

**O'FALLON CITY COUNCIL
MEETING MINUTES
December 3, 2007**

The meeting was called to order at 7:00 p.m. by Mayor Gary Graham, who then led the "The Pledge of Allegiance to the Flag."

The Mayor introduced Nathan Luttrell as the "Mayor of the Day". He has visited various City departments today.

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

Motion was made by J. Mouser and seconded by N. Grogan to approve the minutes of November 19, 2007. All ayes. Motion carried.

PUBLIC HEARING: None.

RESIDENTS: Liz Brown of 212 West Washington and also owns a business on State Street spoke regarding the tree policy and the scheduled removal of the large sycamore tree at the corner of Oak and West Adams. She requested a second opinion regarding the health of the tree, which has a fungus according to the City's arborist, Calvin Beckman. She believes the tree is over 85 years old and wants it preserved. She would also like to see a more consistent tree re-planting policy. Mayor Graham said that the tree would not be removed until the results of the second opinion is received and reviewed. The Mayor stated that in 2007 we removed 37 trees, and we planted 513 trees. He also mentioned that the tree committee is part of the Park and Environmental committee. The City Attorney will review because of the liability to the City.

Herb Roach spoke regarding the teen center that is on the agenda. He is the owner of the property. He believes that the model for this teen center is a good one. He said the operator of the teen center is a good responsive person. He has thought and planned for this for a long time. The operator said he will run the facility properly at all times.

REPORTS:

Clerk's Report: No report.

Mayor's Report: Read a proclamation declaring December 10, 2007 as Jane Addams Day who was the first American woman to win the Nobel Peace Prize and the forerunner of the modern day social worker.

D. Renner commented on how nice City Hall looked with the Christmas decorations. The Mayor thanked the Public Works department for their hard work.

RESOLUTIONS:

Motion was made by J. Mouser and seconded by D. Renner to consider the Omnibus Agreement for Resolutions 1, 3, 6, 7, and 8. All ayes. Motion carried.

Item 1 – Resolution Authorizing the Mayor to Execute an Agreement with Gonzalez Companies for the French Village Pump Station Supervisory Control and Data Acquisition (SCADA) at a cost not to exceed \$280,500

Item 3 - Resolution Authorizing the Mayor to Execute an Agreement with Tetra Tech for Professional Services for an amount not to exceed \$12,255

Item 6 - Resolution of the City of O'Fallon's Intent to Expand the City's Tax Increment Financing Redevelopment Project Area and to Induce Development Interest with such Expanded Area

Item 7 - Resolution Authorizing the Mayor to Execute an Agreement with Peckham, Guyton, Albers, & Viets, Inc. (PGAV) for Professional Services to Pursue an Amendment to the TIF Area No. 1

Item 8 – Resolution Approving and Accepting a Subdivision of Land to be known as the Minor Subdivision of Streif Business Center

Motion was made by J. Mouser and seconded by J. West to approve Resolution Item 1, 3, 6, 7, and 8.

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

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

Item 2 – Resolution Authorizing the Mayor to Execute an Agreement with Kuhlman Design Group for Professional Land Surveying Services for Platting, Legal Description, and Monumentation of Future Ashland Avenue Extension in an amount not to exceed \$9,890

M. Bennett stated that the comments from the Committee were not included in the minutes. The vote did not show that there was a dissenting vote. The park is very popular there. He sees a lot of safety issues with the extension as the neighborhood is quiet now. He does not see the benefit and believes that it will just open the ground up for more commercial use. He would like to see the traffic dispersed in the neighborhood especially in the Booster and Famous area. He suggested that Long Drive be made a permanent dead end. He would also like to see sidewalks, since the children use the street now.

Mayor Graham replied that they do not have plans to connect Long Drive and that there is a plan for a sidewalk to replace the bike trail. The school has called regarding another entrance, and we may get a grant. It is important that it gives us another commercial avenue. The park belongs to the County, but we maintain it.

D. Renner said he had a problem because Kuhlman is a major property holder. Graham said that Kuhlman has been instrumental in helping get the grant money. He said the County said it could only be done one way.

ROLL CALL: M. Schmidt, no; N. Grogan, aye; E. True, aye; D. Polites, abstain; R. Reckamp, aye; J. Mouser, no; J. Drolet, aye; A. Medford, aye; M. Bennett, no; D. Renner, no; S. Engler, aye; N. Drolet, aye; J. West, aye; J. Albrecht, aye. Ayes – 9; nays – 4; abstain – 1. Motion carried.

Motion was made by J. Mouser and seconded by J. Albrecht to approve Resolution Item 4.

Item 4 - Resolution Authorizing the Mayor to Execute an Agreement with Rhutasel and Associates, Inc. for Professional Services for Preparation of the Illinois Transportation Enhancement Program (ITEP) and Green Streets Grant Applications Pertaining to I-64 Interchanges #14 and #16 in an amount not to exceed \$10,000

J. Drolet commented about spending \$10,000 for this. If we acquire the grants, we are committed to matching 20% on the grant. We could spend \$200,000 to aesthetically improve two interchanges.

J. Mouser stated that we are committed to attracting tourism, so we needed to do something.

Mayor Graham is concerned about the image of the City. The State only mows the area twice a year. Once that is done, it is just a matter of maintaining it. He said that we are already paying \$50,000 a year to have the interchanges mowed.

J. Drolet said that Shiloh should be contributing, since it is their interchange too. Mayor Graham said that the Village of Shiloh has stated that they will contribute via an intergovernmental agreement.

S. Engler stated he agrees with both sides of the issue, but the money could be used for infrastructure instead.

N. Drolet said that many of the interchanges are going to the prairie type look, which he does not like. He fears it will become a wilderness looking area.

ROLL CALL: M. Schmidt, no; N. Grogan, aye; E. True, aye; D. Polites, aye; R. Reckamp, aye; J. Mouser, aye; J. Drolet, no; A. Medford, aye; M. Bennett, aye; D. Renner, aye; S. Engler, no; N. Drolet, no; J. West, aye; J. Albrecht, aye. Ayes – 10; nays - 4. Motion carried.

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

Item 5 - Resolution Authorizing the Mayor to Execute an Agreement with Planning Design Studio (PDS) for Professional Landscape Architectural Services for the Preparation of Illinois Transportation Enhancement Program (ITEP) and Green Streets Grant Applications Pertaining to I-64 Interchanges #14 and #16 in an amount not to exceed \$19,000

ROLL CALL: M. Schmidt, no; N. Grogan, aye; E. True, aye; D. Polites, aye; R. Reckamp, aye; J. Mouser, aye; J. Drolet, no; A. Medford, aye; M. Bennett, aye; D. Renner, aye; S. Engler, no; N. Drolet, no; J. West, aye; J. Albrecht, aye. Ayes -10; nays - 4. Motion carried.

ORDINANCES:

1st Readings

Motion was made by J. Mouser and seconded by J. West to consider the Omnibus Agreement for 1st Reading Ordinance Items 9 -11. All ayes. Motion carried.

ITEM 9 – Ord. Providing for the Annual Levy for the Fiscal Year Commencing on the first day of May 2007 and ending on the 30th day of April 2008

ITEM 10 – Ord. Amending Chapter 77, Traffic Schedules, Stop Signs Regarding Del Ray, Faith, and Cherylwood

ITEM 11 - Ord. Amending Ord. 623, Zoning, Regarding the development known as Kingdom Hall of Jehovah's Witnesses

Motion was made by J. Mouser and seconded by E. True to place on 1st Reading Ordinance Items 9-11 under the Omnibus Agreement.

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

Motion was made by J. Mouser and seconded by E. True to place on 1st Reading Ordinance Item 12.

R. Reckamp thinks the teen center is a wonderful idea but is uneasy about the age spread. He stated that he would be more comfortable if the age limit was raised to thirteen. J. Mouser said the committee was 3 – 2 for it. He had concerns with the location. M. Bennett stated he would also like to see the age limit raised. He thinks the location is good because there is a lot of commercial around it. He stated that Mr. Roach is going to do a lot of improvements to the building and the parking area. We do not have anything like it in town. He said Mr. Roach will provide another layer of security because he won't want his reputation tarnished with bad activities and lack of security.

Mr. West is concerned about the security. J. Mouser said that three sheriff deputies and employees were to provide the security for a total of eight people. The building can occupy fewer than 300 people. The teens will be able to come and go as they see fit. Mr. West also agreed with the age increase.

Chief Betten said his concerns were addressed. Security plan appears to be appropriate and traffic should be handled appropriately.

D. Renner also agreed with raising the age limit.

A. Medford has corresponded with Mr. Roach about his business plan being weak, and he thinks they have insufficient supervision.

E. True stated that he is concerned about the noise but is comfortable with the teen center. M. Schmidt supports the idea.

J. Drolet voiced his concerns about the disbursement issues to Chief Betten. The Mayfest would not be similar because of the different situation. He replied that in most circumstances three officers should be enough.

J. Drolet would like to see the noise levels issues addressed. The Ordinance should be modified to close at 10:00 p.m., if noise becomes an issue. If the City of O'Fallon police officers have to provide traffic support, the owner should incur the cost. J. Betten said that other business owners do not overuse. OTHS pays for the officers for sporting events and graduation ceremonies.

J. Drolet made a motion seconded by E. True to amend the Ordinance to include a time limit of 4:00 p.m. - 10:00 p.m. if noise violations occur and to charge the owner for

police officers if they have to be called for assistance in excess for traffic control and disbursement.

ITEM 12 – Ordinance Amending Ord. 623, Zoning, Development known as the Teen Center, as amended

ROLL CALL: M. Schmidt, aye; N. Grogan, aye; E. True, no; D. Polites, no; R. Reckamp, aye; J. Mouser, aye; J. Drolet, aye; A. Medford, aye; M. Bennett, aye; D. Renner, no; S. Engler, no; N. Drolet, aye; J. West, aye; J. Albrecht, no. Ayes - 9; nays - 5. Motion carried.

R. Reckamp made a motion seconded by D. Renner to amend the Ordinance to increase the age limit to include thirteen to seventeen.

M Schmidt brought up her concerns that it brings a burden on the owner to try to determine the ages when the students do not have identification with the age on it.

ROLL CALL: M. Schmidt, no; N. Grogan, aye; E. True, no; D. Polites, no; R. Reckamp, aye; J. Mouser, aye; J. Drolet, aye; A. Medford, aye; M. Bennett, aye; D. Renner, aye; S. Engler, aye; N. Drolet, aye; J. West, aye; J. Albrecht, no. Ayes - 10; nays - 4. Motion carried.

R. Reckamp made a motion seconded by M. Bennett to approve Item 12 as amended. Ordinance Amending Ord. 623, Zoning, Development known as the Teen Center amended by adding the time limit, age restriction, and cost of police officers

ROLL CALL: M. Schmidt, aye; N. Grogan, aye; E. True, aye; D. Polites, aye; R. Reckamp, aye; J. Mouser, no; J. Drolet, aye; A. Medford, no; M. Bennett, aye; D. Renner, aye; S. Engler, aye; N. Drolet, aye; J. West, aye; J. Albrecht, aye. Ayes 12; nays - 2. Motion carried.

Motion by J. Mouser and seconded by E. True to place Item 13 on 1st Reading.

ITEM 13 - Ord. Amending Ord. 623, Zoning, Development known as the Noles Properties Retail Building

N. Drolet stated his concerns about the parking and access between units 3 & 4 to get from the back to the front conveniently. He stated the parking was poorly done. An L-shape would be better for safety reasons. R. Reckamp agrees.

T. Shekell commented that there will be sidewalks on the east and west side with a small retaining wall. It is displayed on the site plan that was presented.

ROLL CALL: M. Schmidt, aye; N. Grogan, aye; E. True, aye; D. Polites, aye; R. Reckamp, aye; J. Mouser, aye; J. Drolet, no; A. Medford, aye; M. Bennett, aye; D. Renner, aye; S. Engler, aye; N. Drolet, no; J. West, aye; J. Albrecht, aye. Ayes – 12; nays - 2. Motion carried.

2nd Readings

Motion was made by J. Mouser and seconded by D. Renner to consider the Omnibus Agreement for 2nd Reading Ordinance Items 14-16. All ayes. Motion carried.

14. Ord. Amending Ord. 3408, Planned Use Development, known as Market Basket

15. Ord. Declaring the Following Vehicles and Equipment as Surplus and for Sale: 1981 Saulsbury Fire Truck (7278), 2003 Ford Crown Victoria (1565), 2003 Ford Crown Victoria (6583), 1994 Chevrolet Silverado 1500 truck (4158), 1994 Chevrolet Silverado 1500 truck (5766), Western Auto Wizard Mower (2 each), Murray Push Mower, various Public Safety pieces of equipment such as radio racks, lightbars, control boxes, dash lights, gun racks, and desk console

16. Ord. Designating a Local Historic Landmark at 1680 Mansion Way known as “The Mansion”

Motion was made by J. Mouser and seconded by to place E. True on 2nd Reading to approve Ordinance number 14, 15 and 16.

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

STANDING COMMITTEES:

Community Development: J. Mouser stated they met on November 26th and the minutes are in the packet.

Motion was made by J. Mouser and seconded by R. Reckamp to approve the Special Event Permit from Texas Roadhouse to erect a Gift Card Trailer in their parking lot. Discussion ensued about the appearance of the trailer and why it was needed. T. Shekell said it was a month long request. He also stated it was a 20 foot long trailer.

ROLL CALL: M. Schmidt, no; N. Grogan, no; E. True, no; D. Polites, no; R. Reckamp, no; J. Mouser, no; J. Drolet, no; A. Medford, no; M. Bennett, no; D. Renner, no; S. Engler, no; N. Drolet, no; J. West, no; J. Albrecht, no. All nays. Motion failed.

The next Community Development meeting will be December 10th at 6 p.m.

Public Works: A. Medford stated that the committee met on the 26th and the minutes are in the packet.

Motion was made by A. Medford and seconded by J. West to approve the emergency WWTP Cover Anchor Repair by Plocher Construction in the amount of \$25,300.

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

A. Medford said the next Public Works meeting will be January 28th at 7 p.m.

Public Safety: E. True said the next Public Safety meeting will be December 10 at 7 p.m.

Finance/Administration: J. West said that the minutes of the November 26th meeting are in the packet.

Motion was made by J. West and seconded by D. Renner to pay Warrant 149 in the amount of \$1,850,387.72.

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

The next Finance meeting will be on January 28th at 5:30 p.m.

Parks/Environment: J. Albrecht stated that there will be no meeting in December as Mary Jeanne is on maternity leave. The next meeting is the second Monday in January.

D. Renner pointed out that there a boy scout in the audience. Mayor Graham recognized the scout in attendance from Troop 46. He said he is working on his merit badge.

EXECUTIVE SESSION: None.

ADJOURNMENT:

Motion was made by D. Renner 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
Maryanne Fair, Deputy City Clerk
Proper notice having been duly given*