

**O'FALLON CITY COUNCIL
MEETING MINUTES
August 18, 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, present. A quorum was declared present.

Motion was made by J. Mouser and seconded by J. Albrecht to approve the minutes of August 4, 2008. N. Drolet wanted to clarify his comments on page 4. He stated that he did see the Oberneufemann Study. He further stated that he strongly objected to where the counters were when the study was made – they should have been placed by the tracks, not by Porter and Simmons. Motion was made by R. Reckamp and seconded by M. Bennett to approve the minutes, as amended. All ayes. Motion carried.

PUBLIC HEARING: None scheduled.

RESIDENTS: Tony Carroll of 123 Famous spoke about the emergency access road at Long and Famous. He stated that a letter was sent out from Central School that the road would only be used for emergencies. That is not the case even though the City only approved it as a gravel road for emergency access. He asked the Mayor to intervene with Central School regarding the times the gate is open. Anthony Hall of 511 Long Drive also spoke on this issue and stated that he was told it was only going to be used for emergency vehicles. Instead, many private vehicles are using it at all times of the day. Mayor Graham said that he will contact the school.

M. Bennett added that he attended the School Board meeting and left with the understanding that it would only be used only for emergency use or utility vehicles.

Reverend Dudley discussed the ordinance on 2nd reading with respect to his church. He thanked the Mayor and Council for sharing their thoughts throughout the process. He said historically that the church has complied with traffic, noise, and parking issues. He wants it to be a win/win for all concerned. He said the church is part of the community. In addition, the majority of the congregation are O'Fallon residents. He included a \$50,000 generator to his project in order to lend a helping hand to the community in case of an emergency. He asked the Council to look favorably and positively on the ordinance.

Jack Roberson spoke on his concerns for Hilltop Road. He opposes the new road plan. He thinks that the plan should include future use. He asked the Council to take into consideration the road width. His neighbor, Tim, has children and is concerned about

their safety. On a separate issue, he added that he wished to thank the Council and the first responders that showed up to give aid to his mother on April 24th.

Mayor Graham responded that the width of the road will be 24 feet on the 1st phase. The 2nd phase will be 20 feet. The lake and the lack of land on the residents' side make widening the road difficult. The church has agreed to give the easement and plans to use the back lot for an exit only.

EXECUTIVE SESSION: Mayor Graham stated that the Council would break for an executive session in the conference room.

At 7:25 motion was made by J. Albrecht and seconded by J. West to go into executive session to discuss pending litigation and acquisition of property.

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. Albrecht, aye; J. West, aye. All Ayes. Motion carried.

At 8:04 p.m. the Council returned from executive session. Mayor Graham welcomed a boy scout from Troop 94 who was in attendance to work on his communication merit badge.

REPORTS:

Clerk's Report: City Clerk Goodwin read a request from Dania Shrine Club to conduct a roadblock on Friday, October 10th from 7:00 a.m. – 9:00 a.m. at the intersection of State/Lincoln and State/Smiley. Motion by D. Renner and seconded by E. True to approve the request. All ayes, except for N. Drolet and R. Reckamp.

Mayor's Report: Mayor Graham stated a Joint Land Use Study meeting will be held at City Hall tomorrow night at 6:30 p.m. They will discuss encroachment.

He also said that Venita Road will be closed at 8:30 a.m. on Wednesday. An emergency repair on a culvert is scheduled. He said it will reopen with gravel and close again on Thursday at 8:30 in the morning to finish.

He added that this month's meeting for the Southwestern Illinois Council of Mayors will be held on Thursday, August 28th at the Chain of Rocks Bridge. Please RSVP to Jamie by Friday, August 22nd.

RESOLUTIONS:

Motion was made by J. Mouser and seconded by J. Albrecht to consider Resolution Items 1 - 4 under the Omnibus Agreement. All ayes. Motion carried.

M. Bennett asked if Item #2 was a complete rebuild on the pavilion roof. Mayor Graham replied that it was just for the design for now. Mary Jeanne Hutchison said they do have plans to replace some of the timber that is rotted, but the resolution is just for the design.

ITEM 1 – Resolution Supporting the City of Chicago’s Bid for the 2016 Olympic and Paralympic Games

ITEM 2 - Resolution Authorizing the Mayor to Execute a Professional Services Agreement with FGM Architects for the Community Park Pavilion #4 Roof Replacement Design and Construction Documents in an amount not to exceed \$12,000

ITEM 3 - Resolution Authorizing the Mayor to Execute an Agreement Mertzke Trucking & Excavating Company, Inc., for the Demolition of 802 West State Street at a cost not to exceed \$7,200

ITEM 4 - Resolution Authorizing the Mayor to Execute an Agreement Tetra Tech for Professional Services, Asbestos Abatement, at 802 West State Street in an amount not to exceed \$15,955

Motion was made by J. Mouser and seconded by J. West to approve Resolution Items 1 – 4 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. Albrecht, aye; J. West, aye. All Ayes. Motion carried.

ORDINANCES:

1st Readings

No 1st reading ordinances listed.

2nd Readings

Motion was made by J. Mouser and seconded by J. West to approve on 2nd Reading an Ord. 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), as discussed.

Mayor Graham stated that in Section 1, Item 2, the width of Hilltop Road will be 20 feet from the second entrance west to the third entrance on Hilltop. We are going to insert 24 feet of Right of Way in the second phase. Under #13, we will insert that Phase 1 will comply with the current Planned Use which is one year with an extension.

Motion was made by R. Reckamp and seconded by J. West to approve on 2nd Reading an Ord. 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), as amended.

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, aye; D. Renner, no; J. Albrecht, aye; J. West, aye. Ayes – 10; Nays - 3. Motion carried.

M. Bennett stated that the language with the dollar amounts should be removed from under #12. We should come back with an appropriation ordinance.

Motion was made by M. Bennett and seconded by E. True to remove the dollar amounts from the ordinance.

ROLL CALL: Schmidt, no; E. True, aye; D. Polites, no; 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. Albrecht, no; J. West, no. Ayes – 9; Nays - 4. Motion carried.

Motion was made by M. Bennett and seconded by J. West to approve on 2nd Reading an Ord. 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), as amended.

N. Drolet stated that originally in November 2002, the Council voted to annex 56 acres – 145 single family homes. In February 2003, the Council was asked to approve a new plat where 31 homes were removed from the original plat. He said that we were rushed into making a decision on this without having any idea what the cost would be to the city. He mentioned that he has problems in his ward such as drainage and flooding that need to be addressed. The developer should have been responsible. The City should not have to bear the brunt of the cost.

J. West added that his ward is not asking the city to bear the brunt of the cost. The church is trying to help solve the problem. Mayor Graham said we are trying to help the residents on Hilltop as well as the Keck Ridge residents.

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

There was a short recess after Reverend Dudley asked if he and his church members could be excused.

STANDING COMMITTEES:

Community Development: J. Mouser stated his committee met and the minutes are in the packet.

Motion was made by J. Mouser and seconded by E. True to confirm the decision of the Zoning Hearing Officer to approve sign variances to the real estate sign size requirements and the use of a prohibited trailer sign in the B-1 District at 301 Regency Park Drive for Miles Properties. All ayes. Motion carried.

Motion was made by J. Mouser and seconded by M. Bennett confirm the decision of the Zoning Hearing Officer to approve a sign variance to the real estate sign size requirements and the use of a prohibited trailer sign for Balke-Brown. All ayes. Motion carried.

Motion was made by J. Mouser and seconded by J. Albrecht to overturn the decision of the Zoning Hearing Officer to deny the 120 sq. ft. real estate banner in the B-1 (P) district for 475 Regency Park Drive for Balke-Brown Associates.

M. Bennett questioned whether the hearing officer's main objection was that we had never done this before. J. Mouser agreed. The staff was okay for a six month period of time. T. Shekell said it was a sign approved for six months with a renewal option. J. Drolet questioned the placement of the sign when others have been turned down. T. Shekell said it is common to see this type of sign on an office building.

All ayes, except for J. Drolet. Motion carried.

Motion was made by J. Mouser and seconded by D. Renner to approve the Special Event Permit request from St. Clare Catholic Church to hold their Oktoberfest on Saturday, September 27, 2008 from 7:00 a.m. – 11:00 p.m. All ayes. Motion carried.

Motion was made by J. Mouser and seconded by D. Renner to approve the Special Event Permit request from the First Baptist Church for the FBC Gives Back event to be held on the three corners of Hwy 50 & Lincoln on Saturday, August 23, 2008 from 11:00 a.m. – 1:00 p.m. All ayes. Motion carried.

Motion was made by J. Mouser and seconded by J. West to approve the Special Event Permit request from the O'Fallon Assembly of God to conduct a Community Car Show/Outdoor Concert on their grounds on Saturday, August 23, 2008 from 8:00 a.m. – 9:00 p.m. All ayes. Motion carried.

The next meeting is scheduled for 6:00 p.m. on August 25, 2008.

Public Works: A. Medford said that the next scheduled meeting is August 25th at 7:00 p.m.

Public Safety: E. True said that they met on August 11th and the minutes are in the packet. The next meeting is scheduled for September 8th at 7:00 p.m.

Finance/Administration: J. West said that the finance committee met before the Council meeting to review Warrant #166. He stated that the warrant will be read in three parts.

Motion was made by J. West and seconded by J. Albrecht to pay Gifts for Individuals in the amount of \$725.63.

ROLL CALL: Schmidt, aye; E. True, aye; D. Polites, aye; R. Reckamp, aye; J. Mouser, aye; A. Medford, aye; J. Drolet, abstain; N. Drolet, abstain; S. Engler, no; M. Bennett, no; D. Renner, present; J. Albrecht, aye; J. West, aye. Ayes -8, Nays – 2, Abstain – 2, Present -1. Motion carried.

Motion was made by J. West and seconded by J. Albrecht to pay DP Golf in the amount of \$2,000.

ROLL CALL: Schmidt, aye; E. True, aye; D. Polites, abstain; R. Reckamp, aye; J. Mouser, aye; A. Medford, aye; J. Drolet, aye; N. Drolet, aye; S. Engler, no; M. Bennett, aye; D. Renner, aye; J. Albrecht, aye; J. West, aye. Ayes -11; Nays – 1; Abstain - 1. Motion carried.

Motion was made by J. West and seconded by E. True to pay Warrant #166 in the amount of \$975,281.27.

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. Albrecht, aye; J. West, aye. All Ayes. Motion carried.

The next meeting will be August 25th at 5:30 p.m.

Parks and Environment: J. Albrecht stated that they met on August 11th. He mentioned that they are holding off renaming Rock Springs Park until the policy is established. The next meeting is scheduled for September 8th at 5:30 p.m.

ADJOURNMENT:

Motion was made by R. Reckamp and seconded by J. Albrecht to adjourn. All ayes. Motion carried.

The meeting was adjourned at 8:35 p.m.

Submitted by,

Philip A. Goodwin, City Clerk

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