

**O'FALLON CITY COUNCIL
MEETING MINUTES
Draft October 5, 2009**

The meeting was called to order at 7:03 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, present; Michael Bennett, present; Dennis Renner, present; Steve Engler, present; Ned Drolet, present; Jerry Albrecht, present; David Cozad, present. A quorum was declared present.

Motion by J. Mouser and seconded by J. Albrecht to approve the minutes of September 21, 2009. All ayes. Motion carried.

PUBLIC HEARING – Mayor Graham opened the Public Hearing at 7:04 p.m. on the annexation agreement with Julie Spengler for property located at 2110 Borchers Lane, containing 04-27.0-200-046. The Mayor called three times for public input, but no one came forward. Mayor Graham closed the hearing at 7:05 p.m.

RESIDENTS: Pat Bennett stepped forward to ask if he could distribute a packet of information on the lighting ordinance and attach it as a part of tonight's minutes. He introduced his wife, Luann, and their neighbor, Terry Thurgood. He thanked the Council with special recognition to Jerry Mouser and Ted Shekell for their assistance in getting the matter before the Council.

Mayor Graham introduced Kelsey Brushaber as Mayor of the Day. She attends Carriel.

REPORTS:

Clerk's Report: City Clerk Goodwin read a request from the American Legion to sell raffle tickets for a cancer benefit including a silent auction for Cindy Leuder from approval to October 24, 2009. Motion by R. Reckamp and seconded by E. True to approve the requests. All ayes. Motion carried.

Mayor's Report: Mayor Graham read a proclamation declaring October 4 – 10, 2009 as Fire Prevention Week. He presented the proclamation to Chief Saunders who invited everyone to the fire house from Tuesday through Thursday to participate in the celebration activities. Mayor Graham thanked the fire department for their service to the community.

Mayor Graham also announced a proclamation declaring the month of October as National Community Planning Month. Ted Shekell accepted the proclamation and then thanked the Mayor and City Council for their support. He said they were a blessing to him in their support of planning for the future.

M. Bennett said that many people watch the broadcast from their home, and he wanted to say "hi" to Karen who is a dedicated viewer. D. Renner acknowledged her, as well. Mayor Graham said he is glad that the residents watch the broadcast.

RESOLUTIONS: Motion by J. Mouser and seconded by D. Renner to consider the resolutions 2, 3, and 4 under the Omnibus agreement. All ayes.

Motion by J. Mouser and seconded by N. Grogan to approve the resolutions.

Mayor Graham read the following resolutions:

Item 2 - Resolution Authorizing the Mayor to Execute an Annexation Agreement with Julie Spengler for 2110 Borchers Lane

Item 3 – Resolution to Authorizing the Mayor to Execute a Lease Agreement with Downtown O'Fallon to Permit the Santa's Hut on City Property at First and Vine Streets

Item 4 - Resolution Approving and Authorizing Execution of a First Amended and Restated Declaration of Trust

ROLL CALL: Grogan, aye; McCoskey, aye; True; aye; Polites, aye; Reckamp, aye; Mouser, aye; Drolet, J., aye; Medford, aye; Bennett, aye; Renner, aye; Engler, aye; Drolet, N., aye; Albrecht, aye; Cozad, aye. Ayes - 14; Nays - 0. Motion carried.

Motion by A. Medford and seconded by E. True to approve Item 1 - Resolution authorizing the Mayor to execute an agreement with Merrell Brother of Kokomo, Indiana for the South Sludge Lagoon Cleaning and Sludge Disposal in the amount of \$99,474.00.

R. Reckamp made a motion to amend the motion to provide for money in the contract to pay prevailing wages. For lack of a second, motion failed.

On original motion - ROLL CALL: Grogan, aye; McCoskey, aye; True; aye; Polites, aye; Reckamp, aye; Mouser, aye; Drolet, J., aye; Medford, aye; Bennett, aye; Renner, aye; Engler, aye; Drolet, N., aye; Albrecht, aye; Cozad, aye. Ayes - 14; Nays - 0. Motion carried.

ORDINANCES:

1st Readings –

Motion by J. Mouser and seconded by D. Renner to consider ordinances 5, 6, 7 and 8 on 1st Reading. All ayes. Motion carried.

J. Drolet said he is a neighbor of Mr. Bennett's, and he wanted to commend the Council for reviewing the lighting ordinance. He added that light trespass can affect one's health.

Motion by J. Mouser and seconded by E. True to consider on 1st Reading ordinances 5, 6, 7 and 8.

ROLL CALL: Grogan, aye; McCoskey, aye; Polites, aye; True; aye; Reckamp, aye; Mouser, aye; Drolet, J., aye; Medford, aye; Bennett, aye; Renner, aye; Engler, aye; Drolet, N., aye; Albrecht, aye; Cozad, aye. Ayes - 14; Nays - 0. Motion carried.

Mayor Graham read the following ordinances:

Item 5 – Ord. Amending the City Zoning Code Amending Several Sections Providing Regulations for Home Occupations, Trailers, and Planned Uses

ITEM 6 - Ord. Rescinding Ord. 3154 and Amending the Code of Ordinances, Section 94.01 (S) of Chapter 94, Nuisances

ITEM 7 – Ord. Rescinding Ord. 3155 and Amending the Code of Ordinances, Section 98.11, Chapter 98, Streets and Sidewalks

ITEM 8 – Ord. Regarding the Regulation of Outdoor/Exterior Lighting

2nd Readings –

Motion by N. Drolet and seconded by S. Engler to approve on 2nd Reading an Ordinance amending Chapter 96, Alarm Systems, Sections 96.01, 96.02, 96.03 regarding Fire Alarms, Connection to 911, and Service Alarms.

ROLL CALL: Grogan, aye; McCoskey, aye; True; aye; Polites, aye; Reckamp, aye; Mouser, aye; Drolet, J., aye; Medford, aye; Bennett, aye; Renner, aye; Drolet, N., aye; Engler, aye; Albrecht, aye; Cozad, aye. Ayes - 14; Nays - 0. Motion carried.

S. Engler inquired as to how long the ordinances that are on hold can remain on the agenda. The ones in question have been on the agenda for over six months and have they changed since 1st reading? Mayor Graham said they are on hold

pending the TIF lawsuit that Belleville is going through. We are awaiting the result of the appeal there. D. Funk said there is no limit on how long the items can remain on the agenda. S. Engler asked for more information on it, and D. Rich said he would get the information to him.

STANDING COMMITTEES

Community Development: J. Mouser stated they met on September 28th, and a copy of the minutes was included in the packet.

Motion by J. Mouser and seconded by R. Reckamp to approve the Special Event request from OTHS for the Tennis Halloween 5k Fun Run/Walk on October 31, 2009 from 8:00 – 9:30 a.m. All ayes. Motion carried.

J. Mouser stated that the next scheduled meeting is Monday, October 12th at 6:00 p.m.

Public Works: A. Medford stated that they did not meet, but the next meeting will be held Monday, October 26th at 7:00 p.m. in the Mayor's Conference room.

Public Safety: N. Drolet stated that the next meeting is October 12th at 7:00 p.m. in the Mayor's Conference room.

Finance/Administration: Motion by M. Bennett and seconded by J. Albrecht to approve Warrant #193 in the amount of \$682,067.69.

ROLL CALL: Grogan, aye; McCoskey, aye; True, aye; Polites, aye; Reckamp, aye; Mouser, aye; Medford, aye; Drolet, J., aye; Bennett, aye; Renner, aye; Drolet, N., aye; Engler, aye; Albrecht, aye; Cozad, aye. Ayes - 14; Nays - 0. Motion carried.

M. Bennett stated that the next scheduled meeting is October 26th at 5:30 p.m.

Parks and Environment: Motion by D. Renner and seconded by J. Mouser to approve the bid from RCP Shelters for the Rock Springs Dog Park Pavilions in the amount of \$22,410.

S. Engler asked how many bids were submitted. M. Hutchison replied that we had received three bids.

N. Drolet inquired about the laminated wood versus the steel proposals since there was a substantial price difference. M. Hutchison replied that the wood should be just as durable. Architecturally, it will look better and it has the same guarantee as the steel.

ROLL CALL: Grogan, aye; McCoskey, aye; True; aye; Polites, aye; Reckamp, aye; Mouser, aye; Medford, aye; Drolet, J., aye; Bennett, aye; Renner, aye; Drolet, N., aye; Engler, aye; Albrecht, aye; Cozad, aye. Ayes - 14; Nays - 0. Motion carried.

EXECUTIVE SESSION: None scheduled.

Mayor Graham stated that A. Medford will be moving from the city. He said he has been an integral part of the city. He added that we wish him the best of luck. His last meeting will be October 19th.

ADJOURNMENT:

Motion by E. True and seconded by S. Engler to adjourn. All ayes. Motion carried.

The meeting was adjourned at 7:25 p.m.

Submitted by,

Philip A. Goodwin
City Clerk

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