

**O'FALLON CITY COUNCIL
MEETING MINUTES
May 5, 2008**

The meeting was called to order at 7:04 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, 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, excused; 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 April 21, 2008. All ayes. Motion carried.

PUBLIC HEARING: None scheduled.

RESIDENTS: No one came forward.

Clerk's Report: City Clerk Goodwin read a request from Fulton Junior High PTO to conduct a raffle on May 12, 2008 at the school. Motion by D. Renner and seconded by J. Albrecht to approve the raffle request. All ayes. Motion carried.

Mayor Graham introduced Madison Bray as Mayor for the Day. She attends Evans Elementary school. He also welcomed David Hursey, the City Treasurer, who was in attendance.

REPORTS:

E. True asked Mayor Graham to request a moment of silence for a former alderman, Leo Lugge. Mayor Graham also included 13-year old Jonathan Sory and John Sheehan, a former school teacher, in the moment of silence.

Mayor's Report: Mayor Graham read a proclamation declaring May 5 – May 11, 2008 as Building Safety Week.

He then asked Building Supervisor, Jeff Stehman to step forward to accept the proclamation. Jeff ran a short video from the ICC on the role of the Code official. Afterward he introduced the staff in attendance: Jerry Koerkenmeier, Mark Knox, Jerry McNulty, Jake Smith and Erick Harris. Mayor Graham applauded their hard work.

Jeff then introduced the winners of the Building Safety Week Coloring Contest:

1st Place winners were Riley Mason from Moye Elementary, Mary Jines from St. Clare Catholic School, and Kirsten Costello from Central Elementary.

2nd Place winners were Alyssa Loyd (she was attending a talent contest, so was unable to attend), Julie Warchol from St. Clare Catholic School and Kenny Peters from Central Elementary.

D. Renner added that the Planning and Zoning office staff also do a great job too. Jeff agreed that Vicki Evans, Nikki Kiefer and Codi Allison do an outstanding job.

Mayor Graham asked J. Betten to come up to receive the proclamation declaring May 18 – May 24, 2008 as Emergency Medical Services Week.

He also asked D. Sullivan to step forward to receive the Proclamation declaring May 18 – May 24, 2008 as National Public Works Week.

Mayor Graham also mentioned the proclamation declaring May 5 – May 9, 2008 as Public Service Recognition Week.

RESOLUTIONS:

Motion was made by J. Mouser and seconded by D. Renner to place Resolutions Items 1 – 4 under the Omnibus Agreement. All ayes. Motion carried.

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

Item 1 - Resolution Authorizing the Mayor to Execute an Agreement with CBB (Crawford, Bunte, Brammeier) for the Northeast Quadrant Transportation Study in an amount not to exceed \$30,000

Item 2 - Resolution Authorizing the Mayor to Execute an Agreement with Veile Construction for the Reconstruction of North Lincoln – Phase 3

Item 3 - Resolution Authorizing the Mayor to Execute an Agreement with Gateway Geospatial, LLC for Contractual Services in an amount not to exceed \$22,880 for Field Data Collector Services

Item 4 - Resolution Authorizing the Director of Finance to Secure a Lease/Purchase Agreement for Vehicles for FY 2008/2009

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

Motion was made by J. Mouser and seconded by D. Renner to approve Resolution Item 5, a Resolution Amending the Length of Service Award Program of the O'Fallon Volunteer Fire Department to Clarify the Vesting Requirements.

J. Drolet questioned D. Rich about whether it was tax deferred (D. Rich said it was until it is taken out) and mentioned that R. Reckamp had asked at an earlier meeting what happens if a firefighter becomes a full-time employee.

D. Rich answered said that before the LSOP program was put into effect, they reviewed other communities in November that had the program for many years. A draft was done and two weeks ago it was brought up again. The volunteers who have ten or more years and have to leave the program before they have their five years in can take their money out. Everyone else needs to be in the program for at least five years to take their money out.

J. Drolet agreed that it was a great program, but thought it should be changed to just two and a half years, if they have volunteered for five years. A. Medford made a motion to have it reviewed in committee, but the motion died for lack of a second.

M. Bennett asked how they came up with the ten year criteria. Fire Chief, B. Saunders added that in the bylaws a firefighter can retire in fifteen years, but may not have been vested in LOSAP for five years. D. Rich said that the whole purpose of the program is to get people to stay longer.

J. Drolet made a motion that anyone with five years of service would be vested in the LOSAP program. It died for a lack of a second.

Mayor Graham asked for a vote on the main motion. **ROLL CALL:** Grogan, aye; Schmidt, aye; E. True, aye; D. Polites, aye; J. Mouser, aye; A. Medford, aye; J. Drolet, present; M. Bennett, aye; D. Renner, aye; J. Albrecht, aye; J. West, aye. Ayes - 10; Present – 1. Motion carried.

ORDINANCES:

1st Readings

Motion was made by J. Mouser and seconded by D. Renner to place on 1st reading Ordinance Item 6, an Ordinance Ord. Amending Ord. 623, Zoning, Clete's Impound Lot.

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

Motion was made by J. Mouser and seconded by J. West to place on 1st reading, Ordinance Item 7, an Ordinance Amending Ord. 623, Zoning, Newbold Toyota Expansion.

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

2nd Readings

Motion was made by A. Medford and seconded by N. Grogan to approve an Ordinance Amending Chapter 78, Parking Schedules, Regarding Limited Parking on West Fifth Street and Cherry Street.

D. Renner commented that the neighbors were not notified of this change.

A. Medford answered that there was concern about the residents parking in front of the beauty salon. There is parking provided for the residents in the rear. The ordinance limits the parking to two hours. Mayor Graham said the beauty salon has many elderly patrons and wanted the parking freed up in front to aid their customers. D. Polites said that the owners of the beauty salon tried to work with the residents without success.

Mayor Graham called for a vote. **ROLL CALL:** Grogan, aye; Schmidt, aye; E. True, aye; D. Polites, aye; J. Mouser, aye; A. Medford, aye; J. Drolet, aye; M. Bennett, aye; D. Renner, no; J. Albrecht, aye; J. West, aye. Ayes 10; nays 1. Motion carried.

Motion was made by E. True and seconded by J. West to approve an Ordinance Amending Ordinance 667, Chapter 111, Section 111.04, Fees for Solicitor Permits.

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

Motion was made by J. Mouser and seconded by D. Renner to approve an Ordinance Designating as a Local Landmark, 110 West Washington.

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

STANDING COMMITTEES:

Community Development: J. Mouser stated they met on April 28th and Alderman Medford chaired the meeting.

Motion was made by J. Mouser and seconded by D. Renner to approve the Special Event Permit request from March of Dimes "March of Babies" on May 10th from 9:00 a.m. – 12:00 p.m. at the Community Park.

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

J. Mouser stated that the next meeting is scheduled for May 12th.

Mayor Graham then read the proclamation declaring May 10, 2008 as March of Dimes March for Babies Day. He added that it is a great thing; it is all about research and education.

Public Works: A. Medford said that the next meeting is cancelled since it falls on Memorial Day.

Finance/Administration: J. West said that the minutes of their last meeting is in the packet. The finance committee met before the meeting. Motion was made by J. West and seconded by N. Grogan to pay Warrant 159 in the amount of \$866,291.65.

J. Drolet pointed out that one of the items in the warrant was payment for plaques that cost \$50-\$60 more than what his company did them for in the past. Also, the business is a Wisconsin based business. He felt that a local business would have been a better fit. Mayor Graham cautioned that he had attended an IML meeting, and it was their advisement that no business should be conducted for the city by a current alderman as there is a provision in the law that may cause a problem, plus it might be perceived as favoritism. After further discussion, he said that the committee will look at it.

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

J. West stated that the next committee meeting will be canceled due to the holiday.

Public Safety: E. True said the next meeting is May 12th at 7:00 p.m.

Parks/Environment: J. Albrecht said that the next meeting is May 12th at 5:30 p.m.

EXECUTIVE SESSION: At 7:49 motion by J. Albrecht and seconded by E. True to go into executive session to discuss pending litigation and acquisition of property.

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

At 8:15 p.m. the Council returned from executive session.

Motion by J. Albrecht and seconded by E. True to authorize the City to bid on the property located at the old Clark station.

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

Motion by J. Albrecht and seconded by E. True to authorize the City to bid on the property located at 117 Main Street in an amount not to exceed the cost incurred so far.

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

Motion by J. Albrecht and seconded by E. True to authorize the City to negotiate the purchase of the property located at 209 Hartman Lane.

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

Motion by J. Albrecht and seconded by E. True to allow the Mayor to negotiate a portion of the lawsuit with Mission Communications.

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

A. Medford invited everyone to the Forest Park Open House tomorrow night at 6:30 at the Missouri History Museum.

ADJOURNMENT:

Motion was made by D. Renner and seconded by E. True to adjourn. All ayes. Motion carried.

The meeting was adjourned at 8:20 p.m.

Submitted by,

Philip A. Goodwin, City Clerk

*Minutes taken by
Maryanne Fair, Deputy City Clerk
Proper notice having been duly given*