

**O'FALLON CITY COUNCIL
MEETING MINUTES
February 5, 2007**

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 called the roll: Nila Grogan, present; Mary Schmidt, present; Ed True, present; Rick Reckamp, present; Jerry Mouser, present; Phil Gardner, 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. West and seconded by E. True to approve the minutes of the January 16, 2007, meeting. All ayes. Motion carried.

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 responded.

The Mayor acknowledged boy scouts from Troops 555, 85 and 94 who were in attendance working on various badges.

REPORTS:

Clerk's Report: City Clerk Phil Goodwin presented one request:

1. Request from St. Clair County 4-H Extension Education Foundation to conduct a raffle at the O'Fallon KC Hall on March 6, 2007

Motion was made by R. Reckamp and seconded by N. Grogan to approve the request. All ayes. Motion carried.

Mayor's Report: Mayor Graham announced the passing of Alderman Becky Henry on Sunday, February 4, 2007. He stated a visitation service would be held from 2-6 p.m. on February 8 at the First Baptist Church, with the funeral beginning at 6 p.m. The Mayor described Becky as a very dear and caring person. He spoke of the many activities both Becky and her husband, Chuck, were involved in over the years; and he urged the community to embrace their surviving children, Josh and Luke. Everyone observed a moment of silence in her honor.

RESOLUTIONS:

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

Motion was made by J. Mouser and seconded by J. West to approve Resolution Items 1-4 under the previous Omnibus Agreement.

ITEM 1 – Resolution Authorizing the City Clerk to Sign an IDOT Resolution for Motor Fuel Tax (MFT), Municipal Estimate of Maintenance

ITEM 2 – Resolution Authorizing the Mayor to Execute an Agreement with Bernard-Lochmueller for Transportation Study Services for a Railroad Overpass for a cost not to exceed \$43,000

ITEM 3 – Resolution Authorizing the Mayor to Execute an Agreement with Henry, Meisenheimer & Gende, Inc. (HMG) for Professional Services for Wastewater Facilities Planning in an amount not to exceed \$128,000

ITEM 4 – Resolution Authorizing the Mayor to Execute an Agreement with Rhutasel & Associates, Inc. for Professional Engineering Services for the Design of Milburn School Road Improvements from Simmons to Pausch for an amount not to exceed \$96,100

M. Bennett said he was happy to see the railroad overpass study includes more than one location. He questioned why there would be no study of an underpass. D. Sullivan said the study does not include an underpass study because of possible drainage issues at two of the proposed locations. He explained that a severe storm causing a power outage would disable the pumps and cause flooding at these two locations. If the third location, wherever that may be, does not have drainage problems and its topography would allow for an underpass, the Council would probably be presented with a request for additional funds for an underpass study at that location. R. Reckamp asked if an underpass with a lift station would be out of the question. D. Sullivan said it is a possibility but an added cost. Mayor Graham noted IDOT has already stated they do not want an overpass at Venita because of stacking issues to the interstate.

ROLL CALL: M. Schmidt, aye; E. True, aye; R. Reckamp, aye; J. Mouser, aye; P. Gardner, 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.

Motion was made by J. Mouser and seconded by E. True to approve Resolution Item 5.

ITEM 5 – Resolution Approving a Variance to Section 51.032, and Approving the Amended Improvement Plans for Cambridge Condominiums, Phase IV

N. Drolet suggested this variance should have come out of Public Works instead of Community Development because this is really an engineering variance and not a land use variance. He felt it would be in the City's best interest to conduct further study on this matter to ensure everyone understands the variance they are granting.

Motion was made by N. Drolet and seconded by A. Medford to forward Resolution Item 5 to the Public Works Committee for review.

Mayor Graham said his understanding is that this is private property, and the Engineering Department has said this is acceptable. He said since these are 6" pipes versus 8" pipes on private property, there will not be any manholes and it will not be City sewer. N. Drolet said the original development on the east side of Cambridge Condominiums was done without any variance; and with this being essentially the same development on the west, there is no reason to provide a variance. R. Reckamp expressed concern with these being private sewer lines because at some point in the future, residents of the development will want the City to assume responsibility for the sewers. He recommended the City require the sewers be built to City standards and the City be responsible for maintaining them now instead of having to assume responsibility in the future. Discussion ensued regarding potential problems arising from these being private sewers with no manholes.

ROLL CALL: E. True, nay; R. Reckamp, aye; J. Mouser, aye; P. Gardner, nay; A. Medford, aye; M. Bennett, aye; D. Renner, nay; J. Boone, aye; N. Drolet, aye; J. West, aye; J. Albrecht, nay; N. Grogan, nay; M. Schmidt, nay. Ayes – 7; Nays – 6. Motion carried.

A. Medford stated the Public Works Committee would meet on February 26 at 7 p.m.

ORDINANCES:

1st Readings

Motion was made by J. Mouser and seconded by N. Grogan to consider the Omnibus Agreement for 1st Reading Ordinance Items 6-8. All ayes. Motion carried.

Motion was made by J. Mouser and seconded by E. True to place on 1st Reading Ordinance Items 6-8 under the previous Omnibus Agreement.

ITEM 6 – Ordinance Approving the Final Plat of Parcs at Arbor Green Phase 4

ITEM 7 – Ordinance Amending Chapter 77, Traffic Schedules, Stop Signs, Regarding Parcs at Arbor Green

ITEM 8 – Ordinance Amending Chapter 77, Traffic Schedules, Stop Signs, Regarding Stone Bridge Villas

D. Renner said he attended a Central School board meeting and it was stated that the boundary line for the two different school districts runs in various directions throughout the Parcs at Arbor Green. He suggested the Council send a letter to the school districts encouraging them to work together to keep entire subdivisions in the same school district. D. Renner said this would continue to occur as the development continues to the north and west. Mayor Graham said they will write a letter to the schools.

ROLL CALL: R. Reckamp, aye; J. Mouser, aye; P. Gardner, 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; E. True, aye. All ayes. Motion carried.

2nd Readings

Motion was made by J. Mouser and seconded by D. Renner to consider the Omnibus Agreement for 2nd Reading Items 10-13. All ayes. Motion carried.

Motion was made by J. Mouser and seconded by N. Grogan to approve 2nd Reading Items 10-13 under the previous Omnibus Agreement.

ITEM 10 – Ordinance Amending Chapter 111, Section 111.07 (B), Time Limit on Solicitation

ITEM 11 – Ordinance Approving the Final Plat of Parcs at Arbor Green Phase 3A Subdivision

ITEM 12 – Ordinance Approving the Final Plat of Parcs at Arbor Green Phase 3B Subdivision

ITEM 13 – Ordinance Amending Ordinance 3445 Regarding the Intergovernmental Agreement with O'Fallon Community School District 90 Exchange Property

ROLL CALL: J. Mouser, aye; P. Gardner, 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; E. True, aye; R. Reckamp, aye. All ayes. Motion carried.

Motion was made by J. Mouser and seconded by J. Albrecht to approve 2nd Reading Item 9.

ITEM 9 – Ordinance Amending Ordinance 623, Zoning, Development known as Lots 5 and 6 of the Shoppes at Green Mount – (As Amended)

M. Bennett raised concern with not yet knowing any of the tenants. J. West expressed disappointment in the 50,000 sq. ft. Balke-Brown building not displaying much

character aesthetically. Mayor Graham said he is uncomfortable with the fact that they do not know one tenant. He stated Balke-Brown is a great company that develops all over the country; however, this is the most important piece of property to our community today, that is why there is such great concern—not because the City doesn't like Balke-Brown. Mayor Graham said, in all fairness, Balke-Brown has tried to do everything the City has asked of them, and the Council should move the project forward. But he reminded everyone he has two weeks to veto this decision.

A. Medford raised discussion about the appearance of the building sides that face I-64. T. Shekell said the Comprehensive Plan states that any building with double frontage should have design features on both sides. He said the developer has done a pretty good job of accomplishing this goal, and he described various features that have been incorporated into the sides of the buildings facing I-64.

R. Reckamp asked if this was unusual for a developer to have invested this much time and money into a development this size and not have a good idea of who his tenants would be. T. Shekell said his experience has been that generally anchor tenants have been identified by this time; however, simply having Balke-Brown as the builder will primarily serve as the anchor for this development.

ROLL CALL: P. Gardner, aye; A. Medford, aye; M. Bennett, nay; D. Renner, aye; J. Boone, aye; N. Drolet, aye; J. West, aye; J. Albrecht, aye; N. Grogan, aye; M. Schmidt, aye; E. True, aye; R. Reckamp, aye; J. Mouser, aye. Ayes – 12; Nays – 1. Motion carried.

STANDING COMMITTEES:

Community Development: J. Mouser stated they met on January 22, and copies of the minutes were in the packets. Their next meeting is scheduled for February 12, 2007, at 6 p.m.

Public Works: A. Medford said they met on January 22, and copies of the minutes were in the packets. All items from their meeting have already been addressed except for two.

Motion was made by A. Medford and seconded by J. Mouser to authorize the payment for the fence construction at the Library area for a cost of \$17,100.

M. Schmidt said she felt the City is setting a precedent by paying the entire cost of the fence. She indicated since this is in someone's backyard, it is not unreasonable to ask them to pay half of the cost.

Motion was made by M. Schmidt and seconded by D. Renner to send this back to committee for further discussion on having the residents pay for half of the fence.

A. Medford said the precedent was set years ago by another Council who gave the residents the idea that the City would erect a fence and be responsible for it forever. A vinyl fence vs. wooden fence will last longer, and the City will also be getting a release from the residents so this issue will not be visited ever again. P. Gardner asked if the City would have any maintenance responsibility with the new fence. Mayor Graham indicated the City maintained the fence under the old agreement, but the new agreement would eliminate the City's responsibility. He said 12-15 years ago the Council agreed to erect the fence and got an easement from the residents. Nowhere in the agreement does it say the City would maintain the fence; but given the fact that the City had an easement, the residents assumed the City would maintain the fence. The City is now giving the residents back the easement, and the residents understand and have signed off that this would be the last fence provided by the City and it would not be maintained by the City.

M. Schmidt withdrew her motion, and D. Renner withdrew his second.

Regarding the original motion for approval:

ROLL CALL: 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; E. True, aye; R. Reckamp, aye; J. Mouser, aye; P. Gardner, aye. All ayes. Motion carried.

Motion was made by A. Medford and seconded by J. West to authorize the procurement of the ESRI GIS Software Upgrade in an amount of \$10,000.

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

The next Public Works meeting will be February 26, 2007, at 7 p.m.

Public Safety: E. True said their next meeting is scheduled for February 12, 2007, at 7 p.m.

Finance/Administration: J. West stated the minutes from the January 22 meeting are in the packets.

Motion was made by J. West and seconded by R. Reckamp to authorize the renewal of the consulting services agreement with Government Consulting Solutions for \$36,000 a year for two years.

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; R. Reckamp, aye; J. Mouser, aye; P. Gardner, aye; A. Medford, aye; M. Bennett, aye. All ayes. Motion carried.

J. West said they met before tonight's meeting to discuss Warrant 129. Motion was made by J. West and seconded by R. Reckamp to approve Warrant 129 in the amount of \$806,337.09.

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

Their next meeting is scheduled for February 26 at 5:30 p.m.

Parks/Environment: J. Albrecht stated their next meeting is scheduled for February 12 at 5:30 p.m.

EXECUTIVE SESSION: None.

ADJOURNMENT:

Motion was made by R. Reckamp and seconded by A. Medford to adjourn. All ayes. Motion carried.

The meeting was adjourned at 7:56 p.m.

Respectfully submitted by,

Philip A. Goodwin, City Clerk

Minutes taken by
Sharon L. Wisely, Transcriptionist