

**O'FALLON CITY COUNCIL  
MEETING MINUTES  
August 4, 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, excused; 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, excused. A quorum was declared present.

Motion was made by J. Mouser and seconded by E. True to approve the minutes of August 4, 2008. All ayes. Motion carried.

**PUBLIC HEARING:** None scheduled.

**RESIDENTS:** Terry Pennybaker, Lebanon, stepped forward and stated that the Vice Lords gang is in O'Fallon. She asked whether the police department is going to beef up security for the children. Chief Betten answered that gang presence in a community is difficult to gauge, but he will look into it. He added that we have school resource officers and other methods to stay on top of the situation. Mayor Graham added that she should speak to Chief Betten after the meeting to provide him with information.

Jack Roberson of Hill Top Drive stepped forward to voice his concerns about the road. He wants a berm to separate the church from the road. He also wants the road maintained. He would prefer a developer to handle the situation. Mayor Graham sympathized with all the residents on Hill Top Drive. He included history on the original annexation, and stated that we did not think we had to take Hill Top Drive. The Court later ruled that the City had to maintain the road. Currently we only have 8 feet of right-of-way which is owned by the residents. The church has agreed to grant us more right-of-way. Most of our streets have 30 foot right-of-way, although some have 24 foot right-of-way.

**REPORTS:**

**Clerk's Report:** No report.

**Mayor's Report:** Mayor Graham requested authority to negotiate an Intergovernmental Agreement with District 203 at the new 9<sup>th</sup> Grade campus for an Emergency Shelter Generator for emergency situations for a cost not to exceed \$75,000. He stated that we would only be responsible for up to \$75,000 for only the generator part in answer to R. Reckamp's question on cost.

Central School has been helpful in the past. New Life in Christ Interdenominational Church is also planning to get an emergency shelter generator.

Motion was made by J. Mouser and seconded by D. Renner to authorize the Mayor to negotiate the intergovernmental agreement. All Ayes. Motion carried.

Mayor Graham then read a proclamation declaring August 5<sup>th</sup> as General Norton and Susie Schwarz Day in honor of his appointment as the Chief of Staff for the Air Force. He is currently the Transcom general at Scott Air Force Base. He stated that he considered them a team and close friends. Motion by R. Reckamp and seconded by D. Renner to approve the declaration of August 5<sup>th</sup> as a day set aside in their honor. All ayes.

### **RESOLUTIONS:**

Motion was made by J. Mouser and seconded by J. West to consider Resolution Items 1, 3, 6, 7, 8, 9, 10, 11, and 13 under the Omnibus Agreement. All ayes. Motion carried.

ITEM 1 – Resolution Authorizing the Mayor to Enter into an Agreement with O’Fallon Lodge No. 198, Illinois Order of Police Labor Council Covering Rates of Pay, Wages, Hours of Employment, and Other Conditions of Employment for Civilian Members of Said Union

ITEM 3 - Resolution Authorizing the Mayor to Execute an Agreement with IDOT for the West Highway 50 Improvements Design in an amount not to exceed \$141,100

ITEM 6 - Resolution Authorizing the Mayor to Execute an Agreement with IDOT for the Milburn School Road, Simmons to Pausch Design in the amount of \$124,000

ITEM 7 - Resolution Authorizing the Mayor to Execute an Agreement with Rhutasel & Associates for the State Street Sidewalk Extension Design in the amount of \$19,500

ITEM 8 – Resolution Authorizing the Mayor to Execute an Agreement with Rhutasel & Associates for the Oberneufemann Staking and Inspection Assistance for \$15,000

ITEM 9 - Resolution Authorizing the Mayor to Execute an Agreement with Hoelscher Engineering for the Hesse Park Erosion Problem Design in the amount of \$17,100

ITEM 10 - Resolution Authorizing the Mayor to Execute an Agreement with Burns & McDonnell for the Design of the Northwest Quadrant Water Main Loop in the amount of \$92,000

ITEM 11 - Resolution Authorizing the Mayor to Execute an Agreement with Sherbut-Carson-Claxton for the Design of Hagemann/Scott-Troy Water Main Loop in the amount of \$95,000

ITEM 13 - Resolution Authorizing the Mayor to Execute an Agreement Burns & McDonnell for Geographical Information System (GIS) Services in the amount of \$40,000

Motion was made by J. Mouser and seconded by J. West to approve Resolution Items 1, 3, 6, 7, 8, 9, 10, 11, and 13 under the previous Omnibus Agreement.

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

Motion was made by J. Mouser and seconded by E. True to approve Resolution Item 2 – A Resolution Authorizing the Mayor to Execute an Agreement with Horner & Shifrin and the Use of MFT funds for the Porter/Simmons Roundabout Design in the amount of \$54,105.

S. Engler discussed his concern with roundabouts. He stated we should hold off on this type of construction until the economy turns around.

Mayor Graham said that we are currently 6% down on our sales tax projections. He asked the city engineer if this was in the budget.

D. Sullivan answered that it is a budgeted item and the funds would come from the MFT. We have received a grant for the actual construction, but this is just for the design.

**ROLL CALL:** Schmidt, aye; E. True, aye; D. Polites, aye; R. Reckamp, aye; J. Mouser, aye; A. Medford, aye; J. Drolet, aye; N. Drolet, aye; S. Engler, no; M. Bennett, aye; D. Renner, no; J. West, aye. Ayes – 10; Nays - 2. Motion carried.

Motion was made by J. Mouser and seconded by A. Medford to approve Item 4 – A Resolution Authorizing the Mayor to Execute an Agreement with IDOT for the Highway 50/Venita Intersection Design in the amount of \$124,000.

N. Drolet reiterated that he does not think that an overpass at Venita Road is the best location. He vehemently is against spending 6 million dollars on this project until further study is done.

R. Reckamp and J. West agreed, but they both stated that we should proceed with the location because of the grant and it would take years to change the project location. They believe Obernuefemann is the better location.

E. True said that we have had many discussions on this over the years and this was our final decision, so we need to continue.

N. Drolet stated that we have not done a thorough study on this and taken into consideration school bus access, emergency vehicles, and access to Frank Scott Parkway, etc.

Mayor Graham clarified that the overpass is projected to cost 4.6 million and asked D. Sullivan if the resolution was for the improvement of the turning lane - expansion of the lane. He answered that we need to pay 40%, and the ICC will handle the rest. Mayor Graham added that the car counts are identical for Venita and Obernuefemann. IDOT performed the traffic count. N. Drolet said he never saw the Obernuefemann study.

**ROLL CALL:** Schmidt, aye; E. True, aye; D. Polites, aye; R. Reckamp, aye; J. Mouser, aye; A. Medford, aye; J. Drolet, aye; N. Drolet, no; S. Engler, aye; M. Bennett, no; D. Renner, aye; J. West, aye. Ayes – 10; Nays - 2. Motion carried

Motion was made by J. Mouser and seconded by A. Medford to approve Item 5 – A Resolution Authorizing the Mayor to Execute an Agreement with Rhutasel & Associates for the Venita Overpass Design in the amount of \$325,100.

J. Drolet said he opposes the overpass on Venita as it does not take into account the power plant on Venita.

**ROLL CALL:** Schmidt, aye; E. True, aye; D. Polites, aye; R. Reckamp, aye; J. Mouser, aye; A. Medford, aye; J. Drolet, no; N. Drolet, no; S. Engler, aye; M. Bennett, no; D. Renner, aye; J. West, no. Ayes – 8; Nays - 4. Motion carried.

Motion was made by J. Mouser and seconded by A. Medford to approve Item 12 - A Resolution Authorizing an Agreement with CSX Railroad for the Preliminary Design of the Venita Railroad Overpass in the amount of \$15,000.

**ROLL CALL:** Schmidt, aye; E. True, aye; D. Polites, aye; R. Reckamp, aye; J. Mouser, aye; A. Medford, aye; J. Drolet, no; N. Drolet, no; S. Engler, aye; M. Bennett, no; D. Renner, aye; J. West, no. Ayes – 8; Nays - 4. Motion carried.

## **ORDINANCES:**

### **1<sup>st</sup> Readings**

Motion was made by J. Mouser and seconded by J. West to place on 1<sup>st</sup> Reading an Ordinance amending Ordinance 623, Zoning Districts of the City of O'Fallon, Illinois (Development known as "New Life in Christ Interdenominational Church Expansion," Parcel Number 04-16.0-400-028).

D. Renner inquired about the water and sewer being shown in two phases – water is public and he questioned why the sewer was private.

T. Shekell answered that the sewer will just serve the church, but the water line will connect to the public system.

D. Renner also asked about the traffic management. T. Shekell said the church parking committee would direct the traffic. He also mentioned that the drawings provided in the packet detailed how the traffic would flow. The church will not have jurisdiction on the County or City road. The City will monitor the traffic.

D. Renner also asked who would pay for improvements on Hilltop Road.

J. West said that we are trying to solve the traffic problem. He said the church as been cooperating with us. He said that he is looking for a cost-sharing. They are going to review it further at the Community Development meeting.

D. Renner said that we have an obligation to the taxpayers. We need a full detailed plan.

A. Medford stated that the Court decided that Hilltop should be maintained by the City. We should maintain the road. S. Engler added that we need to work with the church. It needs to be settled. J. West said he believed after reviewing the numbers, he is confident it will be settled by the Community Development committee meeting.

R. Reckamp said that we can only move forward. We inherited a road that we never wanted. The church's stand to share the cost of the road is constructive.

J. Mouser stated that the church appears much larger than what was first approved. T. Shekell said the site layout is different from the one presented several years ago. It does not include secondary access on Keck Drive, it is now Hilltop. The traffic consultants strongly recommended that and did not recommend a second cut on Keck Ridge.

D. Polites also stated that after meeting with Reverend Dudley, he is in favor of moving forward. J. Drolet agreed with D. Polites. He thinks everything they are doing is top-notch. He voiced his concern about the development of Hilltop in regards to the taxpayers and how we come to a resolution. He also agreed that the situation on Keck Ridge is not acceptable. He added that a road 24 feet is small enough. He supports a road proposal that is up to City standards. J. West added that the church is willing to give the land to the City to widen the road.

M. Bennett inquired whether the phases could be started without improving the road. T. Shekell answered that Item 2 in the ordinance ties the project with improvements on Hilltop. N. Drolet added that widening the road to 26 foot would be helpful to the parishioners and the residents. E. True added that the second driveway would run into Jack's house. He also supports the improvement of Hilltop Drive.

Mayor Graham acknowledged the concerns of the aldermen and stated if all the issues are not resolved, we will place the ordinance on hold for the 2<sup>nd</sup> reading. He said that we owe it to the residents on Hilltop to move forward. At the time of the first approval, we had no idea how successful the church would be. We would prefer that the church do the development.

**ROLL CALL:** Schmidt, aye; E. True, aye; D. Polites, aye; R. Reckamp, aye; J. Mouser, no; A. Medford, aye; J. Drolet, aye; N. Drolet, aye; S. Engler, aye; M. Bennett, aye; D. Renner, no; J. West, aye. Ayes -10; Nays - 2. Motion carried.

### **2nd Readings**

Motion was made by A. Medford and seconded by S. Engler to approve on 2<sup>nd</sup> Reading an Ordinance declaring vehicles and equipment as surplus property and for sale Pursuant to 65 IICS 5/11-76-4.

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

### **STANDING COMMITTEES:**

**Community Development:** J. Mouser stated his committee met on July 28, 2008 and the minutes are in the packet, although he was not there.

Motion was made by J. Mouser and seconded by D. Renner to approve the Special Event request from O'Fallon Homecoming and Fall Festival which includes a liquor license application and parade application. All ayes. Motion carried.

J. Mouser said that a pontoon boat will be available for those who participate in the parade. The next meeting is scheduled for 6:00 p.m. on August 11, 2008.

**Public Works:** A. Medford said that they met on July 28<sup>th</sup> and the next scheduled meeting is August 25<sup>th</sup> at 7:00 p.m.

**Public Safety:** E. True said that their next meeting is set for August 11<sup>th</sup> at 7:00 p.m.

**Finance/Administration:** J. West said that the finance committee met before the Council meeting to review the warrant. Motion was made by J. West and seconded by R. Reckamp to pay Warrant #165 in the amount of \$1,189,345.39.

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

The next meeting will be August 25<sup>th</sup> at 5:30 p.m.

**Parks and Environment:** No report.

Mayor Graham asked the department heads to reduce their budget by 6% in lieu of the declining sales tax revenue. We have had a balanced budget for the past eleven years, so he wants to stay ahead of any problems.

**ADJOURNMENT:**

Motion was made by D. Renner and seconded by J. West to adjourn. All ayes. Motion carried.

The meeting was adjourned at 8:06 p.m.

Submitted by,

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Philip A. Goodwin, City Clerk

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