

**O'FALLON CITY COUNCIL
MEETING MINUTES
Draft November 16, 2009**

The meeting was called to order at 7:04 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; David Snyder, present; Michael Bennett, present; Dennis Renner, present; Ned Drolet, present; Steve Engler, 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 November 2, 2009. All ayes. Motion carried.

PUBLIC HEARING – None scheduled.

RESIDENTS: Debbie Arell-Martinez, Executive Director of the Chamber of Commerce, explained the "It Pays to Buy O'Fallon" campaign, which is a joint effort between the City and the Chamber. It is to encourage patrons to buy locally. She said anyone can participate over eighteen. The patron can submit their November and December sales receipts to either City Hall or the Chamber and for every \$100 spent they get their receipt validated for the drawing to be held on January 4th. The three winners drawn will get a prize, such as a flat screen TV, gas grill, dinners, gift certificates, and cash. If anyone has questions, they can call the Chamber at 632-3377 or go on-line at www.ofallonchamber.com.

Herb Roach stepped forward to state that he read in Walter's blog and in the newspaper about the meeting that took place recently. He suggested that we ask the staff on how to improve costs and save on efficiencies. He said funds could be allocated in other manners in an economic downturn.

Dennis Cowden stepped forward to ask that the Council speak clearly into the microphones, so they can be understood and heard by the audience. Mayor Graham said they will look into hearing devices for the future.

Steve Brown, Balke-Brown, who is the developer and partner on the development on Frank Scott Parkway came forward to speak on the proposed ordinance and asked for a formal request for a 50% credit for the park fee. He will look to put it back into landscaping on the east property line that he would like to develop into a meadow with a nature trail. He thinks they could make it an attractive area with some money.

REPORTS:

Clerk's Report: City Clerk Goodwin announced that Vicki Evans told him that the December 1st Historic Preservation Committee will be held at Paulo's at the Mansion at 6:30.

Mayor's Report: Mayor Graham announced that this month's Southwestern Illinois Council of Mayors meeting will be held at the Bellecourt Banquet Center in Belleville on Thursday, December 10th at 6:00 p.m. Please call Jamie to make your reservation.

He continued since Mr. Roach brought it up, he has taken calls about the economic condition of the City. He is going to write an article. He said the bottom line is the City of O'Fallon is financially strong and sound. He said we have had a balanced budget for twelve years and have dropped the tax rate every year for twelve years. He continued that last year, .004 was put on the taxes by the County for bad debts. He said we intend to drop the levy because we do not expect the economy to get better in 2010. He confirmed that the taxes will not be raised, but we are looking at raising fees. We have done the same thing on our ten year road plan. He does not think that the article was negative, but some people may have misread it.

RESOLUTIONS: Motion by J. Mouser and seconded by J. Albrecht to approve Item 1 – A resolution authorizing the Mayor to execute an agreement with Burns & McDonnell for Geographic Information System (GIS) Services as required for an amount not to exceed \$16,309.

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

J. Mouser said that he needed to read Item 5 first, and then come back to item 2. He stated that he would read Item 2 after the 1st reading and emergency reading of Item 5. The family members are going to subdivide some property and the family needs to have it all done by the end of the month, so they can take advantage of the first-time homebuyer's tax credit.

S. Engler added that the homebuyer's credit was extended through April. J. Mouser said a family member requested that we do it all in one night, so they could get their plans together and get ready to build.

ORDINANCES:

1st Readings –

Motion by J. Mouser and seconded by R. Reckamp to consider on 1st reading Item 3, an Ordinance amending Ord. 623, Zoning, Frank Scott Lakeside Apartments.

R. Reckamp said our ordinance calls for 10 foot parking stalls. He is concerned by reducing it that the smaller one will become our standard. In lieu of the 10 foot parking stalls, the developer wants to place in two doggie walking trails. He does not believe we should have the 9 ft. parking stalls in lieu of 10 ft. parking stalls. He added that he does not support the 9 ft. parking stalls and he added that the sidewalks should not be deleted. J. Mouser said that three of the committee members were okay with the 9 foot stalls and sidewalks. G. McCoskey added that only some of the parking is smaller.

E. True said under the staff recommendation they stated that there was an extension for one year for the apartment complex and two years for the commercial phase. He inquired what the extension was for. T. Shekell answered that it was for both.

N. Drolet said we are talking about 28 parking spaces. So, they need to create 23 more spaces. He agrees with R. Reckamp on the parking spaces and the sidewalks. He believes we need a sidewalk along Frank Scott Parkway because it is a highly traveled road. We should avoid eliminating sidewalks on major thoroughfares.

M. Bennett replied that the sidewalks are not a huge expense in comparison with the rest of the project. He questioned the reasons for dropping the sidewalk. T. Shekell said the development is sandwiched between two major drainage areas. The topography would make it difficult and expensive to put in a sidewalk because you would have to cross the creeks. In the west, there is a 15 – 20 foot drop from the road. There are 1 ½ miles of sidewalk on Central Park, and it would be better to get the people there. If the Council approves the waiver, we have asked the developer to escrow the amount funded for the sidewalk which is about \$14,000.

Mayor Graham asked if the escrow was to be used if they expand Frank Scott Parkway. T. Shekell replied yes, and it would be better to get some pedestrian connection to Central Park Drive.

R. Reckamp said it is a nice looking development but it should have sidewalks on the frontage.

Mayor Graham added we do not own over to the other corner, so we cannot force a sidewalk there, as you could have a sidewalk leading to no where.

N. Drolet said that the parking spaces that are 10 foot wide are reserved parking spaces and the garage and the driveway in front of the garage is tandem parking. He inquired whether the 9 foot spaces were available to the general public? This is a high-end development with nice cars. They are doing a disservice to their tenants with the 9 foot spaces. S. Engler agreed with him. Since the escrow is being put out there, the funds should be used to build the sidewalk.

J. Drolet added that it is unusually expensive to put in the sidewalks, but this says it will only cost \$11,200. T. Shekell said that it is based on linear footage. If you had to actually build the sidewalk, it would cost 2 – 3 times that cost. J. Drolet inquired why we didn't have them escrow the full amount. T. Shekell said our recommendation is to do an alternate location for the sidewalk as the topography is not conducive to sidewalks. We would also have to get County right-of-way. Mayor Graham stated that earlier the County would not let us put the sidewalks in. We will talk to them again about whether they are going to widen the road.

N. Drolet replied that we should vote as it stands, but the committee should look at it again. R. Reckamp said he would vote provisionally only.

ROLL CALL: Grogan, aye; McCoskey, aye; True; aye; Polites, aye; Reckamp, aye; Mouser, aye; Drolet, J., aye; Snyder, aye; Bennett, aye; Renner, no; Drolet, N., aye; Engler, no; Albrecht, aye; Cozad, aye. Ayes - 12; Nays - 2. Motion carried.

Motion by J. Mouser and seconded by R. Reckamp to consider on 1st reading Item 4, an Ordinance amending Ord. 623, Zoning, Crocker Development.

S. Engler voiced his concern on spot zoning. He said it was illegal because it is incompatible with existing land use. It is surrounded by agriculture. J. Mouser said it was zoned for business. T. Shekell replied that it was zoned B-1, but they want B-2. It is consistent with the Comprehensive Plan. It is not spot zoning.

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

Motion by J. Mouser and seconded by D. Renner to consider on 1st reading Item 5, An Ordinance amending Ord. 623, Zoning, Estate of Everett Pfeiffer.

ROLL CALL: Grogan, aye; McCoskey, aye; True; aye; Polites, aye; Reckamp, aye; Mouser, aye; Drolet, J., aye; Snyder, aye; Bennett, aye; Renner, aye; Drolet, N., aye; Engler, no; Albrecht, aye; Cozad, aye. Ayes - 13; Nays - 1. Motion carried.

Motion by J. Mouser and seconded by D. Renner to suspend the rules to get financing done and place an Ordinance amending Ord. 623, Zoning, Estate of Everett Pfeiffer.

J. Drolet asked it was spot zoning. T. Shekell replied that it is single family, which is recommended. It is an existing house. There will not be any new construction. They can sell it to their son. In the comprehensive plan, it does show it as single family as the recommended land use.

S. Engler asked if it required $\frac{3}{4}$ vote. The Mayor determined that it only required $\frac{2}{3}$ vote.

ROLL CALL: Grogan, aye; McCoskey, aye; True; aye; Polites, aye; Reckamp, aye; Mouser, aye; Drolet, J., aye; Snyder, aye; Bennett, aye; Renner, aye; Drolet, N., no; Engler, no; Albrecht, aye; Cozad, aye. Ayes - 12; Nays - 2. Motion carried.

2nd Readings –

Motion by J. Mouser and seconded by N. Grogan to consider on 2nd reading Item 5, an Ordinance amending Ord. 623, Zoning, Estate of Everett Pfeiffer.

N. Drolet said it does not have a reason for an emergency reading. The law has passed granting the homeowners additional funding. He said he has been opposed to two readings in one night. He remains consistent with his past record. S. Engler also did not understand why this is on emergency reading especially since President Obama passed the legislation extending it to April.

D. Cozad said the family members knew the bill could be signed, but the committee decided to go ahead and push it through.

ROLL CALL: Grogan, aye; McCoskey, aye; True; aye; Polites, aye; Reckamp, aye; Mouser, aye; Drolet, J., aye; Snyder, aye; Bennett, aye; Renner, aye; Drolet, N., no; Engler, no; Albrecht, aye; Cozad, aye. Ayes - 12; Nays - 2. Motion carried.

RESOLUTIONS CONTINUED: Motion by J. Mouser and seconded by J. Albrecht to approve Item 2 – A resolution approving and accepting a subdivision of land to be known as the Estate of Everett Pfeiffer Minor Subdivision.

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

STANDING COMMITTEES -

Community Development: Motion by J. Mouser and seconded by J. Albrecht to approve the Chancellor Retirement Community revised building elevations. They are going all brick. All ayes. Motion carried.

Motion by J. Mouser and seconded by M. Bennett to approve St. Jude's Crusades Christmas Tree Lot to be held at 406 W. Hwy 50 from November 27th – December 24, 2009 with conditions met. They got in a little late for the committee's review.

Mayor Graham said they are a not-for-profit organization. The problem is it did not go to committee. The other Christmas lot did go through the process.

R. Reckamp replied that Mr. Cowden went through the committee and got his permit. He would be caused financial harm as he ordered trees without the knowledge of another tree lot being approved. J. Mouser said he could bring it through committee, and it will be approved. R. Reckamp said it will add three weeks, if he goes through committee. T. Shekell added that the applicant was unaware of the timing. The applicant would like to start selling them the day after Thanksgiving.

D. Cozad asked whether they went to committee last year and if they turned their paperwork on time. J. Drolet answered that the applicant submitted late for the last two years. It is the same applicant every time. This is their third location. He added that Gators is a terrible location. We already have serious vehicle problems at this location.

Motion by J. Albrecht and seconded by D. Cozad to send the request back to committee.

Mayor Graham said that they a non-profit church group. They could not submit until the owner signed their letter to use the property, so they could not get the application in earlier.

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

The next meeting is scheduled for Monday, November 23rd.

Public Works: R. Reckamp said that the last meeting was October 26th and the minutes are on the website. The next meeting will be held Monday, November 23rd at 7:00 p.m. in the Mayor's Conference room.

Public Safety: N. Drolet stated that the next meeting will be December 14th at 7:00 p.m.

Finance/Administration: M. Bennett said the next meeting is scheduled for November 23rd at 5:30 p.m.

Motion by M. Bennett and seconded by J. Albrecht to approve Warrant #196 in the amount of \$926,050.77.

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

Parks and Environment: D. Renner stated there was nothing to report. He wanted to thank John West, County Board member, for attending the meeting.

EXECUTIVE SESSION: None scheduled.

ADJOURNMENT:

Motion by J. Albrecht and seconded by N. Grogan to adjourn. All ayes. Motion carried.

The meeting was adjourned at 7:50 p.m.

Submitted by,

Philip A. Goodwin
City Clerk

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