

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

The meeting was called to order at 7:01 p.m. by Mayor Gary Graham. He 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, excused; 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 February 16, 2010. All ayes. Motion carried.

PUBLIC HEARING – None scheduled.

RESIDENTS - Ryan McWhorter spoke against the Alma/Anne/Edwards sewer project. He requested that the project be placed on hold until it could be re-evaluated. He had a concern with the estimated cost for hookup at \$1,500 to \$10,000. He would prefer that each resident pay \$2.85 on their water/sewer bill for the improvement. Mayor Graham explained about the infiltration from the old sewer laterals. It overloads our sewer plant. He suggested he could have his line tested because the ordinance is clear that the line must be replaced if it is leaking as everyone pays for the infiltration. R. Reckamp added that the City will pay for the materials. If the sewer is Orangeburg, it will most likely fail. M. Bennett added that the sanitary sewer is an enterprise fund. Mayor Graham asked D. Sullivan about financing, and he stated that earlier he had mistakenly said that we offer no interest loans, but they are low interest loans. He will stand by the no interest comment, though. Chelsey McWhorter also spoke and said that the focus should remain on the lateral shortage ordinance. Mayor Graham answered that the people with newer homes do not want to pay the fee.

Russ Wieman spoke against the crime-free rental ordinance. He has management people take care of his rentals, and they do a good job. With the market being down, there are many rentals available.

Jim Miller spoke against the proposed crime free ordinance. He does not have problems with his renters and believes the ordinance to be discriminatory against race.

Mayor Graham stated that people want to live in O'Fallon because of the safe neighborhoods. He wants the community to remain good in the future. He said it was not a racial or social issue.

J. Miller had concerns with the landlord conducting background checks. J. Betten stated that the landlords can conduct the background checks. The City will not set a standard as the landlord will have that responsibility. J. Miller also had a concern with the landlord being ultimately responsible for the water bills of the tenants.

REPORTS:

Clerk's Report: City Clerk Goodwin read a request from Frieze Harley-Davidson to conduct a raffle on May 16, 2010 for charity. The prize is a trip to Punta Cana, and a request from the Senior Citizens Club to conduct a raffle from April – September 15, 2010 for a quilt and other prizes. He also read a request from O'Fallon Sunrise Rotary to sell alcohol at the Katy Cavins Community Center on May 1, 2010 for the S.A.V.E. fundraiser. Motion by R. Reckamp and seconded by E. True to approve the request. All ayes. Motion carried.

Mayor's Report: Mayor Graham announced the appointment of Aaron Broyles to the Planning Commission. Motion by J. Albrecht and seconded E. True to approve the appointment. All ayes. Motion carried.

Mayor Graham asked the Girl Scouts in attendance to come forward, and he presented them a Proclamation declaring the week of March 7 – March 13, 2010 as Girl Scout Week. He mentioned that the local area supports over 15,000 girls.

RESOLUTIONS:

Motion by R. Reckamp and seconded J. Albrecht to approve Resolution Items 1, 2, and 3 under the Omnibus Agreement. All ayes. Motion carried.

Mayor Graham read the following resolutions:

Item 1 - A Resolution authorizing the Mayor to execute an agreement with Hoelscher Engineering for additional design of Matthew Drive Storm Sewer Remediation at a cost of \$12,600

Item 2 - A Resolution authorizing the Mayor to execute an agreement with Hoelscher Engineering for Design of Jamestown Road Culvert Repair at a cost of \$39,700

Item 3 - A Resolution authorizing the Mayor to execute an agreement with LW Contractors for installation of Sanitary Sewer Mains in the Behrens Area at a cost of \$131,531.00.

Motion by R. Reckamp and seconded J. Albrecht to approve Items 1, 2, and 3 under the previous Omnibus Agreement.

ROLL CALL: Grogan, aye; McCoskey, aye; True, aye; Reckamp, aye; Mouser, aye; Drolet, J., aye; Snyder, aye; Bennett, aye; Renner, aye; Drolet, N., aye; Engler, aye; Albrecht, aye; Cozad, aye. Ayes - 13; Nays - 0. Motion carried.

ORDINANCES:

1st Readings – None listed.

2nd Readings –

Motion by J. Mouser and seconded by J. Albrecht to approve on 2nd reading an Ordinance Adopting and Adding a new Chapter 120, “Residential Rental Licenses”, to the Code of Ordinances.

Discussion ensued. N. Drolet said he was in favor of safe neighborhoods, but the fees should run the program and not be added to the general fund. Rental units pay significantly more taxes than an owner pays. For example, if a senior owned the house, than their bill would be \$695 less. He would prefer that we start with multi-family owned property. We already do occupancy inspections that the proposed ordinance would also cover. He also had a concern with conducting background checks.

J. Drolet spoke to Chief Betten earlier in the day. He is still concerned about the fees.

Motion by J. Drolet and seconded by N. Drolet to amend the previous motion to set the application fee at \$50.00 with a renewal fee of \$25.00 per unit.

ROLL CALL: Grogan, no; McCoskey, no; True, no; Reckamp, no; Mouser, no; Drolet, J., aye; Snyder, no; Bennett, no; Renner, no; Drolet, N., aye; Engler, aye; Albrecht, no; Cozad, no. Ayes - 3; Nays - 10. Motion failed.

J. Drolet wanted certain items from the checklist removed. The items were #4, background check, #6, eviction, #2, the speed bumps painted yellow and red, #7, playground area, #8, swings, #9, playground equipment, #10, cleanliness of recreation areas, #11, recreation seating, #12, pool depth marked, #13, pool furniture, and #18 adequate trash receptacles.

Motion by J. Drolet and seconded by S. Engler to amend the motion to convert item #4 to a recommended item instead of mandatory; that # 2,7, 8, 9, 10, 11, 12, 13 and 18 to have those items removed from the checklist.

D. Renner said the speed bumps are there to prevent speeding. He believes that the speed bumps and playground equipment are safety items.

ROLL CALL: Grogan, no; McCoskey, no; True, no; Reckamp, no; Mouser, no; Drolet, J., aye; Snyder, aye; Bennett, no; Renner, no; Drolet, N., aye; Engler, aye; Albrecht, no; Cozad, no. Ayes - 4; Nays - 9. Motion failed.

The vote on the original motion:

ROLL CALL: Grogan, aye; McCoskey, aye; True, aye; Reckamp, aye; Mouser, aye; Drolet, J., no; Snyder, aye; Bennett, aye; Renner, aye; Drolet, N., no; Engler, no; Albrecht, aye; Cozad, aye. Ayes - 10; Nays - 3. Motion carried.

Motion by J. Mouser and seconded by J. Albrecht to approve on 2nd reading an Ordinance amending Ord. 776, Chapter 111, Section 111.23, Fees for Peddler's License.

ROLL CALL: Grogan, aye; McCoskey, aye; True, aye; Reckamp, aye; Mouser, aye; Drolet, J., aye; Snyder, aye; Bennett, aye; Renner, aye; Drolet, N., aye; Engler, aye; Albrecht, aye; Cozad, aye. Ayes - 13; Nays - 0. Motion carried.

STANDING COMMITTEES –

Community Development: Motion by J. Mouser and seconded by N. Grogan to approve the Special Event request for the Metro East Cycling "O'Fallon Grand Prix Bicycle Race" on June 5, 2010 from 6:00 a.m. – 4:00 p.m. with conditions as outlined in Staff Report. D. Renner has concerns with the bike riders riding three abreast. All ayes except for D. Renner.

Motion by J. Albrecht and seconded by M. Bennett to approve the Special Event Request from St. Clare School for the Knight Track Team – 5k Challenge on April 3, 2010 from 9:00 a.m. – 11:00 a.m. All ayes. Motion carried.

Motion by J. Mouser and seconded by J. Albrecht to approve the Special Event request for the Frieze Harley Davidson May Open House on May 15, 2010 from 10:00 a.m. – 4:00 p.m., the 15th Annual Cancer Benefit Ride on May 16, 2010 from 8:30 a.m. – 12:00 p.m. and the New Model Year Open House on September 11, 2010 from 10:00 a.m. – 4:00 p.m. All ayes. Motion carried.

The next meeting is scheduled for March 8th.

Public Works: R. Reckamp said he will have several items for the next Council meeting. The next meeting is scheduled on March 22nd at 7:00 p.m.

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

Finance/Administration: Motion by M. Bennett and seconded by E. True to approve Warrant #203 in the amount of \$569,389.30.

ROLL CALL: Grogan, aye; True, aye; McCoskey, aye; Reckamp, aye; Mouser, aye; Drolet, J., aye; Snyder, aye; Bennett, aye; Renner, aye; Drolet, N., aye; Engler, aye; Albrecht, aye; Cozad, aye. Ayes - 13; Nays - 0. Motion carried.

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

Parks and Environment: W. Denton stated the next meeting is March 8th at 5:00 p.m.

EXECUTIVE SESSION: Mayor Graham announced that the Council would go into executive session to discuss possible litigation.

Motion by J. Albrecht and seconded by N. Grogan to go into executive session at 8:04 p.m.

ROLL CALL: Grogan, aye; True, aye; McCoskey, aye; Reckamp, aye; Mouser, aye; Drolet, J., aye; Snyder, aye; Bennett, aye; Renner, aye; Drolet, N., aye; Engler, aye; Albrecht, aye; Cozad, aye. Ayes - 13; Nays - 0. Motion carried.

The Council returned to the meeting at 8:09.

ADJOURNMENT:

Motion by M. Bennett and seconded by D. Renner to adjourn. All ayes. Motion carried.

The meeting was adjourned at 8:10 p.m.

Submitted by,

Philip A. Goodwin
City Clerk

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