

**O'FALLON CITY COUNCIL
MEETING MINUTES
June 18, 2007**

The meeting was called to order at 7:03 p.m. by Mayor Gary Graham, who then led the "The Pledge of Allegiance to the Flag."

Philip Goodwin, City Clerk, called the roll: Nila Grogan, present; Mary Schmidt, present; Ed True, excused; Dan Polites, present; Rick Reckamp, present; Jerry Mouser, excused; John Drolet, present; Allen Medford, present; Michael Bennett, present; Dennis Renner, present; Steve Engler, present; Ned Drolet, present; John West, present; Jerry Albrecht, excused. A quorum was declared present.

Motion was made by J. West and seconded by N. Grogan to approve the minutes of the June 4, 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. No one responded.

REPORTS:

Clerk's Report: City Clerk Philip Goodwin announced that the Zoning Hearing Officer meeting scheduled for June 26, 2007, has been cancelled.

Mayor's Report:

T. Shekell introduced Matt Ament as the new Senior Planner for the City. Matt has approximately 8 years of experience from working in Jefferson County, Missouri; Blue Springs, Missouri; and Olathe, Kansas.

Mayor Graham announced that today was the groundbreaking for the new Hilton Gardens, which will eventually include a conference center, Hampton Inn, and a corporate campus with a five-acre lake. He expressed his thanks to Darwin Miles and Darrell Shelton for pulling together this quality project.

RESOLUTIONS:

Motion was made by D. Renner and seconded by M. Bennett to consider the Omnibus Agreement for Resolution Items 2-6. All ayes. Motion carried.

Motion was made by D. Renner and seconded by J. West to approve Resolution Items 2-6 under the previous Omnibus Agreement.

ITEM 2 – Resolution Approving and Accepting a Subdivision of Land to be known as the Minor Subdivision of Shoppes at Green Mount, Lots 5 and 6

ITEM 3 - Resolution Authorizing the Mayor to Execute an Agreement with Hoelscher Engineering for the Design Matthew Drive Storm Sewer Repair at a Cost not to Exceed \$24,400.00

ITEM 4 - Resolution Authorizing the City Engineer to Sign a Highway Authority Agreement Pertaining to the Right-of-Way along Whitehall near Highway 50

ITEM 5 - Resolution Authorizing the Mayor to Execute and Agreement with Crawford, Bunte, Brammeier for a Traffic Study of the Area in the Vicinity of the new District 203 9th Grade Attendance Center at the Intersection of Milburn School Road and Merriam Parkway at a cost not to exceed \$9,745.00

ITEM 6 – Resolution Authorizing the Purchase of Real Estate Located at Lot 12, Shoppes of Green Mount and Authorize the Building and Lease of the Conference Center

ROLL CALL: M. Schmidt, aye; D. Polities, aye; R. Reckamp, aye; J. Drolet, aye; A. Medford, aye; M. Bennett, aye; D. Renner, aye; S. Engler, aye; N. Drolet, aye; J. West, aye; N. Grogan, aye. All ayes. Motion carried.

Motion was made by D. Renner and seconded by N. Grogan to approve Resolution Item 1.

ITEM 1 – Resolution Authorizing the Purchase of Real Estate Located at 200 South Lincoln Avenue (First Bank)

M. Bennett expressed concern with housing City employees at two different locations. M. Schmidt suggested the City look at better utilizing the space it currently owns instead of purchasing more space. She also had issues with the stipulations in the agreement that said the City could not sell the property to another banking facility and that the City must allow First Bank to operate an ATM on City Hall property. Mayor Graham said the second stipulation resulted from a tradeoff on price.

D. Rich said staff is also concerned with which employees would be relocated to this facility. He said their prime concern is that customers *not* be required to travel between the two facilities to conduct business. D. Rich indicated the City Council would be kept informed regarding who was being considered for relocation; and currently, the I.T. Department seems to be the logical choice. He stated that before the building could be utilized, an elevator needs to be installed at a cost of approximately \$100,000. Discussion ensued regarding the City's need for additional parking and future expansion.

ROLL CALL: D. Politics, aye; R. Reckamp, aye; J. Drolet, aye; A. Medford, aye; M. Bennett, nay; D. Renner, aye; S. Engler, aye; N. Drolet, aye; J. West, nay; N. Grogan, aye; M. Schmidt, nay. Ayes – 8; Nays – 3. Motion carried.

ORDINANCES:

1st Readings

Motion was made by D. Renner and seconded by A. Medford to place on 1st Reading Ordinance Item 7.

ITEM 7 – Ordinance Requiring a Register be Maintained at all Hotels, Motels, Lodging Houses, and Rooming Houses

Mayor Graham said J. Drolet spoke with him earlier about concerns regarding the length of time for maintaining the register and other groups being able to access the register. City Attorney Dale Funk said he discussed this ordinance with Chief Betten and sees no problem with how it is written. He also said the ordinance is patterned after the one for Fairview Heights, and the Fairview Heights City Attorney indicated they have never had any repercussions resulting from it.

N. Drolet expressed concern with any city, county, state, or federal police agency having the right to view these records and abusing this privilege. He felt our police department should be in charge of allowing access to this information. He also felt this ordinance would place an undue burden on employees of the hotels when asked to provide this information while, at the same time, trying to do their job.

Chief Betten explained this ordinance resulted from some hotels saying they would be happy to provide such information but their company policy prohibits them from doing so unless the City has a law saying they must. Therefore, the ordinance was more of a proactive approach to this issue. A letter was sent to all hotels in town announcing this ordinance, and only one inquiry resulted from that mailing.

Discussion ensued regarding the intent, pros, and cons of the ordinance, as well as who would be required to register and how. Mayor Graham asked Council members to forward their comments to Chief Betten so the wording of the ordinance could be modified if necessary.

ROLL CALL: R. Reckamp, aye; J. Drolet, aye; A. Medford, aye; M. Bennett, aye; D. Renner, aye; S. Engler, nay; N. Drolet, nay; J. West, nay; N. Grogan, aye; M. Schmidt, aye; D. Politics, aye. Ayes – 8; Nays – 3. Motion carried.

2nd Readings

Motion was made by D. Renner and seconded by J. West to approve 2nd Reading Ordinance Item 8.

ITEM 8 – Ordinance Amending Chapter 38, Section 38.05 regarding Inauguration Day

ROLL CALL: J. Drolet, aye; A. Medford, aye; M. Bennett, aye; D. Renner, aye; S. Engler, aye; N. Drolet, aye; J. West, aye; N. Grogan, aye; M. Schmidt, aye; D. Politics, aye; R. Reckamp, aye. All ayes. Motion carried.

Motion was made by A. Medford and seconded by M. Bennett to approve 2nd Reading Ordinance Item 9.

ITEM 9 – Ordinance Amending Ordinance 3389, PUD for Frieze Harley-Davidson

S. Engler said he has received 16 objections to this ordinance from residents who live in that area and will see the wind turbine every day.

ROLL CALL: A. Medford, aye; M. Bennett, aye; D. Renner, nay; S. Engler, nay; N. Drolet, aye; J. West, nay; N. Grogan, aye; M. Schmidt, aye; D. Politics, aye; R. Reckamp, aye; J. Drolet, aye. Ayes – 8; Nays – 3. Motion carried.

ITEM 10 – Ordinance Amending Chapter 52, regarding Water Rates, Section 52.080, 52.081, 52.082, and 52.083 (***Placed on hold.***)

STANDING COMMITTEES:

Community Development: A. Medford stated the minutes from their last meeting are included in the packets.

Motion was made by R. Reckamp and seconded by M. Bennett to sustain the Zoning Hearing Officer Decision denying the Loan Machine's request for authorized use in a B-1 District. All ayes. Motion carried.

Public Works: A. Medford said their next meeting would be June 25, 2007, at 7 p.m.

Public Safety: Their next meeting is scheduled for July 9, 2007, at 7 p.m.

Finance/Administration: J. West stated they met before tonight's meeting to discuss Warrant 138. Motion was made by J. West and seconded by N. Grogan to approve Warrant 138 in the amount of \$1,103,292.51.

ROLL CALL: A. Medford, aye; M. Bennett, aye; D. Renner, aye; S. Engler, aye; N. Drolet, aye; J. West, aye; N. Grogan, aye; M. Schmidt, aye; D. Politics, aye; R. Reckamp, aye; J. Drolet, aye. All ayes. Motion carried.

Their next meeting will be June 25, 2007, at 5:30 p.m.

Parks/Environment: Their next meeting is scheduled for July 9, 2007, at 5:30.

EXECUTIVE SESSION: At 7:35 p.m. a motion was made by R. Reckamp and seconded by J. West to go into executive session regarding a pending lawsuit.

ROLL CALL: M. Bennett, nay; D. Renner, nay; S. Engler, aye; N. Drolet, aye; J. West, aye; N. Grogan, aye; M. Schmidt, aye; D. Polities, aye; R. Reckamp, aye; J. Drolet, aye; A. Medford, nay. Ayes – 8; Nays – 3. Motion carried.

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

ADJOURNMENT:

Motion was made by R. Reckamp and seconded by D. Renner 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