

**O'FALLON CITY COUNCIL  
DRAFT MEETING MINUTES  
August 2, 2010**

The meeting was called to order at 7:04 p.m. by Mayor Gary Graham. He asked the visiting Boy Scout Troop 46 from the United Methodist Church to lead the Council in "The Pledge of Allegiance to the Flag." They are working on their merit badge.

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, absent; David Cozad, present. A quorum was declared present.

Motion by J. Mouser and seconded by E. True to approve the minutes of July 19, 2010. All ayes. Motion carried.

**PUBLIC HEARING** – Mayor Graham opened the Public Hearing at 7:05 p.m for the annexation agreement and TIF of Rasp Farm of the Zoning Amendment for the Planned Development Ordinance for Planned Office District and Planned Agricultural District for 51.09 acres development with office park, open space, and water retention basin proposed as Rasp Farm, located east of South Lincoln Avenue, south of Dartmouth Drive and north of Interstate 64. Mayor Graham called three times for public comment and Myra McMullen who resides on DeSoto commented on the emergency exit and her concern that when the offices are built out that she would like a guarantee that the emergency exit will not be opened. Mayor Graham answered that he understands her concern, but this Council cannot bind any future Council. He continued that it was a cut that has been there for years. It is only for an emergency. Our intent is to not open the exit. This project is for the residents of Southview to correct the flooding problem. As for the Edgewood connection, it is a problem because of the detention on the property. It is now a dry pond because we had a ruling by the Air Force who reviewed the plans and determined it could be dangerous because of the geese. T. Shekell added that the strip center is going to come down and be redeveloped as a small retail shop. The traffic improvements on Lincoln are a southbound left turn lane into the office park and a northbound right hand turn deceleration lane. S. Macaluso, developer, added that it would be tight.

A person from the Highway 50 area by Quality Rental asked how the TIF would affect them. T. Shekell answered that there are two pieces – one is the Rasp Farm office park and TIF expansion which is part of Lakepointe Office Park. There is no development planned there at all. Mayor Graham said it is benefitting the people of Southview and helping us take care of the problem on Dartmouth. It ties the TIF together.

Susan Gore of Red Pine asked if anyone would chain-lock the gate and who would have the keys. Chief Saunders replied that they have five keys and they are available 24/7 to arrange access. S. Gore added that the developer was putting in a drainage ditch to keep drainage from the new property from coming into their property; however, they told us they were going to elevate the land 12 feet. The land is now 12 feet higher than their house, so the ground is always soggy. Mayor Graham said they would look at the plans.

Another resident asked what class of building the offices would be and S. Macaluso replied that they would look similar to the ones on Cambridge.

Stewart Drolet asked about the emergency access road. S. Macaluso answered that it is a 12 foot wide asphalt cart path that goes in between two office buildings. It will not be a road or have 50 foot of right-of-way as a road would. It may end up being just an access easement. It will be used if a catastrophic event occurred on Lincoln and the office park at the same time. T. Shekell added that the emergency exit is in the annexation agreement and it is good for 20 years. Mayor Graham closed the public hearing at 7:25 p.m.

**RESIDENTS** - N. Drolet spoke as a citizen/alderman and made a statement regarding the editorial in the Belleville News Democrat on July 29th by Lori Browning. He went on to say that her statement did a disservice to the aldermen and the BND.

Mayor Graham recognized Senator McCarter and John West, County Board chairman.

## **REPORTS:**

**Clerk's Report:** City Clerk Goodwin read a request from the O'Fallon Woman's Club to conduct a raffle for gift certificates from September 1 – December 16, 2010, a request from the O'Fallon Woman's Club to conduct a raffle for Longaberger Baskets from September 1 – November 10, 2010 and a request from St. Clare Church to conduct a raffle for cash and various prizes from August 22 – September 25, 2010. Motion by R. Reckamp and seconded by E. True to approve the requests. All ayes. Motion carried.

City Clerk Goodwin then read a request from Dania Shrine Club to conduct a roadblock on September 10, 2010 from 7:00 – 9:00 a.m. pending insurance submission. Motion by D. Renner and seconded by D. Polites to approve the request. All ayes except a nay from N. Drolet and S. Engler.

**Mayor's Report:** No report.

## **RESOLUTIONS:**

Mayor Graham read resolution Item 1, A Resolution authorizing the City Clerk to execute an IDOT resolution form approving the use of Motor Fuel Tax (MFT) and Grant Funds in the amount of \$2,500,000 for the Milburn School Road Project. Motion by J. Mouser and seconded by N. Grogan to approve resolution Item 1.

**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; Cozad, aye. Ayes - 13; Nays - 0. Motion carried.

Mayor Graham read a Resolution authorizing the Mayor to execute an updated Intergovernmental Agreement with the St. Clair County ETSB for the purpose of providing adding responsibility for dispatching for Shiloh PD and transfer responsibility for the East Side Fire Department to the Current Agreement. Motion by J. Mouser and seconded by E. True to approve resolution Item 2. All ayes. Motion carried.

### **ORDINANCES:**

#### **1<sup>st</sup> Readings –**

Mayor Graham read an Ordinance to consider on 1st reading, an Ordinance annexing 505 N. Seven Hills Road, 2.9 Acres. Motion by J. Mouser and seconded by E. True to consider Item 3.

**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; Cozad, aye. Ayes - 13; Nays - 0. Motion carried.

#### **2nd Readings –**

No first reading ordinances brought forward.

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

Mayor Graham stated that item 4 for the Rasp Farm TIF, the Resolutions, and Ordinances must be voted on in the order presented on the agenda.

Mayor Graham read a resolution to approve the Mayor to sign an Annexation Agreement with Mark Halloran for Porter Road, LLC for the Rasp Farm Office

Park. Motion by J. Mouser and seconded by R. Reckamp to authorize the agreement.

M. Bennett inquired whether the resolutions bind them to the plan. T. Shekell said that the annexation agreement is tied to the ordinances, which will come up again on 2<sup>nd</sup> reading. The annexation ordinance is tied to the plat.

After M. Bennett brought up discussion issues from Community Development, T. Shekell answered that he met with some school officials and they walked the property, but the school did not see any advantages to a bus turn-around area.

S. Engler inquired about the annexation of the property, and Mayor Graham stated that Shiloh could have built anything there, so we asked them to de-annex.

R. Reckamp added that he had four points he wanted to bring up:

- 1) Emergency access on Dartmouth is a mistake
- 2) We do not currently need another park. It would also add traffic.
- 3) There are two cul-de-sacs on the preliminary plat
- 4) If the main road connects to Edgewood Drive, emergency vehicles would have a direct route into the development

Mayor Graham replied that we have a second reading on these, so corrections can be made later.

Motion by M. Bennett and seconded by R. Reckamp to place the annexation agreement on hold.

D. Snyder inquired about the annexation agreement. T. Shekell replied that it has a PUD attached. It has aspects of a subdivision and zoning. The plat could be amended tomorrow, but the annexation agreement lasts twenty years. He continued that procedure must be followed, so you have to annex the ground before the zoning plat or any of the TIF's are approved.

D. Funk added the resolution is an agreement that protects both the City and the developer. If you pass the resolution tonight but never annex the property, it is useless.

**ROLL CALL:** Grogan, no; McCoskey, no; True, aye; Polites, no; Reckamp, aye; Mouser, no; Drolet, J., aye; Snyder, no; Bennett, aye; Renner, present; Drolet, N., aye; Engler, aye; Cozad, no. Ayes - 6; Nays - 6; Present 1. Motion failed.

J. Drolet expressed his concern about the traffic count increase on Lincoln. It could add up to 5,000 cars daily. He has pushed for connectivity. He would never be able to approve a Phase II of this project.

N. Drolet stated that he does not know how we can justify taking a million dollars from an existing TIF and not use it for where the money was raised and put it over to the expanded TIF. He said he understood that the developer assured the residents on Edgewood that there would be no connectivity. He said that should be the Council's responsibility. He added that Edgewood needs to be connected. He added that the detention pond is a benefit to the developer, as well as to the City. They need the dirt to raise the ground. He believes the cul-de-sacs do not meet the requirements.

Mayor Graham replied that this is about the people on Dartmouth. We have to try to make this work.

J. Mouser said when the water comes off on the collection storm sewer grates the drains get blocked. He also inquired if the resolution fails, will it be a year before it can come back? T. Shekell replied that he was not sure.

D. Polites said it will be a beautiful office park, as well as relieve the drainage problems.

Vote on original motion:

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

Motion by J. Mouser and seconded by D. Renner to consider on 1<sup>st</sup> Reading the ordinance annexing certain territory known as Rasp Farm.

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

Motion by D. Renner and seconded by D. Polites to consider on 1<sup>st</sup> Reading the Ordinance amending Ord. 623, Planned Use Zoning Rasp Farm.

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

Motion by J. Mouser and seconded by D. Renner to approve the Resolution approving and accepting the preliminary plat of the Rasp Farm and Associated Minor Subdivision Plats.

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

Motion by J. Mouser and seconded by E. True to consider on 1<sup>st</sup> Reading the Ordinance mending the Tax Increment Redevelopment Plan and Project for the Tax Increment Financing Redevelopment Area #1 (Rasp Farm TIF).

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

Motion by J. Mouser and seconded by D. Renner to consider on 1<sup>st</sup> Reading the Ordinance amending the designation of the O'Fallon TIF #1 Tax Increment Financing Project Area.

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

Motion by J. Mouser and seconded by E. True to consider on 1<sup>st</sup> Reading the Ordinance amending prior adoption of Tax Increment Financing.

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

#### **STANDING COMMITTEES –**

**Community Development:** G. McCoskey stated that the minutes are in the packet and the next committee meeting is scheduled for Monday, August 9<sup>th</sup> at 6:00 p.m. in the Mayor's Conference Room.

**Public Works:** R. Reckamp stated the next meeting is scheduled for Monday, August 23rd at 7:00 p.m.

**Public Safety:** D. Renner stated that he did not have a report.

**Finance/Administration:** Motion by M. Bennett and seconded by E. True to approve Warrant #213 in the amount of \$2,014,890.90.

**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; Cozad, aye. Ayes - 13; Nays - 0. Motion carried.

**Parks and Environment:** D. Polites stated that the next meeting is scheduled for the second Monday August 9<sup>th</sup> at 5:30 p.m.

**EXECUTIVE SESSION:** Mayor Graham stated that there is no executive session.

**ADJOURNMENT:**

Motion by D. Renner and seconded by E. True to adjourn. All ayes. Motion carried.

The meeting was adjourned at 8:24 p.m.

Submitted by,

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Philip A. Goodwin  
City Clerk

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