

**O'FALLON CITY COUNCIL
MEETING MINUTES
Draft May 3, 2010**

The meeting was called to order at 7:00 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, 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 April 19, 2010. All ayes. Motion carried.

PUBLIC HEARING – Mayor Graham opened the Public Hearing at 7:01 p.m. for consideration of the Annexation Agreement for 120 Behrens Ave., 122 Carson, 128 Carson, 126 Carson, 124 Carson, 118 Carson, 114 Carson, 110 Carson, 106 Carson, 104 Carson, 102 Carson, 123 Behrens, 125 Behrens and 127 Behrens. Mayor Graham called three times for public input but no one came forward. The Mayor closed the hearing at 7:03 p.m.

RESIDENTS - No one came forward.

REPORTS:

Clerk's Report: No report.

Mayor's Report: Mayor Graham invited the OTHS basketball team and their coaches to the front of the chamber and read a Proclamation declaring May 3, 2010 as OTHS Boy Basketball Team Day.

He then read a Proclamation declaring May 16 – May 22, 2010 as Emergency Medical Services Week and presented it to several EMS employees that were in attendance.

Mayor Graham mentioned that on Thursday, at noon on May 6th, the City Hall will hold prayer services for the National Day of Prayer. It is sponsored by a non-denominational group.

He also presented a Proclamation declaring the month of May as Building Safety Month to Jeff Stehman, Building and Zoning Supervisor.

RESOLUTIONS:

Mayor Graham stated that Item 5, A Resolution Authorizing the Mayor to Sign an Annexation Agreement with the following property owners: William Hamrich, 122 and 128 Carson; Shirley and Sandra Buchanan, 126 Carson; John Hamrich, 124 Carson; Kevin Link, 118 Carson; Ruth & Donald Delkus, 114 Carson; William Schaeffer, 110 Carson; Deborah Barker, 106 Carson; David Carson, 104 Carson; Shirley Wright, 102 Carson; Gary & Rebecca Oliviero, 123 Behrens; and Gerald and JA Hagene; 127 Behrens and Item 6, a Resolution Authorizing the Mayor to Sign an Annexation Agreement with Steve Maher for 120 Behrens Drive is on hold.

Motion by J. Albrecht and seconded by J. Mouser to consider resolutions 2, 3, 4 and 7 under the Omnibus agreement. All ayes. Motion carried. Mayor Graham read them aloud:

Item 2, a Resolution authorizing the Mayor to execute an agreement with L W Contractors, Inc. for the Anne, Alma, & Edwards Sewer Replacement, Phase I in the amount of \$159,632.

Item 3, a Resolution authorizing the Mayor to execute an agreement with Rhutasel and Associates, Inc. for Professional Services pertaining to Staking and Inspection Services for the Old Collinsville Road Reconstruction project in an amount not to exceed \$80,000.

Item 4, a Resolution authorizing the Mayor and City Clerk to submit a Permit Application to St. Clair County for the reconstruction of a 12" Water Line in the right-of-way of O'Fallon-Troy Adjacent to Hearthstone Subdivision.

Item 7, a Resolution authorizing the Director of Finance to Secure a Lease/Purchase Agreement for Equipment/Vehicles for FY 2010/2011.

Motion by J. Albrecht and seconded by N. Grogan to approve resolutions 2, 3, 4, and 7 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.

Motion by J. Albrecht and seconded by R. Reckamp to approve Item 1, a Resolution authorizing the Mayor to sign the IDOT resolution for the Metro East Cycling for a bicycle race criterium on June 6, 2010 between 7:00 a.m. – 4:00 p.m. for the temporary closure of Hilgard to Parkview Street.

M. Bennett inquired as to whether the insurance covered our liability. Mayor Graham answered that they had provided a Certificate of Liability of \$1,000,000 per incident for a total of \$3,000,000. The City does not want to take on any unnecessary risk. The City also has tort immunity.

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

ORDINANCES:

1st Readings – Motion by J. Albrecht and seconded by R. Reckamp to consider Items 8, 9, and 10 under the Omnibus Agreement. All ayes. Motion carried.

Mayor Graham read the ordinances:

Item 8, an Ordinance prohibiting the use of groundwater as a potable water supply by the installation or use of Potable Water Supply Wells or by any other method

Item 9, an Ordinance adopting an amendment to the Official Comprehensive Plan governing the development of the City of O'Fallon

Item 10, an Ordinance approving the 1st Addition to Illini Trails Final Plat

Motion by J. Albrecht and seconded by J. Mouser to approve Items 8, 9 and 10 on 1st reading.

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. Albrecht and seconded by R. Reckamp to approve item 11, an Ordinance amending Ord. 623, Zoning, MERS/Missouri Goodwill Donation Trailer.

M. Bennett stated that the trailer may be left unattended and could become an eyesore. If they have a presence in O'Fallon, they need to find a suitable location – not a trailer. The location is a major commercial location for the City. D. Renner agreed.

E. True voiced his concern that they may swap the new trailer for an older trailer. He was also concerned about the trailer using parking spaces. J. Albrecht added that he had a call from a business owner that stated that are other businesses in

town that sell those types of items. The Goodwill said they were only able to use 50% of the items donated.

N. Drolet had five items of concern: It does not meet our sign ordinance, does not meet the trailer ordinance, parking spaces would be used, and it has a negative impact on the businesses in town; also a citizen told him that in an older section of town that they had a similar situation and found that some people rummaged through the donated items.

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

2nd Readings – Motion by J. Albrecht and seconded by R. Reckamp to consider on 2nd Reading Items 13, 14 and 15 under the Omnibus Agreement. All ayes. Motion carried. Mayor Graham read the ordinances:

Motion by J. Albrecht and seconded by J. Mouser to approve items 13, 14 and 15 under the previous Omnibus agreement.

Item 13, an Ordinance designating as a Local Historic Landmark 305 North Cedar Street, as amended

14. An Ordinance designating as a Local Historic Landmark 118 Ruth Drive

15. An Ordinance amending Ord. 3621, budgeting for all corporate purposes for the fiscal year beginning May 1, 2009 and Ending April 30, 2010

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. Albrecht and seconded by R. Reckamp to approve Ordinance 12, amending City Zoning Code by amending regulations for accessory structures and giving authority to enforce the Commercial Design Handbook, as amended.

J. Drolet stated that the increase of square footage to 1,000 sq. ft. was better, and we should not be putting a limit on the materials that could be used.

M. Bennett voiced his concern that people with smaller homes would be adversely affected. He also hoped that in the future the Council will listen favorably to any variances brought before them.

R. Reckamp added that people with small homes need more storage. He believes that the line has to be drawn somewhere, and this is the logical way to do it.

ROLL CALL: Grogan, aye; McCoskey, aye; True, aye; Polites, aye; Reckamp, aye; Mouser, aye; Drolet, J., no; Snyder, no; Bennett, no; Renner, aye; Drolet, N., no; Engler, no; Albrecht, aye; Cozad, aye. Ayes - 9; Nays - 5. Motion carried.

The following Ordinances are on hold:

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. Albrecht said the next committee meeting is scheduled for May 10th.

Public Works: R. Reckamp announced that the committee will meet on May 24th.

Public Safety: D. Renner stated the committee will meet at 5:00 p.m. on May 10th.

Finance/Administration: M. Bennett suggested that the cover letters attached to the warrant be read for additional information. Motion by M. Bennett and seconded by J. Albrecht to approve Warrant #207 in the amount of \$503,985.14.

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. Polites stated that at the last meeting the Phase 3 bids were opened up for the Family Sports Park. Their next meeting is scheduled for May 10th at 5:30.

EXECUTIVE SESSION: None scheduled.

Mayor Graham will talk about the state of the City on Thursday, May 13th at 7:30 a.m. at the Regency Conference Center.

ADJOURNMENT:

Motion by R. Reckamp and seconded by N. Grogan to adjourn. All ayes. Motion carried.

The meeting was adjourned at 7:37 p.m.

Submitted by,

Philip A. Goodwin
City Clerk

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