

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, November 17, 2014

7:00 P.M. – Council Chambers

I. CALL TO ORDER

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL

IV. APPROVAL OF MINUTES – [November 3, 2014](#) and [November 10, 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

1. Request from Knights of Columbus Council 592 to conduct a raffle from November 18 - December 22, 2014 for four turkeys and four hams at the 5420 Old Collinsville Road location
2. Request from Knights of Columbus Council 592 to conduct a raffle from November 18 – January 24, 2105 for a wheelbarrow of alcohol at the 5420 Old Collinsville Road location

C. Mayor's Report

VII. RESOLUTIONS –

ITEM 1 – Resolution authorizing the Mayor to execute an agreement with Kuhlmann Design Group, Inc. for professional services for the design of Ashland Avenue and for the use of Motor Fuel Tax (MFT) funds in an amount not to exceed \$143,615 and for the use of MFT funds in an amount not to exceed \$2,100,000 for the total cost of the project ([Click here to view the staff report](#))

ITEM 2 – Resolution to settle claim against Ameren Illinois Company d/b/a Ameren Illinois (May be voted on after Executive Session) ([Click here to view the staff report](#))

VIII. ORDINANCES

A. 1st reading –

ITEM 3 – Ord. Adopting the 2012 International Building Code, the 2012 International Fire Code, the 2012 International Mechanical Code, the 2012 International Property Maintenance Code, the 2012 International Residential Code, the 2012 International existing Building Code, the 2012 International Fuel Gas Code, the 2012 International Energy Conservation Code, and the 2011 National Electrical Code ([Click here to view the staff report](#))

ITEM 4 – Ord. amending Ordinance 3789, Zoning Districts and Ordinance 3792, Execution of an Economic Incentive Agreement (Development known as CarMax) located at 1254 Central Park Drive ([Click here to view the staff report](#))

B. 2ND Reading –

ITEM 5 – Ord. which authorizes the execution of the Redevelopment Agreement with Commercial Real Estate Investors, LP, **as amended** ([Click here to view the staff report](#))

ITEM 6 – Ord. terminating an existing Franchise Agreement with Ameren Illinois Company d/b/a Ameren Illinois, successor to Illinois Power Company and granting Ameren Illinois Company d/b/a Ameren Illinois and its successors and assigns, for a period of 10 years, the franchise, right, permission and authority to construct, reconstruct, excavate for, place, remove, extend, maintain, and operate an electric utility system within public rights-of-way in the City under according to the terms, provisions, and conditions herein set forth, **as amended** (May be voted on after Executive Session) ([Click here to view the staff report](#))

7. Ord. authorizing the addendum to the Mutual Aid Box Alarm System Agreement

8. Ord. amending Chapter 111, Section 111.99 (**On Hold**)

IX. STANDING COMMITTEES

1. Community Development – *Minutes Attached*
2. Public Works
3. Public Safety
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 November 3, 2014**

The regular meeting was called to order at 7:00 p.m. by Mayor Graham 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, excused. A quorum was declared present.

Mayor Graham asked for approval of the minutes. Motion was made by J. Albrecht and seconded by E. True to approve the minutes of October 20, 2014. All ayes. Motion carried.

PUBLIC HEARING – None scheduled.

RESIDENTS: Mayor Graham invited any resident forward to speak. Ron Zelms came forward to speak against the proposed sale of the water company. He said he read the Strategic Plan and what made a strong community. He wants to be able to vote on the issue.

Terry Lysakowski also spoke against the sale. He stated that we buy our water from Illinois American Water, so whoever would buy our company, would have to as well. He was concerned that the entity would pass on upgrades to the customer.

REPORTS:

Clerk's Report: Motion by J. Mouser and seconded by E. True to approve the request from O'Fallon Homecoming/VFW to conduct a parade on November 29th (rain date December 6th) starting at 6:00 p.m. and ending at 7:30 p.m. from the Community Park to 221 W. 1st Street. All ayes. Motion carried.

Mayor's Report: Mayor Graham read a Proclamation declaring November 3, 2014 as Kyle Dismukes Day.

Mayor Graham announced that we would have a Council Meeting on November 10th. We will go into Executive Session and no action will be taken. He also announced that tomorrow the paper would announce that an Aquatics Center is coming to O'Fallon.

RESOLUTIONS: D. Sullivan asked that Item 4 be withdrawn from the agenda. Motion by M. Bennett and seconded by J. Albrecht to place Item 4 on hold.

Motion by J. Albrecht and seconded by J. Mouser to consider Resolutions Items 1 – 3 under the Omnibus Agreement. All ayes. Motion carried.

Mayor Graham read the following resolutions:

Item 1 - Resolution authorizing the O'Fallon Fire Department Federal and Statewide Deployment of Employee Compensation

Item 2 – Resolution authorizing the City Clerk to sign an IDOT resolution for use of Motor Fuel Tax (MFT) for road maintenance in CY2015, Section 15-00000-00-GM

Item 3 – Resolution authorizing the Mayor to execute an agreement with Thouvenot, Wade, and Moerchen, Inc. (TWM) for professional services for the design of Porter Road, \$65,000 and for the use of Motor Fuel Tax (MFT) funds in an amount not to exceed \$650,000 for the total project cost

Motion by J. Albrecht and seconded by J. Mouser to approve Resolutions Item 1 – 3 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. Ayes - 13; Nos – 0. Motion carried.

ORDINANCES:

1st Reading – Motion by J. Albrecht and seconded by E. True to consider 1st Reading Ordinance, Item 5 an Ordinance authorizing the addendum to the Mutual Aid Box Alarm System 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. Ayes - 13; Nos – 0. Motion carried.

Motion by J. Albrecht and seconded by E. True to consider 1st Reading Ordinance, Item 6, an Ordinance which authorizes the execution of the Redevelopment Agreement with Commercial Real Estate Investors, LP.

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. Ayes - 13; Nos – 0. Motion carried.

2nd Readings –

Motion by J. Albrecht and seconded by M. Bennett to consider 2nd Reading Ordinances Items 7 – 10 under the Omnibus Agreement. All ayes. Motion carried.

Mayor Graham read the Ordinances:

Item 7 - Ord. amending Chapter 72, Section 72.19, Parking, as amended, (Section 70 was incorporated into and referred to as "Truck Ordinance" on 1st reading)

Item 8 – Ord. amending Chapter 98, Obstructions, (Referred to as "Parking Ordinance" on 1st reading)

Item 9 - Ord. amending Chapter 75: Vehicle Conditions, Equipment and Loads (Referred to as "Truck Ordinance" on 1st reading)

10. Ord. designating 226 West State, known as the Wachter Building, as a local historic landmark

Motion by J. Albrecht and seconded by J. Mouser to approve Ordinances Items 7 – 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. Ayes - 13; Nos – 0. Motion carried.

An Ordinance amending Chapter 111, Section 111.99 is on hold, and an Ordinance approving the Franchise Agreement remains on hold.

STANDING COMMITTEES –

Community Development: J. Albrecht stated the committee will meet on November 10th in the Mayor's Conference Room at 5:30 p.m.

Public Works: R. Meile announced that they will meet November 24th at the Public Safety Building at 7:00 p.m.

Public Safety: K. Hagarty said they will meet at 5:00 p.m. on November 10th.

Finance/Administration: Motion by M. Bennett and seconded by G. McCoskey to approve Warrant #312 in the amount of \$863,446.38.

ROLL CALL: McCoskey, aye; Meile, aye; True, aye; Albrecht, aye; Mouser, no; Hagarty, aye; Drolet, recused; Roach, aye; Bennett, no; Cardona, no; Hursey, aye; Holden, aye; Cozad, aye. Ayes - 9; Recuse – 1; Nos – 3. Motion carried.

Parks and Environment: E. True said they would not have a meeting.

EXECUTIVE SESSION: Mayor Graham said there is no Executive Session.

H. Roach mentioned that County Board members John West, Craig Hubbard, and Dennis Renner provided a successful recycling center in Shiloh a couple of weeks ago.

He also thanked the Police Chief, Fire Chief and EMS staff. He said he the Citizen Police Academy was well done. He stressed that everyone should take the opportunity to go through it.

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

The meeting was adjourned at 7:20 p.m.

Submitted by,

Philip A. Goodwin
City Clerk

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

**O’FALLON CITY COUNCIL
MINUTES OF THE SPECIAL CITY COUNCIL MEETING
Draft November 10, 2014**

The special meeting was called to order at 6:06 p.m. by Mayor Graham who led the Council in “The Pledge of Allegiance to the Flag.”

Philip Goodwin, City Clerk, called the roll: Gene McCoskey, present; Richie Meile, excused; 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.

RESIDENTS: Mayor Graham invited any resident forward to speak.

Nancy Chase from St. Clair Bowl came forward to talk about the video gaming being placed on the Community Development agenda.

Stewart Drolet stepped forward stating he is opposed to a sale of the water company. He likes that the City has control over the utility.

Mayor Graham replied that they would only consider if it was good for the City. As of this date they do not have numbers to provide or an answer. They will have Public Hearings before a decision is made.

EXECUTIVE SESSION: Mayor Graham said the Council would go into Executive Session to discuss the setting of a price for sale or lease of property owned by the public body. He said no action would be taken when they come out of closed session.

Motion by J. Mouser and seconded by E. True to go into closed session.

ROLL CALL: McCoskey, 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 - 13; Nos – 0. All ayes. Motion carried.

The Council went into closed session at 6:13 p.m. and returned with no action at 8:08 p.m.

ADJOURNMENT: Motion by J. Albrecht and seconded by J. Mouser to adjourn. All ayes. Motion carried.

The meeting was adjourned at 8:09 p.m.

Submitted by,

Philip A. Goodwin
City Clerk

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

CITY OF O'FALLON, ILLINOIS
RESOLUTION 2014 -

AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH KUHLMANN DESIGN GROUP, INC., FOR PROFESSIONAL SERVICES FOR THE DESIGN OF ASHLAND AVENUE AND FOR THE USE OF MOTOR FUEL TAX (MFT) FUNDS IN AN AMOUNT NOT TO EXCEED \$143,615.00, AND FOR USE OF MOTOR FUEL TAX (MFT) FUNDS IN AN AMOUNT NOT TO EXCEED \$2,100,000 FOR THE TOTAL COST OF THE PROJECT

WHEREAS, the City of O'Fallon, a municipal corporation, has a need for engineering services for the design of Ashland Avenue, and

WHEREAS, Kuhlmann Design Group, Inc., can perform the services the City needs, and

WHEREAS, the City of O'Fallon needs to demonstrate to the Illinois Department of Transportation (IDOT) support of the project slated for construction in IDOT's FY18.

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 City of O'Fallon authorizes its appropriate representatives to sign the Kuhlmann Design Group, Inc., agreement for professional services for the design of Ashland Avenue and use MFT Funds in an amount not to exceed \$143,615, and to sign IDOT forms indicating total support of the project not to exceed \$2,100,000.

Passed and approved this 17th day of November 2014.

ATTEST:

Approved:

Philip A. Goodwin, City Clerk

Gary L. Graham, Mayor



CITY COUNCIL AGENDA ITEM

To: Mayor Graham and City Council
From: Dennis Sullivan, Director of Public Works
Walter Denton, City Administrator
Date: November 17, 2014
Subject: RESOLUTION – Ashland Avenue Design and Use of MFT Funds

List of committees that have reviewed: Public Works Committee

Background: In March of 2014, Kuhlmann Design Group (kDG) submitted a grant application on behalf of the City for the construction of a new 2,250-foot road section between Hartman Lane and Central Park Drive. That grant application was approved for a total construction cost of \$1,438,000, to be partially funded in IDOT's FY18 program. The project is a Surface Transportation Program (STP) effort, and as such, O'Fallon is responsible for the design costs. kDG has submitted a proposal of \$143,615 for the design work.

To show support of the project, IDOT requires the Council to pass a resolution of support for design, construction, land acquisition and testing/inspection. The total cost of the project should not exceed \$2,100,000 based on what is known at this time. Therefore, in addition to the design proposal, staff requires Council approval of the total budget of that amount to start the overall process with IDOT.

The O'Fallon expense of design, construction, land acquisition and testing/inspection will be paid out of local Motor Fuel Tax (MFT) funds, and should not exceed \$870,000, unless some unknown situation arises during design or construction.

Legal Considerations, if any: None, beyond normal consideration when contracting for professional services.

Budget Impact: MFT Funds held in reserve will be used to fund the design work.

Staff recommendation: Staff recommends execution of the RESOLUTION for an agreement with Kuhlmann Design Group, Inc., in a total amount of \$143,615, and total support of the project for \$2,100,000.



CITY COUNCIL AGENDA ITEMS

To: Mayor and City Council
From: Sandy Evans, Director of Finance
Walter Denton, City Administrator
Date: November 17, 2014
Subject: Resolution to Settle Claim against Ameren Illinois Company

List of committees that have reviewed: None

Background: Due to the legal issues, the settlement agreement and terms will be discussed in closed executive session. After reconvening, this Resolution will be voted upon.

Legal Considerations, if any: Reviewed by Legal Counsel

Budget Impact: To be discussed in closed executive session.

Staff recommendation: Recommend approval

ORDINANCE NO. 3691

AN ORDINANCE ADOPTING THE 20062012 INTERNATIONAL BUILDING CODE, THE 20062012 INTERNATIONAL FIRE CODE, THE 20062012 INTERNATIONAL MECHANICAL CODE, THE 20092012 INTERNATIONAL PROPERTY MAINTENANCE CODE, THE 20062012 INTERNATIONAL RESIDENTIAL CODE, THE 20062012 INTERNATIONAL EXISTING BUILDING CODE, THE 20062012 INTERNATIONAL FUEL GAS CODE, THE 20092012 INTERNATIONAL/ILLINOIS ENERGY ~~CONSERVATION CODE~~ CONSERVATION CODE, AND THE 20052011 NATIONAL ELECTRICAL CODE

WHEREAS, the City of O' Fallon, Illinois (the "City") has from time to time adopted certain minimum regulations governing the design, construction, alteration, enlargement, repair, demolition, removal, maintenance, and use of all buildings and structures; and

WHEREAS, the City adopted Ordinance #~~3302~~3691 that adopted the 20032006 International Building Code, 20032006 Fire Prevention Code, 2006 Mechanical Code, 2006 International Property Maintenance Code, ~~2003 International Fire Prevention Code, 2003 International Mechanical Code, and 20032006~~ International Residential Code, 2006 International Existing Building Code, 2006 International Fuel Gas Code, 2005 International Energy Conservation Code and the 2005 National Electric Code and now desires to repeal this ordinance and subsequent amendments to it; and

WHEREAS, the City Council, after due deliberation and review, wishes to adopt the 20062012 International Building Code, the 20062012 International Fire Code, the 20062012 International Mechanical Code, the 20092012 International Property Maintenance Code, the 20062012 International Residential Code, the 20062012 International Existing Building Code, the 20062012 International Fuel Gas Code, the 20092012 International/Illinois Energy Conservation Code and the 20052011 National Electrical Code as the Building Codes of the City, and to provide penalties for violations thereof.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF O'FALLON, ILLINOIS, as follows:

SECTION 1: In the event of conflicts between any provision of this Ordinance and the provisions of any previously adopted and approved Ordinance, the provisions of this Ordinance shall govern. Ordinance #~~3302~~3691 and all subsequent amendments are hereby repealed.

SECTION 2: The Building Codes of the City of O’Fallon, Illinois shall consist of the following which are incorporated by reference and made a part hereof as though fully set out herein, and are hereby adopted:

(a) The “~~2006~~2012 International Building Code,” published by the International Code Council, Inc. including Appendices G, H, and J and the amendments prescribed in Section 3 of this Ordinance is hereby adopted as the “Building Code of the City of O’Fallon, Illinois” (the “Commercial Building Code”);

(b) The “~~2006~~2012 International Fire Code”, published by the International Code Council, Inc. including Appendices B, C, D, and E and the amendments prescribed in Section 4 of this Ordinance is hereby adopted as the “Fire Code of the City of O’Fallon, Illinois” (the “Fire Code”);

(c) The “~~2006~~2012 International Mechanical Code”, published by the International Code Council, Inc., et al. including Appendix A thereto and the amendments prescribed in Section 5 of this Ordinance is hereby adopted as the “Mechanical Code of the City of O’Fallon, Illinois” (the “Mechanical Code”);

(d) The “~~2009~~2012 International Property Maintenance Code”, published by the International Code Council, Inc., et al. including Appendix A and the amendments thereto prescribed in Section 6 of this Ordinance is hereby adopted as the Property Maintenance Code of the City of O’Fallon, Illinois” (the “Property Maintenance Code”);

(e) The “~~2006~~2012 International Residential Code”, published by the International Code Council, Inc., et al. including Appendices G and H and the amendments thereto prescribed in Section 7 of this Ordinance is hereby adopted as the “Residential Code of the City of O’Fallon, Illinois” (the “Residential Code”);

(f) The “~~2006~~2012 International Existing Building Code” published by the International Code Council, Inc., et al including the amendments thereto prescribed in Section 8 of this Ordinance is hereby adopted as the “Existing Building Code of the City of O’Fallon, Illinois” (“Existing Building Code”);

(g) The “~~2006~~2012 International Fuel Gas Code” published by the International Code Council, Inc., et al including the amendments thereto prescribed in Section 9 of this Ordinance is hereby adopted as the “Fuel Gas Code of the City of O’Fallon” (“Fuel Gas Code”);

(h) The “~~2009~~2012 International/Illinois Energy Conservation Code” published by the International Code Council, Inc., et al including the amendments thereto prescribed in Section 10 of this Ordinance is hereby adopted as the “Energy Code of the City of O’Fallon” (“Energy Code”);

(i) The “~~2005~~2011 National Electrical Code” published by the National Fire Protection Association, Inc. including the amendments thereto prescribed in Section 11 of this

Ordinance is hereby adopted as the “Electrical Code of the City of O’Fallon, Illinois” (the “Electrical Code”).

The City Clerk is hereby authorized and directed to maintain on file in the Office of the City Clerk one (1) copy each of the Commercial Building Code, the Fire Prevention Code, the Mechanical Code, the Property Maintenance Code, the Residential Code, the Existing Building Code, the Fuel Gas Code, the Energy Code, and the Electrical Code as herein adopted (collectively, the “City Codes”).

SECTION 3: The Commercial Building Code is hereby amended as follows:

(a) Section 101.1 is hereby amended by substituting “City of O’Fallon, Illinois” for the words “[NAME OF JURISDICTION]”;

(b) Section 103.1 is hereby repealed and a new Section 103.1 is adopted in lieu thereof as follows:

“103.1 **Department of Building Safety, Code Official defined.** The term “department of Building Safety” as used in this code shall mean the Building and Inspection Division of the ~~Planning and Zoning~~ Community Development Department of the City of O’Fallon, Illinois. The term “building official” as used in this code shall mean the duly appointed Code Official of the City of O’Fallon, Illinois and including any designee thereof.”;

(c) Section 103.2, inclusive is hereby repealed in its entirety;

(d) Section ~~108~~109.2 is hereby amended by substituting “by written order or resolution of the City Council” for the words “by the applicable governing authority”,

(e) Section 108.6 is hereby repealed and a new Section 108.6 is hereby adopted in lieu thereof as follows:

“~~108~~109.6 **Refunds.** No portion of any fee shall be returned to a permit holder in the case of a revocation of a building permit or a suspension, discontinuance, or abandonment of work.”;

(f) Section 112.0 is hereby repealed in its entirety and a new Section 112.0 is hereby adopted in lieu thereof as follows:

“**Section ~~112~~113.0 Means of Appeal**

~~112~~113.1 **Application for appeal; limitations.** Any person shall have the right to appeal to the Building Code Review Committee established in Section 112.2 of this code from a decision of the code official or from any notice issued in connection with the enforcement of the Fire Prevention Code, the Mechanical Code, the Property Maintenance Code, the Residential Code, the Existing Building Code, the Fuel Gas Code, the Energy Conservation Code and the Electrical Code (as applicable, “the code”). Any such appeal shall be based

solely upon and shall state a claim that: (i) the true intent of the code or the rules or regulations adopted pursuant thereto have been incorrectly interpreted, (ii) the provisions of the code do not apply, or (iii) an equivalent form of construction can be used; provided that the Building Code Review Committee shall have no authority to interpret the administrative provisions of the code nor to waive substantive requirements of the code. Any appeal under this section shall be in writing, shall contain a written statement of the grounds for the appeal and shall be filed in the office of the code official within thirty (30) days after the rendering of the decision or from the date of service of the notice from which the appeal is taken.

112.113.2 Committee established; membership. The Building Code Review Committee hereby established shall consist of five (5) members appointed by the chief appointing authority. The members are to be qualified by experience and training to pass on matters pertaining to the building codes. All members shall serve without compensation.

The terms of members first appointed shall be staggered as follows: one for five (5) years, one for four (4) years, one for three (3) years, one for two (2) years, and one for one (1) year. Subsequent terms shall be for five (5) years. Appointments to fill vacancies shall be for the unexpired portion of a term only.

The Committee shall annually elect one of its members to serve as chair, one of its members to serve as vice-chair, and one of its members to serve as secretary. Members so elected may be re-elected for successive terms. The Committee is hereby authorized to adopt and from time to time to amend rules of procedure for hearings under this code. The procedures shall not require compliance with strict rules of evidence but shall mandate that only relevant information shall be received.

The chief appointing authority shall appoint two alternate members who shall be called by the board chairman to hear appeals during the absence of or disqualification of a member. A member shall be disqualified to hear an appeal in which that member has a personal, professional, or financial interest in the subject matter. Alternate members shall be appointed for five-year terms. Appointments to fill vacancies shall be for the unexpired portion of a term only.

112.113.3 Hearing on appeal; decisions. The Committee shall meet to hear an appeal upon notice from the chair within thirty (30) days of the filing of the appeal. The Committee shall immediately determine whether the appeal filed complies with the jurisdictional requirements of Section 112.1 of this code. Upon so determining, the Committee may hear testimony and evidence and, upon conclusion of the hearing, may modify or reverse the decision or order of the code official by a concurring vote of three (3) members. The decision of the Committee shall be in writing and a copy shall be made available to the appellant and to the code official within a reasonable time after the vote and rendering of the decision.”

(g) Section (~~113~~114), **Violations**, is hereby amended and adopted in addition to the Commercial Building Code and is hereby incorporated as if fully set forth therein by adding to Paragraph 113.4 as follows:

~~113~~114.4.1 Except as otherwise provided, a person convicted of a violation of this code shall be punished by a fine of not less than \$75 and not more than \$750. With respect to violations of this code that are continuous with respect to time, each day the violation continues is a separate offense.

~~113~~114.4.2 The imposition of a penalty does not prevent revocation or suspension of a license, permit or franchise.

~~113~~114.4.3 Violations of this code that are continuous with respect to time may be abated by injunctive or equitable relief. The imposition of a penalty does not prevent equitable relief.

(h) The following Section (~~116~~117), named “**Maintenance of Construction Sites**”, including additional regulations and requirements are hereby adopted in addition to the Building Code and are hereby incorporated as if fully set forth therein.

~~116~~117.1 **Dumpsters**

- (1) Each building construction site shall have on-site a dumpster(s) of sufficient capacity to contain the construction debris generated by the construction activity on said site.
- (2) All construction debris from each building construction site, shall be placed in the construction site dumpster(s), by the end of each work day.
- (3) Every construction site dumpster, having been filled, shall be removed from the construction site and where appropriate, replaced with another empty dumpster until such time as construction debris is no longer generated on the site.

~~116~~117.2 **Rocked Driveways**

- (1) Each commercial construction site or subdivision construction site entrance shall have its driveway or roadway (as delineated on the building permit application site plan) rocked with CA3 (3 inch minimum) to a minimum depth of 6 inches. This subsection may not be required if the permanent paved driveway or entry road is in place and can be used by all construction equipment or delivery vehicles.
- (2) Each residential building construction site shall have its driveway (as delineated on the building permit application site plan) rocked with CA 6 to a minimum depth of 3 inches.
- (3) Rock drives or roadways must be constructed and maintained on stable soil in order to maintain the desired intent or the rock shall be replaced and/or soil stabilization may be required, as directed by the Code Official.

(4) All deliveries of building materials, of all kinds, shall be made using the rocked road or driveway, without exception.

~~116~~117.3 Sanitary Facilities

(1) Each building construction site shall provide sanitary facilities (including toileting and hand washing facilities) for the convenience of all workers and shall be discharged into a sanitary sewer or if the facility is portable, it shall be an enclosed, chemically-treated tank tight unit. All non-sewered units shall be pumped regularly to assure adequate working and sanitary facilities.

~~116~~117.4 Responsibility

(1) It shall be the responsibility of the permit holder and any individual or company acting under the direction of the permit holder to ensure compliance of all provisions of Section 116.

SECTION 4: The Fire Code is hereby amended as follows:

(a) Section 101.1 is hereby amended by substituting “City of O’Fallon, Illinois” for the words “[NAME OF JURISDICTION]” and by adding the sentence, “The term “jurisdiction” wherever appearing in this code shall mean the City of O’Fallon, Illinois.”;

(b) Section 103 “Department of Fire Prevention” is hereby amended as follows:

“103.1 **Department of Fire Prevention and Fire Code Official, defined.** The term “Department of Fire Prevention” as used in this code shall mean the Building and Inspection Division of the ~~Planning and Zoning~~Community Development Department of the City of O’Fallon, IL. The term “fire code official as used in this code shall mean the duly appointed Code Official of the City of O’Fallon, Illinois and any designee thereof.”

(c) Section 103.2 is hereby repealed in its entirety;

(d) Section 104.1 General, is hereby amended by adding the following text, “The Code Official shall not exercise any authority over fire service features regarding fire scenes or any other sections of this code that pertain to operation of and/or duties performed by the O’Fallon Fire Department. Those duties and authority remain with the O’Fallon Fire Chief or his designee.”

(e) Section 105, **Permits** is hereby amended by adding Section 105.1.2 hereby adopted as follows:

“105.1.24 **Fee schedule.** A fee for each plan examination, building permit, and inspection shall be paid to the City Clerk at the rate or rates established by written order or resolution of the City Council.”;

(f) Section 108.0 is hereby repealed in its entirety and a new Section 108.0 is hereby adopted in lieu thereof as follows:

“Section 108.0 Means of Appeal

108.1 Means of Appeal. Any person affected by a decision of the code official or a notice or order issued under this code shall have the right of appeal to the Building Code Review Committee, established by section 112.0 of the Building Code, which shall additionally govern the grounds and regulate the procedures for such appeals.”

(g) Section 109.3 is hereby repealed in its entirety and a new Section 109.3 is hereby adopted in lieu thereof as follows:

“109.3 **Violation Penalties.** Any person who shall violate any of the provisions of this code or shall fail to comply with any order issued pursuant to any section of this code, upon conviction therefore, shall be punished in accordance with the provisions set forth in Section 113.4 of Section 3, Commercial Building Code.”

SECTION 5: The Mechanical Code is hereby amended as follows:

(a) Section 101.1 is hereby amended by substituting “City of O’Fallon, Illinois” for the words “[NAME OF JURISDICTION]”;

(b) Section 103 is hereby repealed in its entirety and a new Section 103 is hereby adopted in lieu thereof as follows:

“Section 103 Code Official

103.1 General. The term “department of mechanical inspection” wherever used in this code shall mean the Building and Inspections Division of the ~~Planning and Zoning~~Community Development Department of the City of O’Fallon, Illinois. The term “code official” as used in this code shall mean the duly appointed Code Official of the City of O’Fallon, Illinois and any designee thereof.”

(c) Section 106.5.2 is hereby repealed and a new Section 106.5.2 is hereby adopted in lieu thereof as follows:

“106.5.2 **Fee schedule.** A fee for each plan examination, building permit, and inspection shall be paid to the City Clerk at the rate or rates established by written order or resolution of the City Council.”;

(d) Section 106.5.3 is hereby repealed in its entirety.

(e) Section 108.4 is hereby repealed in its entirety and a new Section 109.3 is hereby adopted in lieu thereof as follows:

“108.4 **Violation Penalties.** Any person who shall violate any of the provisions of this code or shall fail to comply with any order issued pursuant to

any section of this code, upon conviction therefore, shall be punished in accordance with the provisions set forth in Section 113.4 of Section 3, Commercial Building Code.”

f) Section 109.0 is hereby repealed in its entirety and a new Section 109.0 is hereby adopted in lieu thereof as follows:

“Section 109.0 Means of Appeal

109.1 Means of Appeal. Any person affected by a decision of the code official or a notice or order issued under this code shall have the right of appeal to the Builders Grievance Committee, established by section 112.0 of the Building Code, which shall additionally govern the grounds and regulate the procedures for such appeals.”

SECTION 6: The Property Maintenance Code is hereby amended as follows:

(a) Section 101.1 is hereby amended by substituting “City of O’Fallon, Illinois” for the words “[NAME OF JURISDICTION]”;

(b) Section 103 is hereby ~~repealed in its entirety and a new Section 103 is hereby adopted in lieu thereof~~amended as follows:

“Section 103 Code Official and Department;

103.1 General. The term “department of property maintenance inspection” wherever used in this code shall mean the ~~Code Enforcement Section of the Planning and Zoning~~Building and Inspection Division of the Community Development Department of the City of O’Fallon, Illinois. The term “code official” as used in this code shall mean the duly appointed Code Official of the City of O’Fallon, Illinois and any designee thereof.

(c) Section 103.5 is hereby repealed in its entirety and fees are adopted per Section 6.01, paragraph (a)~~(v)~~(v), under additional regulations.

(d) Section 104.~~43~~43 is hereby repealed in its entirety.

(e) Section 106.4 is hereby repealed in its entirety and a new Section 106.4 is hereby adopted in lieu thereof as follows:

106.4 Violation Penalties. Any person who shall violate any of the provisions of this code or shall fail to comply with any order issued pursuant to any section of this code, upon conviction therefore, shall be punished in accordance with the provisions set forth in Section 113.4 of Section 3, Commercial Building Code.”

(f) Section 109.6 is hereby repealed in its entirety.

(g) Sections 110.3 and 110.4 are hereby repealed in their entirety. [*See applicable Illinois law on demolition of unsafe structures.*]

(h) Section 111 is hereby repealed in its entirety and a new Section 111 is hereby adopted in lieu thereof as follows:

“Section 111 Means of Appeal

111.1 Means of Appeal. Any person affected by a decision of the code official or a notice or order issued under this code shall have the right of appeal to the Building Code Review Committee, established by Section 121.0 of the Building Code, provided that provisions of this code shall regulate the procedures for such appeals.”

(i) Section 302.4 shall have 8 inches inserted as the jurisdiction requirement.

~~(j) Section 404.5 is hereby repealed in its entirety and a new Section 404.5 is hereby adopted in lieu of as follows:~~

~~“Section 404.5 Overcrowding. Dwelling units shall not be occupied by more occupants than permitted by the minimum area requirements of Table 404.5.~~

**TABLE 404.5
 MINIMUM AREA REQUIREMENTS**

SPACE	MINIMUM AREA IN SQUARE FEET		
	1-2 occupants	3-5 occupants	6 or more occupants
Living room ^{a,b}	No requirements	120	150
Dining room ^{a,b}	No requirements	80	100
Bedrooms	Shall comply with Section 404.4		

For SI: 1 square foot = 0.093 m².

a. See Section 404.5.2 for combined living room/dining room spaces.

b. See Section 404.5.1 for limitations on determining the minimum occupancy area for sleeping purposes.

~~**404.5.1 Sleeping area.** The minimum occupancy area required by Table 404.5 shall not be included as a sleeping area in determining the minimum occupancy area for sleeping purposes. All sleeping areas shall comply with Section 404.4~~

~~**404.5.2 Combined spaces.** Combined living room and dining room spaces shall comply with the requirements of Table 404.5 if the total area is equal to that~~

~~required for separate rooms and if the space is located so as to function as a combination living room/dining room.~~

6.01 Occupancy Permit and Inspections

(a) The following additional regulations are hereby adopted as supplementary and in addition to the requirements of the Property Maintenance Code and are hereby incorporated as if fully set forth therein.

(i) **Permit Required.** It shall be unlawful for the owner of a parcel of real estate on which a residential or non-residential structure is situated, to occupy the structure or permit the occupancy of the structure by any person without complying with prior thereto Section 6.01(a)(ii). Further, the owner shall not occupy or allow the occupancy of any existing residential or non-residential structure, if the Occupancy Permit thereto has been revoked.

To obtain an Occupancy Permit, the owner must comply with the application process outlined in Section 6.01(a)(ii) within the prescribed time.

Once an Occupancy Permit is issued it shall thereafter, except as provided in Section 6.01(a)(i)(E), be unlawful for the owner to change or allow a change of occupancy with or without change of ownership of the residential or non-residential structure without the owner complying with Section 6.01(a)(ii) prior to the change of Occupancy.

For purposes of this Section 6, “owner” is defined as the person or entity maintaining fee simple title to the real estate on which the structure is located at the time of transfer of the title to the real estate to the transferee or at the time of change in occupancy of the structure situated on the real estate.

For purposes of this Section 6, the term “change in occupancy” shall mean a change in possession of a residential or nonresidential structure by way of rental, leasehold, ownership, or other manner of tenancy.

For purposes of this Section 6, -the term “change in ownership” shall mean;

- (a) Transfer of title to the real property via a deed.
- (b) Transfer of majority interest in a land trust holding title to the real property.

- (c) Transfer of majority interest in a Corporation, Limited Liability Company, Partnership or other entity holding title to the real property.

A Certificate of Occupancy issued for new or renovated structures by the code official under section 110.0 of the Building Code and section R110 of the Residential Code shall be considered and is expressly distinguished from the Occupancy Permit required pursuant to this Section 6.01(a)(i). However, such Certificate of Occupancy may be honored as an alternative to the Occupancy Permit required by Section 6.01(a)(i) and this code, provided the subject structure otherwise complies with the standards and requirements of this code. In the absence of such compliance, any building permit fees paid to the City shall be counted toward the fee required for the Occupancy Permit under the Property Maintenance Code.

Any existing structures inspected under this Property Maintenance Code will not be subject to the requirements of the Building Code or Residential Code, unless the building is also subject to new construction, alteration, addition, or relocation requirements, and then only the portion that is affected by that work. The legal occupancy of any structure existing on the date of adoption of this code, or for which it has been heretofore approved shall be permitted to continue without change, except as is otherwise specifically covered in this property maintenance code, the building code, or fire prevention codes or presents a threat to the life, health and safety of the occupants.

EXCEPTIONS: The provisions of Section 6.01(a)(i) shall not be applicable in the following instances:

- A. To the change in ownership of a residential or non-residential structure containing a dwelling unit when the change in ownership is between co-owners and if there is no change in occupancy;
- B. To the change in occupancy or ownership of a residential or non-residential structure within twenty four (24) months from the date of the last issue of the Occupancy Permit herein required, but not at a longer interval as required by other sections of this code, provided there is no just cause for re-inspection of the premises;
- C. To the change in ownership of a residential or non-residential structure when the new buyer or transferee within seven (7) days from date of purchase or transfer, delivers a notarized statement to the Code Official stating that the buyer/transferee will cause the structure to be demolished within six (6) months from the date of purchase or transfer.

- D. To the change in ownership or occupancy of a residential structure within thirty six (36) months from the date of issue of a Certificate of Occupancy for new construction.
- E. To the change in ownership of any structure when a new owner accepts all responsibility for obtaining the inspection and an Occupancy Permit required by Section 6.01(a)(i) and 6.01(a)(ii), provided that the owner or the new owner submits an application for an Occupancy Permit along with a written and signed agreement between the owner and new owner, with signatures notarized that the new owner accepts responsibility for obtaining the inspection and an Occupancy Permit. The structure may not be occupied until the above documents have been filed with the Code Official.

(ii) **Application Process.** Application for the Occupancy Permit required by the Property Maintenance Code shall be made by the owner of the structure or by his agent. Any application submitted by a person other than the fee owner shall be done so with legal authorization from the fee owner. The application shall contain the full name and address of the owner or the names and addresses of the responsible officers if the owner is other than a natural person, and the name and address of the applicant.

The application for such Occupancy Permit shall be submitted in such form as the code official prescribes and shall be filed with the Code Enforcement Section of the Planning & Zoning Department:

- (a) In the case of a change of ownership, irrespective of tenancy, at least seven days before the date of transfer of title or effective date of contract for deed.
- (b) In the case of a change of renter, tenant or lessee.

Once application is made, owner can allow ~~a change in occupancy of the structure to be occupied, unless the conditions in exception (a) apply.~~

The property maintenance inspection required for issuance of an Occupancy Permit must be scheduled within 7 days after application is made and once the property maintenance inspection is completed and the owner has been notified of any violations, all violations shall be corrected within 30 days and a re-inspection scheduled. An extension of the 30 day period listed above can be obtained, with due cause, only after written request and then by approval of the Code Official.

(a) If the property is sold/purchased “As Is” or if the structure has not been occupied for a period of 6 months or more then

the initial inspection must be completed and all life safety violations must be corrected before the structure can be occupied. This type inspection can be scheduled to be performed within 2 business days of the request. Once the life safety violations are completed, normal time requirements will apply.

(iii) **Action on Application; Permit Contents.** The code official shall examine or cause to be examined all applications for an Occupancy Permit and shall inspect or cause to be inspected, the structure which is the subject of the application within thirty (30) days after filing. If the application and the structure conform to the requirements of all pertinent laws of the City, the code official shall issue the Occupancy Permit within the same thirty (30) day period. The Occupancy Permit shall certify that the structure complies with the provisions of this code and shall additionally set forth the use, street address or other means of identification, date of issuance, and such other information as the code official shall deem appropriate for the implementation of this code. Occupancy Permits for residential structures shall additionally state the maximum number of occupants permitted.

(iv) **Scheduling of Regular Inspections; Utility Services.** Regular inspections and regular re-inspections shall be scheduled for normal work days of the City. Appointments for inspection and/or re-inspection shall be made for time(s) of mutual convenience of the applicant and the code official whenever possible and within the time frames specified in Section 6(a)(ii), above. It shall be the responsibility of the owner or the owner's agent or tenant to provide access to the residential or nonresidential structure(s) within seven (7) days from the date of request by the City for gain of entry and free access.

Water and electric utility services connections, and gas utility service connection, if applicable, shall be in service at the time scheduled for inspection and re-inspection. Water service through the City of O'Fallon and authorization to have electric service activated by that service provider will not be authorized until application is made, when required, for an Occupancy Permit and has been filed with the Code Official.

(v) **Fees.** Fee(s) for an Occupancy Permit shall be paid to the City Clerk at the rate or rates established by written order or resolution of the City Council.

6.02 Residential Occupancy Permit Requirements:

(a) The following additional regulations and standards are hereby adopted for residential units as supplementary and in addition to the requirements of the Property

Maintenance Code and are hereby incorporated as if fully set forth therein:

- (i) Existing receptacles in the following locations shall have GFCI protection pursuant to ~~Section E3802~~ Part VIII of the ~~2003~~ 2012 International Residential Code:
 - (a) Toilet and bathrooms
 - (b) Garages
 - (c) Outdoor receptacles
 - (d) Kitchen and bar sink receptacles that serve countertop surfaces
 - (e) Unfinished basement receptacles
 - (f) Hydro massage bathtubs
 - (g) Crawl space receptacles

- (ii) The garage shall be separated from the residence and its attic by the following means:
 - (a) The garage shall be separated from the residence and its attic area by means of a minimum of ½ inch gypsum board applied to the garage side.
 - (b) Openings from a private garage directly into a room used for sleeping purposes shall not be permitted. Other openings between the garage and residence shall be equipped with either solid wood door not less than 13/8 inch in thickness, 20 minute fire rated doors or metal insulated doors.

- (iii) Each gas appliance shall be provided with a shutoff valve separate from the appliance. The shutoff valve shall be located in the same room as the appliance, not further than 6-feet from the appliance or within reasonable proximity, and installed upstream from the union, connector, or quick disconnect device it serves.

- (iv) Swimming pools must comply with the safety regulations of Appendix G of the ~~2006~~ 2012 International Residential Code.

- (v) Provide access to and allow for removal or cause to be removed electric service panel covers for inspection of inside service panel, if required.

- (vi) Provide Carbon Monoxide Detectors in all residential occupancies, pursuant to the requirements set forth in the Illinois Carbon Monoxide Detector Act.

6.03 Non-Residential/Commercial Occupancy Permit Requirements:

(a) The following additional regulations and standards are hereby adopted for non-residential/commercial structures as supplementary and in addition to the requirements of the Property Maintenance Code and are hereby incorporated as if fully set forth therein:

- (i) Annual inspections shall be required on all non-residential/commercial structures or premises of the following types and uses:

- (a) A principal non-residential/commercial structure that contains a residential occupancy, such as apartments, that constitutes an accessory use to the structure. The residential portion of that structure shall be only inspected under the guidelines for residential occupancy and related exceptions.
- (b) All structures in the R1 Use Group as defined in the Building Code, i.e.: hotels, motels, bed and breakfast and boarding houses.
- (c) All structures in the A-1 Use Group as defined in the Building Code, i.e.: theaters, concert halls
- (d) All structures in the A-3 Use Group as defined in the Building Code, i.e.: structures intended for worship, recreation, amusement, community halls, dance halls, etc.
- (e) Any other structure within the Assembly Group as defined in the Building Code, which in the determination of the Code Official presents a potential public safety hazard to the occupants.
- (f) All structures having automatic fire suppression systems, including fire suppression cooking hood systems.
- (g) All structures and facilities used for child care and having an average daily attendance of eight or more children.
- (h) Any structure in the H (hazardous) Use Group as defined by the Building Code.

(b) Commercial buildings required to have a fire alarm system either by code requirements or by agreement with the Code Official or Fire Department as a condition of occupancy must have those systems monitored by an approved central station alarm company or proprietary supervising station.

The building owner and/or occupant must notify the Planning and Zoning Dept. of the central station alarm company or proprietary supervising station contracted to monitor the system. This notification must be done on an annual basis. Owner/occupant must immediately notify the [Planning Building](#) and [Zoning Dept. Inspections Division](#) of any change in status of the alarm, the central service company or proprietary supervising station, discontinuance of service, or for any other reason that may render the alarm inoperable. Central station alarm companies monitoring alarm systems within the City of O'Fallon must notify the [Planning Building](#) and [Zoning Dept. Inspection Division](#). of any discontinuance of service of any fire alarm system monitored within the city.

(c) Commercial parking lot [maintenance](#), striping and signage shall be maintained for compliance with the Illinois Accessibility Code.

SECTION 7: The Residential Code is hereby amended as follows:

(a) Section R101.1 is hereby amended by substituting "City of O'Fallon, Illinois" for the words "[NAME OF JURISDICTION]";

(b) Section R103.1 is hereby repealed in its entirety and a new Section R103.1 is hereby adopted in lieu thereof as follows:

“Section R103.1 Department of Building Safety, Code Official defined

R103.1 **General.** The term “department of building safety” wherever used in this code shall mean the Building and Inspections Division of the ~~Planning and Zoning~~[Community Development](#) Department of the City of O’Fallon, Illinois. The term “building official” as used in this code shall mean the duly appointed Code Official of the City of O’Fallon, Illinois and any designee thereof.

(c) Section R103.2~~,2.2~~ inclusive is hereby repealed in its entirety;

(d) Section R108.2 ~~is and~~ [R108.3 are](#) hereby amended by substituting “by written order or resolution of the City Council” for the words “by the applicable governing authority”;

(e) Section R108.5 is hereby repealed and a new Section R108.5 is hereby adopted in lieu thereof as follows:

“R108.5 **Refunds.** No portion of any fee shall be returned to a permit holder in the case of a building permit or a suspension, discontinuance, or abandonment of work.”

(f) Section R112 is hereby repealed in its entirety and a new Section R112 is hereby adopted in lieu thereof as follows:

“Section R112 Means of Appeal

R112.1 **Means of Appeal.** Any person affected by a decision of the code official or a notice or order issued under this code shall have the right of appeal to the Building Code Review Committee, established by section 112.0 of the Building Code, which shall additionally govern the grounds and regulate the procedures for such appeals.”

(g) Section R113.4 is hereby repealed in its entirety and a new Section 109.3 is hereby adopted in lieu thereof as follows:

“R113.4 **Violation Penalties.** Any person who shall violate any of the provisions of this code or shall fail to comply with any order issued pursuant to any section of this code, upon conviction therefore, shall be punished in accordance with the provisions set forth in Section 113.4 of Section 3, Commercial Building Code.”

[h\) Section R313.2 Sprinklers in residential Structures is repealed in its entirety and insert:](#)

[Section R313.2 One and Two-Family Dwellings Automatic Fire Systems A builder of one and two family dwellings shall offer to the purchaser](#)

on or before the time of entering into the purchase contract the option, at the purchasers cost, to install or equip fire sprinklers in the dwelling, residence or unit. No purchaser of such one or two family dwelling shall be denied the right to choose or decline to install a fire sprinkler system in such dwelling or residence being purchased. Written verification by the builder affirming that a fire sprinkler system was offered to the purchaser prior to entering into the purchase contract must be included in the permit application.

h) Section R403.1.4.1 is hereby amended by substituting “200 square feet” under “Exceptions (1) and (2) for 600 and 400 square feet.”, respectively.

SECTION 8: The Existing Building Code is hereby amended as follows:

(a) Section 101.1 is hereby amended by substituting “City of O’Fallon, Illinois” for the words “[NAME OF JURISDICTION]”;

(b) Section 103.1 is hereby repealed in its entirety and a new Section R103.1 is hereby adopted in lieu thereof as follows:

“Section 103.1 Department of Building Safety, Code Official defined

103.1 **General.** The term “department of building safety” wherever used in this code shall mean the Building and Inspections Division of the Planning and ZoningCommunity Development Department of the City of O’Fallon, Illinois. The term “code official” as used in this code shall mean the duly appointed Code Official of the City of O’Fallon, Illinois and any designee thereof.

(c) Section 103.2., inclusive is hereby repealed in its entirety;

(d) Section 108.2 is hereby amended by substituting “by written order or resolution of the City Council” for the words “by the applicable governing authority.”

(e) Section 108.6 is hereby repealed and a new Section 108.6 is hereby adopted in lieu thereof as follows:

“108.6 **Refunds.** No portion of any fee shall be returned to a permit holder in the case of a building permit or a suspension, discontinuance, or abandonment of work.”

(f) Section 112 is hereby repealed in its entirety and a new Section 112 is hereby adopted in lieu thereof as follows:

“Section 112 Means of Appeal

112.1 **Means of Appeal.** Any person affected by a decision of the code official or a notice or order issued under this code shall have the right of appeal to the Building Code Review Committee, established by section 112.0 of the Building Code, which shall additionally govern the grounds and regulate the procedures for such appeals.”

(g) Section 113.4 is hereby repealed in its entirety and a new Section 109.3 is hereby adopted in lieu thereof as follows:

“113.4 **Violation Penalties.** Any person who shall violate any of the provisions of this code or shall fail to comply with any order issued pursuant to any section of this code, upon conviction therefore, shall be punished in accordance with the provisions set forth in Section 113.4 of Section 3, Commercial Building Code.”

(h) Sections 117.3 and 117.4 are hereby repealed in their entirety. (*See applicable Illinois law on demolition of unsafe structures.*)

SECTION 9: The Fuel Gas Code is hereby amended as follows:

(a) Section 101.1 is hereby amended by substituting “City of O’Fallon, Illinois” for the words “[NAME OF JURISDICTION]”;

(b) Section 103.1 is hereby repealed in its entirety and a new Section R103.1 is hereby adopted in lieu thereof as follows:

“Section 103.1 Department of Building Safety, Code Official defined

103.1 **General.** The term “department of inspection” wherever used in this code shall mean the Building and Inspections Division of the [Planning and Zoning Community Development](#) Department of the City of O’Fallon, Illinois. The term “code official” as used in this code shall mean the duly appointed Code Official of the City of O’Fallon, Illinois and any designee thereof.

(c) Section 103.2., inclusive is hereby repealed in its entirety;

(d) Section 106.5.2 is hereby repealed in its entirety and a new Section 106.5.2 is hereby adopted in lieu thereof as follows:

“106.5.2 **Fee schedule.** A fee for each plan examination, building permit and inspection shall be paid to the City Clerk at the rate or rates established by written order or resolution of the City Council.”

(e) Section 106.5.3 is hereby repealed and a new Section 106.5.3 is hereby adopted in lieu thereof as follows:

“106.5.3 **Refunds.** No portion of any fee shall be returned to a permit holder in the case of a building permit or a suspension, discontinuance, or abandonment of work.”

(f) Section 108.4 is hereby repealed in its entirety and a new Section 109.3 is hereby adopted in lieu thereof as follows:

“108.4 **Violation Penalties.** Any person who shall violate any of the provisions of this code or shall fail to comply with any order issued pursuant to any section of this code, upon conviction therefore, shall be punished in accordance with the provisions set forth in Section 113.4 of Section 3, Commercial Building Code.”

(g) Section 109 is hereby repealed in its entirety and a new Section 109 is hereby adopted in lieu thereof as follows:

“Section 109 Means of Appeal

109.1 **Means of Appeal.** Any person affected by a decision of the code official or a notice or order issued under this code shall have the right of appeal to the Building Code Review Committee, established by section 112.0 of the Building Code, which shall additionally govern the grounds and regulate the procedures for such appeals.”

SECTION 10: The Energy Conservation Code is hereby amended as follows:

(a) Section ~~401C101~~.1 is hereby amended by substituting “City of O’Fallon, Illinois” for the words “[NAME OF JURISDICTION]”;

(b) Section ~~407C107~~.2 is hereby repealed in its entirety and a new Section 107.2 is hereby adopted in lieu thereof as follows:

“~~407C107~~.2 **Fee schedule.** A fee for each plan examination, building permit and inspection shall be paid to the City Clerk at the rate or rates established by written order or resolution of the City Council.”

(c) Section 107.5 is hereby repealed and a new Section 107.5 is hereby adopted in lieu thereof as follows:

“107.5 **Refunds.** No portion of any fee shall be returned to a permit holder in the case of a building permit or a suspension, discontinuance, or abandonment of work.”

(d) Section ~~R408C108~~.4 is hereby repealed in its entirety and a new Section ~~409.3~~108.4 is hereby adopted in lieu thereof as follows:

“~~408C108~~.4 **Violation Penalties.** Any person who shall violate any of the provisions of this code or shall fail to comply with any order issued pursuant to any section of this code, upon conviction therefore, shall be punished in accordance with the provisions set forth in Section 113.4 of Section 3, Commercial Building Code.”

(e) Section 109 is hereby repealed in its entirety and a new Section 109 is hereby adopted in lieu thereof as follows:

“Section 109 Means of Appeal

109.1 **Means of Appeal.** Any person affected by a decision of the code official or a notice or order issued under this code shall have the right of appeal to the Building Code Review Committee, established by section 112.0 of the Building Code, which shall additionally govern the grounds and regulate the procedures for such appeals.”

SECTION 11: The Electrical Code is hereby amended as follows:

(a) Section 90-4 is hereby amended by adding thereto the following provisions:

“The Building and Inspections Division of the [Planning and Zoning Community Development](#) Department of the City of O’Fallon, Illinois and the duly appointed Code Official of the City of O’Fallon, Illinois and authorized designees (individually a “code official” and together, the “code officials”) that are hereby authorized and designated to carry out the enforcement provisions of this code.

Any person affected by a decision of a code official or a notice or order lawfully issued under this code shall have the right of appeal to the Building Code Review Committee, established by section 121.0 of the Building Code, which shall additionally govern the grounds and regulate the procedures for such appeals.”

(b) The following additional regulations and standards are hereby adopted as supplementary and in addition to the requirements of the Electrical Code and are hereby incorporated as if fully set forth therein.

(i) No other electrical conductor other than copper shall be used in the City other than

- (a) by the utility company in its service supply lines-
- (b) service and feeders approved by the Code Official

(ii) Branch circuits shall be at least Number 12 gauge wire.

(iii) Use of circuit breakers commonly known and referred to as “space saver circuit breakers” shall be prohibited in new construction. It may be allowed in panelboard replacement in existing services and in upgrading of existing services if the service panel is rated for their use, with the approval of the code official. The minimum width of any service panelboard circuit breaker shall be ¾ inch. All such circuit breakers shall be of “unit-pole” design and operation, having one overcurrent protection device per set of terminals; the use of twin, tandem or similar circuit breakers which feature or allow two or more overcurrent protection devices on a single set of terminals shall not be permitted. For the purpose of this code, a “unit pole” circuit breaker is a

single overcurrent protection device which exclusively, without another, makes use of one line-side terminal and its opposite load center bus-bar terminal. Any such use shall meet manufacturers requirements.

(iv) A maximum of 42 circuits per panel shall be allowed on a 200 amp service panel and 24 circuits on a 125 amp service panel. Breaker panels and/or fuse panels shall be clearly marked within the panel designating circuit numbers and the corresponding area(s) and/or equipment or features they service. All service panels shall contain a 2-pole space for future expansion.

SECTION 12: The portions of this Ordinance shall be severable. In the event that any portion of this Ordinance is found by a court of competent jurisdiction to be invalid, the remaining portions of this Ordinance are valid, unless the court finds the valid portions of this Ordinance are so essential and inseparably connected with and dependent upon the void portion that it cannot be presumed that the City Council would have enacted the valid portions without the invalid ones, or unless the court finds that the valid portions standing alone are incomplete and are incapable of being executed in accordance with the legislative intent.

SECTION 13: This Ordinance shall be in full force and effect from and after its passage, approval and publication as provided by law.

Passed by the City Council this _____ day of _____ 2014.

ATTEST: _____ Approved by the Mayor this _____ day
 (seal) _____ of _____ 2014.

 Philip A. Goodwin, City Clerk Gary L. Graham, Mayor

ROLL CALL:	McCoskey	Meile	True	Albrecht	Mouser	Hagarty	Drolet, J.	SUB TOTALS
Aye								
Nay								
Absent								

ROLL CALL:	Roach	Bennett	Cardona	Hursey	Holden	Cozad	Gerrish	SUB TOTALS	SUM OF TOTALS
Aye									
Nay									
Absent									

~~Approved and passed and approved by the O'Fallon City Council this 18th day of October 2010~~

ATTEST: _____ APPROVED: _____

 City Clerk _____ Mayor

ROLL CALL:	Grogan	McCoskey	True	Polites	Mouser	Reekamp	Drolet, J.	SUB TOTALS
Aye	X	X	X	X		X	X	6
Nay								0
Absent					X			1

ROLL CALL:	Snyder	Bennett	Renner	Drolet, N.	Engler	Albrecht	Cozad	SUB TOTALS	SUM OF TOTALS
Aye	X	X	X		X	X	X	6	12
Nay								0	0
Absent				X				1	2

First Reading: _____ October 4, 2010 _____
 Second Reading _____ October 18, 2010 _____

Published: _____



CITY COUNCIL AGENDA ITEM

To: Mayor Graham and City Council

From: Ted Shekell, Community Development Director
Walter Denton, City Administrator

Date: November 17, 2014

Subject: Adoption of the 2012 ICC Family of Codes – 1st Reading

List of committees that have reviewed: The Community Development Committee reviewed the proposed change to the 2012 ICC Family of Codes at their November 10, 2014 meeting and recommended approval with a vote of 6-0.

Background

The attached ordinance is a strikethrough version of the proposed changes. In the strikethrough version of the ordinance there is a section on overcrowding being removed. This is because the 2012 ICC (International Code Council) Code already includes this section as a part of the code, therefore we propose removing this section from the adopting ordinance so as not duplicate a code section.

The proposed 2012 ICC (International Code Council) Code adoption is a periodic update of the family of codes that the City uses to regulate all construction and administer the Occupancy Permit Program in the City. While we have made periodic amendments and/or deletions of certain sections of codes, the last time the codes were updated was in December 2010 when we adopted the 2006 family of codes. ICC develops new codes every 3 years and each jurisdiction can adopt what year they choose.

The previous ordinance (#3691) adopted the following codes:

- 2006 International Building Code (IBC)
- 2006 International Fire Prevention Code (IFC)
- 2006 International Mechanical Code (IMC)
- 2009 International Property Maintenance Code (IPMC)
- 2006 International Residential Code (IRC)
- 2006 International Existing Building Code (IEBC)
- 2006 International Fuel Gas Code (IFGC)
- 2005 National Electric Code (NEC)

As with previous codes, they are constantly evolving through recommended code changes, new technologies and increased safety standards all intended to fulfill the purpose of the codes, which is “to provide minimum requirements to safeguard the public safety, health, and general welfare, through affordability, structural strength, means of egress facilities, stability, sanitation, light, and ventilation, energy conservation and safety to life and property from fire and other hazards attributed to the built environment”.

This proposed ICC Code adoption ordinance is similar to the old ordinance in that certain language changes have been included to make the ordinance and the ICC Code compatible with local and state law. These include, but are not limited to, construction site maintenance issues, definition changes, the appeal process, property maintenance/occupancy permit requirements, violation penalty

provisions and organizational issues. The more specific changes in the current ordinance were just the year of the code and some section numbers that may have changed from 2006 to 2012. The two significant changes to the adopting ordinance are:

- The requirement for residential fire sprinklers in new one and two - family homes, which was a requirement that was added to the 2009 IRC, has been removed. We are discussing with the City Attorney the most appropriate way for the builder to notify the contract purchaser of their choice to install sprinklers or not. This is to ensure that the purchaser is aware they have the option.
- We have added a requirement to the City's property maintenance section that would require in structures sold "As Is" or a structure that has been vacant for a period of 6 months or more has to be inspected prior to anyone occupying the structure. Our current ordinance allows occupancy once the application is made. (Ordinance change page attached)

Staff believes it is important that we adopt the 2012 ICC Codes at this time for the following reasons:

- The St. Elizabeth's Hospital Design Team has stated that they would prefer designing their new hospital and medical office buildings to the 2012 IBC and IFC. This is particularly important because this will be an ongoing project that we span several years, and starting with 8 year old codes now and having to change them as new buildings are built could make their project more difficult, as well as more challenging for our staff.
- All training and certifications for our inspection staff are now on the 2009 or 2012 ICC Codes and are no longer available for our current 2006 adopted codes.
- Keeping current with new construction related technologies.
- Insurance Service Office (ISO) Rating requires building codes be within 5 years of the latest code year. There are significant point reductions taken in their grading system when the adopted codes are older than 5 years.

Proposed Code Adoption Ordinance for 2012 Family of Codes

2012 International Building Code (IBC)
2012 International Fire Prevention Code (IFC)
2012 International Mechanical Code (IMC)
2012 International Property Maintenance Code (IPMC)
2012 International Residential Code (IRC)
2012 International Existing Building Code (IEBC)
2012 International Fuel Gas Code (IFGC)
2012 Illinois Energy Conservation Code
2011 National Electric Code (NEC)

While some of the code changes will require additional features for safer construction, there are other changes, particularly in the IBC, that eases some of those requirements. The code development process takes into consideration history and results of requirements and their intended purpose. It is not uncommon to see easing of requirements that did not prove necessary. This is the case for some of the hospital's design. Another example is the 2012 IRC has changed designations of seismic zones, which will result in less steel reinforcement requirements for footings and foundations.

Staff has met with four of the City's primary residential builders to discuss the update. They have supported the adoption, although there are some additional costs associated with some of the changes. We have not received negative comments or opposition, with the exception of requirements for SFR sprinklers, which are not proposed.

Legal Considerations, if any: None

Budget Impact: None

Staff Recommendation

Staff recommends adoption of the 2012 ICC Codes, with local amendments as outlined above.

ORDINANCE NO. _____

**AN ORDINANCE AMENDING
ORDINANCE NO. 3789
ZONING DISTRICTS OF THE CITY
OF O’FALLON, ILLINOIS AND
ORDINANCE NO. 3792 EXECUTION
OF AN ECONOMIC INCENTIVE
AGREEMENT (DEVELOPMENT
KNOWN AS “CARMAX” LOCATED
AT 1254 CENTRAL PARK DRIVE, ON
PARCEL NUMBER 03-36.0-201-012)**

WHEREAS, the City Council adopted Ordinance No. 3789 on December 17, 2012, said Ordinance amending Ordinance No. 623; and

WHEREAS, the City Council granted a one year extension to Ordinance No. 3789 on November 18, 2013, pursuant to Section 158.119(F) of the City of O’Fallon Code of Ordinances; and

WHEREAS, the City Council adopted Ordinance No. 3792 on January 7, 2013, said Ordinance entering into an economic incentive agreement with CarMax Auto Superstores, Inc.; and

WHEREAS, pursuant to Ordinance No. 3792, the City of O’Fallon, Illinois and CarMax entered into the “City of O’Fallon, CarMax Economic Incentive Agreement” (the Agreement); and

WHEREAS, pursuant to the Agreement, Section 2: Development of Project Site, the Developer subject to paragraph 8 of the Agreement, shall commence Initial Construction within two (2) years of the execution of this Agreement; and

WHEREAS, the approval for the Planned Use is set to expire December 17, 2014 and the approval is set to expire January 7, 2015; and

WHEREAS, Centerpoint Integrated Solutions, on behalf of CarMax Auto Superstores, has requested an additional twelve (12) months to make minor adjustments to the site plans; and

WHEREAS, the City believes it to be in the best interest of the City and the public welfare to grant the request of CarMax Auto Superstore by amending the appropriate sections of Ordinance 3789 and the Agreement in Ordinance 3792, extending both Ordinances and the Agreement to January 7, 2016; and

WHEREAS, all terms and conditions of Ordinance No. 3789 and Ordinance 3792, as well as all of the provisions of this amending Ordinance, shall be binding on of CarMax Auto Superstore, their transferees, successors and assignees, including successors in title to the subject real estate.

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: The following is added to Ordinance No.: 3789 as Paragraph 2 of Section Three:

2. Pursuant to this Ordinance, the City Council of O’Fallon, Illinois has granted an additional twelve (12) month extension to a date of January 7, 2016 for the Planned Use approval of CarMax Auto Superstore.

Section 2: Paragraph 1 of Section Two of the Agreement attached to Ordinance No.3792 is hereby amended to read as follows:

Development of Project Site. The Developer subject to paragraph 8 of this Agreement, shall commence Initial Construction within ~~two (2)~~ three (3) years of the execution of this Agreement and shall complete or cause the completion of the Development Project as soon as reasonably possible; provided that the time for completion shall be extended for delays beyond the control of the Developer, including but not limited to, acts of God, inclement weather, strikes, inability to procure or a general shortage of labor, equipment, facilities, materials, or supplies, lockouts, acts of labor unions, condemnation, court orders, laws, orders of governmental or military authorities or delays by the City in approving the Construction Plans for the Improvements.

All other provisions of Ordinance No.: 3789 and 3792 not amended herein shall remain in full force and effect.

Section 3: This Ordinance shall be in full force and effect from and after its passage, approval and publication as provide by law.

ATTEST: Approved by the Mayor this ____ day
(seal) of _____ 2014.

Philip A. Goodwin, City Clerk

Gary L. Graham, Mayor

ROLL CALL:	McCoskey	Meile	True	Albrecht	Mouser	Hagarty	Drolet	SUB TOTALS
Aye								
Nay								
Absent								

ROLL CALL:	Roach	Bennett	Cardona	Hursey	Holden	Cozad	Gerrish	SUB TOTALS	SUM OF TOTALS
Aye									
Nay									
Absent									



CITY COUNCIL AGENDA ITEM

To: Mayor Graham and City Council

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

Date: November 17, 2014

Subject: CarMax Planned Use & Economic Incentive Agreement Extension (1st Reading)

List of committees that have reviewed: The Community Development Committee reviewed this application at its November 10, 2014 meeting and unanimously recommended it for approval.

Background:

On December 17, 2012, the City Council approved Ordinance 3789 for CarMax and on January 7, 2013 the City Council approved Ordinance 3792 for the economic incentive agreement between the City of O'Fallon and CarMax at 1254 Central Park Drive. As with all Planned Use ordinances, the approval was valid for 12 months and the economic incentive agreement states "the developer shall commence initial construction within two (2) years of the execution of this agreement". The Agreement expires Jan 7, 2015.

On November 18, 2013, the City Council granted a one-year extension of Planned Use approval, extending the approval until December 17, 2014. CarMax has been in contact with staff and has indicated the timeline for construction has shifted to Fall 2015. Jeff Hertz of CenterPoint Integrated Solutions, Inc. has filed a written request for an extension to this approval, citing the applicant is seeking additional time to make adjustments to the final site plans and develop a completed submittal prior to the current approvals expiring. While Planned Uses are normally not extended beyond two years, per code, longer extensions have been authorized previously by Council (i.e. Rock Springs Development), when included as part of a larger development agreement, such as in this case.

Legal Considerations, if any: None

Budget Impact: Economic Incentive Agreement designates for a maximum period of ten (10) years thereafter, the City will pay to the Developer 50 percent of the Incremental Sales Tax Revenues received by the City each calendar year. All rebates to Developer will end when the total amount of \$500,000 has been rebated to Developer.

Staff Recommendation: Staff recommends approval of the request to allow both an extension to Ordinance 3789, the CarMax Planned Use, and Ordinance 3792 for the economic incentive agreement between the City of O'Fallon and CarMax, until January 7, 2016.



CITY COUNCIL AGENDA ITEM

To: Mayor Graham and City Council
From: Ted Shekell, Community Development Director
Walter Denton, City Administrator
Date: November 17, 2014
Subject: Gander Mountain TIF Redevelopment Agreement, 2nd Reading, As Amended

List of committees that have reviewed: The Community Development Committee reviewed the proposed amendment on Second Reading, as shown below, unanimously.

Background: The proposed TIF Redevelopment Agreement for Gander Mountain with Commercial Real Estate Investors LP, stated originally that the Gander Mountain project construction would be completed by May 1, 2014, which is obviously in error. It should have stated it would be completed by December 31, 2015, as shown in the amended paragraph below.

“Section 5.1. Performance of the Work.

(a) Commercial Real Estate Investors LP Improvements. *Commercial Real Estate Investors LP shall advance funds for and commence and complete each of its obligations (or cause the completion of its obligations by entering into agreements with third parties) under this Agreement with respect to the acquisition, construction and completion of the Commercial Real Estate Investors LP Improvements in accordance with this agreement on or before December 31, 2015”.*

Legal Considerations, if any: None

Budget Impact: None to the City.

Staff Recommendation

Staff recommends approval of the TIF Redevelopment Agreement, as amended above.



CITY COUNCIL AGENDA ITEMS

To: Mayor and City Council
From: Sandy Evans, Director of Finance
Walter Denton, City Administrator
Date: November 17, 2014
Subject: Ordinance renewing Franchise Agreement with Ameren Illinois

List of committees that have reviewed: None

Background: As part of the settlement agreement with Ameren, the City must renew the Franchise agreement we had with them since 1950 and had expired in 2000. The City was ready to negotiate a new agreement in 2010, but when the utility audit started, everything was put on hold. The amended franchise agreement will be discussed during the closed executive session. After reconvening, the Ordinance as amended, Reading 2 will need to be voted upon. The First Reading was passed on April 21, 2014.

Legal Considerations, if any: Reviewed by Legal Counsel.

Budget Impact: To be discussed in closed executive session.

Staff recommendation: Recommend approval.



**DRAFT MINUTES
COMMUNITY DEVELOPMENT COMMITTEE
5:30 PM Monday, November 10, 2014**

Minutes of a regular meeting of the Community Development Committee of the City of O'Fallon, held at City Hall, 215 S. Lincoln Avenue, O'Fallon, Illinois.

CALL TO ORDER: 5:30 PM

- I) Roll Call** – *Committee members:* Jerry Albrecht (chair), Gene McCoskey, David Cozad, Ray Holden Jerry Mouser and Harlan Gerrish. *Other Elected Officials Present:* John Drolet, Herb Roach, Michael Bennett, Courtney Cordona, Kevin Hagerty, Ed True and Jim Hursey. *Staff:* Ted Shekell, Jeff Stehman, Dennis Sullivan Eric Van Hook and Justin Randall. *Visitors:* Wayne Schmidt, Charlie Pitts, Vern Malare Nancy Chase and Phil Kamman.

- II) Approval of Minutes from Previous Meeting** – All ayes. Motion carried.

- III) Items Requiring Council Action**
 - A. 2012 ICC Code Adoption (1st Reading) - Jeff Stehman provided an overview of the proposed change from the 2006 ICC Codes to the 2012 ICC Codes to the Council members. Stehman provided information on the process of meeting with the building committee and the need to update to the most current set of building codes. Stehman informed the committee on two of the major changes to the code. The committee discussed the adoption of the new building codes and recommended approval of the adoption of the 2012 ICC Codes with a vote of 6-0.

 - B. CarMax Planned Use Extension (1st Reading) – Ted Shekell informed the committee the CarMax Planned Use and economic incentive agreement between the City of O'Fallon and CarMax at 1254 Central Park Drive. Shekell informed the committee that CarMax has requested a yearlong extension with plans to construct the store in the fall of 2015. Shekell recommended the committee either approve the extension of both with an ordinance or not approve both items. The committee discussed the extensions and recommended approval with a vote of 6-0.

 - C. Central Park Redevelopment Area TIF Redevelopment Agreement for Gander Mountain (2nd Reading) – Ted Shekell informed the committee there was no change in the TIF redevelopment agreement. The committee discussed the TIF Redevelopment Agreement and recommended approval of the designation with a vote of 6-0.

- IV) Other Business**
 - A. General Project Updates – Ted Shekell provided a quick briefing the Ice Rink proposal and a recent decision of the Zone Hearing Officer.

MEETING ADJOURNED: 5:55 PM

NEXT MEETING: November 24, 2014 – Public Safety Building

Prepared by: Justin Randall, Senior City Planner