

**O'FALLON CITY COUNCIL
MEETING MINUTES
August 6, 2007**

The meeting was called to order at 7:01 p.m. by Mayor Gary Graham. "Mayor for the Day" Eden Hines led the "The Pledge of Allegiance to the Flag."

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

Motion was made by J. West and seconded by N. Grogan to approve the minutes of the July 16, 2007, meeting. All ayes. Motion carried.

PUBLIC HEARING: None.

RESIDENTS: Mayor Graham asked if anyone wanted to speak to the Council, but no one responded.

The Mayor recognized the 2007 ASA National Girls Softball Champions under the direction of Head Coach Ken Steiner. The team, Synergy, participated in the Girls Northern Class B, Ages 14 and Under, Fast-Pitch Softball. They finished with a record of 49-19 for the season, and a record of 6-0 in the winners bracket.

Mayor Graham introduced "Mayor for the Day" Eden Hines and described the events of the day.

REPORTS:

Clerk's Report: Deputy City Clerk Maryanne Fair presented five requests:

1. Request from O'Fallon Rotary Club to sell alcohol at the Katy Cavins Community Center for the Rotary Auction on September 21, 2007.

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

2. Request from Dania Shrine Club to conduct a roadblock at the intersection of State/Smiley and State/Lincoln on Friday, September 7, 2007, from 7 a.m. – 9 a.m.

Motion was made by D. Renner and seconded by E. True to approve the request. All ayes except for two (J. Drolet and N. Drolet). Motion carried.

3. Request from O'Fallon Kiwanis Club to conduct a roadblock at the intersection of State/Smiley and State/Lincoln on Saturday, October 20, 2007, from 8 a.m. – 12 p.m.

Motion was made by D. Renner and seconded by J. Albrecht to approve the request. All ayes except for two (J. Drolet and N. Drolet). Motion carried.

4. Request from O'Fallon Knights of Columbus to conduct a roadblock at the intersection of State/Smiley and State/Lincoln on Friday, September 21, 2007, from 8-10 a.m. and 3-5 p.m. and Saturday, September 22, 2007, from 8 a.m.-12 p.m.

Motion was made by D. Renner and seconded by J. Mouser to approve the request.

J. Drolet expressed concern with the roadblock being held on Friday from 3-5 p.m. when school traffic will be present.

Motion was made by A. Medford and seconded by J. West to remove the Friday 3-5 p.m. timeframe from the request. Mayor Graham asked for a show of hands for the vote. Voting "aye" was: N. Grogan, J. Drolet, A. Medford, M. Bennett, N. Drolet, J. West, and J. Albrecht. Voting "nay" was: M. Schmidt, E. True, D. Polites, J. Mouser, and D. Renner. Motion carried.

It was pointed out that the date for the Rotary Auction on Item 1 should be September 29 instead of September 21.

D. Renner noted the Dania Shrine Club is being allowed to conduct their roadblock on a Friday from 7-9 a.m., at which time there will also be school traffic present.

Mayor Graham called for a vote on Item 4 with the amended hours. All ayes except for three nays (J. Drolet, D. Renner, and N. Drolet). Motion carried.

5. Request from St. Clare School to conduct a raffle from August 7 – September 14, 2007. The raffle prize is a basket.

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

Mayor Graham gave Council members an opportunity to amend Item 2, but no motion was made.

Mayor's Report:

Mayor Graham recommended the appointment of Betty Reed to the Library Board.

Motion was made by E. True and seconded by N. Grogan to approve the appointment. All ayes. Motion carried.

The Mayor proclaimed August 7 at "National Night Out" and announced there will be a free pool party from 6-9 p.m. at O'Fallon's Memorial Pool.

RESOLUTIONS:

A. Medford said Item 2 needs to be placed on hold and returned to committee for additional discussion.

Motion was made by J. Mouser and seconded by D. Renner to approve Resolution Item 1.

ITEM 1 – Resolution Approving and Accepting a Subdivision of Land to be known as the Minor Subdivision and Condominium Plat of Financial Resource Center

M. Bennett noted the elevations were not in the packets. T. Shekell explained that this is simply to allow the minor subdivision of the land. Elevations will be provided at some point in the future, and the Council will have another opportunity to vote on this project.

All ayes. Motion carried.

ITEM 2 – Resolution Authorizing the Mayor to Execute an Agreement with Oates Associates for the North Lincoln (O'Fallon-Troy Road) Roundabout Study at a cost not to exceed \$17,500 (**On hold**)

Motion was made by J. West and seconded by A. Medford to approve Resolution Item 3.

ITEM 3 – Resolution Authorizing the Expenditure of Funds from the City Cash Reserves

Motion was made by M. Bennett and seconded by M. Schmidt to split Item 3 into two votes: (1) the funds for Channel 10 and, (2) the funds for First Bank building elevator.

ROLL CALL: M. Schmidt, aye; E. True, nay; D. Polites, nay; J. Mouser, nay; J. Drolet, aye; A. Medford, nay; M. Bennett, aye; D. Renner, nay; N. Drolet, aye; J. Albrecht, nay; N. Grogan, nay; J. West, nay. Ayes – 4; Nays - 8. Motion failed.

M. Bennett raised discussion regarding spending money on an elevator for the building without having any plans for the building's use.

J. Albrecht asked if the City hired a consultant to make recommendations regarding the use of this building. D. Sullivan stated FGM Architects are under contract to provide preliminary plans on how best to use the building, and they are hoping to have a draft plan by the end of the week.

J. Drolet asked if it were an urgent matter to pay for the cost of the elevator now.
D. Rich indicated there is no urgency to pay for it now.

Motion was made by J. Drolet and seconded by M. Schmidt to exclude the \$80,000 for the cost of an elevator from Item 3 at this point in time.

ROLL CALL: E. True, nay; D. Polites, nay; J. Mouser, nay; J. Drolet, aye; A. Medford, nay; M. Bennett, aye; D. Renner, nay; N. Drolet, aye; J. West, nay; J. Albrecht, nay; N. Grogan, nay; M. Schmidt, aye. Ayes – 4; Nays - 8. Motion failed.

Regarding the original motion:

ROLL CALL: D. Polites, aye; J. Mouser, aye; J. Drolet, aye; A. Medford, aye; M. Bennett, nay; D. Renner, aye; N. Drolet, aye; J. West, aye; J. Albrecht, aye; N. Grogan, aye; M. Schmidt, nay; E. True, aye. Ayes – 10; Nays - 2. Motion carried.

ORDINANCES:

1st Readings

Motion was made by A. Medford and seconded by E. True to place on 1st Reading Ordinance Item 4.

ITEM 4 – Ordinance Declaring the following vehicles as surplus property and for sale: 2003 Ford Crown Victoria, 1994 Pontiac Grand Prix and a 1988 Kut-Kwick Slope Mower

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

Motion was made by J. West and seconded by E. True to place on 1st Reading Ordinance Item 5.

ITEM 5 – Ordinance Amending Ordinance 3518, Authorizing the City of O'Fallon to Borrow Funds from the Public Water Supply Program

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

2nd Readings

Regarding Item 6, M. Bennett raised discussion regarding a crosswalk of some type going across Hwy. 50. T. Shekell said this issue was raised in the last Community Development meeting. He said there is no proposed amendment on 2nd Reading to include a crosswalk at the applicant's expense. The City can put one in; however, it

must first be approved by IDOT, and T. Shekell said his understanding is that IDOT does not support a crosswalk at that location. D. Sullivan described his conversations with IDOT and their reasons for not supporting a crosswalk at this location. Police Chief John Betten said there are two factors to consider: (1) Will motorists yield effectively to pedestrians in a crosswalk? And (2) How many youth will actually utilize the crosswalk when crossing the highway? He indicated that, although the crosswalks provide *legal* protection in the event of an accident, they probably have very little, if any, effect on preventing someone from getting hit by a vehicle.

Mayor Graham asked the cost of installing a crosswalk with a light. D. Sullivan said it would be less than \$25,000. Discussion ensued regarding the need for a crosswalk, various types to consider, IDOT's jurisdiction and response to this need, and the developer's responsibility in paying for this crosswalk.

Motion was made by D. Renner to designate this location as a crosswalk area, paint it ourselves, and do it at the City's own risk. D. Sullivan and the Mayor said IDOT would have to grant the City permission to put a crosswalk at this location. Motion died for lack of a second.

Mr. Loren Ettinger, developer of the McDonald's property, said they spoke with RuAnna Stumpf of IDOT regarding a crosswalk. Ms. Stumpf actually drove around in this area and called Mr. Ettinger to say there would be no possible chance that IDOT would allow a crosswalk of any kind on Highway 50 west of Whitehall Drive.

Mayor Graham recommended Item 6 be amended to include "a crosswalk with participation by the developer if it is granted by IDOT." This allows the developer to go forward with his project and, at the same time, places responsibility on the developer to participate in the cost of a crosswalk in the event IDOT does allow one at this location.

Motion was made by A. Medford and seconded by E. True to approve Item 6.

ITEM 6 – Ordinance Amending Ordinance 623, Zoning, Development known as McDonalds

ROLL CALL: A. Medford, aye; M. Bennett, aye; D. Renner, aye; N. Drolet, aye; J. West, aye; J. Albrecht, aye; N. Grogan, aye; M. Schmidt, nay; E. True, aye; D. Polites, aye; J. Mouser, nay; J. Drolet, aye. Ayes – 10; Nays – 2. Motion carried.

Mayor Graham said he would still like to meet with the developer regarding this issue, and he reminded everyone that he still has the right to veto this approval.

Motion was made by J. Mouser and seconded by D. Renner to consider the Omnibus Agreement for 2nd Reading Ordinance Items 8-10. All ayes. Motion carried.

Motion was made by J. Mouser and seconded by D. Renner to approve 2nd Reading Ordinance Items 8-10 under the previous Omnibus Agreement.

ITEM 8 – Ordinance Annexing Certain Territory, 1142 Ogle Road, containing 0.655 Acres

ITEM 9 – Ordinance Annexing Certain Territory, 107 Behrens Street, containing 0.144 Acres

ITEM 10 – Ordinance Disconnecting Territory known as Dan L. Sheils, containing 2.83 Acres

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

Motion was made by J. West and seconded by J. Albrecht to suspend the rules and place on 2nd Reading Ordinance Item 7. All ayes. Motion carried.

ITEM 7 – Ordinance Amending Ordinance 3518, Authorizing the City of O'Fallon to Borrow Funds from the Public Water Supply Program (Emergency 2nd Reading)

N. Drolet asked why this needs to be done so quickly. D. Rich said our \$5 million bond issue is being held up by Springfield until this is done. It is simply confirming what we already did 2½ years ago and currently have in place with the automatic meters. If we wait two weeks to approve this, it postpones the approval of our \$5 million loan.

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

Motion was made by J. West and seconded by J. Albrecht to approve 2nd Reading Ordinance Item 7.

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

STANDING COMMITTEES:

Community Development: J. Mouser stated they met on July 23, and the minutes are included in the packets.

Motion was made by J. Mouser and seconded by D. Renner to approve the Special Event Request from O'Fallon Homecoming to host the Homecoming Event from August 10 – August 12, 2007 which includes the parade, raffle, and liquor license request.

J. Drolet asked when Mayfest closed on Sunday night. Police Chief Betten said Mayfest closes Friday and Saturday nights at 10:30 p.m. They close early on Sunday night, but it is their option to do so. J. Drolet said he didn't think the Homecoming should remain open on Sunday night until 10:30 since it is a school night. Discussion was raised by M. Bennett regarding the time of the Mayfest Parade vs. the time of the Homecoming Parade.

All ayes. Motion carried.

Their next meeting will be August 13 at 6 p.m.

Public Works: A. Medford said the minutes from their last meeting are included in the packets.

Motion was made by A. Medford and seconded by J. Albrecht to approve the low bidder, Midwest Municipal Supply for the Water Division Supplies in the amount of \$37,232.50.

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

Their next meeting will be August 27 at 7 p.m.

M. Bennett noted the actual low bidder didn't meet specs. A. Medford said if a bidder doesn't meet specs, he is disqualified as a bidder.

Public Safety: E. True said they met on July 18, 2007, and their meeting included a presentation by the Fire Department Consultants. A copy of their presentation is included in the packets, and E. True encouraged Council members to review it. Their next meeting will be August 13, 2007, at 7 p.m.

Finance/Administration: J. West stated they met before tonight's meeting to discuss Warrant 141. Motion was made by J. West and seconded by J. Albrecht to approve Warrant 141 in the amount of \$823,824.20.

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

Finance and Administration will have a special committee meeting on August 9, at 5:30 p.m. to discuss the recently-conducted citizens' survey.

Parks/Environment: Motion was made by J. Albrecht and seconded by J. West to approve the purchase of an outdoor mobile trailer grill from Metro Supply and Equipment Company for the low bid of \$7,185.40.

J. Mouser asked who would be responsible for storing and maintaining the equipment.
M. Hutchison indicated the Parks Department would be responsible for the equipment.

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

J. Albrecht said their next meeting scheduled for August 13, 2007, has been canceled due to lack of business.

EXECUTIVE SESSION: None.

Mayor Graham announced that Raymond Patrick Beller retired last week after serving the City as a police officer for 25 years. The Mayor proclaimed August 3, 2007, as "Lt. Raymond Patrick Beller Day" in O'Fallon.

ADJOURNMENT:

Motion was made by "Mayor for the Day" Eden Hines 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