

## CITY OF O'FALLON

### GARY L. GRAHAM

Mayor

### PHILIP A. GOODWIN

City Clerk

Walter Denton  
City Administrator

### DAVID H. HURSEY

City Treasurer

### ALDERMAN

Gene McCoskey Ward 1 John Drolet Ward 4

Richie Meile Ward 1 Michael Bennett Ward 5

Ed True Ward 2 Courtney Cardona Ward 5

Jerry Albrecht Ward 2 Jim Hursey Ward 6

Jerry Mouser Ward 3 Ray Holden Ward 6

Kevin Hagarty Ward 3 David Cozad Ward 7

Herb Roach Ward 4 Harlan Gerrish Ward 7

## CITY COUNCIL MEETING

### A G E N D A

Monday, October 20, 2014

7:00 P.M. – Council Chambers

#### I. CALL TO ORDER

#### II. PLEDGE OF ALLEGIANCE

#### III. ROLL CALL

#### IV. APPROVAL OF MINUTES – [October 6, 2014](#)

#### V. PUBLIC HEARING –

#### VI. REPORTS

**A. Residents of O'Fallon** – This portion of the City Council meeting is reserved for any resident wishing to address Council. The Illinois Open Meetings Act (5 ILCS 120/1) mandates NO action shall be taken on matters not listed on this agenda, but Council may direct staff to address the topic or refer the matter to a committee. Please provide City Clerk with name & address; speak into microphone; limit presentation to 3 minutes; and avoid repetitious comments. Thank you.

#### B. Clerk's Report

#### C. Mayor's Report

1. Halloween hours are Friday, October 31, 2014 from 6-9 p.m.

#### VII. RESOLUTIONS –

**ITEM 1** – Resolution authorizing the City of O'Fallon to acquire real estate (staff report) (to be voted on after Executive Session)

**ITEM 2** Resolution authorizing the Mayor to enter into an agreement with O'Fallon Local 2817, AFSCME Labor Council (staff report)

#### VIII. ORDINANCES -

1<sup>st</sup> reading –

- ITEM 3** – Ordinance designating, 226 West State, known as the Wachter Building, as a Local Historic Landmark in O’Fallon, Illinois ([staff report](#)) ([additional info](#))
- ITEM 4** – Ordinance amending Solicitor and Peddler’s Ordinance ([staff report](#))
- ITEM 5** – Ordinance amending truck ordinance ([staff report](#))
- ITEM 6** – Ordinance amending the parking ordinance ([staff report](#))

**B. 2<sup>ND</sup> Reading –**

- Ord. amending Ord. 623, Zoning, development known as St. Elizabeth’s Hospital to be located at 1501 North Green Mount Road
- ITEM 7** - Ord. amending Ord. 623, Zoning, development known as Gander Mountain to be located at 1234 Central Park Drive ([staff report](#)) ([map](#))
- Ord. authorizing the establishment of a route 50/Scott Troy Road Tax Increment Financing (TIF) “Interested Parties” registries and adopting registration rules for these registries
- Ord. authorizing the establishment of Central City Tax Increment Financing “Interested Parties” registries and adopting registration rules for these registries
- Ord. Approving the Franchise Agreement (**On Hold**)

**IX. STANDING COMMITTEES**

1. Community Development - ([minutes attached](#)) – **MOTION**: Special event permit for sign at Papa Murphy’s **MOTION**: Special event permit for St. Jude’s Crusaders Charity Christmas Tree Lot at 406 W 50 (Gator’s frozen custard) 11-28-14 to 12-23-14
2. Public Works
3. Public Safety ([minutes attached](#)) - **MOTION**: Reaffirming addendum to communications site agreement
4. Finance and Administration
5. Parks/Environment

**X. EXECUTIVE SESSION** – Occasionally, the Council may go into closed session in order to discuss such items covered under 5 ILCS 120/2 (b) which are as follows: Legal Matters; Purchase, Lease or Sale of Real Estate; Employment/appointment matters; Business matters or Security/criminal matters and may possibly vote on such items after coming out of closed session.

**XI. ACTION TAKEN ON EXECUTIVE SESSION ITEMS**

**XII. ADJOURNMENT**

**O'FALLON CITY COUNCIL  
MINUTES OF THE REGULAR COUNCIL MEETING  
Draft October 6, 2014**

The regular meeting was called to order at 7:00 p.m. by City Clerk Goodwin who led the Council in "The Pledge of Allegiance to the Flag."

Philip Goodwin, City Clerk, called the roll: Gene McCoskey, present; Richie Meile, present; Ed True, present; Jerry Albrecht, present; Jerry Mouser, present; Kevin Hagarty, present; John Drolet, present; Herb Roach, present; Michael Bennett, present; Courtney Cardona, present; Jim Hursey, present; Ray Holden, present; David Cozad, present; Harlan Gerrish, present. A quorum was declared present.

City Clerk Goodwin asked for a motion to appoint a Mayor Pro Tem. Motion by J. Albrecht and seconded by H. Roach to appoint Alderman Mouser as Mayor Pro Tem. All ayes. Motion carried.

Mayor Pro Tem Mouser asked for approval of the minutes. Motion was made by J. Albrecht and seconded by K. Hagarty to approve the minutes of September 15, 2014. All ayes. Motion carried.

**PUBLIC HEARING** – None scheduled.

**RESIDENTS:** Mayor Pro Tem Mouser stated that if someone came forward regarding the concerns about the water sale, to only speak if they had something to add to the earlier discussion, as the issue was not on the agenda.

Emily Walton came forward and stated she was with UCM. She stated that she thinks the City should maintain control of the water and sewer.

Retired employee, Galyn Rushing, stepped forward and talked about the boundaries that the water department covers. He stated that 80 – 90% of the improvements have been made from the sale of water. He also added that we have a great ISO rating. He added that water can stand on its own whereas businesses come and go.

Vern Malare also came forward. He voiced his concerns that we are moving too fast with the turn around on the RFP and the sale or lease.

Mayor Pro Tem Mouser reminded everyone that we do not have to do anything. At this point, we do not have a proposal yet.

Terry Lysakowski, retired Water department employee, asked if we have the right to refuse any of the bids, and Mayor Pro Tem Mouser answered that we do.

## **REPORTS:**

**Clerk's Report:** City Clerk Goodwin read the following requests:

1. Request from O.U.S.A.R.T to conduct a roadblock at the intersection of State and Lincoln on November 28 and November 29, 2014 from 8:00 a.m. – noon
2. Request from Metroeast Pachyderm Club to conduct several raffles for various prizes on December 4<sup>th</sup> at the Regency Conference Center
3. Request from the O'Fallon Rotary Club to sell alcohol for the benefit auction on November 1, 2014 at the Katy Cavins Community Center

Motion by E. True and seconded by M. Bennett to approve the requests. All ayes. Motion carried.

**Mayor's Report:** Mayor Pro Tem Mouser read a Proclamation declaring the week of October 5 – 11, 2014 as Fire Prevention Week. Chief Saunders invited the public to the Open House scheduled for Tuesday – Thursday this week from 6:30-8:30 p.m. at the Fire Station on Hwy 50. They are also visiting five schools in the District.

Mayor Pro Tem Mouser stated this month's Southwestern Illinois Council of Mayors will be held on Thursday, October 23<sup>rd</sup> at Smithton Turner Hall. He asked that they call Jamie to make your reservation by Friday, October 17th.

## **RESOLUTIONS:**

H. Roach asked for clarification on the TIF items that are on the agenda. W. Denton answered that the study is being done to determine the eligibility of the TIF.

Motion by J. Albrecht and seconded by G. McCoskey to consider Resolution Items 1 – 10 under the Omnibus Agreement. All ayes. Motion carried.

M. Bennett asked about item 10 and whether the parameters were the same. D. Sullivan said they added ADA compliance on Famous.

J. Albrecht read the following resolutions:

Item 1 – Resolution authorizing the Mayor to execute an agreement with CSX Railroad for the procurement of an easement at the State Street Railroad Crossing in the amount of \$2,700

Item 2 - Resolution authorizing the Mayor to execute an agreement with Rhutasel & Associates for the design of the presidential streets stormwater and street

improvements – Phase 1 in an amount not to exceed \$60,900 plus noted reimbursables

Item 3 – Resolution authorizing the Mayor and City Clerk to sign supporting documentation for the Community Development Block Grant (CDBG) for Howard, Lee, Estate, and Carson Stormwater Drainage Project

Item 4 – Resolution providing for a Feasibility Study on the designation of a portion of the City of O’Fallon as a redevelopment project area and to induce development interest within such area (Proposed Route 50/Scott Troy Road TIF Redevelopment Project)

Item 5 – Resolution authorizing the Mayor to execute a professional services contract with PGAV for the purpose of performing a feasibility study to determine the eligibility of a possible tax increment finance (TIF) district for the area northwest of Route 50/Scott-Troy Road

Item 6 – Resolution authorizing the Mayor to execute a pre-funding agreement between the City and Hawk Development Corporation (the “Developer”) of Nashville, Illinois concerning the proposed TIF District for the Route 50/Scott Troy Road TIF Redevelopment Project Area

Item 7 – Resolution providing for a Feasibility Study on the designation of a portion of the City as a Redevelopment Project Area and to induce Development Interest within such area (Proposed Central City TIF Redevelopment Project Area)

Item 8 – Resolution authorizing the Mayor to execute a professional services contract with PGAV for the purpose of performing a feasibility study to determine the eligibility of a possible Tax Increment Finance (TIF) District

Item 9 – Resolution authorizing the Mayor to execute a professional services contract with Business Districts, Inc. for the purpose of creating a downtown plan

Item 10 – Resolution authorizing the Mayor to execute an amended intergovernmental agreement with the Village of Shiloh and Central School District 104 for safe routes to schools

Motion by J. Hursey and seconded by G. McCoskey to approve the resolution Items 1 – 10 under the previous Omnibus Agreement.

**ROLL CALL:** McCoskey, aye; Meile, aye; True, aye; Albrecht, aye; Mouser, aye; Hagarty, aye; Drolet, aye; Roach, aye; Bennett, aye; Cardona, aye; Hursey, aye; Holden, aye; Cozad, aye; Gerrish, aye. Ayes - 14; Nos – 0. Motion carried.

## **ORDINANCES:**

**1<sup>st</sup> Reading** – Motion by J. Albrecht and seconded by G. McCoskey to consider 1<sup>st</sup> Reading Ordinances Items 11 – 14 under the Omnibus Agreement. All ayes. Motion carried.

J. Albrecht read the following Ordinances:

Item 11 – Ord. amending Ord. 623, Zoning, development known as St. Elizabeth's Hospital to be located at 1501 North Green Mount Road

Item 12 – Ord. amending Ord. 623, Zoning, development known as Gander Mountain to be located at 1234 Central Park Drive

Item 13 – Ord. authorizing the establishment of a route 50/Scott Troy Road Tax Increment Financing (TIF) "Interested Parties" registries and adopting registration rules for these registries

Item 14 – Ord. authorizing the establishment of Central City Tax Increment Financing "Interested Parties" registries and adopting registration rules for these registries

Motion by J. Albrecht and seconded by G. McCoskey to approve the resolution Items 11 – 14 under the previous Omnibus Agreement.

**ROLL CALL:** McCoskey, aye; Meile, aye; True, aye; Albrecht, aye; Mouser, aye; Hagarty, aye; Drolet, aye; Roach, aye; Bennett, aye; Cardona, aye; Hursey, aye; Holden, aye; Cozad, aye, Gerrish, aye. Ayes - 14; Nos – 0. Motion carried.

**2nd Readings** – The Ordinance approving the Franchise Agreement remains on hold.

## **STANDING COMMITTEES –**

**Community Development:** Motion by J. Albrecht and seconded by G. McCoskey to approve Option B for the Lincoln Avenue and State Street parking lot.

M. Bennett stated that we have to spend \$16,000 to repave without us looking at the plan or TIF approval. J. Mouser said it could be years before we did anything in the downtown area. W. Denton answered that the project would be TIF reimburseable if the inducement is approved, and it is deemed eligible for reimbursement.

G. McCoskey said that State and Lincoln does not have any striping. It could be years before anything is done in the area. It is in the heart of our downtown area. The whole corner will look better.

Mayor Pro Tem Mouser added that it has a decorative spot with green space and a handicapped spot.

H. Roach said it will be an effort to attract businesses there, as it will have additional parking. It is worth the investment.

**ROLL CALL:** McCoskey, aye; Meile, aye; True, aye; Albrecht, aye; Mouser, aye; Hagarty, aye; Roach, aye; Drolet, aye; Bennett, no; Cardona, aye; Hursey, aye; Holden, aye; Cozad, aye, Gerrish, aye. Ayes - 13; Nos – 1. Motion carried

He stated the committee will meet on October 13th at 6:00 p.m. at the Public Safety Building.

**Public Works:** R. Meile announced that they will meet October 27th at the Public Safety Building.

**Public Safety:** K. Hagarty stated his committee will meet October 13<sup>th</sup> at 5:00 p.m. at the Public Safety Building.

**Finance/Administration:** Motion by M. Bennett and seconded by J. Albrecht to approve Warrant #310 in the amount of \$1,277,788.35.

**ROLL CALL:** McCoskey, aye; Meile, aye; True, aye; Albrecht, aye; Mouser, aye; Hagarty, aye; Roach, aye; Drolet, recuse; Bennett, aye; Cardona, aye; Hursey, aye; Holden, aye; Cozad, aye, Gerrish, aye. Ayes - 13; Nos – 0; Recuse - 1. Motion carried.

**Parks and Environment:** E. True stated the October meeting is cancelled. They will meet the second Monday in November.

**EXECUTIVE SESSION:** No closed session.

H. Roach commended District 90 for their recent Gold award for their preschool program.

J. Albrecht said there will be an informational letter in the water bills going out this week regarding the water sale proposal.

K. Hagarty invited Ward 3 to the Town Hall meeting on October 16<sup>th</sup> at the Council Chambers.

J. Mouser has enjoyed his participation in the Citizen Police Academy. In answer to J. Mouser's question, Chief Van Hook said that the next Citizen Academy will be held next September. They use various social media methods to advertise it.

**ADJOURNMENT:** Motion by J. Albrecht and seconded by K. Hagarty to adjourn. All ayes. Motion carried.

The meeting was adjourned at 7:36 p.m.

Submitted by,

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Philip A. Goodwin  
City Clerk

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



**RESOLUTION 2014-**

**A RESOLUTION AUTHORIZING THE  
CITY OF O'FALLON TO ACQUIRE REAL  
ESTATE LOCATED AT 255 W. 5th ST.**

**WHEREAS**, the Corporate Authorities of the City of O'Fallon deem it advisable, necessary and in the public interest for the City of O'Fallon to acquire the real estate commonly known as 255 W. 5<sup>th</sup> St., O'Fallon, IL., Parcel Identification Number 04-30.0-416-0051 ; and

**WHEREAS**, pursuant to the provisions of 65 ILCS 5/11-61-3 the municipality is authorized to purchase and acquire real estate for public purposes; and

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF O'FALLON, ST. CLAIR COUNTY, ILLINOIS;

Section 1.

The City Council hereby determines that it is advisable and necessary and in the interest of the public that the City of O'Fallon assumes ownership of said real estate commonly known as 220 W. 5<sup>th</sup> Street, O'Fallon, IL., Parcel Identification Number 04-30.0-413-005 according to the terms of the contract.

Section 2.

The Mayor and Clerk of the City are hereby authorized and directed to enter in the contract for the purchase of the aforementioned real estate and execute all other documents necessary and do all things essential to complete the purchase of the aforementioned real estate.

Section 3.

This resolution shall be in full force and effect from and after its passage and approval and its publication in the manner provided by law.

Passed by the City Council this \_\_\_\_ day of October 2014.

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ATTEST:    Approved by the Mayor this --th day of October 2014.  
(seal)

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Philip A. Goodwin, City Clerk

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Gary L. Graham, Mayor

CITY OF O'FALLON, ILLINOIS  
RESOLUTION

**RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT  
WITH O'FALLON LOCAL 2817, AFSCME LABOR COUNCIL COVERING RATES OF  
PAY, WAGES, HOURS OF EMPLOYMENT, AND OTHER CONDITIONS OF  
EMPLOYMENT FOR SWORN MEMBERS OF SAID UNION EMPLOYED BY THE  
CITY OF O'FALLON, ILLINOIS**

**WHEREAS**, the City of O'Fallon employs members of the O'Fallon Local 2817, AFSCME Labor Council;

**WHEREAS**, an agreement has been reached between the City of O'Fallon and the O'Fallon Local 2817 Labor Council covering rates of pay, wages, hours of employment and other conditions of employment for sworn members of said union employed by the City of O'Fallon.

NOW, THEREFORE, Be it resolved by the Mayor and City Council of the City of O'Fallon, St. Clair County, Illinois as follows:

That the Mayor is hereby authorized to enter into an agreement with the O'Fallon Local 2817 AFSCME Labor Council covering rates of pay, wages, hours of employment and other conditions of employment for sworn members of said union employed by the City of O'Fallon pursuant to the agreement attached hereto, made a part hereof, and marked "Exhibit A."

This Resolution shall become effective immediately upon its adoption by City Council.

Passed by the City Council this 20<sup>th</sup> day of October 2014

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ATTEST:

(seal)

Approved by the Mayor this 20<sup>th</sup> day

of October 2014.

\_\_\_\_\_  
Philip A. Goodwin, City Clerk

\_\_\_\_\_  
Gary L. Graham, Mayor



## CITY COUNCIL AGENDA ITEMS

**To:** Mayor Graham and City Council  
**From:** Eric Van Hook, Chief of Police  
Walter Denton, City Administrator  
**Date:** October 15, 2014  
**Subject:** AFSCME 2817 Labor Contract

**List of committees that have reviewed:** None

**Background:** The AFSCME contract covering all EMS employees expired on April 30, 2014 and negotiations have been ongoing since that date. The City was notified on October 15, 2014 that the Local had approved the three year contract. Contract highlights include:

1. **Article 12 Clothing Allowance, Section 3**

Increase in clothing allowance of \$150.00 for an annual total of \$800.00

2. **Article 13 Wage Rates**

Base pay rates for each classification covered by this Agreement shall be increased as follows:

Effective May 1, 2014 increased by 3.00%.

Effective May 1, 2015 increased by 3.00%.

Effective May 1, 2016 increased by 3.00%.

Staff who successfully transition from EMT-Basic to EMT-Paramedic will see an increase in his/her salary consistent with the difference between the starting wages between the two classifications.

3. **Article 16 Work Schedule**

Work schedules will be posted three (3) months in advance. This is the schedule for the next year beginning January 1. Schedules can be posted with less than three (3) months' notice if it's mutually agreed upon by the bargaining unit and the administration. (Current agreement requires 6 months' notice)

An employee who is called in to work during scheduled time off shall have the option:

To work, and have compensatory time paid in lieu of overtime payments. If the employee elects compensatory time in lieu of cash payment, the employee shall not be allowed to carry over thirty six (36) hours. Compensatory time shall be earned at time and one-half

**Legal Considerations, if any:** None.

**Budget Impact:** As indicated in wage changes

**Staff recommendation:** Approval. If there are any questions they can be presented in executive session.

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE DESIGNATING  
AS A LOCAL HISTORIC  
LANDMARK THE WACHTER  
BUILDING AT 226 WEST STATE  
STREET IN O’FALLON, ILLINOIS,  
PURSUANT TO THE  
REQUIREMENTS OF CHAPTER  
151 OF THE O’FALLON CODE OF  
ORDINANCES  
(Situating in Parcel Number 04-30.0-  
224-010)**

**WHEREAS**, Chapter 151 of the City of O’Fallon Code of Ordinances provides rules and parameters for designating historic structures and districts; and

**WHEREAS**, Chapter 151 gives the Commission responsibility for recommending to the City Council those structures or districts that have significant local, state or national historical or architectural importance; and

**WHEREAS**, the Commission has received and accepted an application from Sal Cincotta for designation as a local historic landmark; and

**WHEREAS**, the Commission held a public hearing pursuant to the requirements of Chapter 151 on October 7, 2014 to consider the designation of the Wachter Building at 226 West State Street as a local historic landmark; and

**WHEREAS**, the Commission unanimously recommends to the City Council that the Wachter Building at 226 West State Street in the City of O’Fallon represents a site that is significant to the historical, cultural, artistic, social, ethnic, or political heritage of the community; embodies elements of design, detailing, materials or craftsmanship that render it architecturally significant; and represents a sense of time and place unique to the City.

**NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF O’FALLON, ST. CLAIR COUNTY, ILLINOIS AS FOLLOWS:**

**Section 1. Findings.** Based upon the City Council’s review of the application and the testimony giving at the public hearing, and having made itself familiar with the project, the council makes the following affirmative determinations: the Wachter Building at 226 West State Street is significant to the historical, cultural, artistic, social, ethnic, or political heritage of the community; embodies elements of design, detailing, materials or craftsmanship that render it architecturally significant; and represents a sense of time and place unique to the City.





**CITY COUNCIL AGENDA ITEM**

**To:** Mayor Graham and City Council

**From:** Ted Shekell, Planning Director  
Walter Denton, City Administrator

**Date:** October 20, 2014

**Subject:** Ordinance \_\_\_\_: An Ordinance Designating the Wachter Building at 226 W. State Street as a Local Historic Landmark in O'Fallon, Illinois (1<sup>st</sup> READING)

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**List of committees that have reviewed:** The Community Development Committee reviewed this application at their October 13, 2014 meeting and recommended approval with a vote of 5 to 0.

**Background:**

- Local Historic Landmark Designation for the Wachter Building, now home to Cincotta Photography at 226 W. State Street. Sal Cincotta is requesting the designation.
- The property meets the following designation criterion:
  - 1. Its significance or value as part of the historical, cultural, artistic, social, ethnic, political, or other heritage of the community, state or nation;
  - 5. Its embodiment of elements of design, detailing, materials or craftsmanship that renders it architecturally significant or innovative;
  - 8. Its representation of a sense of time and place unique to the City.
- The Historic Preservation Commission held a Public Hearing at its October 7, 2014 meeting and recommends approval of the Local Historic Landmark.

**Legal Considerations, if any:** None

**Budget Impact:** Minimal cost of plaque.

**Staff recommendation:** Approval of designation.



Building Name Salvatore Cincotta Photography Studio

File Number LD2014-01

Date Constructed 1887

PIN 04-30.0-224-010



APPLICATION FOR DESIGNATION AS A LANDMARK  
(Please print)

**I. Applicant**

A. Applicant's Name ~~Salvatore~~ Salvatore Cincotta

B. Mailing Address 226 W State St, O'Fallon, IL 62209

C. Telephone Number ~~618 810 3700~~ 815 851 0520

D. Please check (✓) under which capacity you are filing:

1. The recorded owner of the property, as of 3/24/2013 (date)

2. Other. (Explain fully) \_\_\_\_\_

Signature [Signature] Date 8.27.14

**II. Property Information**

A. Street address of property being considered: 226 W. State Street  
O'Fallon, IL 62209

B. Legal description and parcel ID # of property. Applicant to provide deed to property. (attach supplementary sheet if necessary.) LOT 35 OF NORTH  
O'FALLON, PARCEL #: 04-30.0-224-010

C. Present Use. Photography Studio

Property owner: Dowell Real Estate, LLC  
(%Sal Cincotta)  
108 Callaway Ct., OF  
per County records

### III. Applicable Landmark Criteria

1.   ✓   2.        3.        4.        5.   ✓   6.        7.        8.   ✓  

The following criteria as set forth in Section 151.31 of Ordinance 3043 of the City of O'Fallon will be considered in designating an area, place, building, structure or other object as an O'Fallon Landmark:

1. Its significance or value as part of the historical, cultural, artistic, social, ethnic, political, or other heritage of the community, state or nation;
2. Its location as a site of a significant local, county, state or national event;
3. Its identification with a person who significantly contributed to the development of the community, county, state or nation;
4. Its identification as the work of a master builder, designer or architect whose individual work has influenced the development of the community;
5. Its embodiment of elements of design, detailing, materials or craftsmanship that renders it architecturally significant or innovative;
6. Its archaeological significance to the community, county, state or nation by virtue of information yielded or is likely to yield important to history or prehistory;
7. Its character as a particularly fine or unique example of utilitarian structure including, but not limited to, farmhouses, buildings or other commercial structures with a high level of integrity or architectural significance;
8. Its representation of a sense of time and place unique to the City.

### IV. Landmark Request

- A. Describe present and historic physical appearance. (Attach supplementary sheet.)
- B. State significance of property and justify criteria selection. (Attach supplementary sheet.)
- C. Plat. Two copies of a plat of the lot or area shall be filed with the application.
- D. Names of neighboring property owners: (For district nominations only.) If the application is for a landmark district, the application must be accompanied by a list of the names and addresses of the owners of record lying within the district.
- E. Photo. Include a photo of the proposed landmark.
- F. Note: The O'Fallon Historic Preservation Commission meets on the first Tuesday of each month. Applications for designation must be filed with the Commission at least 30 days prior to the date of said meeting.

## History

The impressive three-story brick commercial building at 226 W. State St. was built in 1887 (according to St. Clair County records) by Bavarian native Michael Wachter who had moved to O'Fallon about 20 years previous. He was a cooper (maker of casks and barrels) by trade but later operated a brickyard, bakery, saloon and boarding house. He was an early member of the O'Fallon Village Board of Trustees. The building was generally called the Wachter Building or Wachter's Hall in reference to the spacious hall located on the second floor. A building next door to the east was also called the Wachter Building, so sometimes the two are confused in historical records. Collectively, they were known as Wachter's Block. The decorative iron façade was manufactured by Christopher & Simpson Architectural Iron & Foundry Co. of St. Louis, Missouri.

Over the years, the first floor of the building hosted a variety of businesses including stores selling shoes, clothes and an assortment of other goods. The O'Fallon Progress office and press occupied that floor from 1913 to 1926. The upper hall was used to host such events as plays (presented by both local talent and traveling companies), recitals, concerts, balls and dances, school presentations and entertainments, meetings, dancing classes, poultry shows and even silent movies. Until the Taylor Opera House was built at the end of 1908, the O'Fallon High School graduations were held there beginning with the first one in 1903.

In 1946 the building was converted for use as a chicken hatchery operating under various names until about 1955. After that, it was acquired by Schwarz Furniture who converted it into a three-floor furniture warehouse and display annex to complement their main store at 225 W First St. At one time, the exterior bricks had been painted with blue gray paint. Under the ownership of Schwarz Furniture, the paint was removed revealing the original brick.

Schwarz Furniture went out of business in 2010. In January 2013 world renowned photographers Salvatore and Taylor Cincotta stepped in and purchased the building, beginning a \$1 million renovation with the intent of restoring it, as much as possible, to its original glory. Completely restored inside and out, the building is now home to Cincotta Photography and their related ventures – a stunningly beautiful and functional example of what historic renovation can do for a commercial building.

## Architecture

An architectural style which began with the reconstruction of Paris during the reign of Napoleon III (1851-1870) made its way across the Atlantic and became so popular during the prosperous years of Ulysses S. Grant's presidency that it became known as the "General Grant Style". Its outstanding characteristic, both in the USA and in Second Empire Paris, is the mansard roof, in which the steeply-sloped roofline of an attic storey is given windows allowing the upper floor to look like a roof while functioning as livable space.

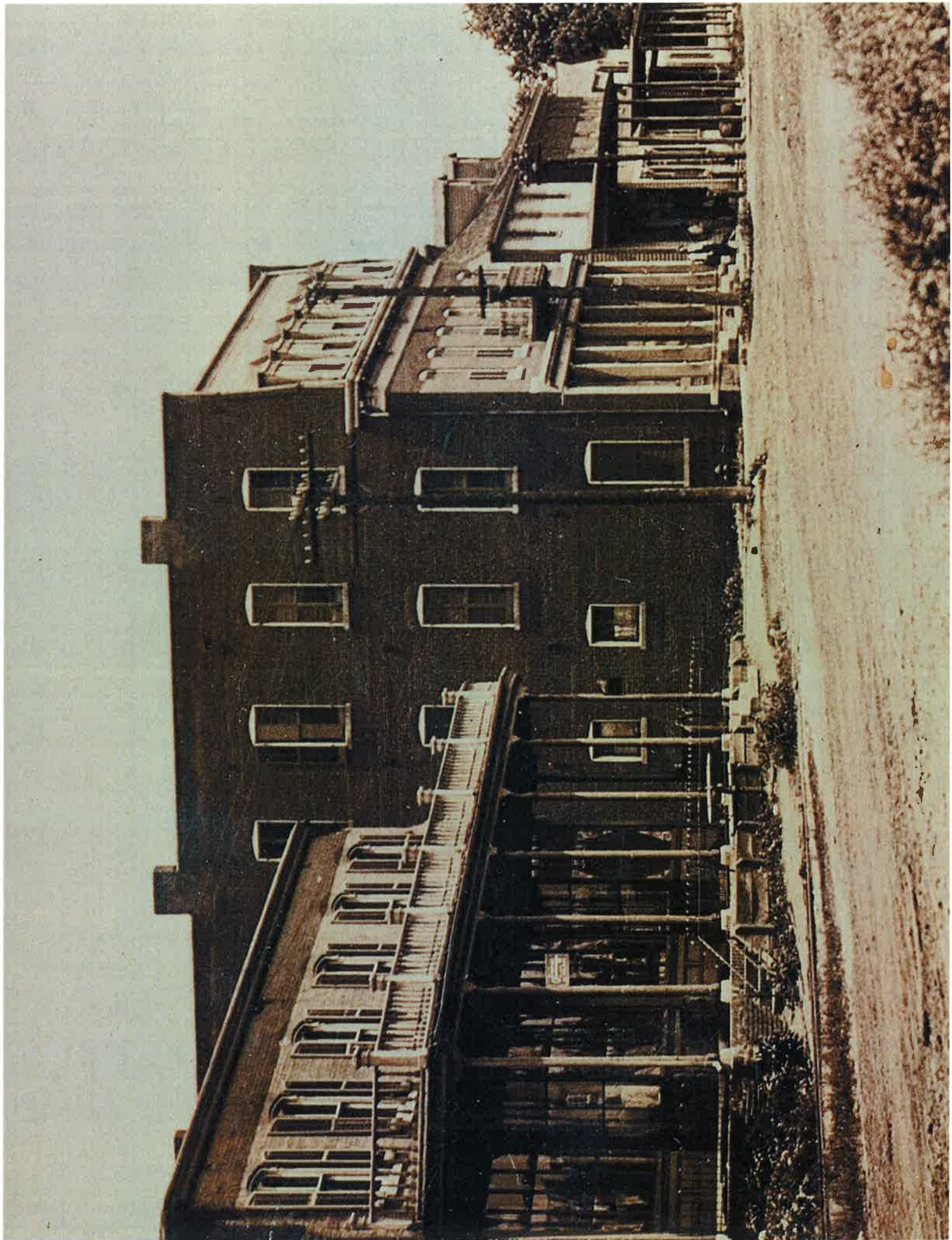
Our example, O'Fallon's Wachter building, now the Salvatore Cincotta photography studio, is typical of commercial structures in the General Grant style. Its front facade is symmetrical, with six window openings in each of the upper two floors. The ground floor is marked by a series of cast-iron columns, derived from the Greek Doric style, but rectangular in shape, fluted, with modest decorative elements including a fan detail above the pediments at either end of the building. The columns were manufactured by the Christopher Simpson Co., of St. Louis, Mo., in a manner similar to their more famous cousins, the cast iron architectural elements made by Mesker.

The division between the first and second floors is marked by a line of dentils. A balcony with two entry doors rests above the dentil. A more extensive pediment projects out from the building to mark the division between the second and third storeys. The pediment has a short return around the sides of the building and is supported with a series of decorative brackets.

Both the East and West facades are plain, with brick-arched-top windows. Diamond-shaped steel plates reveal the presence of connecting iron rods which span the building under its floors. Chimneys rise straight up from the sides of the building.

The renovations undertaken by the Cincotta firm include opening up the ground floor windows to full store-front style; restoring the balcony; opening up all of the windows on the mansard roof; stabilizing the building's fabric to guarantee that it will survive well into the future; to say nothing of extensive interior renovations all of which are in harmony with the building's historic character.







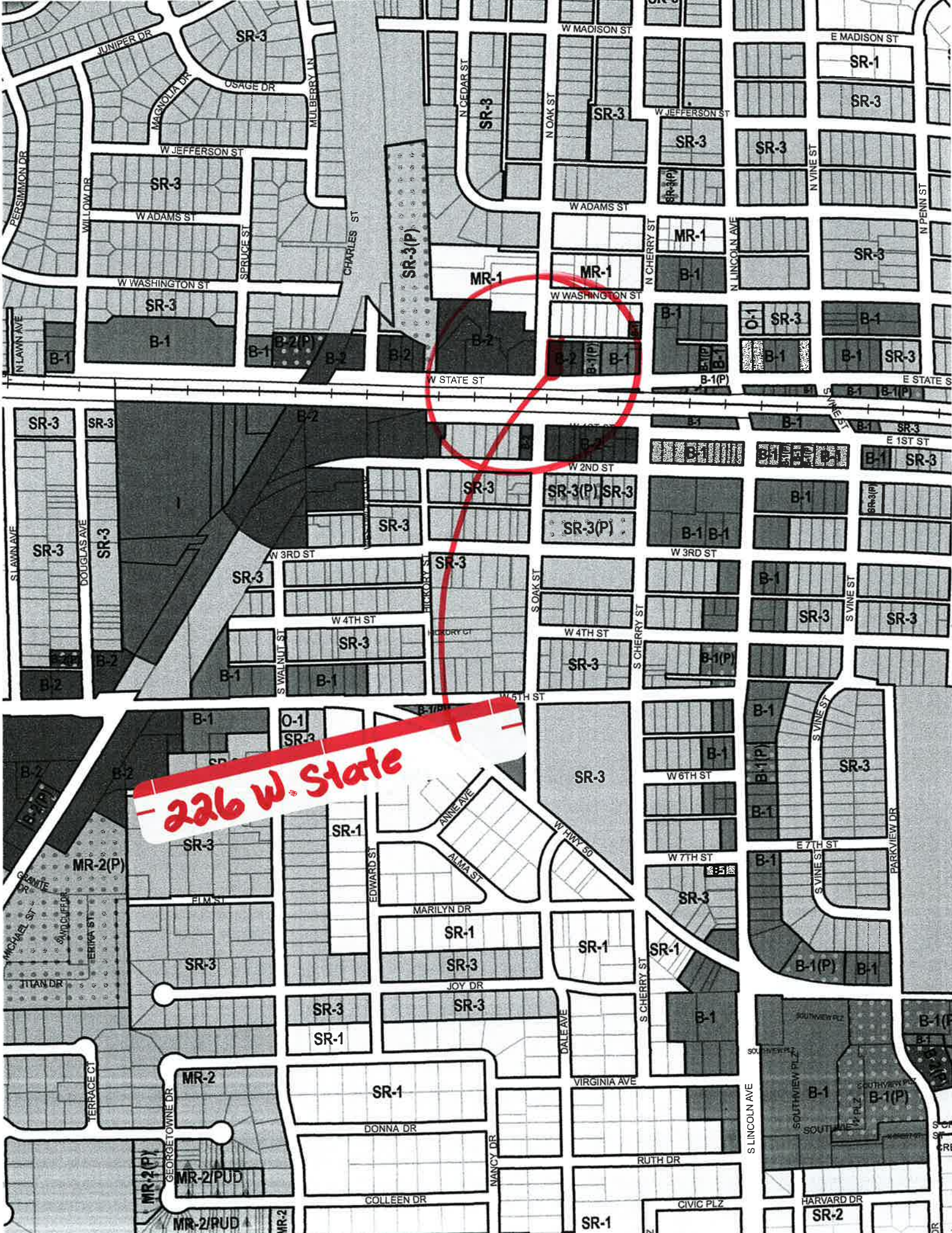


Salvatore Cicotta

1111  
CANTON ST

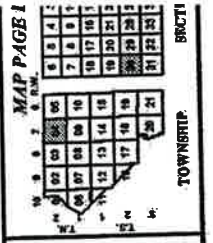
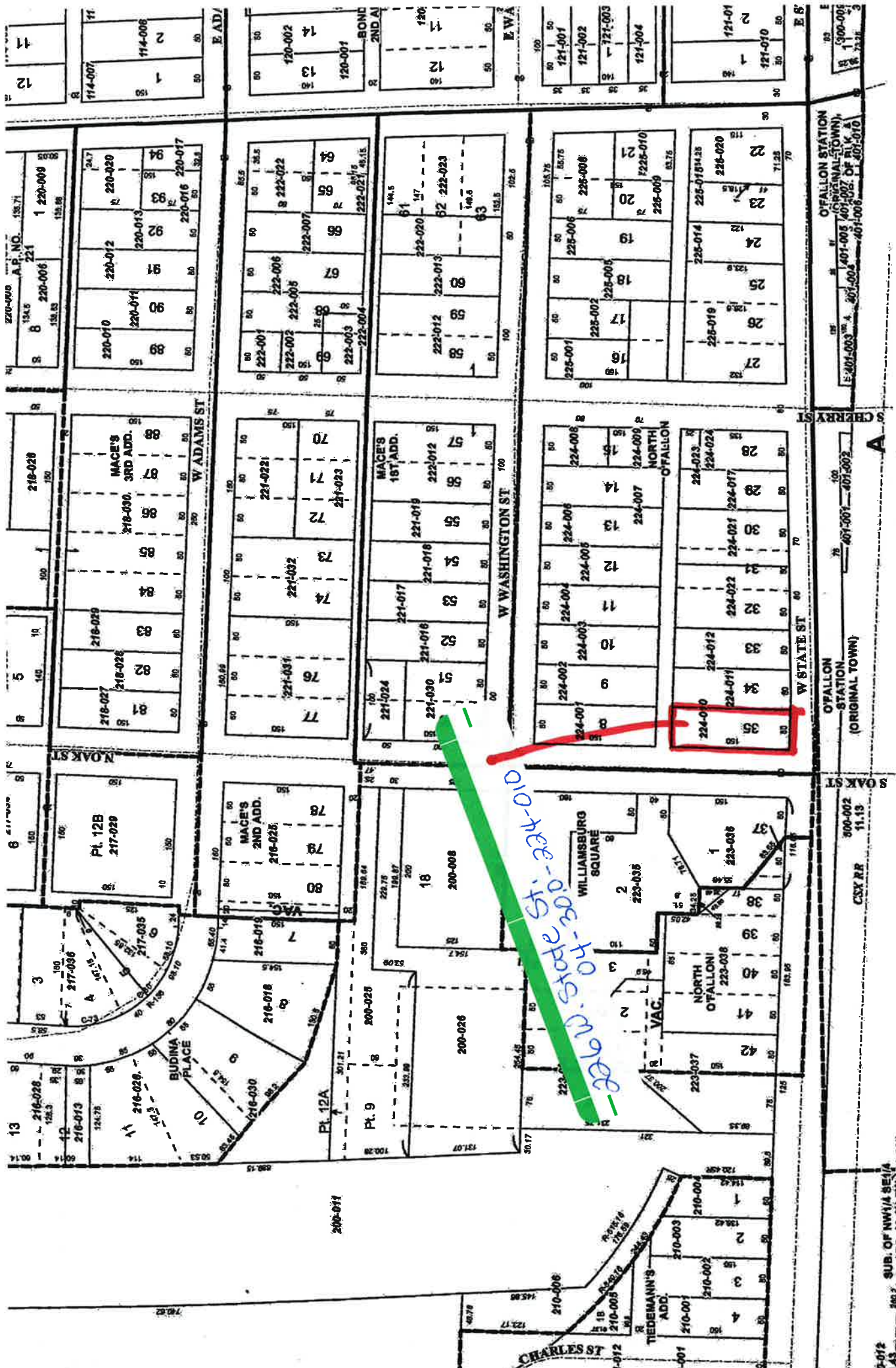
SALVATORE CICOTTA





**226 W State**





MAP PAGE 1  
 TOWNHIP  
 BRCT

**O'FALLON TWP.**  
**E 1/2 NE 1/4 SEC. 30 T. 2N. R. 7W. 6-11-35-D**  
**ST. CLAIR COUNTY, ILLINOIS**

PLOT DATE: 5/23/2013  
 Mapping and Platting  
 St. Clair County  
 10 Public Square  
 Belleville, IL 62220



300-012  
 SUB. OF NW 1/4 SEC 14  
 SEC. 30-24-TW-400-004

O'FALLON STATION  
 (ORIGINAL TOWN)  
 E-401-003  
 W STATE ST  
 O'FALLON STATION  
 (ORIGINAL TOWN)  
 E-401-003

*226 W. State St - 300 - 210-DIO*



**Ordinance # \_\_\_\_\_ Amending Chapter 111 “Peddlers and Solicitors” of the O’Fallon City Code of Ordinances.**

**WHEREAS:** the City currently maintains, as part of its Code of Ordinances, Chapter 111 Peddlers and Solicitors; and

**WHEREAS:** the Ordinance does not regulate those individuals who request of or solicit from the general public, a donation for money, goods or other articles or property; and

**WHEREAS:** such actions may create a nuisance within the City if not regulated; and

**WHEREAS:** it is in the best interest of and for the welfare of the residents of the City of O’Fallon and the general public, that such acts be regulated.

**NOW THEREFORE:**

Chapter 111 Peddlers and Solicitors of the City Code of Ordinances is hereby amended by addition of the following:

**111.02 Definitions**

**Panhandler.** A person who pan handles.

**Panhandling.** Any solicitation made in person upon any street, public place or park in the City in which a person requests an immediate donation of money, goods or any other form of gratuity from another person. When the person being solicited receives an item of little or no monetary value in exchange for a donation under circumstances where a reasonable person would understand that the transaction is, in substance a donation, it is a donation for the purpose of this Section.

Panhandling shall not include, except as specifically provided in this Section, passively standing or sitting with a sign or other indication that one is seeking donations, without addressing any solicitation to any specific person other than in response to an inquiry by that person.

**111.09 Regulations and Prohibitions.**

It shall be unlawful to engage in an act of panhandling within the city limits of O’Fallon when either the panhandler or the person being solicited is located at any of the following locations; at a bus stop; in a public transportation vehicle or public transportation facility; in a sidewalk café.

Panhandling will be permitted only between one half hour after sunrise and one half hour before sunset on any day.

Each act of panhandling prohibited by this action shall constitute a public nuisance and a separate violation of this Code.

1. Panhandling a person who is standing at an automated teller machine while located within twenty feet (20') of that person and within one (1) minute after the person leaves the machine.
2. Panhandling within twenty feet (20') of the entrance to a bank and within one (1) minute after the person leaves the bank.
3. Repeating a panhandling request when the person solicited is stationary and has refused an immediately prior request made at that location.
4. At any time immediately before, during, or after the panhandling request, touching the solicited person without that person's consent.
5. Directing profane or abusive language at the person solicited at any time immediately before, during or after panhandling.
6. Immediately before, during, or after panhandling, making any statement other than the panhandling request or acting in any other manner which, in light of the circumstances taken as a whole, would cause a reasonable person to feel harassed, intimidated, or compelled to contribute.
7. Panhandling a person while such person is standing in line and waiting to be admitted to a commercial establishment.
8. Blocking the path of a person being solicited, or the entrance to any building or vehicle.
9. Following behind, or alongside or walking ahead of the person who walks away from the panhandler after being solicited.
10. Panhandling in a group of two (2) or more persons.

Panhandling will be permitted only between one half hour after sunrise and one half hour before sunset.

Each act of panhandling prohibited by this section shall constitute a public nuisance and a separate violation of this Code.

**111.99 Penalty.**

Anyone who violates any provision of this Chapter for which another penalty is not specifically provided, shall be penalized as provided in Section 10.99 of the City's Code of Ordinance.



## **CITY COUNCIL AGENDA ITEMS**

**To:** Mayor Graham and City Council  
**From:** Eric Van Hook, Chief of Police  
Walter Denton, City Administrator  
**Date:** October 15, 2014  
**Subject:** Ordinance Amending the Peddlers and Solicitors Ordinance

**List of committees that have reviewed:** Public Safety

### **Background:**

#### **Chapter 111:**

In an effort to gain compliance with “No Knock List” a three (3) tier administrative fee schedule has been created for those violating the terms of the Peddlers and Solicitors ordinance.

- (1) Violations of this ordinance or citation issued against the permit holder shall cause the permit to be suspended from all agents to solicit and the following administrative fees shall be paid before reinstatement:
  - a. Tier 1 – 1<sup>st</sup> violation - \$500
  - b. Tier 2 – 2<sup>nd</sup> violation - \$1000
  - c. Tier 3 – 3<sup>rd</sup> violation - Permanent revocation to solicit in the City of O’Fallon

In addition, the current Peddlers and Solicitors ordinance does not address panhandlers and panhandling. Definitions were established for panhandler, panhandling, and aggressive panhandling. It is in the best interest of and for the welfare of the residents and businesses of the City of O’Fallon, and the general public, that such acts be regulated.

**Legal Considerations, if any:** None.

**Budget Impact:** None

**Staff recommendation:** Approval.



## **CITY COUNCIL AGENDA ITEMS**

**To:** Mayor Graham and City Council  
**From:** Eric Van Hook, Chief of Police  
Walter Denton, City Administrator  
**Date:** October 15, 2014  
**Subject:** Ordinance Amending the Truck Ordinance

**List of committees that have reviewed:** Public Safety

**Background:**

**Chapter 70:**

Added definitions to the General Provisions regarding axle load, gross vehicle weight, special mobile equipment, and tandem axles.

**Chapter 72:**

Consolidated parking ordinances regarding trucks and trailers due to being in multiple locations.

**Chapter 75:**

Updated Chapter 75 to mirror state law. Preferred Truck Route streets were updated based on property use and street design. The routes had not been reviewed/modified in 20 years. Only the governing body responsible for maintaining a street may give oversize/overweight loads permission to travel on said street (usually by permit). A permit issuance process has been established which requires a permit for oversize and overweight vehicles/loads, operating on City maintained streets that are more than the state allowed maximums for size and weight. This ordinance is in line with state statute and IDOT provisions regarding permits and associated provisions.

**Legal Considerations, if any:** None.

**Budget Impact:** None

**Staff recommendation:** Approval.



## **CITY COUNCIL AGENDA ITEMS**

**To:** Mayor Graham and City Council  
**From:** Eric Van Hook, Chief of Police  
Walter Denton, City Administrator  
**Date:** October 15, 2014  
**Subject:** Ordinance Amending the Parking Ordinance

**List of committees that have reviewed:** Public Safety

### **Background:**

#### **Chapter 98:**

Added language to address roll-off containers. A permit will be required for the placement of roll-off containers (dumpsters) on the public right of way/roadway when placement on private property is not possible or feasible.

**Legal Considerations, if any:** None.

**Budget Impact:** None

**Staff recommendation:** Approval.



### CITY COUNCIL AGENDA ITEM

**To:** Mayor Graham and City Council  
**From:** Ted Shekell, Community Development Director  
Walter Denton, City Administrator  
**Date:** October 15, 2014  
**Subject:** P2014-08: Gander Mountain, Planned Use – 2<sup>nd</sup> Reading

---

**List of committees that have reviewed:** After First Reading, Gander Mountain approached the city with a revised site plan proposing a larger footprint than initially planned, expanding from their initially proposed 52,000 sq ft to 61,000 sq ft. After staff review, the site plan was determined to be satisfactory and meet city ordinances, therefore, staff would recommend the revised site plan to the Council for approval on Second Reading, as amended. The Community Development Committee reviewed this request at its October 13, 2014, meeting, and recommended it unanimously for approval.

#### **Background**

The applicant, Nick Messian for Brooks-Amaden on behalf of Gander Mountain, has requested the City consider approval of a 61,000 sq ft retail store with 250 parking spaces (244 required by city code) on the 5.64 acres of land consisting of three parcels generally located at 1234 Central Park Dr..

Please see the attached amended site plan.

Gander Mountain is also requesting Tax Increment Financing. The project is located in the Central Park TIF on a lot with a 50/50 split with the school districts and other taxing bodies. Currently, staff is negotiating with Gander Mountain on the Redevelopment Agreement, and an agreement is expected to come forward to the city council for review in the near future.

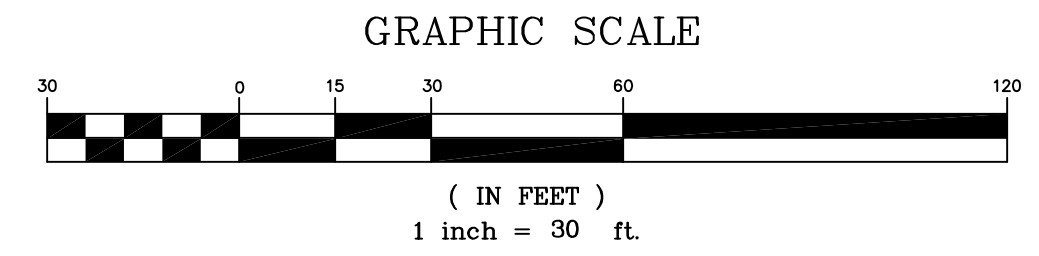
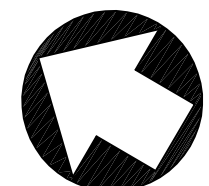
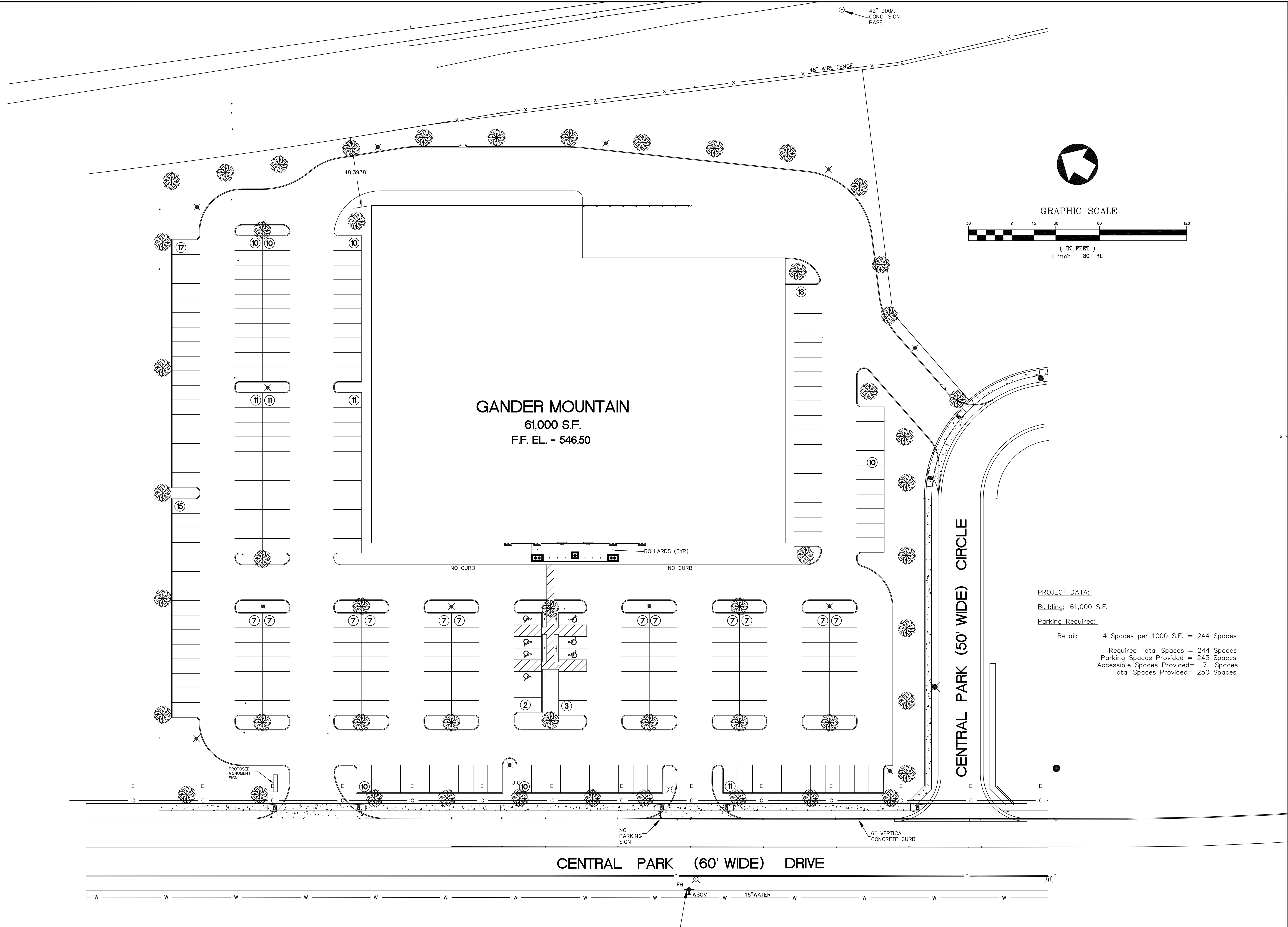
**Legal Considerations, if any:** None

**Budget Impact:** None to the City.

#### **Staff Recommendation**

Staff recommends approval of the project with the following conditions:

1. A variance to allow the parking lot landscaping to be installed per the landscaping plan.
2. A variance to allow the front elevation wall sign to be sized at 431.5 square feet.
3. Parking lot lighting and photometric plan will be required to meet the standards of Section 158.143.
4. A cross-access easement must be provided to Lot 23L to the northwest. The physical connection will not be required unless mutually agreed to by the lot owner and the owner of Lot 23L.
5. Amendment of the site plan to include a 61,000 sq ft retail store with 250 parking spaces.



PROJECT DATA:  
 Building: 61,000 S.F.  
 Parking Required:  
 Retail: 4 Spaces per 1000 S.F. = 244 Spaces  
 Required Total Spaces = 244 Spaces  
 Parking Spaces Provided = 243 Spaces  
 Accessible Spaces Provided = 7 Spaces  
 Total Spaces Provided = 250 Spaces

**ba** BROOKS AND AMADEN  
 civil engineering • land surveying  
 P. O. BOX 891269 • TAMPA, FLORIDA 33689  
 P: 813-653-1125 • www.brooks-amaden.com  
 State of Florida, D.B.P.R. Certificate of Auth. #5221

NO.	DATE	REVISION

DESIGNED BY **NJM**  
 DRAWN BY **DBW**  
 CHECKED BY  
 SCALE **1" = 30'**

PREPARED FOR:  
**GANDER MOUNTAIN**  
 180 EAST 5TH STREET, SUITE 1300  
 ST. PAUL, MN. 55101  
 (651) 325-4300

**GANDER MOUNTAIN**  
 O'FALLON, ILLINOIS  
 CONCEPT PLAN - 61,000 S.F.

PROJECT NUMBER **5145-97**  
 DATE **10-13-14**  
 S-T-R  
 SHEET NUMBER **1 of 1**





**MINUTES  
COMMUNITY DEVELOPMENT COMMITTEE  
5:30 PM Monday, October 13, 2014**

Minutes of a regular meeting of the Community Development Committee of the City of O'Fallon, held at the Public Safety Building, 285 N. Seven Hills Road, O'Fallon, Illinois.

CALL TO ORDER: 5:30 PM

- I) **Roll Call** – *Committee members:* Jerry Albrecht (chair), Jerry Mouser, David Cozad, Ray Holden and Harlan Gerrish. *Other Elected Officials Present:* Ed True, Kevin Hagarty, John Drolet, Herb Roach, Michael Bennett, Courtney Cardona, and Jim Hursey. *Staff:* Ted Shekell, Walter Denton. *Visitors:* Fred Bock, Sue Beeler, Paul Homann, Keith Sparks, Dave Witter, Stu Kasten, Tom Martin, and Vern Malare.
- II) **Approval of Minutes from Previous Meeting**– All ayes. Motion carried.
- III) **Items Requiring Council Action**
  - A. 226 West State Street Landmark Designation (1<sup>st</sup> Reading) – Ted Shekell informed the committee that Sal Cincotta is seeking a Local Historic Landmark Designation for the Wachter building that he recently completed renovations on. The committee recommended approval of the designation with a vote of 5-0.
  - B. SEPA- Papa Murphy's Sign Permit (Motion) – Ted Shekell described the special promotion taking place at Papa Murphy's during the Halloween season. Mr. Hudson is requesting a 24 square foot banner to promote the event near the frontage of Highway 50. The committee recommended approval of the designation with a vote of 5-0.
  - C. SEPA- St. Jude's Crusader Tree Lot (Motion) – Ted Shekell provided an overview of the Christmas tree lot at Gator's this year. It is very similar to previous years. The committee recommended approval of the special event with a vote of 5-0.
  - D. St. Elizabeth's Hospital – Planned Use (2<sup>nd</sup> Reading) – Ted Shekell provided a brief overview of the plan and noted that no changes have occurred since the last committee meeting. The committee recommended approval of the planned use with a vote of 5-0.
  - E. Gander Mountain – Planned Use (2<sup>nd</sup> Reading) – Ted Shekell provided a brief overview of the plan and noted that Gander Mountain was needing to amend the site plan prior to Second Reading. They were seeking to add additional sq ft to the store. The site plan changed minimally, and they proposed 250 total parking spaces, with the city code requiring 244. Staff also reminded the committee Gander Mtn would be seeking TIF assistance and that once a draft agreement could be reached it would be forward to the council for their review. The committee recommended approval of the amended planned use with a vote of 5-0.
  - F. Route 50/Scott Troy TIF Registry Ordinance (2<sup>nd</sup> Reading) – Ted Shekell described the TIF registry ordinance, which is a required part of the eligibility study. The committee recommended approval with a vote of 5-0.

Community Development Department  
255 South Lincoln Avenue O'Fallon, IL 62269 ♦ P: 618.624.4500 x 4 ♦ F: 618.624.4534

- G. Central City TIF Registry Ordinance – Ted Shekell described the TIF registry ordinance, which is a required part of the eligibility study. The committee recommended approval with a vote of 5-0.

**IV) Other Business –**

Staff provided a brief update of various projects in town, with general questions and discussion held by the Council members.

**MEETING ADJOURNED: 7:00 PM**

**NEXT MEETING: October 27, 2014** – Public Safety Building

**Prepared by:** Ted Shekell, Director of Community Development

PD \_\_\_\_\_  
FD \_\_\_\_\_

CITY OF O'FALLON

OCT - 6 2014

DATE PAID



COMMUNITY DEVELOPMENT DEPARTMENT  
255 S. Lincoln Avenue, 2<sup>nd</sup> Floor  
O'Fallon, IL 62269  
Ph: (618) 624-4500 x4  
Fax: (618) 624-4534

cc

<input type="checkbox"/>	Attach proof of not-for-profit status with application
<b>OR</b>	
<input checked="" type="checkbox"/>	Provide \$50.00 application fee with application

**APPLICATION FOR A SPECIAL EVENT PERMIT**

Event Name: Halloween Jack-O-Lantern

Location of Event: 1407 W Hwy 50 PAPA MURPHY'S

Name of Event Organization: PAPA-MURPHY'S PIZZA

Name of person in charge of event (applicant) and mailing address: STEVE HUDSON

202 WOODLAND CT OFALLON, IL 62269

Phone: 580-8264 E-Mail: \_\_\_\_\_

Secondary Contact Person: \_\_\_\_\_

Phone: \_\_\_\_\_ E-Mail: \_\_\_\_\_

Beginning Date / Times: 10/21/14 Ending Date / Times: 10/31/14

**THE FOLLOWING INFORMATION (WHERE APPLICABLE) MUST BE PROVIDED IN WRITTEN FORM BEFORE APPLICATION WILL BE PROCESSED.**

1. **NARRATIVE** (Including hours of operation; activities provided; signage including dimensions, quantity, location, etc...; traffic/parking plan; contingency plans for rain; plans for toilet facilities; security plan; expected attendance; etc...).

ATTACHED

2. Sketch plan of site.

ATTACHED

3. Permission letter from property owner, if applicant is not the property owner.

ATTACHED [ ] NOT APPLICABLE

4. Proof of not-for-profit status (so that application fee can be waived.)

[ ] ATTACHED  NOT APPLICABLE

5. Proof of Liability Insurance should be provided and if event is held City property, **City of O'Fallon**, should be named as an additional insured in the amount of One Million Dollars (\$1,000,000).

[ ] ATTACHED  NOT APPLICABLE

6. Damage bonds or cash deposit to protect City facilities (this would be mainly for out-of-town sponsors) in the amount of \$300,000. [ ] PAID  NOT APPLICABLE

7. Liquor license information for beer sales (including hours of sale): N/A  
(Attach release/indemnification forms and a copy of the liquor license and certificate of liquor liability)

8. List for profit vendors and sales tax numbers (to verify that sales tax is collected and remitted) to be provided prior to event: N/A

9. Special consideration requests such, as City provided assistance. (Fees may be charged for these Services.) **Please include specific considerations requested in narrative or as an attachment.**

NONE REQUESTED

Street Department, IDOT (for street closings, signalization, and detour routes)

Parks Department

Police Department

Fire and EMS Department

10. Coordinate all food concessions with St. Clair County Health Department at (618)233-7769.

PERMIT REQUIRED (please attach copy)

NOT APPLICABLE

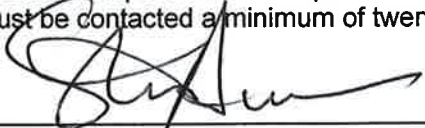
11. American Disability Compliance

ATTACHED

NOT APPLICABLE

As part of the approval of this Special Event Permit, temporary signs for said Special Event shall be permitted as provided for in the City Sign Ordinance or as otherwise approved by the City Council.

Electrical inspections are required for all new exterior electrical connections. The City electrical inspector must be contacted a minimum of twenty-four (24) hours prior to inspection.

  
Signature of Applicant/ person in charge of event

10/10/14  
Date of Submission

FOR OFFICE USE ONLY

ELIGIBLE FOR ADMINISTRATIVE APPROVAL? ( ) YES  NO

ADMINISTRATIVE APPROVAL CONDITIONS:

APPROVED BY COMMUNITY DEVELOPMENT DIRECTOR & DATE \_\_\_\_\_

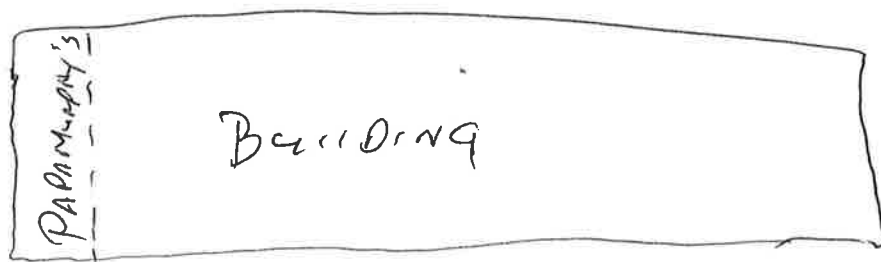
All other requests for "Special Events Permits" not approved by the Community Development Director shall go before the Community Development Committee and the City Council for their approval.

APPROVED: CITY COUNCIL \_\_\_\_\_ (DATE)

Papamurphys Pizza has permission to place a banner in front of jacaranda Plaza for their Halloween promotion.

*Brad McMillin*  
Brad mcmillin 10/4/14

WE ARE RUNNING A T.V. PROMO  
FEATURING JACK-O-LANTERN PIZZAS.  
WE WOULD LIKE TO PLACE A BANNER  
IN THE GRASSY AREA IN FRONT OF OUR  
STORE FROM 10/21/14 → 10/31/14 TO  
SUPPORT THE T.V. EFFORT. BANNER  
IS 8' X 3'.



\* ↙ BANNER TO BE PLACED HERE IN  
GRASS, BEHIND THE SIDEWALK

HWY 50



---

**MEMORANDUM**

---

**TO:** Community Development Committee  
**FROM:** Justin Randall, Senior City Planner  
**THROUGH:** Ted Shekell, Planning Director  
**DATE:** October 13, 2014  
**SUBJECT:** Special Event Permit – “Papa Murphy’s Halloween Jack-o-Lantern” (MOTION)

---

**Project Summary**

**Applicant:** Steve Hudson – Papa Murphy’s Pizza  
**Event:** Jack-o-Lantern Pizza Event  
**Date/Time:** October 21, 2014 – October 31, 2014  
**Location:** 1407 U.S. 50 #101 O’Fallon, IL

**Event Details:**

- Papa Murphy’s will be running and television promotion featuring the Jack-o-Lantern pizza’s and would like to place a 24 square foot banner along the frontage of Highway 50.

**Signage Request:**

- One 24 square foot sign to be located along the frontage of Highway 50.

**City Assistance Request:**

- No assistance requested.

**Notes:**

- This event requires city council approval due requesting a larger sign than the allowed 6 square feet for a temporary freestanding sign.

**Staff Recommendation**

The Fire Department and Police Department had no issues with the request. Staff recommends approval of the Special Event Permit with the following condition:

1. The sign located along Highway 50 are required to be placed outside of the right-of-way and must be out of the sight triangle.

**Community Development Department**

255 South Lincoln Avenue O’Fallon, IL 62269 ♦ P: 618.624.4500 x 4 ♦ F:618.624.4534

PD \_\_\_\_\_  
FD \_\_\_\_\_



CC

Attach proof of not-for-profit status

OR

Provide \$50.00 application fee

**PLANNING & ZONING DEPARTMENT**  
 255 S. Lincoln Avenue, 2<sup>nd</sup> Floor  
 O'Fallon, IL 62269  
 Ph: (618) 624-4500 x4  
 Fax: (618) 624-4534

RECEIVED OCT - 6 2014

**BUILDING DEPARTMENT ORIGINAL**

**APPLICATION FOR A SPECIAL EVENT PERMIT**

Event Name: ST. JUDE'S CRUSADERS CHARITY TREE LOT  
 Location of Event: GATOR'S 406 W. HWY 50ue  
 Name of Event Organizer: ST. JUDE'S CRUSADERS  
 Mailing Address: 1808 CABINESS CT., OFALLON IL 62269  
 Business Address: \_\_\_\_\_ Phone: 618-792-1884  
 Name of person in charge of event: DAVE WOLF  
 Mailing Address: - SAME AS ABOVE -  
 Secondary Contact Person: MIKE SCHALTENBRAND  
 Beginning Date/Times: NOV. 28<sup>TH</sup>, 2014 Ending Date / Times: DEC. 23<sup>RD</sup>, 2014  
*Nov 28, 2014ue M-F noon-9 pm; Sat 9a-6p; Sun noon-6p*

THE FOLLOWING INFORMATION (WHERE APPLICABLE) MUST BE PROVIDED IN WRITTEN FORM BEFORE APPLICATION WILL BE PROCESSED.

1. Narrative (Including hours of operation; activities provided; signage including dimensions, quantity, and location; traffic/parking plan; contingency plans for rain; plans for toilet facilities; security plan; expected attendance; etc).

2. Sketch plan of site.

ATTACHED [ ] NOT APPLICABLE

3. Permission letter from property owner, if applicant is not the property owner.

ATTACHED [ ] NOT APPLICABLE

*→ Prior to cc approval, need confirmation from owner - permission letter date changed.*

4. Proof of not-for-profit status.

ATTACHED [ ] NOT APPLICABLE

5. Proof of Liability Insurance should be provided and if event is held City property, City should be named as an additional Insured in the amount of One Million Dollars (\$1,000,000).

ATTACHED *WE ARE APPLYING FOR IT, WILL HAVE IT BY NOV. 24<sup>TH</sup>* [ ] NOT APPLICABLE

6. Damage bonds or cash deposit to protect City facilities (this would be mainly for out-of-town sponsors) in the amount of \$300,000.

[ ] PAID  NOT PAID



7. Liquor license information for beer sales (including hours of sale): - NA -  
(Attach release/indemnification forms and a copy of the liquor license and certificate of liquor liability)

8. List for profit vendors and sales tax numbers (to verify that sales tax is collected and remitted) to be provided prior to event: - NA -

9. Special consideration requests such, as City provided assistance. (Fees may be charged for these services). Please include specific considerations requested in narrative or as an attachment.

NONE REQUESTED

Street Department, IDOT (for street closings, signalization, and detour routes)

Parks Department

Police Department

Fire and EMS Department

10. Coordinate all food concessions with St. Clair County Health Department at (618) 233-7769.

PERMIT REQUIRED (please attach copy)

NOT APPLICABLE

11. American Disability Compliance

ATTACHED

NOT APPLICABLE

As part of the approval of this Special Event Permit, temporary signs for said Special Event shall be permitted as provided for in the City Sign Ordinance or as otherwise approved by the City Council.

Electrical inspections are required for all new exterior electrical connections. The City electrical inspector must be contacted a minimum of twenty-four (24) hours prior to inspection.

DeB. Wolf  
Signature of person in charge of event

\_\_\_\_\_  
Date of Submission

FOR OFFICE USE ONLY

PLANNING & ZONING DIRECTOR ADMINISTRATIVE APPROVAL: ( ) YES

NO ABS

All other requests for "Special Events Permits" not approved by the Planning Director shall go before the City Council for their approval.

APPROVED: CITY COUNCIL \_\_\_\_\_ (DATE)

## St. Jude's Crusaders Charity Tree Lot

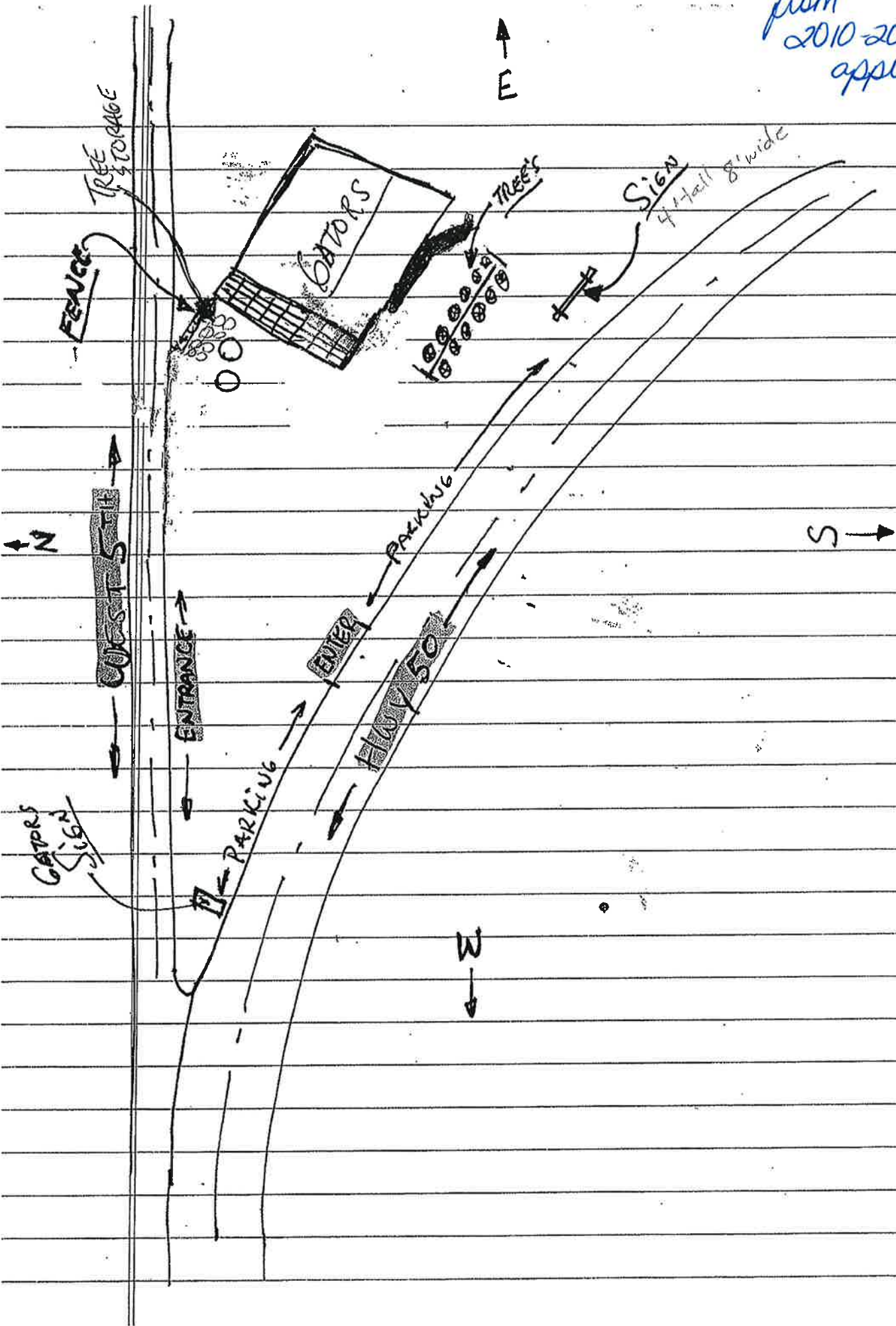
From: November 28 2014

To: December 23, 2014

Hours of Operation: Monday through Friday 12:00 pm to 9:00 pm  
Saturday: 9 am to 6:00 pm  
Sunday: 12:00 pm to 6:00 pm

- Toilet Facilities are located within Gators
- Signage – there is the Gators sign located at the corner of Hwy 50 & West 5<sup>th</sup>  
We also have a sign made of wood that is 8ft x 4ft which will be located facing Hwy 50 on the south side of Gators (see sketch plan).
- Parking is located on the south side of the lot aligning Hwy 50 (see sketch plan).
- We expect to sell between 150 and 200 trees.

from  
2010-2013  
applications  
ve



Date: October 1st, 2014

To: City of O'Fallon

From: K&R Trust, William Reidelberger, Trustee  
1042 Shadow Ridge Crossing  
O'Fallon, IL 62269  
618-632-9826

Subject: Sale of Christmas Trees  
406 W. Hwy. 50/406 W. 8<sup>th</sup>  
O'Fallon, IL 62269

We are aware Christmas trees will be sold at the above referenced property.

Sincerely,



William H. Reidelberger  
Trustee

10/6/14 Called owner to confirm permission letter since only the date from last year was changed. Will need confirmation before city council approval, AOS - left message

**IRS** DEPARTMENT OF THE TREASURY  
INTERNAL REVENUE SERVICE  
CINCINNATI OH 45999-0023

ST JUDES CRUSADERS  
9730 E WATSON RD STE 100  
SAINT LOUIS, MO 63126

Tax Exempt  
entity

Date of this notice: 10-07-2009

Employer Identification Number:  
27-1067051

Form: SS-4

Number of this notice: CP 575 E

For assistance you may call us at:  
1-800-829-4933

IF YOU WRITE, ATTACH THE  
STUB AT THE END OF THIS NOTICE.

**WE ASSIGNED YOU AN EMPLOYER IDENTIFICATION NUMBER**

Thank you for applying for an Employer Identification Number (EIN). We assigned you EIN 27-1067051. This EIN will identify you, your business accounts, tax returns, and documents, even if you have no employees. Please keep this notice in your permanent records.

When filing tax documents, payments, and related correspondence, it is very important that you use your EIN and complete name and address exactly as shown above. Any variation may cause a delay in processing, result in incorrect information in your account, or even cause you to be assigned more than one EIN. If the information is not correct as shown above, please make the correction using the attached tear off stub and return it to us.

Assigning an EIN does not grant tax-exempt status to non-profit organizations. Publication 557, *Tax Exempt Status for Your Organization*, has details on the application process, as well as information on returns you may need to file. To apply for formal recognition of tax-exempt status, most organizations will need to complete either Form 1023, *Application for Recognition of Exemption Under Section 501(c)(3) of the Internal Revenue Code*, or Form 1024, *Application for Recognition of Exemption Under Section 501(a)*. Submit the completed form, all applicable attachments, and the required user fee to:

Internal Revenue Service  
PO Box 192  
Covington, KY 41012-0192

The Pension Protection Act of 2006 contains numerous changes to the tax law provisions affecting tax-exempt organizations, including an annual electronic notification requirement (Form 990-N) for organizations not required to file an annual information return (Form 990 or Form 990-EZ). Additionally, if you are required to file an annual information return, you may be required to file it electronically. Please refer to the Charities & Non-Profits page at [www.irs.gov](http://www.irs.gov) for the most current information on your filing requirements and on provisions of the Pension Protection Act of 2006 that may affect you.

To obtain tax forms and publications, including those referenced in this notice, visit our Web site at [www.irs.gov](http://www.irs.gov). If you do not have access to the Internet, call 1-800-829-3676 (TTY/TDD 1-800-829-4059) or visit your local IRS office.





## CITY COUNCIL AGENDA ITEM

**To:** Mayor Graham and City Council  
**From:** Ted Shekell, Planning Director  
Walter Denton, City Administrator  
**Date:** October 20, 2014  
**Subject:** Special Event Permit – Christmas Tree Lot at Gator's (MOTION)

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**List of committees that have reviewed:** The Community Development Committee reviewed this application at its October 13, 2013 meeting and recommended it for approval with a vote of 5 to 0.

### Background

**Applicant:** Dave Wolf of St. Jude's Crusaders  
**Event:** Christmas Tree Lot  
**Date/Time:** November 28, 2014 through December 23, 2014  
Monday- Friday 12 pm to 9 pm; Saturday- 9 am to 6 pm; Sunday- 12 pm to 6 pm  
**Location:** 406 West Highway 50- Gator's Frozen Custard

#### Event Details:

- Fund raiser for St. Jude's Crusaders

#### Signage Request:

- 32 square foot sign placed at entrance to parking lot on Highway 50

#### City Assistance Request:

- None

#### Notes:

- Event is consistent with previous year's request

### Legal Considerations, if any:

- None

### Budget Impact:

- None

### Staff Recommendation

The Fire Department had comments included below. The Police Department had no issues with the application. Staff recommends approval of the Special Event Permit with the following conditions:

1. The trees should not be within 10 feet of the building which could be a fire hazard.
2. Open burning on the lot must be in a commercial burn pit and shall not be located within 10 feet of the building or combustibles.
3. Sufficient lighting must be provided during evening hours.
4. Signage is limited to one 32 sq. ft. sign.
5. All temporary structures and facilities must be removed within 10 calendar days after the expiration of the special event permit.



Public Safety Committee Minutes  
**October 13, 2014, 5:00 p.m.**

Minutes of a regular meeting of the Public Safety Committee of the City of O'Fallon, held in the Community Room, Public Safety Building, 285 N. Seven Hills Road, O'Fallon, Illinois, October 13, 2014. Call to order 5:00 p.m.

**ROLL CALL:**

Members Present: Hagarty, Cardona, Hursey, Roach,  
Members Not Present:  
Staff Liaison: Chief Van Hook - OPD, Deputy Chief Tim Claxton - OFD  
Other Aldermen Present Albrecht, Bennett, Cozad, Drolet, Gerrish, Holden, Meile, Mouser, True  
Other Persons Present Walter Denton, City Adm.; Ted Shekell, Community Development; Herb Simmons, St. Clair County EMA; Bryan Whitaker, St. Clair County EMA; Paul Homann, TWM, Inc.; Susan Beeler, St. Elizabeth's; Keith Sparks, St. Elizabeth's; David Wittenaur, NAI DESCO; Tom Mitchell – Resident; Charlie Pitts, Resident; Vern Malare, Resident; Misty McDonald, OPD;  
Media Persons Present: None

Chairman Hagarty declared a quorum present and requested a Motion to approve the Minutes of September 8, 2014, Alderman Cardona made a Motion to accept the minutes of September 8, 2014 as presented and Alderman Roach seconded the Motion. All Ayes.

**New Business**

**Item 1. MABAS Employee Compensation/ Contract Addendum –**

The contract addendum matter is required so MABAS member agencies are compliant with FEMA Recovery Policy (RP9523.6) reference reimbursement claims for disaster mobilizations associated with the federal requirements of the Stafford Act.

**Action:** None

**Motion:** Motion was made by Alderman Roach to send the contract to Council for approval and Alderman Hursey Seconded the motion. All ayes

**Disposition:** closed

**Item 2. County Tower Equipment Agreement –** The agreement extends the length of the agreement for another 25 years. Everything else in the contract remains the same. The City benefits from the contract as it improves the radio communications for first responders, saves the taxpayers money as they will not have to fund the building of a new tower and the contract for radios will continue. This contract would not affect the



RFP for the water company as it will be written in the RFP that anyone who would purchase the water tower would also agree to leave the equipment.

**Action:** None

**Motion:** Motion was made by Alderman Roach to send the contract to Council for approval and Alderman Hursey seconded the motion. All ayes

**Disposition:** closed

### **Old Business**

**Item 1. Solicitors Permits/ Panhandling** – Chief Van Hook provided the new changes in the city ordinance amending Chapter 111 Peddlers and Solicitors (Ordinance Attached). These changes provide a definition for panhandling under regulations and prohibitions 111.09 and add Tiered fee schedule for violations of the solicitors permit under solicitor's bond 111.15.

**Action:** None

**Motion:** Motion was made by Alderman Roach to send the revised ordinance to Council for approval and Alderman Cardona seconded the motion. All ayes.

**Disposition:** Closed

**Item 3. Truck Weight Ordinances** – Chief Van Hook provided the new changes in the city ordinance amending Chapter 75 Vehicle Conditions, Equipment and Load. (Ordinance Attached). All changes are underlined so that it will be easily identifiable. The major changes are reflected in the Weight and oversized vehicle permits as well as the fee schedule for single vehicles.

**Action:** None

**Motion:** Motion was made by Alderman Hursey to send the revised ordinance to Council for approval and Alderman Cardona seconded the motion. All ayes.

**Disposition:** Closed

**Item 4. Leads On Line** – Captain Mick Hunter and Ted Shekell met with Dale Funk City Attorney. They want to write into the ordinance that household business will be exempt.

**Action:** Captain Hunter revised ordinance and gave to the City Attorney for final revisions.

**Motion:** None

**Disposition:** Open

Chairman Hagarty asked if anyone had any other New Business not on the Agenda, hearing no New Business, Chairman Hagarty called for a Motion to adjourn. A Motion to adjourn was made by Alderman Cardona and Alderman Hursey seconded the Motion. All ayes.

**Meeting Adjourned:**  
**Next PS Meeting:**  
**Minutes Taken By:**

**6:00 p.m.**  
**November 10, 2014, 5:00 p.m.**  
**Misty McDonald**