury Hotel to Establish a Special Service Area, Not to Exceed \$2,500,000 aggregate principal amount

**ON HOLD:** Ordinance Amending Ordinance 623, Zoning, for AAA Tool & Machine Company.

**ROLL CALL:** B. Henry, aye; R. Reckamp, 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; N. Grogan, aye; M. Schmidt, aye. All ayes. Motion carried.

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

Motion was made by D. Renner and seconded by N. Grogan to consider the Omnibus Rule for 2<sup>nd</sup> Reading Ordinance Items 13-16. All ayes. Motion carried.

Motion was made by D. Renner and seconded by N. Grogan to approve 2<sup>nd</sup> Reading Ordinance Items 13-16.

ITEM 13 – Ordinance Annexing Certain Territory known as the (Ahl Property Subdivision) containing approximately 76.84 acres

ITEM 14 – Ordinance Amending Ordinance 623, Zoning Development Known as “Ahl Property Subdivision” Portion Of Parcel Number 03-14.0-300-001)

ITEM 15 - Ordinance Annexing Certain Territory known as the (Glarnar Property) containing approximately 5.00 acres

ITEM 16 – Ordinance Amending Ordinance 623, Zoning, Development Known as “Glarnar Property” Portion of Parcel Number 03-14.0-300-001)

**ROLL CALL:** R. Reckamp, 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; N. Grogan, aye; M. Schmidt, aye; B. Henry, aye. All ayes. Motion carried.

Motion was made by J. Boone and seconded by J. West to approve 2<sup>nd</sup> Reading Ordinance Item 17.

ITEM 17 – Ordinance Amending Chapter 72, regarding Prohibited Parking of Certain Vehicles

**ROLL CALL:** T. Bequette, aye; A. Medford, aye; M. Bennett, aye; D. Renner, nay; J. Boone, aye; N. Drolet, aye; J. West, aye; J. Albrecht, aye; N. Grogan, aye; M. Schmidt, aye; B. Henry, aye; R. Reckamp, nay. Ayes – 10; Nays - 2. Motion carried.

**STANDING COMMITTEES:**

**Community Development:** Motion was made by D. Renner and seconded by J. Albrecht to approve the Special Event Permit request from O'Fallon Homecoming to conduct the Homecoming from August 12-14, 2005. All ayes. Motion carried.

Motion was made by D. Renner and seconded by J. Boone to permit the construction of a 670 square foot restroom facility instead of a 2,000 square foot clubhouse at the Cambridge Condominiums.

M. Bennett asked if staff's opinion had changed from requiring Cambridge Condominiums to adhere to their original plan and build a clubhouse. Mayor Graham said staff's opinion had not changed. However, the Mayor said he didn't want this to move forward without the Council knowing how the residents felt on the matter.

M. Bennett raised discussion regarding details on the facility being proposed. Mr. Holland explained the building consists of a changing room, bathroom facility, a covered area to be shaded from the sun, and a mechanical room. The residents are currently paying \$100 per month in management fees. They voted on an additional \$14 per month to construct a pool house, and this amount will only cover the costs of the proposed restroom facility. To construct the clubhouse that was originally proposed, it would have cost an additional \$30 per month, for a total of \$130 per month in management fees.

N. Drolet asked if the property designated for the clubhouse would remain common ground in case they decide to build a clubhouse in the future. L. Reime confirmed the property would remain as common ground for the use of all residents and not used for additional condominiums in the future.

Mayor Graham said he understood the residents do not want to pay for the clubhouse; however, when the project was originally presented, the Council was excited about the clubhouse amenity. He also noted the development in town that currently has a clubhouse has retained its value and been a great asset to the community.

J. Boone stated the residents have rightfully made a decision on what they think is best for their community and their own monthly budget. D. Renner agreed, stating the Council should listen to the residents.

N. Drolet suggested the matter return to Committee for reconsideration before they allow the reduction of the clubhouse to a restroom facility.

Mr. Holland explained the development has been built in three phases. Residents in Phases I and II did not know about the prospect of a pool and clubhouse because of potential lawsuits in case Phase III was not built. When Phase III began, the pool and clubhouse were proposed; and the residents were given a budget to vote on. They overwhelmingly voted on the restroom facility instead of a clubhouse and are now anxious to obtain approval.

R. Reckamp asked about the additional monthly fee. Mr. Holland said the cost will be an extra \$14.00 per month, and the funds will be used exclusively for the pool and restroom facility – the funds cannot be used for any other amenity.

E. True arrived at approximately 7:30 p.m.

**ROLL CALL:** A. Medford, nay; M. Bennett, nay; D. Renner, aye; J. Boone, aye; N. Drolet, nay; J. West, aye; J. Albrecht, aye; N. Grogan, aye; M. Schmidt, aye; E. True, aye; B. Henry, aye; R. Reckamp, nay; T. Bequette, aye. Ayes – 9; Nays - 4. Motion carried.

Motion was made by D. Renner and seconded by B. Henry to approve the 12-month extension to submit final development plans for the Clock Tower/Green Mount Lakes; KFC/Texaco Redevelopment and the Village China Wok. All ayes. Motion carried.

Mayor Graham recognized a boy scout in the audience and welcomed him to the meeting.

**Public Works:** A. Medford said they are scheduled to meet August 22, 2005.

**Public Safety:** E. True stated their next meeting is scheduled for August 8, 2005, at 7:30 p.m.

**Finance/Administration:** J. West stated the minutes from their July 25 meet were included in the packets. The Finance and Administration Committee met before tonight's City Council meeting to discuss Warrant 93.

Motion was made by J. West and seconded by R. Reckamp to approve Gifts for Individuals in the amount of \$1,551.12.

**ROLL CALL:** M. Bennett, aye; D. Renner, aye; J. Boone, aye; N. Drolet, abstain; J. West, aye; J. Albrecht, aye; N. Grogan, aye; M. Schmidt, aye; E. True, aye; B. Henry, aye; R. Reckamp, aye; T. Bequette, aye; A. Medford, aye. Ayes – 12; Abstain – 1. Motion carried.

Motion was made by J. West and seconded by R. Reckamp to approve Warrant 93 in the amount of \$516,408.93.

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

Their next meeting is scheduled for August 22, 2005, at 5:30 p.m.

**Parks/Environment:** A. Medford stated their next meeting is scheduled for August 8, 2005, at 5:30 p.m.

Mayor Graham said there have been incidents of vandalism in the township with people opening the fire hydrants and wasting hundreds of thousands of gallons of water. He stated when these people are apprehended, they will be prosecuted to the fullest extent of the law.

D. Renner thanked Walter Denton for meeting earlier regarding some concerns with residents. He also told Dennis Sullivan about a large hole in Booster Road that is a safety hazard.

**EXECUTIVE SESSION:** At 7:40 p.m. a motion was made by J. Boone and seconded by M. Bennett to go into Executive Session to discuss a personnel matter.

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

At 7:45 p.m. City Council members returned from Executive Session.

**ADJOURNMENT:**

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

The meeting was adjourned at 7:46 p.m.

Respectfully submitted by,

---

Philip A. Goodwin, City Clerk

*Minutes taken by*  
Sharon L. Wisely, Transcriptionist