

**O'FALLON CITY COUNCIL
DRAFT MEETING MINUTES
May 18, 2009**

The meeting was called to order at 7:07 p.m. by Mayor Gary Graham who led the Council in "The Pledge of Allegiance to the Flag."

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

Motion by J. Mouser and seconded by J. Albrecht to approve the minutes of May 4, 2009. All ayes. Motion carried.

PUBLIC HEARING – None scheduled.

RESIDENTS: Phil Davidson representative of Representative Eddie Jackson stepped forward to introduce himself and invite the Council to call him if they have any issues at the State. He looks forward to serving the community.

Mike Bowen also spoke to the Council regarding Ord. 3623 and 3624. He clarified that the bonds provide money for the park and library improvements. He discussed the Build America Bonds which are part of the recent congressional action on the Republican Reinvestment Act which allows communities to issue bonds that would normally be taxed. The government rebates 35% back to the City. He stated that the rates came in at 4.07 percent on a 30-year loan, which is commendable. The BAB can only be applied on new projects. The bonds are 1/2 percent below the rate on the 2006 bonds. The new credit rating aided the City in not having to buy insurance on the bonds. That was a \$100,000 savings. The BAB's saved the City \$1,930,000.

REPORTS:

Clerk's Report: City Clerk Goodwin read the following requests:

1. Request from O'Fallon Homecoming Assn. to conduct a raffle from May 18th – June 27, 2009 for various donated items.
2. Request from O'Fallon Woman's Club, Inc. to conduct a raffle from May 2009 – July 24, 2009 for a hope chest.
3. Request from the O'Fallon Optimist Club to conduct a raffle from May 18th – August 30, 2009 for cash.

Motion by R. Reckamp and seconded by N. Grogan to approve the request. All ayes. Motion carried.

City Clerk Goodwin also stated that the O'Fallon Kiwanis Club submitted a raffle license request in too late for the agenda. They want to raffle a bicycle that was donated to them. A telephone poll will be conducted on Wednesday to get the Council's vote on their approval. N. Drolet clarified that the raffle is on May 30th.

Mayor's Report: Mayor Graham stated that this month's meeting of the Southwestern Illinois Council of Mayors will be held at Michael's Restaurant in Highland on Thursday, May 28th. He asked that the aldermen interested in attending should RSVP to Jamie by Friday, May 22nd.

Mayor Graham said he was disappointed that Jamie Auffman's Chrysler dealership was on the list to be closed. This move takes a lot from local charities. The City has lost \$340,000 with this decision.

Mayor Graham asked Michelle from EMS to step forward to accept a proclamation. Mayor Graham read a Proclamation declaring the week of May 17 – May 22nd as EMS (Emergency Medical Services Week).

RESOLUTIONS:

Motion by J. Mouser and seconded by D. Renner to approve Resolution, Items 1, 2, and 4 under the Omnibus agreement. All ayes. Motion carried.

Item 1 - Resolution Authorizing the Director of Finance to Secure a Lease/Purchase Agreement for Equipment/Vehicles for FY 2009/2010

Item 2 - Resolution Approving and Accepting a Subdivision of Land to be known as the 1st Amendment Minor Subdivision Plat of a Part of Lot 9 of St. Ellen Tracts

Item 4 – Resolution to Approve the City of O'Fallon Intent to Create an Identity Theft Program known as Red Flag

Motion by J. Mouser and seconded by N. Grogan to approve Resolution Items 1, 2, and 4 under the previous Omnibus Agreement.

ROLL CALL: Grogan, aye; McCoskey, aye; True, aye; Polites, aye; Reckamp, aye; Mouser, aye; Drolet, J., aye; Drolet, N., aye; Engler, aye; Bennett, aye; Renner, aye; Albrecht, aye; Faulkner, aye. All Ayes. Motion carried.

Motion by J. Mouser and seconded by R. Reckamp to approve Resolution Item 3 - A Resolution Authorizing the Prosecution of Condemnation Proceedings Related to Right-of-Way and Easement Acquisitions needed to allow Construction of Improvements along Old Collinsville Road from I-64 Frontage Road to Milburn School Road, as required

S. Engler reiterated that government should not condemn anyone's property.

Mayor Graham asked the City Engineer about the amount of money involved. D. Sullivan answered that he did not know the amount at this time. Further, the resolution is just to show our support of the proceedings, if needed. There is no hesitancy among the O'Fallon landowners. However, on the Fairview Heights side, a couple of landowners may be holding out for a higher price. He added that we are just supporting Fairview Heights. IDOT recommends that the City set up the ability to prosecute, if it came to that. This is just a procedural step. The contract was supposed to have been let in June, but some of the landowners are asking for a price higher than the appraised value.

R. Reckamp added that this is just for the right-of-way to trespass. The owner will still own the property. It is just a construction easement.

S. Engler replied that the resolution does not say there is a potential for prosecution and wanted assurance that it would come back to the Council. Mayor Graham said we may never have to use it. We do not have to take the money or improve the road.

ROLL CALL: Grogan, aye; McCoskey, aye; True, aye; Polites, aye, Reckamp, aye; Mouser, aye; Drolet, J., aye; Drolet, N., aye; Engler, no; Bennett, aye; Renner, aye, Albrecht, aye; Faulkner, aye. Ayes – 12, Nays - 1. Motion carried.

ORDINANCES:

1st Readings - No first readings listed.

2nd Readings – Motion by M. Bennett and seconded by J. Albrecht to approve on 2nd Reading Item 5, Ordinance 3623, providing for the Issuance of General Obligation Refunding Bonds, Series 2009, Providing the Details of Such Bonds and for a Levy of Taxes to Pay the Principal of and Interest on Such Bonds and Related Matters, as amended to update it from the boilerplate ordinance that was presented at the last meeting.

ROLL CALL: Grogan, aye; McCoskey, aye; True, aye; Polites, aye, Reckamp, aye; Mouser, aye; Drolet, J., no; Drolet, N., aye; Engler, no; Bennett, aye; Renner, aye, Albrecht, aye; Faulkner, aye. Ayes - 11, Nays – 2. Motion carried.

Motion by M. Bennett and seconded by J. Albrecht to approve on 2nd Reading Item 5, Ordinance 3623, providing for the Issuance of General Obligation Refunding Bonds, Series 2009, Providing the Details of Such Bonds and for a Levy of Taxes to Pay the Principal of and Interest on Such Bonds and Related Matters.

ROLL CALL: Grogan, aye; McCoskey, aye; True, aye; Polites, aye, Reckamp, aye; Mouser, aye; Drolet, J., no; Drolet, N., aye; Engler, no; Bennett, aye; Renner, aye, Albrecht, aye; Faulkner, aye. Ayes - 11, Nays – 2. Motion carried.

Motion by M. Bennett and seconded by D. Renner to approve on 2nd Reading Item 6, Ord. 3624, an Ordinance providing for the Issuance of General Obligation Bonds, Series 2009A, as Build America Bonds (Direct Payment), providing the details of such bonds and for a Levy of Taxes to pay the principal of and interest on such bonds, and related matters, as presented tonight.

ROLL CALL: Grogan, aye; McCoskey, aye; True, aye; Polites, aye, Reckamp, aye; Mouser, aye; Drolet, J., no; Drolet, N., aye; Engler, no; Bennett, aye; Renner, aye, Albrecht, aye; Faulkner, aye. Ayes - 11, Nays – 2. Motion carried.

Motion by M. Bennett and seconded by J. Mouser to approve on 2nd Reading Item 6, Ord. 3624, an Ordinance providing for the Issuance of General Obligation Bonds, Series 2009A, as Build America Bonds (Direct Payment), providing the details of such bonds and for a Levy of Taxes to pay the principal of and interest on such bonds, and related matters.

ROLL CALL: Grogan, aye; McCoskey, aye; True, aye; Polites, aye, Reckamp, aye; Mouser, aye; Drolet, J., no; Drolet, N., aye; Engler, aye; Bennett, aye; Renner, aye, Albrecht, aye; Faulkner, aye. Ayes – 12, Nays - 1. Motion carried.

Motion by M. Bennett and seconded by J. Albrecht to approve on 2nd Reading Item 7, an Ordinance amending Ord. 3366, Regarding the Simplified Municipal Telecommunications Tax.

ROLL CALL: Grogan, aye; McCoskey, aye; True, aye; Polites, aye, Reckamp, aye; Mouser, aye; Drolet, J., no; Drolet, N., aye; Engler, no; Bennett, aye; Renner, aye, Albrecht, aye; Faulkner, aye. Ayes – 11, Nays - 2. Motion carried.

Motion by J. Mouser and seconded by M. Bennett to approve on 2nd Reading #8 – An Ordinance amending Chapter 51, Section 51.070, Regarding Wastewater Rates and Sewer Service Rates.

M. Bennett discussed the sewer lateral in the ordinance. Mayor Graham said he had spoken to several aldermen about their concerns with the sewer lateral and ejector pump programs. It was not removed the last time it was voted on. He added that if it does not pass tonight, 9.5 million dollars in stimulus money is on the line. He agreed that this is a large increase. Mayor Graham said the objective is to match the stimulus money. Discussion ensued about not including the CPI in October which would raise the fee 5-7%. D. Sullivan added that the current ordinance with the CPI would need to be amended.

Mayor Graham said that only one ejector pump was in the program last year, it and the sewer lateral could be removed. R. Reckamp reiterated that his constituents greatly benefit from this program.

Motion by M. Bennett and seconded by S. Engler to approve #8 on 2nd Reading to remove the sewer lateral and ejector pump programs.

ROLL CALL: Grogan, aye; McCoskey, aye; True, aye; Polites, aye, Reckamp, no; Mouser, no; Drolet, J., aye; Drolet, N., aye; Engler, aye; Bennett, aye; Renner, aye, Albrecht, aye; Faulkner, aye. Ayes – 11, Nays – 2. Motion carried.

G. McCoskey stated that there were no incentives for the rates increase to match the stimulus. He believes this is not the right time given the status of the economy. He offered that it would be better to phase the increase over a two to three year span. Even with removing the cap on the CPI, it would be a 34% increase. Mayor Graham answered that we have tried to pass a gradual increase, but it did not pass. The repairs have to be made at this point. The clarifier has a problem and needs to be repaired. M. Bennett added that this is no way to run a business. The improvements need to be done. R. Reckamp added that our bond holders require us to make these improvements. S. Engler voiced his concerns that it would amount to a 70% increase in the next three years. Mayor Graham answered that every subdivision should be a special taxing district and at the end of thirty years the sewers would be replaced.

Motion by J. Mouser and seconded by R. Reckamp to approve on 2nd Reading #8 – An Ordinance amending Chapter 51, Section 51.070, Regarding Wastewater Rates and Sewer Service Rates, as amended.

ROLL CALL: Grogan, aye; McCoskey, no; True, no; Polites, no, Reckamp, aye; Mouser, aye; Drolet, J., aye; Drolet, N., aye; Engler, no; Bennett, aye; Renner, aye, Albrecht, aye; Faulkner, present. Ayes – 8, Nays – 4, Present, 1. Motion carried.

Motion by J. Mouser and seconded by D. Renner to approve on 2nd Reading #9, an Ordinance declaring the following Vehicles and Equipment as Surplus Property and for sale or disposal property.

ROLL CALL: Grogan, aye; McCoskey, aye; True, aye; Polites, aye, Reckamp, aye; Mouser, aye; Drolet, J., aye; Drolet, N., aye; Engler, aye; Bennett, aye; Renner, aye, Albrecht, aye; Faulkner, aye. All Ayes. Motion carried.

STANDING COMMITTEES:

Community Development: J. Mouser stated that the committee met on May 4th. He stated that there were two motions.

Motion by J. Mouser and seconded by J. Albrecht to approve the Special Event request from the City and the Chamber of Commerce to host the Salute to Scott AFB Family Picnic on June 13th at the Community Park. All Ayes. Motion carried.

Motion by J. Mouser and seconded by J. Albrecht to affirm the Zoning Hearing Officer's decision to deny a Sign Variance to allow a fourth wall sign at 1600 W. Hwy 50. All Ayes. Motion carried.

He stated that the next scheduled meeting will be May 26th at 6:00 p.m. in the Mayor's Conference Room.

Public Safety: N. Drolet stated that the next meeting is scheduled Monday, June 8th at 7:00 p.m.

Finance/Administration: Motion by M. Bennett and seconded by J. Albrecht to approve Warrant #184 in the amount of \$435,366.88.

ROLL CALL: Grogan, aye; McCoskey, aye; True, aye; Polites, aye, Reckamp, aye; Mouser, aye; Drolet, J., aye; Drolet, N., aye; Engler, aye; Bennett, aye; Renner, aye, Albrecht, aye; Faulkner, aye. All Ayes. Motion carried.

M. Bennett said the minutes from the Special Meeting will be available at the next meeting. He stated that the next meeting will be Tuesday, May 26th at 6:00 p.m.

Parks and Environment: D. Renner thanked D. Polites for filling in for him at the last meeting.

EXECUTIVE SESSION: None scheduled.

Mayor Graham stated that Alderman Medford was in the hospital, but he hoped to return home in the next five to six days.

ADJOURNMENT:

Motion by D. Renner and seconded by S. Engler to adjourn. All ayes. Motion carried.

The meeting was adjourned at 7:49 p.m.

Submitted by,

Philip A. Goodwin
City Clerk

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