

**O'FALLON CITY COUNCIL
MEETING MINUTES
Draft February 1, 2010**

The meeting was called to order at 7:00 p.m. by Mayor Gary Graham who asked the visiting Boy Scouts and Cub Scouts to present the colors and lead the Council in "The Pledge of Allegiance to the Flag." They have nine troops and packs in O'Fallon.

Mayor Graham read a proclamation declaring the month of February as Boy Scouts of America month in O'Fallon. The City of O'Fallon is starting the campaign for contributions for scouting this month.

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 January 19, 2010. All ayes. Motion carried.

PUBLIC HEARING – None scheduled.

RESIDENTS - Annette Hughes of 302 E. Jefferson voiced her concern that the decision to pave her driveway was back on the agenda to have a re-vote. Mayor Graham said an alderman that voted for her had requested a re-vote per a request from another alderman in the Ward under the rules. Ms. Hughes said she has a petition from her neighbors that they do not mind that she has a gravel driveway. She also had pictures of other gravel driveways. Mayor Graham stated that a copy of her father's contract with Kruep Construction states that he needs a concrete driveway. He then asked Ms. Hughes if she was a licensed electrician and if she knew the codes, and she replied that she was and did know some of the codes. Mayor Graham asked her if she was tearing down the old garage, and she replied yes. The issue is that the code states she has to have a concrete driveway. Ms. Hughes stated that the ofallon.org website should be printed on the application.

N. Drolet said that he drove by there today and noted that the majority of the houses have gravel driveways. He noted that the area does need to be cleaned up.

REPORTS:

Clerk's Report: City Clerk Goodwin read a request from the Sunrise Rotary of O'Fallon for O'Fallon Woman's Club to sell alcohol at the Katy Cavins Community Center on March 27, 2010 for the Guest Trivia Night event. Motion by R. Reckamp and seconded by E. True to approve the request. All Ayes. Motion carried.

Mayor's Report: Mayor Graham stated that he plans to appoint Chris Monroe as the City liaison for Central School District.

RESOLUTIONS: Motion by R. Reckamp and seconded by S. Engler to consider resolutions Items 1, 2, 4, and 5 under the Omnibus Agreement.

Mayor Graham read the following resolutions:

ITEM 1 – Resolution Authorizing the Mayor to Dispose of Real Estate Property, 03-25.0-102-001, commonly known as 122 Carbon Hill Road

ITEM 2 – Resolution Authorizing the Mayor to Dispose of Real Estate Property, 03-26.0-406-020, commonly known as 209 Hartman Lane

ITEM 4 - Resolution Authorizing the Mayor to Sign an Illinois Department of Transportation (IDOT) Local Agency Agreement for Federal Participation in the Porter Road & Simmons Road Roundabout, Section 08-0060-00-PV; Federal share in the amount of \$320,400 and Local share in the amount of \$170,100

ITEM 5 - Resolution Recommending Schedule B of the Executive Session Minutes Remain Closed Because the Need for Confidentiality Exists and the Approval of the Destruction of Audio and Video Recordings where more than 18 months have elapsed

Motion by R. Reckamp and seconded by N. Grogan to approve resolutions Item 1, 2, 4, and 5 under the previous omnibus agreement.

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.

ORDINANCES:

1st Readings –

Motion by D. Snyder and seconded by J. Mouser to consider Item 6 – An Ordinance creating a Freedom of Information Officer and establishing policies and procedures to remain in compliance with the Illinois Freedom of Information Act.

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.

2nd Readings – The following ordinances are on hold.

Ord. Adopting and Adding a new Chapter 120, “Residential Rental Licenses”, to the Code of Ordinances

Ord. Amending Ord. 623, Zoning, PUD Regency Park Corporate Campus
Ord. Approving the Tax Increment Redevelopment Plan and Project for the Regency Park TIF Redevelopment Project Area

Ord. Designating the Regency Park TIF Redevelopment Project Area
Ord. Adopting Tax Increment Financing for the Regency Park TIF Redevelopment Project Area

STANDING COMMITTEES –

Community Development: J. Mouser stated that the next meeting is scheduled at 6:00 p.m. on February 8th in the Mayor’s Conference room. They will have a special meeting on the crime-free housing ordinance at 5:30 p.m. on February 9th.

D. Funk said that whoever voted to overturn the Zoning Hearing Officer’s decision would need to second the vote.

Motion by D. Polites and seconded by M. Bennett to reconsider the variance request for 302 E. Jefferson.

J. Drolet questioned why we would need to reconsider the vote. D. Polites said that Mr. True was not present and other information was disclosed since then. J. Drolet argued that it did not merit a vote be reconsidered.

S. Engler agreed on the absent member, but he asked what the other information was.

Mayor Graham replied that it was in the agenda packet.

D. Polites said that he had spoken to staff and they had more information.

Mayor Graham said that she is in the building trade and is not a novice. It is a City ordinance. The lack of knowledge of code is no excuse. The only way to change the ordinance is for the Council to change it.

D. Renner asked about the sidewalks and parking spaces for the development on Frank Scott Parkway. He was confused on the issues.

D. Funk said a no vote states that you want to reconsider the vote.

ROLL CALL: Grogan, aye; McCoskey, aye; Polites, aye; True, aye; Reckamp, aye; Mouser, aye; Drolet, J., no; Snyder, aye; Bennett, aye; Renner, no; Drolet, N., no; Engler, no; Albrecht, aye; Cozad, aye. Ayes - 10; Nays - 4. Motion carried.

Dale Funk said the vote is to uphold the Zoning Hearing Officer's decision.

Motion by J. Mouser and seconded by J. Albrecht to uphold the Zoning Hearing Officer's decision on the denial of the variance request for 302 E. Jefferson.

N. Drolet said that if we are not able to disagree with the Zoning Hearing Officer's decision, it shouldn't come up before Council. He said we should have a right to review. He said there is a fair amount of ambiguity in this issue. Most of the driveways are gravel in her neighborhood.

ROLL CALL: Grogan, aye; McCoskey, aye; True, aye; Polites, aye; Reckamp, aye; Mouser, aye; Drolet, J., no; Snyder, aye; Bennett, aye; Renner, no; Drolet, N., no; Engler, no; Albrecht, aye; Cozad, aye. Ayes - 10; Nays - 4. Motion carried.

Public Works: Motion by R. Reckamp and seconded by J. Albrecht to approve the purchase of 230 each $\frac{3}{4}$ " meters at a cost of \$40,100.50 and 230 each of 1" Badger water meters at a cost of \$53,192.10. The total cost is \$93,292.60.

M. Bennett asked how many we would use and how much money we are saving with the budget crunch. D. Sullivan answered that it depends on how many we will have to replace. He said we are saving 30% by buying in bulk.

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.

R. Reckamp said the next meeting is scheduled on February 22nd at 7:00 p.m.

Public Safety: N. Drolet stated that the next meeting will be February 8th at 7:00 p.m.

Finance/Administration: Motion by M. Bennett and seconded by J. Albrecht to approve Warrant #201 in the amount of \$728,231.32.

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.

M. Bennett said the next meeting is scheduled February 22nd at 5:30 p.m.

Parks and Environment: D. Renner said he had no report.

EXECUTIVE SESSION: Motion by N. Grogan and seconded by J. Albrecht to go into closed session to discuss property acquisition. All ayes. Motion carried.

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.

Council went into executive Session at 7:34 and returned at 7:45 p.m.

Motion by J. Albrecht and seconded by D. Polites to approve Item 3 - A Resolution authorizing the City to purchase real estate located at 102 E. State Street.

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

ADJOURNMENT:

Motion by J. Mouser and seconded by J. Albrecht 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