

## 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 Matt Smallheer Ward 4

Richie Meile Ward 1 Michael Bennett Ward 5

Jerry Albrecht Ward 2 Courtney Cardona Ward 5

Robert Kueker Ward 2 Ray Holden Ward 6

Jerry Mouser Ward 3 Ned Drolet 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, May 4, 2015

7:00 P.M. – Council Chambers

#### I. CALL TO ORDER

- Swearing in of Elected Officials

#### II. PLEDGE OF ALLEGIANCE

#### III. ROLL CALL

#### IV. APPROVAL OF MINUTES – [April 20, 2015](#)

#### V. PUBLIC HEARING – 1. Central City Redevelopment Project Area 2. Business District Plan for the proposed Route 50/Scott Troy Road Business District

#### 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 American Cancer Society Relay for Life of O'Fallon to conduct a raffle from May 4 – June 20, 2015 for a 39" television and BluRay Player
2. Request from O'Fallon Kiwanis Club to conduct a raffle for alcohol from May 20 – August 8, 2015

#### C. Mayor's Report

1. Proclamation declaring May 7<sup>th</sup> as "A Day of Prayer"
2. Proclamation declaring May 15<sup>th</sup> as "Bike to Work Day"
3. Proclamation declaring May 3 – May 9<sup>th</sup> as "Municipal Clerk's Week"
4. Proclamation declaring May 18 – May 22<sup>nd</sup> as EMS Week  
- Life Saving Award

## VII. RESOLUTIONS –

**ITEM 1** – Resolution authorizing the Mayor to execute an agreement with Burns & McDonnell for I-64 and areas East Sewer Study in an amount not to exceed \$62,900 ([Click here to view the staff report](#))

**ITEM 2** – Resolution authorizing the Mayor to execute a change order to the agreement with Gonzalez Companies for the design of the Woodstream Sewer Bypass project, change order cost of \$24,438 ([Click here to view the staff report](#))

**ITEM 3** – Resolution authorizing the Mayor to execute an agreement with Rooter's Asphalt for Street Resurfacing – CY2015 in the amount of \$544,497.35 ([Click here to view the staff report and bid tab](#))

**ITEM 4** – Resolution authorizing the Mayor to execute an agreement with Hank's Excavating & Landscaping, Inc. for the calendar year 2015 Concrete Replacement Program in the amount of \$281,495.15 ([Click here to view the staff report and bid tab](#))

## VIII. ORDINANCES

### A. 1<sup>st</sup> reading -

**ITEM 5** – Ord. establishing and designating the Route 50/Scott-Troy Road Business District and approving the Route 50/Scott-Troy Road District Plan ([Click here to view the staff report and Plan](#))

**ITEM 6** – Ord. establishing and imposing certain Business District taxes in the Route 50/Scott-Troy Road Business District

**ITEM 7** – Ord. amending Section 94.03 of Chapter 94 ([Click here to view the staff report](#))

### B. 2<sup>ND</sup> Reading –

8. Ord. amending Ord. 623, Zoning, development known as Green Mount Professional Park located at 1405 N. Green Mount Road

## IX. STANDING COMMITTEES

1. Community Development – *Minutes Attached* - Motion to approve the Special Event Permit request from Newbold Toyota May Sales Event with conditions ([Click here to view the staff report and attachment](#))

Motion to approve the Special Event Permit request from Keller Farms, Inc. to hold a Sweet Corn Stand from June 15<sup>th</sup> – August 20, 2015 ([Click here to view the staff report and attachment](#))

Motion to approve the Special Event Permit request from Metro East Cycling "O'Fallon Grand Prix Bicycle Race" to June 20<sup>th</sup> with conditions ([Click here to view the staff report and attachment](#))

2. Public Works – *Minutes Attached* – Motion approving the proposal from Demond Signs for Holiday decorations, storage, installation, and takedown in the amount of \$34,822 ([Click here to view the staff report](#))

3. Public Safety

4. Finance and Administration – *Minutes Attached*

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; Setting of a price for sale or lease of property owned by the public body; 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 April 20, 2015**

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

Philip Goodwin, City Clerk, called the roll: Gene McCoskey, excused; Richie Meile, present; Ed True, present; Jerry Albrecht, present; Jerry Mouser, excused; 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.

**APPROVAL OF MINUTES:** Mayor Graham asked for approval of the minutes. Motion was made by J. Albrecht and seconded by E. True to approve the minutes of April 6, 2015. All ayes. Motion carried.

**PUBLIC HEARING** – Mayor Graham opened the Public Hearing at 7:01 p.m. for the consideration of the adoption of the fiscal year 2015-2016 Municipal Budget. Mayor Graham called three times for public input but no one came forward. He closed the hearing at 7:02 p.m.

**RESIDENTS:** Mayor Graham invited any resident who wished to speak to come forward.

JoAnn Fischer came forward. She stated that the people have spoken at the last election, so the Council should amend the Strategic Plan. She added that improvements to the quality of life with road improvements is preferred.

Vern Malare spoke about the status of Phase 1 of the presidential streets. D. Sullivan answered that 95% of the plans are drawn up. We have started the easement process. Mayor Graham asked if the Proposition S money this year is going to do the improvements. D. Sullivan said all of it will be allocated to them.

John Bush, Gateway Events Coordinator, said about 3,000 people came by. He appreciated the support of the Council. M. Bennett added he went by the neighborhoods and it was quiet. He added that it was a good event.

T. Lysakowski voiced his concern about the prevailing wage and right to work resolution and the lack of discussion. He added that skilled labor is not cheap.

Mayor Graham said the Strategic Plan will not get done if none of the things are funded. We also are not going forward with the lease bids. He is assigning new committees and they will be looking over the budget. We have a 76 million dollar balanced budget. The State is looking at cutting from \$500,000 to 1.4 million dollars.

## **REPORTS:**

**Clerk's Report:** City Clerk Goodwin read the following roadblock request from the Alzheimer Association for Saturday, June 13, 2015 from 8 – 12:00 noon at the intersections of State/Lincoln and State/Smiley. Applicant operates out of O'Fallon home. Motion by E. True and seconded by H. Gerrish to approve the request. All ayes. Motion carried.

**Mayor's Report:** Mayor Graham stated this month's meeting of the Southwestern Illinois Council of Mayor's will be held April 23<sup>rd</sup> at the Red Bud Winery.

He invited Gary Hursey to come forward and present a proclamation to Arthur and Ethel Louise Hinrichs in honor of their 60<sup>th</sup> anniversary. They are life-long residents.

**RESOLUTIONS:** Motion by J. Albrecht and seconded by E. True to approve Item 1, a Resolution authorizing the Mayor to sign an annexation agreement with Michael R. Kombrink, representing MRK Land Trust, for a path of annexation to the Reserves of Timber Ridge Subdivision. All ayes. Motion carried.

Motion by J. Albrecht and seconded by E. True to approve Item 2, a Resolution authorizing the Mayor to sign an annexation agreement with Denny Blumberg, representing Reserves of Timber Ridge, LLC for the Reserves of Timber Ridge Subdivision. All ayes. Motion carried.

## **ORDINANCES:**

### **1<sup>st</sup> Reading –**

Motion by J. Albrecht and seconded by J. Hursey to consider on 1<sup>st</sup> reading, Item 3, an Ordinance amending Ord. 623, Zoning, development known as Green Mount Professional Park located at 1405 N. Green Mount Road.

**ROLL CALL:** Meile, aye; True, aye; Albrecht, aye; Hagarty, aye; Drolet, aye; Roach, aye; Bennett, aye; Cardona, aye; Hursey, aye; Holden, aye; Cozad, aye; Gerrish, aye. Ayes – 12; Nos – 0. Motion carried.

### **2<sup>nd</sup> Readings –**

Motion by J. Albrecht and seconded by J. Drolet to consider on 2<sup>nd</sup> reading, Ordinances 4, 5, 14, 15, and 16 under the Omnibus Agreement. All ayes. Motion carried.

Motion by J. Albrecht and seconded by E. True to approve on 2<sup>nd</sup> reading, Ordinances 4, 5, 14, 15, and 16 under the previous Omnibus Agreement.

Mayor Graham read the following Ordinances:

Item 4 - An Ordinance budgeting for all corporate purposes of the City of O'Fallon for the fiscal year beginning May 1, 2015 and ending April 30, 2016

5 - An ordinance amending 623, Zoning, Planned Use Development Gateway Classic Cars at 1237 Central Park Drive

14 - An Ordinance annexing Certain Territory to be named Reserves of Timber Ridge containing approximately 111.57 acres

15 - An Ordinance amending Ord. 623, Zoning, Development known as the Reserves of Timber Ridge Subdivision

16 - An Ordinance approving the transfer of the Volume Cap in connection with private activity bond issues and related matters

**ROLL CALL:** Meile, aye; True, aye; Albrecht, aye; Hagarty, aye; Drolet, aye; Roach, aye; Bennett, aye; Cardona, aye; Hursey, aye; Holden, aye; Cozad, aye; Gerrish, aye. Ayes – 12; Nos – 0. All ayes. Motion carried.

Motion by J. Albrecht and seconded by E. True to consider on 2<sup>nd</sup> reading, Ordinances 6, 7, 8, 9, 10, 11, 12, and 13 under the Omnibus Agreement. All ayes. Motion carried.

Motion by J. Albrecht and seconded by E. True to approve on 2<sup>nd</sup> reading, Ordinances 6, 7, 8, 9, 10, 11, 12, and 13 under the previous Omnibus Agreement.

Mayor Graham read the following Ordinances:

6 - An Ordinance amending Ord. 623, Zoning, development known as Four Points Center located at the northwest corner of Scott-Troy Road and US Hwy 50

7 - An Ordinance approving the 2015 amendment to the City of O'Fallon TIF Redevelopment Project Area No. 1

8 - An Ordinance authorizing the Execution of Intergovernmental Agreement with O'Fallon Community School District 90 and O'Fallon Township High School 203

9 - An Ordinance approving the Tax Increment Redevelopment Plan and Project for the Route 50/Scott Troy Road Redevelopment Project Area

10 - An Ordinance Designating the Route 50/Scott-Troy Road Redevelopment Project Area

11 - An Ordinance adopting the Tax Increment Financing for the Route 50/Scott Troy Redevelopment Project Area

Item 12 - An Ordinance authorizing the execution of the redevelopment agreement with S.I. Strategy, LLC

13 - An Ordinance proposing the approval of a Business District Plan for the proposed Route 50/Scott-Troy Road Business District and fixing the time and place for a Public Hearing date on the Plan and designating the Business District

M. Bennett said that he does not think the name is just trivial. He is concerned it may lead to a legal issue. He also thinks a review of the building and layout of the site and development could be better as the hotel is built in such a way that it could be connected. Now the people will have to walk across the parking lot to get to the center.

**ROLL CALL:** Meile, aye; True, aye; Albrecht, aye; Hagarty, aye; Drolet, aye; Roach, aye; Bennett, no; Cardona, aye; Hursey, aye; Holden, aye; Cozad, aye; Gerrish, aye. Ayes – 11; Nos – 1. Motion carried.

### **STANDING COMMITTEES –**

**Community Development:** Motion by J. Albrecht and seconded by E. True to approve the Special Event requests from:

Happy Day Tropical Sno Huts at 600 Southview and 6000 Old Collinsville Road, with conditions

Global Brew Crawfish Bowl to move the date from June 20<sup>th</sup> to June 27<sup>th</sup> and the Big Woody Comes to Town which includes alcohol sales, for April 29<sup>th</sup>

Soul to Sole 5k Run/Walk on April 26<sup>th</sup> from 8:30 – 12:30 p.m., with conditions

Enjoy Church, Alternative Parking Plan

All ayes. Motion carried. He stated they will meet April 27<sup>th</sup> at the Public Safety building.

**Public Works:** R. Meile stated they will meet April 27<sup>th</sup> at 7:00 p.m. at the Public Safety building.

Motion by H. Gerrish and seconded H. Roach to place a discussion of the lease on the agenda on where we are going and how we are going to proceed.

C. Cardona asked if we are going to discuss it before the new Council members are seated. D. Cozad added the Mayor stated earlier that we are not moving forward.

**ROLL CALL:** Meile, aye; True, no; Albrecht, no; Hagarty, aye; Drolet, aye; Roach, aye; Bennett, aye; Cardona, no; Hursey, aye; Holden, no; Cozad, no; Gerrish, aye. Ayes – 7; Nos – 5. All ayes. Motion carried.

**Public Safety:** K. Hagarty said they will meet May 11<sup>th</sup> at 5:00 p.m. at the Public Safety Building. He added that the traffic concern form will be added to the website.

**Finance/Administration:** He stated they will talk about the 2017 budget at the next committee meeting. If there is a major change in our revenue, they may talk about amending the current budget.

Motion by M. Bennett and seconded by G. McCoskey to approve Warrant #323 in the amount of \$1,173,509.46.

**ROLL CALL:** Meile, aye; True, aye; Albrecht, aye; Hagarty, aye; Drolet, aye; Roach, aye; Bennett, aye; Cardona, aye; Hursey, aye; Holden, aye; Cozad, aye; Gerrish, aye. Ayes – 12; Nos – 0. All ayes. Motion carried.

**Parks and Environment:** E. True said the committee will meet May 11<sup>th</sup> at 5:30 p.m.

**EXECUTIVE SESSION:** Mayor Graham stated he needed a motion to go into Executive Session to discuss the purchase of property specifically Right-of-Way. Motion by J. Albrecht and seconded by H. Roach to go into closed session.

**ROLL CALL:** Meile, aye; True, aye; Albrecht, aye; Hagarty, aye; Drolet, aye; Roach, aye; Bennett, aye; Cardona, aye; Hursey, aye; Holden, aye; Cozad, aye; Gerrish, aye. Ayes – 12; Nos – 0. All ayes. Motion carried.

Mayor Graham added they will not have action afterward.

The Council went into closed session at 7:36 p.m. and returned at 8:00 p.m. with no action.

**ADJOURNMENT:** Motion by J. Albrecht and seconded by R. Meile to adjourn. All ayes. Motion carried.

The meeting was adjourned at 8:01 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 2015 -

**AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH BURNS &  
MCDONNELL FOR AN I-64 AND AREAS EAST SEWER STUDY IN AN AMOUNT  
NOT TO EXCEED \$62,900.00**

**WHEREAS**, the City of O'Fallon, a municipal corporation, has a need to conduct a sewerage study, and

**WHEREAS**, Burns & McDonnell has the expertise that the City needs to conduct the study,

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

The City of O'Fallon authorizes its appropriate representatives to sign the Burns & McDonnell agreement for the sewerage study in an amount not to exceed \$62,900.00 as in their proposal.

Passed and approved this 4<sup>th</sup> day of May 2015.

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:** May 4, 2015  
**Subject:** RESOLUTION – I-64 and Areas East Sewer Study

**List of committees that have reviewed:** Public Works Committee

**Background:** Scott AFB officials keep stating that they are looking for a regional wastewater authority to treat their sanitary sewage. While staff have spent considerable time on this issue and the City has commissioned studies on the potential wastewater load on our plant if areas north of Scott AFB and south of U.S. Highway 50 were to develop, no independent and comprehensive study has been accomplished for the total area including Scott AFB. Specifically, this study will concentrate on the series of lift stations needed to get Scott AFB sewage to the City's plant and along that route account for additional flows that could occur as the result of development north of the base. As a result staff contacted Burns & McDonnell, a national consulting firm, that does consulting for the City and Scott AFB to accomplish the needed study to determine if staff's back of the envelope analysis is close to being correct. Additionally, filling in all the missing data needed for an actual proposal to the Air Force for treatment of their wastewater.

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

**Budget Impact:** Funding for the study is available from the current FY16 operating budget.

**Staff recommendation:** Staff recommends execution of the RESOLUTION for an agreement with Burns & McDonnell, not to exceed \$62,900.00.

CITY OF O'FALLON, ILLINOIS  
RESOLUTION 2015 -

**AUTHORIZING THE MAYOR TO EXECUTE A CHANGE ORDER TO THE AGREEMENT WITH GONZALEZ COMPANIES FOR THE DESIGN OF THE WOODSTREAM SEWER BYPASS PROJECT, CHANGE ORDER COST OF \$24,438.00**

**WHEREAS**, the City of O'Fallon, a municipal corporation, has a need to divert sewage flow from the existing Woodstream Subdivision sanitary sewer trunk main segment as well as replace approximately 2,100 lineal feet of trunk main downstream from the subdivision , and

**WHEREAS**, Gonzalez Companies has the expertise that the City needs to accomplish the design of the diversion and replacement,

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

The City of O'Fallon authorizes its appropriate representatives to sign the change order to the original Gonzalez Companies Engineering agreement for the design in an additional amount not to exceed \$44,438.00 as in their proposal.

Passed and approved this 4<sup>th</sup> day of May 2015.

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:** May 4, 2015  
**Subject:** RESOLUTION – Woodstream Sewer By-Pass Design Change Order/Revision Proposal

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

**Background:** The City currently has a contract with Gonzalez Companies for \$203,010 for the design of a lift station with a force main to divert high flows around Woodstream Subdivision with a segment of nearly 1,300 lineal feet of gravity main downstream from the subdivision which was found to be in very poor condition. As the design progressed and with additional surveying data, it became apparent that the gravity trunk main to be replaced beyond Woodstream did not have significant cover over it in the stream bed that runs under the CSX Railroad tracks in the vicinity. Another 800-feet of main needs to be replaced to get to a manhole further down the main that will allow burial back up the main to be deep enough in the area where the stream might affect it. So, basically the additional \$24,438 is for surveying and engineering of 800-feet of additional trunk main and the manhole locations along that stretch.

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

**Budget Impact:** Funding for design of the project is available from the current FY16 operating budget.

**Staff recommendation:** Staff recommends execution of the RESOLUTION for a change order to the agreement with Gonzalez Companies, in a total amount of \$24,438.00. The sum of the original agreement plus the change in scope as detailed above.

CITY OF O'FALLON, ILLINOIS  
RESOLUTION 2015 -

**AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH ROOTER'S ASPHALT FOR STREET RESURFACING – CY2015 IN THE AMOUNT OF \$544,497.35, BASED ON UNIT PRICES SUBMITTED**

**WHEREAS**, the City of O'Fallon, a municipal corporation, requires improvements (asphalt overlay) on some asphalt streets, and

**WHEREAS**, Rooter's Asphalt is the low bidder for the work based on unit prices provided.

**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 agreement with, Rooter's Asphalt for Street Resurfacing - CY2015 in an amount of \$544,497.35 based on the unit prices provided.

Passed and approved this 4<sup>th</sup> day of May 2015.

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:** May 4, 2015  
**Subject:** RESOLUTION – Asphalt Street Resurfacing – CY 2015

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

**Background:** The City usually has an umbrella, asphalt maintenance project every summer supported by Prop S funds. This summer's program is no exception and funding for it was set aside in the approved FY16 budget process.

**Legal considerations, if any:** Normal for execution of a construction contract.

**Budget impact:** General asphalt street repair is included in the approved Public Works FY16 Prop S Budget (\$545,000).

**Staff recommendation:** Staff recommends that the contract be awarded to Rooter's Asphalt in the amount of \$544,497.35, based on their unit price bid. (See Bid Tabulation, attached.)

City of O'Fallon  
Bid Tab

**2015 STREET RESURFACING**  
**April 30, 2015**

Rooter's Asphalt  
Beckmeyer, IL

Christ Brother's Asphalt  
Lebanon, IL

	Item	Qty.	Unit	Unit Cost	Extension	Unit Cost	Extension
1	BITUMINOUS SURFACE REMOVAL	51,945	S.Y.	\$1.76	\$91,423.20	\$2.26	\$117,395.70
2	BITUMINOUS MATERIALS (PRIME COAT)	5,481	GAL	\$5.15	\$28,227.15	\$0.00	\$0.00
3	BITUMINOUS CONCRETE SURFACE COURSE "C" N70 MIX	6,138	TON	\$68.35	\$419,532.30	\$71.22	\$437,148.36
4	TEMPORARY RAMPS	381	S.F.	\$8.70	\$3,314.70	\$11.45	\$4,362.45
5	TRAFFIC CONTROL	1	L.S.	\$2,000.00	\$2,000.00	\$19,076.00	\$19,076.00
	<b>Total</b>				<b>\$544,497.35</b>		<b>\$577,982.51</b>

CITY OF O'FALLON, ILLINOIS  
RESOLUTION 2015

**AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH HANK'S  
EXCAVATING & LANDSCAPING, INC., FOR THE CALENDAR YEAR 2015  
CONCRETE REPLACEMENT PROGRAM IN THE AMOUNT OF \$281,495.15 BASED  
ON UNIT PRICES SUBMITTED**

**WHEREAS**, the City of O'Fallon, a municipal corporation, has requirements for Portland cement concrete repair and sidewalk extension;

**WHEREAS**, Hank's Excavating & Landscaping, Inc., is the low bidder for the work based on unit prices provided.

**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 agreement with, Hank's Excavating & Landscaping, Inc., for the 2015 Concrete Replacement Program in an amount of \$281,495.15 based on the unit prices provided.

Passed and approved this 4th day of May 2015.

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:** May 4, 2015  
**Subject:** RESOLUTION – CY2015 Concrete Replacement Program

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

**Background:** The City has routinely contracted for general concrete repair of streets, sidewalks, and drainage structures. The list of repairs and short sidewalk extensions is collected during the prior year. This year's low bidder is Hank's Excavating & Landscaping, Inc., for a total cost of \$281,495.15 based on the unit prices submitted. A tabulation of bids is attached.

**Legal considerations, if any:** Normal execution of a construction contract.

**Budget impact:** These repairs are included in the Public Works FY16 Budget for Proposition S funding (\$240,000 for Miscellaneous Concrete Repairs and \$80,000 for Sidewalk Maintenance).

**Staff recommendation:** Staff recommends that the contract be awarded to Hank's Excavation & Landscaping, Inc., in the amount of \$281,495.15, based on their unit price bid.

**City of O'Fallon  
Bid Tab**

**2015 CONCRETE REPLACEMENT  
April 30, 2015**

Hanks's Excavating  
Landscaping, Inc  
Belleville, IL

LW Contracting, Inc.  
Collinsville, IL

Stutz Excavating, Inc.  
Alton, IL

	Item	Quantity	Unit	Unit Cost	Extension	Unit Cost	Extension	Unit Cost	Extension
1	NEW INSTALL PCC SIDEWALK, 4"	1,876	S.F.	\$8.65	\$16,227.40	\$8.50	\$15,946.00	\$8.05	\$15,101.80
2	REMOVE & REPLACE PCC SIDEWALK, 4"	5,035.5	S.F.	\$9.00	\$45,319.50	\$9.20	\$46,326.60	\$8.75	\$44,060.63
3	REMOVE & REPLACE PCC SIDEWALK, 6"	100	S.F.	\$9.50	\$950.00	\$9.80	\$980.00	\$27.00	\$2,700.00
3	ADA COMPLIANT DETECTABLE WARNING PANEL INCLUDING INSTALLATION	19	EA	\$365.00	\$6,935.00	\$353.00	\$6,707.00	\$350.00	\$6,650.00
4	REMOVE & REPLACE PCC PAVEMENT, 6" WITH 8"	10,669	S.F.	\$14.25	\$152,033.25	\$14.45	\$154,167.05	\$15.00	\$160,035.00
5	REMOVE & REPLACE PCC PAVEMENT, 6" WITH 10"	1,494	L.F.	\$15.00	\$22,410.00	\$15.35	\$22,932.90	\$19.00	\$28,386.00
6	REMOVE & REPLACE CURB/GUTTER, MOUNTABLE	532	L.F.	\$59.50	\$31,654.00	\$69.00	\$36,708.00	\$60.00	\$31,920.00
6	REMOVE & REPLACE PCC BARRIER CURB, B6-18	59	L.F.	\$66.00	\$3,894.00	\$74.00	\$4,366.00	\$80.00	\$4,720.00
7	REMOVE & REPLACE DRIVEWAY SLAB, 4"	224	S.F.	\$9.25	\$2,072.00	\$9.50	\$2,128.00	\$16.00	\$3,584.00
	<b>Total (as Read)</b>				<b>\$281,495.15</b>		<b>\$290,261.59</b>		<b>\$297,157.43</b>
	<b>Total (as Calculated)</b>				<b>\$281,495.15</b>		<b>\$290,261.55</b>		<b>\$297,157.43</b>

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

**AN ORDINANCE ESTABLISHING  
AND DESIGNATING THE ROUTE  
50/SCOTT-TROY ROAD BUSINESS  
DISTRICT AND APPROVING THE  
ROUTE 50/SCOTT-TROY ROAD  
DISTRICT PLAN WITHIN THE  
CITY OF O’FALLON, ILLINOIS**

**WHEREAS**, the City of O’Fallon, St. Clair County, Illinois (the “City”), is authorized under and pursuant to Division 74.3, the Business District Development and Redevelopment Law, 65 ILCS 5-11-74.3-1 through 3-7 (“the Business District Law”), to establish a business district to be named the “**Route 50/Scott-Troy Road Business District**” (the “**Business District**”) and adopt and approve the related business district plan for said Business District (the “**Route 50/Scott-Troy Road Business District Plan**”); and

**WHEREAS**, the purpose of the Route 50/Scott-Troy Road Business District Plan and the designation of the Business District is to eradicate the blighting conditions that exist and to assure opportunities for development, encouraging private investment, and attracting sound and stable business and commercial growth to the Business District; and

**WHEREAS**, on April 22 and April 29, 2015 notice of a public hearing to consider the establishment of the Route 50/Scott-Troy Road Business District and adoption of the Route 50/Scott-Troy Road Business District Plan, dated March 19, 2015 were published in the O’Fallon Progress; and

**WHEREAS**, the City conducted a Public Hearing on May 4, 2015. At the Public Hearing all interested persons were given the opportunity to be heard with respect to the subject matter of the Public Hearing.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF O’FALLON, ST. CLAIR COUNTY, ILLINOIS**, as follows:

**Section 1.** The City Council of the City of O’Fallon makes the following additional findings:

- a. That the Route 50/Scott-Troy Road Business District on the whole has not been subject to growth and development through investment by private enterprise and would not reasonably be

anticipated to be developed or redeveloped without the adoption of the Route 50/Scott-Troy Road Business District Plan.

- b. That the Route 50/Scott-Troy Road Business District Plan conforms to the comprehensive plan for the development of the City of O’Fallon as a whole.
- c. There exist conditions that cause the area located within the Route 50/Scott-Troy Road Business District to be classified as a “blighted area” as defined in Section 11-74.3-5 of the Business District Law.
- d. The Route 50/Scott-Troy Road Business District is a contiguous area and includes only parcels of real property directly and substantially benefited by the proposed Route 50/Scott-Troy Road Business District Plan.

**Section 2.** The City hereby designates the area described in the attached **Exhibit A** as the **Route 50/Scott-Troy Road Business District**.

**Section 3.** The City hereby adopts and approves the **Business District Plan for the Route 50/Scott-Troy Road Business District**, dated March 19, 2014, attached hereto as **Exhibit B**.

**Section 4.** The City Clerk shall file a certified copy of this ordinance and attached exhibits with the Illinois Department of Revenue (the “IDOR”).

**Section 5.** Each year hereafter and for so long as the Business District remains in effect, the City Clerk shall file with the IDOR, before April 1 and before October 1, an updated list of addresses for the businesses located within the Business District.

**Section 6.** If any portion of this ordinance shall be held invalid or unenforceable by any court of competent jurisdiction, such invalidity or unenforceability shall not affect the remaining portions of this ordinance.

**Section 7.** This ordinance shall be in full force and effect immediately upon its passage, approval and publication as provided by law.

**PASSED AND APPROVED** this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

\*\*\*\*\*

ATTEST:  
  
(seal)

Approved by the Mayor this \_\_\_\_ day  
of \_\_\_\_\_ 2015.

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

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

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

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

Attachments:

Exhibit A: Boundary Description of Route 50/Scott-Troy Road Business District

Exhibit B: Business District Plan, Route 50/Scott-Troy Road Business District, March 19, 2015

**Exhibit A**  
**Boundary Description of Route 50/Scott-Troy Road Business District**

A TRACT OF LAND BEING PART OF THE SOUTHEAST QUARTER OF SECTION 28 AND PART OF THE NORTHEAST QUARTER OF SECTION 33 ALL IN TOWNSHIP 2 NORTH, RANGE 7 WEST OF THE THIRD PRINCIPAL MERIDIAN AS SHOWN ON THE PLAT THEREOF RECORDED IN PLAT BOOK "A" ON PAGE 263 IN THE RECORDER OF DEED'S OFFICE OF ST. CLAIR COUNTY, ILLINOIS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT AN IRON ROD ON THE EASTERLY LINE OF "LAKEPOINTE CENTRE PROFESSIONAL PARK" AS SHOWN ON THE PLAT THEREOF RECORDED IN PLAT BOOK "95" ON PAGE 18 IN SAID RECORDER OF DEED'S OFFICE, FROM WHICH A CONCRETE R/W MONUMENT MARKING THE SOUTHEAST CORNER OF SAID "LAKEPOINTE CENTRE PROFESSIONAL PARK", BEARS SOUTH 00 DEGREES 01 MINUTES 22 SECONDS EAST, 107.52 FEET; THENCE, NORTH 00 DEGREES 01 MINUTES 22 SECONDS WEST ON SAID EASTERLY LINE AND ITS EXTENSION, 1449.55 FEET TO A CONCRETE MONUMENT WHICH MARKS THE NORTHEAST CORNER OF "THE VILLAS AT LAKEPOINTE" AS SHOWN ON THE PLAT THEREOF RECORDED IN PLAT BOOK "97" ON PAGE 9 IN SAID RECORDER OF DEED'S OFFICE, SAID CONCRETE MONUMENT ALSO BEING THE SOUTHWEST CORNER OF A TRACT OF LAND CONVEYED TO VICTORY FREE WILL BAPTIST CHURCH BY DOCUMENT NUMBER A02143243 IN SAID RECORDER OF DEED'S OFFICE; THENCE, NORTH 71 DEGREES 49 MINUTES 19 SECONDS EAST ON THE SOUTHEASTERLY LINE OF SAID VICTORY FREE WILL BAPTIST CHURCH TRACT OF LAND, 248.61 FEET TO THE POINT OF BEGINNING.

FROM SAID POINT OF BEGINNING; THENCE, CONTINUING NORTH 71 DEGREES 49 MINUTES 19 SECONDS EAST ON SAID SOUTHEASTERLY LINE, 418.69 FEET TO THE NORTHWEST CORNER OF A TRACT OF LAND CONVEYED TO WESTMORE DEVELOPMENT IN DEED BOOK 3083 ON PAGE 1042 IN SAID RECORDER OF DEED'S OFFICE; THENCE, NORTH 71 DEGREES 54 MINUTES 27 SECONDS EAST, 441.64 FEET; THENCE, SOUTH 89 DEGREES 31 MINUTES 17 SECONDS EAST, 599.83 FEET TO THE WEST R.O.W. LINE OF SCOTT-TROY ROAD; THENCE, CONTINUING SOUTH 89 DEGREES 31 MINUTES 17 SECONDS EAST, 120.00 FEET TO THE EAST R.O.W. LINE OF SCOTT-TROY ROAD; THENCE, SOUTHERLY FOLLOWING THE EAST R.O.W. LINE OF SCOTT-TROY ROAD TO WHERE IT INTERSECTS THE NORTH R.O.W. LINE OF U.S. ROUTE 50; THENCE, SOUTHERLY CROSSING U.S. ROUTE 50, 123.27 FEET TO THE SOUTH R.O.W. LINE OF U.S. ROUTE 50; THENCE, SOUTHWESTERLY CROSSING SCOTT-TROY ROAD, 524.90 FEET TO THE SOUTH RIGHT OF WAY LINE OF U.S. ROUTE 50; THENCE, CONTINUING SOUTHWESTLY ALONG THE SOUTH R.O.W. LINE OF U.S. ROUTE 50, 741.69 FEET TO A POINT ON THE SOUTH R.O.W. LINE OF U.S. ROUTE 50; THENCE, NORTHERLY ALONG THE SOUTH R.O.W. LINE OF U.S. ROUTE 50, 37.39 FEET TO A POINT ON THE SOUTH R.O.W. LINE OF U.S. ROUTE 50; THENCE, SOUTHWESTERLY ALONG THE SOUTH R.O.W. LINE OF U.S. ROUTE 50, ALONG A CURVE, TO THE EAST R.O.W. LINE OF ARBOR PARKWAY; THENCE, CONTINUING SOUTHWESTERLY ALONG THE SOUTH R.O.W. LINE OF U.S. ROUTE 50, CROSSING ARBOR PARKWAY, TO THE WEST R.O.W. LINE OF ARBOR PARKWAY; THENCE, NORTHERLY CROSSING U.S. ROUTE 50 TO A POINT ON THE NORTH R.O.W. LINE OF U.S. ROUTE 50, SAID POINT ALSO BEING THE SOUTHWEST CORNER OF A 0.67 ACRE TRACT CONVEYED TO THE STATE OF ILLINOIS IN DEED BOOK 2680 ON PAGE 1156 IN SAID RECORDER OF DEED'S OFFICE; THENCE, CONTINUING NORTHERLY ALONG THE WEST LINE OF 0.67 ACRE TRACT, 110 FEET; THENCE, NORTH 00 DEGREES 38 MINUTES 08 SECONDS EAST, 666.02 FEET; THENCE, SOUTH 85 DEGREES 33 MINUTES 41 SECONDS EAST, 230.00 FEET; THENCE, NORTH 33 DEGREES 19 MINUTES 27 SECONDS WEST, 425.00 FEET; THENCE, NORTH 00 DEGREES 20 MINUTES 45 SECONDS WEST, 476.32 FEET TO THE POINT OF BEGINNING.

**Exhibit B**

**Business District Plan  
Route 50/Scott-Troy Road Business District**



**CITY COUNCIL AGENDA ITEM**

**To:** Mayor Graham and City Council

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

**Date:** May 4, 2015

**Subject:** P2014-10 & S15-01: McKendree Rec Plex / Four Points Center  
Business District (1<sup>st</sup> Reading)

---

**List of committees that have reviewed:** The Community Development Committee reviewed the business district plan and ordinance for the McKendree Rec Plex / Four Points Center at its April 27, 2015 meeting and recommended approval with a vote of 4-0.

**Background**

The petitioner has requested the creation of a Business District, which will allow the developer to collect up to an additional one-percent (1%) sales tax within the development. This is an additional tax on retail goods above and beyond what is current collected in the City of O'Fallon. This is not a sales tax rebate. Attached is the Draft Business District Plan and Ordinances to establish the Business District. There will be a Public Hearing on May 4, 2015 and the state Statutes allow for the 1<sup>st</sup> Reading of the Ordinances to occur on the same meeting.

**Legal Considerations, if any:** None

**Budget Impact:** None

**Staff Recommendation:** Staff recommends approval of the following ordinances:

1. Ordinance Establishing and Designating the Route 50 / Scott-Troy Road Business District and Approving the Route 50 / Scoot-Troy Road District Plan
2. Ordinance Establishing and Imposing certain Business District Taxes in the Route 50 / Scott-Troy Road Business District



# **Business District Plan**

Route 50/Scott-Troy Road Business District

Prepare for

**City of O'Fallon, Illinois**

Prepared by

**PGAV**  **PLANNERS**

March 19, 2015

## **CITY OF O'FALLON, ILLINOIS**

### **MAYOR**

Gary L. Graham

### **CITY COUNCIL**

Gene McCoskey, Ward 1  
Richie Meile, Ward 1  
Ed True, Ward 2  
Jerry Albrecht, Ward 2  
Jerry Mouser, Ward 3  
Kevin Hagarty, Ward 3  
John Drolet, Ward 4

Herb Roach, Ward 4  
Michael Bennett, Ward 5  
Courtney Cardona, Ward 5  
Jim Hursey, Ward 6  
Ray Holden, Ward 6  
David Cozad, Ward 7  
Harlan Gerrish, Ward 7

### **CITY CLERK**

Phil Goodwin

### **CITY ADMINISTRATOR**

Walter Denton

### **COMMUNITY DEVELOPMENT DIRECTOR**

Ted Shekell

### **FINANCE DIRECTOR**

Sandy Evans

### **CITY ATTORNEY**

Dale Funk

### **SPECIAL TIF COUNSEL**

Terry Bruckert

## TABLE OF CONTENTS

<b>SECTION 1 – INTRODUCTION</b> .....	<b>1</b>
Background.....	1
Area Boundary and Need for the Business District .....	1
Municipal Authority .....	2
Additional Statutory Provisions.....	5
<b>SECTION 2 – ANALYSIS OF BLIGHTING FACTORS</b> .....	<b>7</b>
Qualifications Analysis for the Business District .....	7
Qualification Summary and Findings .....	8
<b>SECTION 3 – BUSINESS DISTRICT PLAN</b> .....	<b>10</b>
Description of the Business District .....	10
Purpose of the Plan.....	10
Business District Objectives .....	10
General Description and Location of Proposed Projects .....	12
Business District Policies.....	12
Business District Project Costs.....	15
Sources of Funds to Pay Business District Project Costs.....	17
<b>SECTION 4 – FINDINGS AND AMENDMENTS TO THE BUSINESS DISTRICT PLAN</b> .....	<b>20</b>
Establishment and Term of the Business District .....	20
Findings of the Plan.....	20
Plan Amendments .....	21
<b><u>EXHIBITS</u></b>	
A Boundary Map - Route 50/Scott-Troy Road Business District.....	2
B General Land Use Plan.....	13
C Estimated Business District Project Costs .....	17

## **APPENDIX**

Route 50/Scott-Troy Road Business District Boundary Description

# SECTION 1

## INTRODUCTION

### BACKGROUND

The City recognizes that its long-term viability depends, in part, on strengthening its tax base by diversifying its economic base. The City has determined that it is essential to its economic and social welfare to identify and promote opportunities for development and private investment in order to attract sound and stable commercial growth.

The purpose of this document is to set forth a plan to induce the commercial development of approximately 44 acres located northwest of the intersection of U.S. Route 50 and Scott-Troy Road. This will include the financial assistance to help offset some of the costs associated with the construction of necessary public streets and utilities to support such development. Recently, the City has been approached by a developer wishing to build a multi-function recreation complex (the "Rec-Plex") featuring ice hockey and competitive swimming. In addition, the developer anticipates attracting the development of two hotels, retail/restaurant space, office and other commercial uses in a business park setting. However, the developer will not proceed with the project absent financial incentives to help offset development costs.

The City has determined that the Business District Development and Redevelopment Law (65 ILCS 5/11-74.3-1, et. seq.) (the "Law") is an appropriate vehicle, in addition to tax increment financing ("TIF"), to be used as an inducement for funding a portion of the costs associated with providing the necessary street improvements, water and sewer lines, and storm water handling facilities that are required to serve this property. Designating the area as a Business District will advance the City's goal of strengthening its commercial base, including increasing overnight stays by visitors to O'Fallon. This will, in turn, bolster the tax base of the City.

### AREA BOUNDARY AND NEED FOR THE BUSINESS DISTRICT

The boundaries of the area to be addressed in this Plan are delineated on **Exhibit A, Boundary Map - Route 50/Scott-Troy Road Business District** and a boundary description is located in the **Appendix** of this Plan. The business district will be named the **Route 50/Scott-Troy Road Business District** and is referred to herein as "the Business District". The Business District contains approximately 51.8 acres of land, including highway and road rights-of-way (44 net acres).



# Exhibit A Boundary Map

Route 50 / Scott-Troy Road Business District



The purpose of the Business District is to induce the commercial development of the Business District with the initial development being the Rec-Plex on approximately 8.8 acres of the 44 net acres by S.I. Strategy, LLC (hereafter referred to as the "Developer").

In order to construct the proposed improvements, certain public improvements costing approximately \$4.2 million have to be constructed in order to serve the Rec-Plex, but will also serve other future development sites. These improvements include:

- Construction of public streets, including dedicating rights-of-way for such; and
- Installation of water mains, natural gas, sanitary sewer, and storm sewer facilities to serve the Rec-Plex and future development.
- Upgrades to the intersection of U.S. Route 50 and Scott-Troy Road.

The Developer has demonstrated to the City satisfaction that the total of the costs associated with the developing the 44 acres will make the Rex-Plex and future development projects economically infeasible. When the level of costs required to develop an area equals or exceeds the income potential, the developer's ability to make a profit is reduced (or eliminated) and therefore the development does not occur.

The only development that has occurred in the Business District is the construction contractor facilities located on a four acre parcel. The building on this parcel was originally built in the mid 1960's. In spite of the fact that the City and County have promoted this general location for development for years and that the subject properties were included in a TIF district established in 1995, the Business District on whole has not been subject to growth and development through investment by private enterprise.

## **MUNICIPAL AUTHORITY**

The Business District Law authorizes Illinois municipalities to designate an area within the municipality as a business district. A business district must be established in conformance with a specific plan officially approved by the corporate authorities of the municipality after a public hearing. A business district must also conform to the municipality's comprehensive plan.

The exercise of the powers provided for in the Business District Law is dedicated to the promotion of the public interest and to the enhancement of the tax base of business districts. The use of such powers for the development and redevelopment of business districts is a public use essential to the public interest. In accordance with the Business District Law, the City may exercise the following powers:



- “(1) To make and enter into all contracts necessary or incidental to the implementation and furtherance of a business district plan. A contract by and between the municipality and any developer or other nongovernmental person to pay or reimburse said developer or other nongovernmental person for business district project costs incurred or to be incurred by said developer or other nongovernmental person shall not be deemed an economic incentive agreement under Section 8-11-20, notwithstanding the fact that such contract provides for the sharing, rebate, or payment of retailers' occupation taxes or service occupation taxes (including, without limitation, taxes imposed pursuant to subsection 10) the municipality receives from the development or redevelopment of properties in the business district. Contracts entered into pursuant to this subsection shall be binding upon successor corporate authorities of the municipality and any party to such contract may seek to enforce and compel performance of the contract by civil action, mandamus, injunction, or other proceeding.*
- (2) Within a business district, to acquire by purchase, donation, or lease, and to own, convey, lease, mortgage, or dispose of land and other real or personal property or rights or interests therein; and to grant or acquire licenses, easements, and options with respect thereto, all in the manner and at such price authorized by law. No conveyance, lease, mortgage, disposition of land or other property acquired by the municipality or agreement relating to the development of property, shall be made or executed except pursuant to prior official action of the municipality. No conveyance, lease, mortgage, or other disposition of land owned by the municipality, and no agreement relating to the development of property, within a business district shall be made without making public disclosure of the terms and disposition of all bids and proposals submitted to the municipality in connection therewith.*
- (2.5) To acquire property by eminent domain in accordance with the Eminent Domain Act.*
- (3) To clear any area within a business district by demolition or removal of any existing buildings, structures, fixtures, utilities, or improvements, and to clear and grade land.*
- (4) To install, repair, construct, reconstruct, or relocate public streets, public utilities, and other public site improvements within or without a business district which are essential to the preparation of a business district for use in accordance with a business district plan.*
- (5) To renovate, rehabilitate, reconstruct, relocate, repair, or remodel any existing buildings, structures, works, utilities, or fixtures within any business district.*
- (6) To construct public improvements, including but not limited to buildings, structures, works, utilities, or fixtures within any business district.*

- (7) *To fix, charge, and collect fees, rents, and charges for the use of any building, facility, or property or any portion thereof owned or leased by the municipality within a business district.*
- (8) *To pay or cause to be paid business district project costs. Any payments to be made by the municipality to developers or other nongovernmental persons for business district project costs incurred by such developer or other nongovernmental person shall be made only pursuant to the prior official action of the municipality evidencing an intent to pay or cause to be paid such business district project costs. A municipality is not required to obtain any right, title, or interest in any real or personal property in order to pay business district project costs associated with such property. The municipality shall adopt such accounting procedures as shall be necessary to determine that such business district project costs are properly paid.*
- (9) *To apply for and accept grants, guarantees, donations of property or labor or any other thing of value for use in connection with a business district project.*
- (10) *If the municipality has by ordinance found and determined that the business district is a blighted area under this Law, to impose a retailers' occupation tax and a service occupation tax in the business district for the planning, execution, and implementation of business district plans and to pay for business district project costs as set forth in the business district plan approved by the municipality.*
- (11) *If the municipality has by ordinance found and determined that the business district is a blighted area under this Law, to impose a hotel operators' occupation tax in the business district for the planning, execution, and implementation of business district plans and to pay for the business district project costs as set forth in the business district plan approved by the municipality."*

## **ADDITIONAL STATUTORY PROVISIONS**

In accord with the provisions of the Business District Law stated above, a municipality may enter into contracts necessary or incidental to the implementation and furtherance of a business district plan. This contracting power includes entering into an agreement with a developer or other nongovernmental person that provides for the sharing, rebate, or payment of retailers' occupation taxes or service occupation taxes the municipality receives from the development or redevelopment of properties in the business district.

Also, the corporate authorities of a municipality may impose a retailers' occupation tax, service occupation tax, or hotel operators' occupation tax by ordinance pursuant to subsection (10) or (11) of Section 11-74.3-3 of the Business District Law. However, in order to establish such tax-



es, the business district area must qualify as a “blighted area” as that term is defined in Section 11-74.3-5 of said law, to wit:

*“**Blighted area**” means an area that is a blighted area which, by reason of the predominance of defective, non-existent, or inadequate street layout, unsanitary or unsafe conditions, deterioration of site improvements, improper subdivision or obsolete platting, or the existence of conditions which endanger life or property by fire or other causes, or any combination of those factors, retards the provision of housing accommodations or constitutes an economic or social liability, an economic underutilization of the area, or a menace to the public health, safety, morals, or welfare.”*

Furthermore, a business district plan shall be prepared. As defined in Section 11-74.3-5 of the Business District Law, a “business district plan” is the written plan for the development or re-development of the area identified as the district and must contain the following information:

- “(i) a specific description of the boundaries of the proposed business district, including a map illustrating the boundaries;*
- (ii) a general description of each project proposed to be undertaken within the business district, including a description of the approximate location of each project and a description of any developer, user, or tenant of any property to be located or improved within the proposed business district;*
- (iii) the name of the proposed business district;*
- (iv) the estimated business district project costs;*
- (v) the anticipated source of funds to pay business district project costs;*
- (vi) the anticipated type and terms of any obligations to be issued; and*
- (vii) the rate of any tax to be imposed pursuant to subsection (10) or (11) of Section 11-74.3-3 and the period of time for which the tax shall be imposed.”*

This document constitutes the Route 50/Scott-Troy Road Business District Plan. It sets forth the necessity for the designation of the Business District, the qualifications of the Business District as a “blighted area”, a statement of objectives and policies to achieve these objectives, and a description of proposed projects for the Business District.

## SECTION 2

### ANALYSIS OF BLIGHTING FACTORS

#### QUALIFICATIONS ANALYSIS FOR THE BUSINESS DISTRICT

Because the City intends to implement an additional retailers' occupation tax, service occupation tax, and hotel operators' tax of up to 1% in accord with the provisions of the Business District Law, an evaluation of the conditions within the Business District was conducted. Information gathered for this analysis was derived from research of St. Clair County property assessment records, including tax mapping showing the existing platting of the Business District, and information provided by the City. The following discussion in this section of the Plan summarizes the existing conditions within the Business District that allow it to qualify as a "blighted area" as defined by the Business District Law.

#### ***Non-Existent or Inadequate Street Layout***

In order to develop the Business District properly, it will be necessary to build an internal street system. Currently no such streets exist. As part of phase 1 of the proposed development, the Developer will construct a new collector street connecting Route 50 and Scott-Troy Road. This street will open up access to future subdivided lots including the initial 8.8 acre parcel where the Rec-Plex will be built. The Developer anticipates additional streets will be built to serve the balance of the Business District, but their alignments are to be determined based on size and location of future platted lots.

#### ***Economic Liability and Economic Underutilization***

Currently, the 44 acres of private properties located within the proposed Business District generate relatively little in real property taxes. The aggregate real property tax generated by these properties for the 2013 tax year was \$3,650. The assessed value of the entire Area for the 2013 tax year was only \$45,519, which translates to a market value of approximately \$136,600 (about \$3,100 per acre). By way of comparison, the median value of an owner-occupied housing unit in O'Fallon was \$197,900.<sup>1</sup> Given its location at the intersection of Route 50 and

---

<sup>1</sup> Source: 2009-2013 American Community Survey, published by the United States Census Bureau.

<http://factfinder.census.gov/faces/nav/jsf/pages/index.xhtml>

Scott-Troy Road, it is clear that these properties represent an economic liability and economic underutilization.

The overall goal of the City is for the Business District to develop into a commercial development anchored by the Rec-Plex facility. This Rec-Plex is expected to host both collegiate and private club hockey tournaments and aquatic competitions that will draw from the Midwest and beyond. Through financial incentives, including those authorized under the Business District Law, the City expects to be able to induce private investment that will result in the Rec-Plex construction and follow-up development. In addition to property tax revenues, some of the commercial uses will generate sales-taxes as well. The City also relies on a hotel operators' occupation tax to promote tourism or otherwise increase overnight stays by visitors. The Developer anticipates that the Rec-Plex will generate additional demand for overnight stays and is planning for two new hotels within the Business District. These projects are predicated on the Business District being established, along with other incentives to be provided by the City.

### **Social Liability**

By reason of the of lack of streets and utilities, the Business District constitutes a social liability to the City and the taxing districts that collect certain taxes generated on properties within the Business District. The City, which is entrusted with providing police protection, fire and rescue, snow removal, and other public services, is constantly faced with fiscal challenges to provide such services. The lack of tax revenue from the Business District presents lost opportunity for additional operating revenue for the City. Also, other units of government provide public services that are an integral part of the quality of life in a community. Without action on the part of the City to induce investment, these districts will lose out on the opportunity for property tax revenue increases that would be generated by commercial development in the Business District. In this way, the economic underutilization of the properties located within the Business District constitutes a social liability.

### **QUALIFICATION SUMMARY AND FINDINGS**

Based on the "blighted area" definition outlined in the Business District Law, there are sufficient conditions that represent the required qualifications. These include:

- Non-existent streets and utilities.

- The properties within the Business District produce relatively little property taxes and have the potential to generate considerably more. This constitutes an economic underutilization of the properties within the Business District and thus creates an economic and social liability to the City and the taxing districts.

Therefore the Business District meets the standards as a “blighted area” per Section 11-74.3-5(3) of the Business District Law for designation as a “Business District” for purposes of imposing a tax pursuant to subsections (10) or (11) of Section 11-74.3-3 of the Business District Law. The Business District represents an area of the City, which by reason of the lack of streets constitutes an economic or social liability and an economic underutilization of the area.

## SECTION 3

### BUSINESS DISTRICT PLAN

#### DESCRIPTION OF THE BUSINESS DISTRICT

As stated in Section 1 of this Plan, the Route 50/Scott-Troy Road Business District consists of approximately 44 acres of private property. The boundaries of the Business District are delineated on **Exhibit A – Proposed Route 50/Scott-Troy Road Business District**, and a boundary description is attached in the **Appendix as Attachment A**. Included within the boundaries are the adjoining rights-of-way of U.S. Route 50 and Scott-Troy Road.

#### PURPOSE OF THE PLAN

The purpose of establishing the Business District Plan (the “Plan”) is to induce private investment in construction of buildings and site improvements. The Plan establishes the objectives and policies for development of the Business District.

Under the provision of the Illinois Business District Development and Redevelopment Law, the City intends to adopt each of the eligible Business District sales taxes (retailers’, service, and hotel operators’ occupation sales taxes) as provided for in Section 11-74.3-3 (10) and (11) of the Law at the maximum level of 1%. The Plan also describes the proposed uses of the revenue to be generated by the Business District tax and lays out policies for using Business District tax revenue to provide incentives to achieve the City’s objectives for the Business District.

#### BUSINESS DISTRICT OBJECTIVES

It is the overall objective of this Plan to induce the development of the Rec-Plex, hotels, retail, restaurant, office and other suitable commercial uses within the Business District. The Plan envisions the development of hotel and retail businesses oriented to Route 50 traffic. More specifically the objectives include:

***Objective #1: Expansion of O'Fallon's economic base.***

To use incentives to enhance the City’s commercial base by bringing the Rec-Plex, new retail, hotel and other businesses to an area that is economically underperforming. It is expected that tournaments at the Rec-Plex will bring additional overnight visitors to O'Fallon and will spend money at existing restaurants, hotels and other businesses in the community.

**Objective #2: Encourage investment and growth in areas outside the District.**

The location of the District is at the eastern growth zone of the community that has experienced some residential development over that past decade. Additional commercial and office development that offer goods and services and employment opportunities at this location may serve as a catalyst for additional residential growth. Another key component of this objective is to improve the prospects of redeveloping the now vacant Rock Springs mobile home park located across Scott-Troy Road from the Business District.

**Objective #3: Remedy blighted conditions.**

To provide for the construction of streets and installation of utilities that will eliminate the conditions that caused the Business District to qualify as a blighted area as defined in Business District Law.

The initial project proposed in this Business District will entail development of the Rec-Plex by a development entity known as S.I. Strategy, LLC (hereafter referred to as the "Developer"). This entity will have control of the entire 44 acres of private property within the Business District.

It is anticipated that this initial Rec-Plex development will induce the development of the other property that is located within the Business District. Development of these other lots may be undertaken by the same developer or other developer(s).

The Plan envisions that the Rec-Plex will be constructed as the initial phase of plan implementation. At this time it is assumed that development of the balance of the Business District will occur in multiple phases. However, it should not be construed that this Plan is intended to dictate the actual timing of the construction of the various infrastructure and building components. Instead, it is the intent of this Plan to provide option of multiple Business District projects to occur throughout the life of the Business District. This Plan also provides for the Business District revenues that might be used to fund additional streets and other public infrastructure extensions to serve other lots. Thus, in the context of this Plan, "Projects" may entail any of these activities and "Developer" may mean the developer named herein, the City, other developer(s), or any combination of these entities.

## GENERAL DESCRIPTION AND LOCATION OF PROPOSED PROJECTS

**Exhibit B – General Land Use Plan** depicts the approximate location of development projects within the District. Below is a general description of the proposed projects:

- Construction of a new collector street (general alignment shown on Exhibit B)
- 130,000+ square foot indoor Rec-Plex containing:
  - Two sheets of NHL regulation ice & spectator seating
  - Olympic size swimming pool and diving boards/platform
  - Half basketball court
  - Locker rooms
- Commercial sites for:
  - Restaurants
  - Retail
  - Services
  - Office
- Hotel sites

It should be noted that the arrangement of the various development projects may vary from that shown on Exhibit B. The needs of specific end users will ultimately dictate specific locations of the above identified uses.

## BUSINESS DISTRICT POLICIES

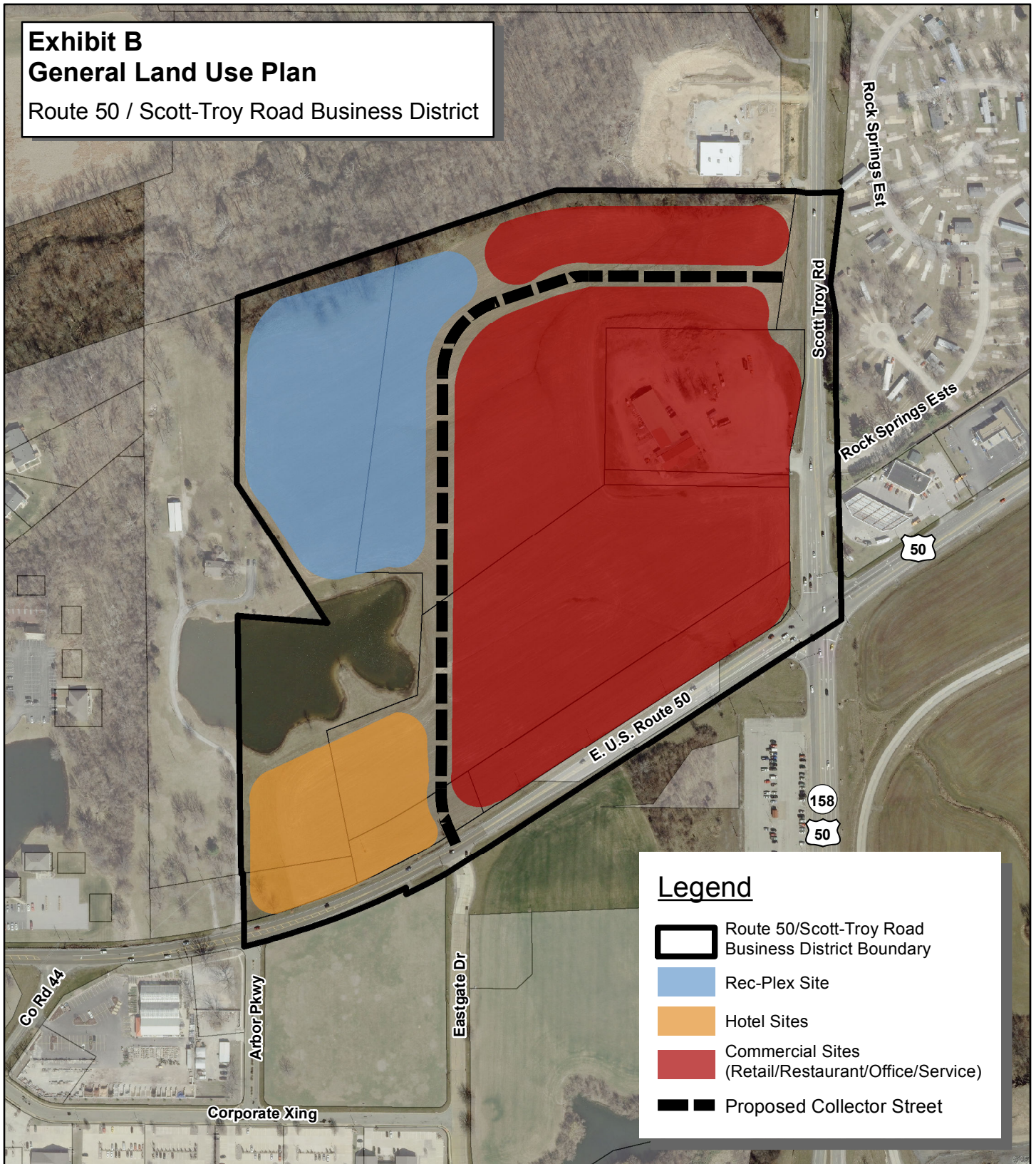
It is the intent of this Plan to foster development within the Business District in a manner that is consistent with good urban planning practices, the City's economic development goals and objectives, and all applicable codes and ordinances. The policies as set forth below are established to promote these objectives.

### ***Development Agreements or Other Such Instruments***






In order to ensure that development occurs in a manner consistent with this Plan, the City and the Developer are expected to enter into a development agreement or other such instrument that will establish the terms and conditions under which Business District financial incentives are to be provided. Such instruments may establish, among other things:

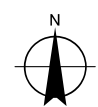
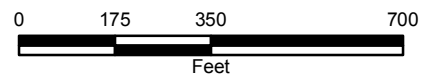


**Exhibit B**  
**General Land Use Plan**  
 Route 50 / Scott-Troy Road Business District



**Legend**

-  Route 50/Scott-Troy Road Business District Boundary
-  Rec-Plex Site
-  Hotel Sites
-  Commercial Sites (Retail/Restaurant/Office/Service)
-  Proposed Collector Street





- the development entity to receive the incentives;
- the public and/or private improvements to be built, and
- identification of the type and amount of project costs to be reimbursed from Business District sales taxes.

It should be noted that the City may enter into multiple development agreements or other such instruments with other developers in order to implement the Business District Plan.

### ***Development Policies***

Development within the Business District should occur in a planned fashion. To this end, this Plan provides the following policy guidelines:

- Development should take place in a planned scheme that allows for the proper access and circulation within the initial development and remaining development sites.
- To the extent vehicular traffic generated by development projects within the Business District impacts Route 50, Scott-Troy Road and the intersection thereof, provide for the necessary improvements thereto to adequately mitigate such impacts.
- Development should conform to contemporary development standards such as provision of adequate off-street parking and appropriate site landscaping and buffer zones between properties in the Business District and adjoining residentially zoned areas.

### ***Economic Incentives Policies***

In order to induce private investment in the Business District, the City may provide certain economic incentives to private parties. In providing such incentives, it is not the policy or intent of the City to create an unfair advantage of one business over a like-kind business. Instead, incentives will be used to help make projects feasible by helping to offset extraordinary project costs that may include any costs as permitted in the Law and as cited earlier in this Section.

Additional policy guidelines and requirements include the following:

1. The project is consistent with the City's Zoning Ordinance and Comprehensive Plan.
2. All work performed on the subject property shall be in accordance with City codes, and any other applicable State or Federal regulations.

3. At the time of application for economic incentives, all taxes, applicable fees or other debts owed to the State or City by the developer, property owners or tenants are paid up-to-date.
4. Application for economic incentives may only be made by a person or persons having an actual interest in the subject property. This includes the owner of record, beneficial owner of a trust, or a person having made a land purchase offer, which offer has been accepted.
5. Except as may be waived by the City, all economic incentives will be based on a “pay-as-you-go” basis. In other words economic incentives will not be provided up front, but instead, on a reimbursement basis from Business District sales tax revenues generated by the applicable businesses on an annual basis.
6. The economic incentives provided for in this Plan are not an entitlement, nor are they to be applied retroactively to development or redevelopment projects undertaken by private parties. The amount and terms of any economic incentives to be provided are determined on a case-by-case basis and shall be subject to an agreement between the City and the private party to be the beneficiary of such economic incentives.

## **BUSINESS DISTRICT PROJECT COSTS**

The following costs are anticipated to be incurred in implementing the Route 50/Scott-Troy Road Business District. The Business District projects described above may entail a range of public and private activities and associated costs as provided for in Section 11-74.3-5 of the Business District Law, including without limitation the following:

- “(1) costs of studies, surveys, development of plans and specifications, implementation and administration of a business district plan, and personnel and professional service costs including architectural, engineering, legal, marketing, financial, planning, or other professional services, provided that no charges for professional services may be based on a percentage of tax revenues received by the municipality;*
- (2) property assembly costs, including but not limited to, acquisition of land and other real or personal property or rights or interests therein, and specifically including payments to developers or other nongovernmental persons as reimbursement for property assembly costs incurred by that developer or other nongovernmental person;*
- (3) site preparation costs, including but not limited to clearance, demolition or removal of any existing buildings, structures, fixtures, utilities, and improvements and clearing and grading of land;*

- (4) *costs of installation, repair, construction, reconstruction, extension, or relocation of public streets, public utilities, and other public site improvements within or without the business district which are essential to the preparation of the business district for use in accordance with the business district plan, and specifically including payments to developers or other nongovernmental persons as reimbursement for site preparation costs incurred by the developer or nongovernmental person;*
- (5) *costs of renovation, rehabilitation, reconstruction, relocation, repair, or remodeling of any existing buildings, improvements, and fixtures within the business district, and specifically including payments to developers or other nongovernmental persons as reimbursement for costs incurred by those developers or nongovernmental persons;*
- (6) *costs of installation or construction within the business district of buildings, structures, works, streets, improvements, equipment, utilities, or fixtures, and specifically including payments to developers or other nongovernmental persons as reimbursements for such costs incurred by such developer or nongovernmental person;*
- (7) *financing costs, including but not limited to all necessary and incidental expenses related to the issuance of obligations, payment of any interest on any obligations issued under this Law that accrues during the estimated period of construction of any development or redevelopment project for which those obligations are issued and for not exceeding 36 months thereafter, and any reasonable reserves related to the issuance of those obligations; and*
- (8) *relocation costs to the extent that a municipality determines that relocation costs shall be paid or is required to make payment of relocation costs by federal or State law."*

The City intends to provide limited economic development assistance through the funding of certain development costs to be incurred by the Developer, future developer(s), property owner, or business under the terms and conditions of separate development agreements in furtherance of the objectives of this Plan. Economic development assistance may include expenditures for public and private improvements as estimated on **Exhibit C, Estimated Business District Project Costs** below.

Exhibit C should not be construed to limit the ability of the City to enter into development agreements, which provide for other costs, additional costs, or a different distribution of these costs among the various line items. Specific limitations on such cost items and any distribution between them will be specified in development agreements by and between the City and any developer(s), property owner, or business tenant.

## SOURCES OF FUNDS TO PAY BUSINESS DISTRICT PROJECT COSTS

A portion of the funds necessary to pay for Business District project costs are to be derived from the following Business District Sales Taxes in accordance with Section 11-74.3-3 (10) and (11) of the Business District Law:

*“...retailers' occupation tax and a service occupation tax in the business district for the planning, execution, and implementation of business district plans and to pay for business district project costs...” and “...a hotel operators' occupation tax in the business district for the planning, execution, and implementation of business district plans and to pay for the business district project costs...”*

### Exhibit C

#### ESTIMATED BUSINESS DISTRICT PROJECT COSTS

Route 50/Scott-Troy Road Business District  
City of O'Fallon, Illinois

Description	Estimated Cost
<b>A. Public Works</b> <i>(Construction of streets, utilities, and other public improvements)</i>	\$6,000,000
<b>B. Property Assembly</b> <i>(Acquisition of land and other real and personal property)</i>	\$2,000,000
<b>C. Site Preparation</b>	\$725,000
<b>D. Construction of Buildings &amp; Other Site Improvements</b>	\$1,500,000
<b>E. Planning, Legal &amp; Professional Services</b>	\$300,000
<b>F. General Administration</b>	\$350,000
<b>G. Relocation Costs</b>	\$200,000
<b>H. Financing Costs</b>	See Note 3
<b>I. Contingency</b>	\$1,090,000
<b>Total Estimated Costs</b>	<b>\$12,165,000</b>

**Notes:**

- All costs shown are in 2015 dollars.
- Adjustments may be made among line items within the budget to reflect program implementation experience.
- Municipal financing costs such as interest expense, capitalized interest and cost of issuance of obligations are not quantified herein. These costs are subject to prevailing market conditions and will be considered part of the total business district
- Private redevelopment costs and investment are in addition to the above.
- The total estimated business district project costs shall not be increased by more than 5% after adjustment for inflation from the date of the Business District Plan was approved, per subsection 11-74.3-2 (f) of the Business District Law.

These taxes are to be imposed at the rate of 1% and are defined in Section 11-74.3-6 as follows:

- “(b) ...a Business District Retailers' Occupation Tax levied upon all persons engaged in the business of selling tangible personal property, other than an item of tangible personal property titled or registered with an agency of this State's government, and at retail in the business district at a rate of 1.0% of the gross receipts from the sales made in the course of such business... The tax may not be imposed on food for human consumption that is to be consumed off the premises where it is sold (other than alcoholic beverages, soft drinks, and food that has been prepared for immediate consumption), prescription and nonprescription medicines, drugs, medical appliances, modifications to a motor vehicle for the purpose of rendering it usable by a disabled person, and insulin, urine testing materials, syringes, and needles used by diabetics, for human use.”*
- “(c) ...a Business District Service Occupation Tax shall also be imposed upon all persons engaged, in the business district, in the business of making sales of service, who, as an incident to making those sales of service, transfer tangible personal property within the business district, either in the form of tangible personal property or in the form of real estate as an incident to a sale of service. The tax shall be imposed at the same rate as the Business District Retailers' Occupation Tax, a rate of 1.0% of the selling price of tangible personal property so transferred within the business district,... The tax may not be imposed on food for human consumption that is to be consumed off the premises where it is sold (other than alcoholic beverages, soft drinks, and food that has been prepared for immediate consumption), prescription and nonprescription medicines, drugs, medical appliances, modifications to a motor vehicle for the purpose of rendering it usable by a disabled person, and insulin, urine testing materials, syringes, and needles used by diabetics, for human use.”*
- “(d) ...an occupation tax upon all persons engaged in the business district in the business of renting, leasing, or letting rooms in a hotel, as defined in the Hotel Operators' Occupation Tax Act, at a rate not to exceed 1% of the gross rental receipts from the renting, leasing, or letting of hotel rooms within the business district,...excluding, however, from gross rental receipts the proceeds of renting, leasing, or letting to permanent residents of a hotel, as defined in the Hotel Operators' Occupation Tax Act, and proceeds from the tax imposed under subsection (c) of Section 13 of the Metropolitan Pier and Exposition Authority Act.”*

The City shall deposit the proceeds of the above described taxes imposed into a special fund of the City named the **“Route 50/Scott-Troy Road Business District Tax Allocation Fund”**.

Other sources of funds that may be used to pay the costs of implementation of the Business District objectives include:

- Private capital which is available to the Developer through its own cash reserves or financing entities;
- Improvements funded by third party tenants; and
- Other sources of public financing that may be identified at such time in the future to fund project costs.

The City may issue obligations secured by the Business District Tax Allocation Fund to provide for the payment of Business District project costs. Those obligations, if so issued, shall be retired in the manner provided in the ordinance authorizing the issuance of those obligations and shall be for a term not later than 20 years after the date of issue or the dissolution date of the Business District, whichever is earlier.

## SECTION 4

### FINDINGS AND AMENDMENTS TO THE BUSINESS DISTRICT PLAN

#### ESTABLISHMENT AND TERM OF THE BUSINESS DISTRICT

The establishment of the Business District shall become effective upon adoption of an ordinance by the City Council adopting this Plan. The Business District shall expire in accordance with the provisions of the Business District Law in Section 11-74.3-6 (f) that states:

*“When business district project costs, including, without limitation, all obligations paying or reimbursing business district project costs have been paid, any surplus funds then remaining in the Business District Tax Allocation Fund shall be distributed to the municipal treasurer for deposit into the general corporate fund of the municipality. Upon payment of all business district project costs and retirement of all obligations paying or reimbursing business district project costs, but in no event more than 23 years after the date of adoption of the ordinance imposing taxes pursuant to subsection (10) or (11) of Section 11-74.3-3, the municipality shall adopt an ordinance immediately rescinding the taxes imposed pursuant to subsection (10) or (11) of Section 11-74.3-3.”*

#### FINDINGS OF THE PLAN

The City hereby finds and determines as follows:

1. This Plan constitutes a specific plan for a business district named the Route 50/Scott-Troy Road Business District in the City of O'Fallon, St. Clair County, Illinois.
2. The designation of the Business District as identified in this Plan and the boundaries thereof delineated on **Exhibit A – Route 50/Scott-Troy Road Business District**, and as described the boundary description contained in the **Appendix**, will assure opportunities for development and attraction of quality commercial growth to the City.
3. The Business District is contiguous and includes only parcels of real property directly and substantially benefited by this Plan.
4. The City's exercise of the powers provided in the Business District Law is dedicated to the promotion of the public interest and to the enhancement of the tax base of the Business District, and the use of the powers for the development and redevelopment of the Business

District as provided in this Plan is declared to be a public use essential to the public interest of the residents of the City of O'Fallon, St. Clair County, Illinois.

5. The Business District qualifies as a blighted area because the District represents a portion of the City, which by reason of the lack of streets constitutes an economic liability and an economic underutilization of the area.
6. The Business District on the whole has not been subject to growth and development through investment by private enterprises and would not reasonably be anticipated to be developed or redeveloped without the adoption of this Business District Plan. The Developer has stated that the projects will not take place absent the establishment of the Business District and using Business District sales tax revenue to reimburse the Developer for certain Business District project costs.
7. The Business District Plan conforms to the City of O'Fallon's 2006 Comprehensive Plan, which proposes "Regional Commercial" use for the land located within the District.

## **PLAN AMENDMENTS**

The procedure for amending this Plan shall also be in conformance with the provisions of the Business District Law.



**APPENDIX**

**BOUNDARY DESCRIPTION****ROUTE 50/SCOTT-TROY ROAD BUSINESS DISTRICT**

A TRACT OF LAND BEING PART OF THE SOUTHEAST QUARTER OF SECTION 28 AND PART OF THE NORTHEAST QUARTER OF SECTION 33 ALL IN TOWNSHIP 2 NORTH, RANGE 7 WEST OF THE THIRD PRINCIPAL MERIDIAN AS SHOWN ON THE PLAT THEREOF RECORDED IN PLAT BOOK "A" ON PAGE 263 IN THE RECORDER OF DEED'S OFFICE OF ST. CLAIR COUNTY, ILLINOIS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT AN IRON ROD ON THE EASTERLY LINE OF "LAKEPOINTE CENTRE PROFESSIONAL PARK" AS SHOWN ON THE PLAT THEREOF RECORDED IN PLAT BOOK "95" ON PAGE 18 IN SAID RECORDER OF DEED'S OFFICE, FROM WHICH A CONCRETE R/W MONUMENT MARKING THE SOUTHEAST CORNER OF SAID "LAKEPOINTE CENTRE PROFESSIONAL PARK", BEARS SOUTH 00 DEGREES 01 MINUTES 22 SECONDS EAST, 107.52 FEET; THENCE, NORTH 00 DEGREES 01 MINUTES 22 SECONDS WEST ON SAID EASTERLY LINE AND ITS EXTENSION, 1449.55 FEET TO A CONCRETE MONUMENT WHICH MARKS THE NORTHEAST CORNER OF "THE VILLAS AT LAKEPOINTE" AS SHOWN ON THE PLAT THEREOF RECORDED IN PLAT BOOK "97" ON PAGE 9 IN SAID RECORDER OF DEED'S OFFICE, SAID CONCRETE MONUMENT ALSO BEING THE SOUTHWEST CORNER OF A TRACT OF LAND CONVEYED TO VICTORY FREE WILL BAPTIST CHURCH BY DOCUMENT NUMBER A02143243 IN SAID RECORDER OF DEED'S OFFICE; THENCE, NORTH 71 DEGREES 49 MINUTES 19 SECONDS EAST ON THE SOUTHEASTERLY LINE OF SAID VICTORY FREE WILL BAPTIST CHURCH TRACT OF LAND, 248.61 FEET TO THE POINT OF BEGINNING.

FROM SAID POINT OF BEGINNING; THENCE, CONTINUING NORTH 71 DEGREES 49 MINUTES 19 SECONDS EAST ON SAID SOUTHEASTERLY LINE, 418.69 FEET TO THE NORTHWEST CORNER OF A TRACT OF LAND CONVEYED TO WESTMORE DEVELOPMENT IN DEED BOOK 3083 ON PAGE 1042 IN SAID RECORDER OF DEED'S OFFICE; THENCE, NORTH 71 DEGREES 54 MINUTES 27 SECONDS EAST, 441.64 FEET; THENCE, SOUTH 89 DEGREES 31 MINUTES 17 SECONDS EAST, 599.83 FEET TO THE WEST R.O.W. LINE OF SCOTT-TROY ROAD; THENCE, CONTINUING SOUTH 89 DEGREES 31 MINUTES 17 SECONDS EAST, 120.00 FEET TO THE EAST R.O.W. LINE OF SCOTT-TROY ROAD; THENCE, SOUTHERLY FOLLOWING THE EAST R.O.W. LINE OF SCOTT-TROY ROAD TO WHERE IT INTERSECTS THE NORTH R.O.W. LINE OF U.S. ROUTE 50; THENCE, SOUTHERLY CROSSING U.S. ROUTE 50, 123.27 FEET TO THE SOUTH R.O.W. LINE OF U.S. ROUTE 50; THENCE, SOUTHWESTERLY CROSSING SCOTT-TROY ROAD, 524.90 FEET TO THE SOUTH RIGHT OF WAY LINE OF U.S. ROUTE 50; THENCE, CONTINUING SOUTHWESTLY ALONG THE SOUTH R.O.W. LINE OF U.S. ROUTE 50, 741.69 FEET TO A POINT ON THE SOUTH R.O.W. LINE OF U.S. ROUTE 50; THENCE, NORTHERLY ALONG THE SOUTH R.O.W. LINE OF U.S. ROUTE 50, 37.39 FEET TO A POINT ON THE SOUTH R.O.W. LINE OF U.S. ROUTE 50; THENCE, SOUTHWESTERLY ALONG THE SOUTH R.O.W. LINE OF U.S. ROUTE 50, ALONG A CURVE, TO THE EAST R.O.W. LINE OF ARBOR PARKWAY; THENCE, CONTINUING SOUTHWESTERLY ALONG THE SOUTH R.O.W. LINE OF U.S. ROUTE 50, CROSSING ARBOR PARKWAY, TO THE WEST R.O.W. LINE OF ARBOR PARKWAY; THENCE, NORTHERLY CROSSING U.S. ROUTE 50 TO A POINT ON THE NORTH R.O.W. LINE OF U.S. ROUTE 50, SAID POINT ALSO BEING THE SOUTHWEST CORNER OF A 0.67 ACRE TRACT CONVEYED TO THE

STATE OF ILLINOIS IN DEED BOOK 2680 ON PAGE 1156 IN SAID RECORDER OF DEED'S OFFICE; THENCE, CONTINUING NORTHERLY ALONG THE WEST LINE OF 0.67 ACRE TRACT, 110 FEET; THENCE, NORTH 00 DEGREES 38 MINUTES 08 SECONDS EAST, 666.02 FEET; THENCE, SOUTH 85 DEGREES 33 MINUTES 41 SECONDS EAST, 230.00 FEET; THENCE, NORTH 33 DEGREES 19 MINUTES 27 SECONDS WEST, 425.00 FEET; THENCE, NORTH 00 DEGREES 20 MINUTES 45 SECONDS WEST, 476.32 FEET TO THE POINT OF BEGINNING.

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

**AN ORDINANCE ESTABLISHING  
AND IMPOSING CERTAIN  
BUSINESS DISTRICT TAXES IN  
THE ROUTE 50/SCOTT-TROY  
ROAD BUSINESS DISTRICT**

**WHEREAS**, the City of O’Fallon passed **Ordinance No. \_\_\_\_\_** Establishing and Designating the Route 50/Scott-Troy Road Business District and Approving the Route 50/Scott-Troy Road Business District Plan within the City of O’Fallon, Illinois in accordance with the Business District Development and Redevelopment Law, 65 ILCS 5/11-74.3-1 through 11-74.3-7 (the “Business District Law”); and

**WHEREAS**, as part of **Ordinance No. \_\_\_\_\_**, the Corporate Authorities of the City made the requisite findings that the Route 50/Scott-Troy Road Business District qualified as a “blighted area” as defined in Section 11-74.3-5 of the Business District Law; and

**WHEREAS**, in furtherance of the Route 50/Scott-Troy Road Business District, the Corporate Authorities of the City desire to establish and impose a Business District Retailers’ Occupation Tax, a Business District Service Occupation Tax, and a Hotel Operators’ Occupation Tax pursuant to Section 11-74.3-3 (10) and (11) of the Business District Law; and

**WHEREAS**, the City intends to use said tax to fund certain improvements within the Business District in accordance with the Business District Law and as set forth in the Route 50/Scott-Troy Road Business District Plan; and

**WHEREAS**, the Corporate Authorities of the City find and determine that it is in the best interests of the City and its residents to establish the taxes as set forth herein.

**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 above stated recitals are incorporated by this reference.

**Section 2.** **Business District Retailers' Occupation Tax.** A tax is hereby imposed to be known as the "Business District Retailers' Occupation Tax" upon all persons engaged in the business of selling tangible personal property, other than an item of tangible personal property titled or registered with an agency of this state's government, at retail within the boundaries of the Route 50/Scott-Troy Road Business District at the rate of one percent (1.0%) of the gross receipts from such sales made in the course of such business while this ordinance is in effect. This "Business District Retailers' Occupation Tax" shall not be applicable to the sales of food for human consumption which is to be consumed off the premises where it is sold (other than alcoholic beverages, soft drinks and food that has been prepared for immediate consumption) and prescription and non-prescription medicines, drugs, medical appliances, modifications to a motor vehicle for the purpose of rendering it usable by a disabled person, and insulin, urine testing materials, syringes and needles used by diabetics, for human use.

**Section 3.** **Business District Service Occupation Tax.** A tax is hereby imposed to be known as the "Business District Service Occupation Tax" upon all persons engaged, in the Route 50/Scott-Troy Road Business District, in the business of making sales of service, who, as an incident to making those sales of service, transfer tangible personal property within the business district, either in the form of tangible personal property or in the form of real estate as an incident to a sale of service. The tax shall be imposed at the same rate as the tax imposed in Section 2 above and shall not exceed 1% of the selling price of tangible personal property so transferred within the business district. The tax may not be imposed on food for human consumption that is to be consumed off the premises where it is sold (other than alcoholic beverages, soft drinks, and food that has been prepared for immediate consumption), prescription and nonprescription medicines, drugs, medical appliances, modifications to a motor vehicle for the purpose of rendering it usable by a disabled person, and insulin, urine testing materials, syringes, and needles used by diabetics, for human use.

**Section 4.** **Business District Hotel Operators' Occupation Tax.** A tax is hereby imposed to be known as the "Business District Hotel Operators' Occupation Tax" upon all persons engaged within the Route 50/Scott-Troy Road Business District in the business of renting, leasing or letting of rooms in a hotel, as defined in the Hotel Retailers' Occupation Tax Act, 35 ILCS 145/1, et seq., within the Route 50/Scott-Troy Road Business District, at the rate of one percent (1%). This Business District Hotel Operators' Occupation Tax shall not be applicable to the proceeds of renting, leasing, or letting to permanent residents of a hotel, as defined in the Hotel Operators' Occupation Tax Act, 35 ILCS 145/1 et seq.

**Section 5.** **Notice to Illinois Department of Revenue.** On or before, October 1, 2015, the City Clerk and other appropriate City staff are directed to provide the Illinois Department of Revenue (the “Department”) with a certified copy of this Ordinance and such other information required by the Department so that the Business District Retailers’ Occupation Tax provided for in Section 2 above, and the Business District Service Occupation Tax provided for in Section 3 above may be administered and enforced by the Department, beginning on January 1, 2016. Thereafter, the appropriate City staff are directed to provide any address change, addition, or deletion of businesses located within the Business District to the Department on or before April 1 for administration and enforcement by the Department of the change beginning on the following July 1 and on or before October 1 for administration and enforcement by the Department of the change beginning on the following January 1.

**Section 6.** **Route 50/Scott-Troy Road Business District Tax Allocation Fund.** All proceeds of the taxes imposed, civil penalties, and interest, which accrues from the Business District Taxes imposed hereby, shall be deposited into a special fund of the City called the “Route 50/Scott-Troy Road Business District Tax Allocation Fund” in accordance with the Business District Law.

**Section 7.** **Enforcement.** The Illinois Department of Revenue shall have the authority of administer and enforce the Business District Retailers’ Occupation Tax and the Business District Service Occupation Tax imposed under Sections 2 and 3 of this Ordinance, and the City shall have the authority to administer and enforce the Business District Hotel Operators’ Occupation Tax under Section 4 of this Ordinance.

**Section 8.** **Rescinding of Business District Taxes and Business District Dissolution Date.** When business district project costs, including, without limitation, all obligations paying or reimbursing business district project costs have been paid, any surplus funds then remaining in the Route 50/Scott-Troy Road Business District Tax Allocation Fund shall be distributed to the municipal treasurer for deposit into the general corporate fund of the City. Upon payment of all business district project costs and retirement of all obligations paying or reimbursing business district project costs, but in no event more than 23 years after the date of adoption of this Ordinance imposing the taxes pursuant to the Business District Law, the City shall adopt an ordinance immediately rescinding the taxes imposed. The dissolution date of the Route 50/Scott-Troy Road Business District shall be not later than 270 days following payment to the City of the last distribution of taxes as provided in Section 11-74.3-6 of the Business District Law.



**ORDINANCE NO.**

**AN ORDINANCE AMENDING  
SECTION 94.03 OF CHAPTER  
94 OF THE CITY CODE OF  
ORDINANCES**

**WHEREAS**, Section 94.03 of Chapter 94 of the City Code of Ordinances currently provides for the maintenance of weeds, grass and shrubbery on private property; and

**WHEREAS**, throughout the City there are areas of “green space” on municipal right-a-ways typically located between a City sidewalk and City street; and

**WHEREAS**, it is a monumental and expensive task for the City to mow and trim the vegetation within the green space of the municipal right-a-way; and

**WHEREAS**, the City of O’Fallon, being a Home Rule Municipality, may enact legislation requiring the landowner abutting the City right-a-way to maintain the “green space” on the portion of the City right-a-way which abuts the land of the private landowner; and

**WHEREAS**, having the landowner maintain the green space will provide a benefit to the City.

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

Section 1. The forgoing recitals are incorporated herein as findings of the City Council.



Section 2. Section 94.03 of Chapter 94 of the O'Fallon Code of Ordinances is amended by way of addition of the following:

(C) Maintenance of the public right-of-way. The owner or tenant of any property within the city abutting a public street or alley shall maintain the vegetation in the abutting public right-of-way or parkway in the same manner as is required for the owner's or tenant's property by the City of O'Fallon Property Maintenance Code including but not limited to weeds, high grasses and rubbish.

(1) *Exemptions:* The following are generally exempted from the provisions of this section:

- (a) Lands zoned Agriculture as designated in Title XV, Chapter 158, Article 2 of this code and shown on the official zoning map of the city unless used for nonagricultural purpose (for example, church school, house). For purposes of this subsection "agricultural use" shall be construed to mean vacant land or the production of products such as field crops, livestock, fowl and other conventional agricultural pursuits;
- (b) The right-of-way is inaccessible, including but not limited to interstate right-of-way;
- (c) The depth or slope of the roadway ditch makes maintenance hazardous, generally any slopes steeper than three feet horizontal to one foot vertical (3:1);
- (d) In a floodplain area designated on the FEMA Flood Insurance Rate Maps;
- (e) Within a natural drainage way or riparian zones, generally saturated or filled with water.

(2) *Appeal and Clarification:* A written request of an appeal to a notice to abate must be submitted to the City Administrator within five (5) days of the owner of the property receiving the notice. The owner must provide a hardship claim based on the list of exemption provisions of division (C) above. The appeal must be reviewed and approved by the Director of Community Development or his/her designee. Affected property owners may seek clarification for specific properties through the Community Development Department.

The current sub paragraphs C, D, E and F of Section 94.03 are re-lettered as sub paragraphs D, E, F and G accordingly.

This Ordinance shall be in full force affect, from and after its passage, approval and publication in pamphlet form as provided by law.

**PASSED** this \_\_\_\_\_ day of \_\_\_\_\_, 2015, pursuant to a roll call vote as follows:

**APPROVED** by me this \_\_\_\_ day of \_\_\_\_\_ 2015.

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

**ATTESTED**

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

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, Community Development Director  
Walter Denton, City Administrator  
**Date:** May 4, 2015  
**Subject:** Text Amendment – Right of Way Maintenance Provisions (1<sup>st</sup> Reading)

---

**List of committees that have reviewed:** The Community Development Committee reviewed the proposed text amendments at its April 27, 2015 meeting and forwarded the amendment with a vote of 4-0.

### Background

1. Maintenance of the right-of-way
  - Every growing season begins the discussion and issue of property owners maintaining the right-of-way.
    - Last year's prime example was At Home on Central Park Drive.
2. Current Codes
  - There is a lack of language that addresses uncut weeds and grasses in the right-of-way in Chapter 94: Nuisances of the Code of Ordinances and Chapter 3: General Requirements of the International Property Maintenance Code
3. Writing new codes to address right-of-way maintenance:
  - There are areas in the city, where private property adjoins right-of-way that could prove difficult for a home-owner or property owner to maintain. Properties could include:
    - Properties adjacent to limited access right-of-ways;
    - Properties adjacent to right-of-ways with steep slopes;

**Legal Considerations, if any:** The Municipal Code does not address the issue of this particular ordinance. The Municipal Code does allow a City to require property owners to provide routine maintenance (removal of snow, etc.), from sidewalks abutting their property. However the Municipal Code does not address the issue of green space or parkways.

Since the Municipal Code does not address the issue and since the City of O'Fallon is a Home Ruled Municipality, the City has the authority to require a property owner to maintain the "green space" on the City right-a-way which abuts the owner's property. It is further my opinion that such a requirement would not create a liability for the City.

Implementing such an Ordinance would be a valid exercise of police power since the Ordinance simply requires mowing or trimming grass or shrubbery in the City's right-a-way and keep the area free of rubbish and trash.

As noted, the Ordinance mentions the City would benefit from a landowner maintaining the green space (which is obvious). The reason for the language is that some Appellate Courts have held that if the purpose of the Ordinance is not for the benefit of the City and therefore is for the benefit of the public, then the Ordinance could create a liability for the landowner should someone suffer injury or damage resulting from the landowner's failure to abide by the Ordinance. Therefore we need to state in the Ordinance, the requirement is for the benefit of the City.

**Budget Impact:** None

**Staff Recommendation:** Staff recommends approval of an ordinance to address the right-of-way maintenance issue in the Nuisance section of the Code of Ordinances. The ordinance would expand the language on property owner responsibility to include the right-of-way and clarification of when weeds/grass becomes a nuisance. The recommendation also provides a list of exemptions to maintaining the right-of-way, including slopes, retention of water and agricultural land used for agricultural uses. Finally, the recommendation does provide for an appeal process, if it is deemed necessary.

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

**AN ORDINANCE AMENDING  
ORDINANCE 623, ZONING  
DISTRICTS OF THE CITY OF  
O’FALLON, ILLINOIS  
(DEVELOPMENT KNOWN AS  
“GREEN MOUNT PROFESSIONAL  
BUILDING”) LOCATED AT  
1405 NORTH GREEN MOUNT  
ROAD**

**WHEREAS**, the applicant, Rachelle Lengermann of Green Mount Development Group, LLC, has filed an application requesting approval of a planned use rezoning to authorize construction of a 60,000 square foot, 5-story Class A office building with a restaurant with liquor and outdoor seating at 1405 Green Mount Road in O’Fallon; and

**WHEREAS**, the applicant has filed an application with the City of O’Fallon, Illinois pursuant to the requirements of all applicable laws, including City Ordinance 3471, “Planned Uses”; and

**WHEREAS**, the Planning Commission of the City of O’Fallon, Illinois held a public hearing on March 24, 2015, in accordance with state statute, and recommended to approve the petitioner’s request to obtain a B-1(P) Planned Community Business District zoning for the property with a vote of 6 ayes to 0 nays as outlined in the adopted Planning Commission Report, attached hereto and declared to be an inseparable part hereof (Exhibit A); and

**WHEREAS**, on April 13, 2015 the Community Development Committee of the City Council reviewed the rezoning and recommended approval with a vote of 4 ayes to 0 nays.

**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.** That upon the effective date of this Ordinance, the described property, known as “Green Mount Professional Building”, be henceforth classified as zoning district B-1(P) Planned Community Business District with the following conditions:

1. A variance to reduce the required parking to 250 parking spaces, with a recommendation to continue to discuss with HSHS to acquire additional land in the northwest corner.
2. A variance to allow the parking lot perimeter and rows to be constructed per the site plan.

3. A variance to the sign code to allow the freestanding signage at a height of 15 feet. Additionally, staff recommends the City Council grant staff authorization that if a deal is negotiated between the two parties, to approve the signage at the corner up to 150 square feet, with both parties having approximately 75 square feet of signage.
4. A variance to the sign code to allow the wall signage be approved according to the City's sign code, which would allow up to 300 square feet of signage on 3 elevations of the applicants choice and the fourth elevation would only be allowed 175 square foot of signage between the 4<sup>th</sup> and 5<sup>th</sup> floors.
5. A FDC will need to be located on the building (or remotely) with a hydrant for fire protection.
6. A landscaping plan shall be submitted in accordance with the standards of Section 158.144.

**Section 2.** A Certified Copy of this ordinance, with all referenced attachments, shall be filed with the City Clerk's office of the City of O'Fallon, Illinois.

Upon its passage and approval, this Ordinance shall be in full force and effect ten (10) days after its publication in pamphlet form as required by law.

Passed by the City Council this \_\_\_\_\_ day of \_\_\_\_\_ 2015.

\*\*\*\*\*

ATTEST:

(seal)

Approved by the Mayor this \_\_\_\_\_ day

of \_\_\_\_\_ 2015.

\_\_\_\_\_  
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									



**DRAFT MINUTES  
COMMUNITY DEVELOPMENT COMMITTEE  
6:00 PM Monday, April 27, 2015**

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: 6:00 PM

**I) Roll Call** – *Committee members:* Gene McCoskey, David Cozad, Ray Holden, Harlan Gerrish, and Jerry Mouser. *Other Elected Officials Present:* Ed True, Mike Bennett, Richie Meile, Herb Roach, Kevin Hagarty, and John Drolet. *Staff:* Walter Denton, Pam Funk, Sandy Evans, Jeff Stehman, Jim Cavins and Justin Randall. *Visitors:* Matt Smallheer, Bob Kueker, Charlie Pitts, Vern Malare, Rachelle Lengermann and Tom Jackson.

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

**III) Items Requiring Council Action**

- A. McKendree Metro Rec Plex / Four Points Center – Business District (1<sup>st</sup> Reading) – Justin Randall provided the Committee with a brief overview of the proposed Business District for the McKendree Metro Rec Plex / Four Points Center. Randall explained the business district would be an additional tax to the current rates collected by the City of O'Fallon. The committee discussed business district. The committee recommended moving the ordinance forward with a vote of 5-0.
- B. Right-of-Way Maintenance – Text Amendment (1<sup>st</sup> Reading) – Justin Randall provided the committee with an update with comments from the city attorney regarding the legality and potential liability to the city if the council were to pass an ordinance of this nature. The committee discussed the proposed text amendment. The committee recommended moving the text amendment forward with a vote of 5-0.
- C. SEPA – Keller Farms, Inc. Sweet Corn Stand (Motion) – Justin Randall briefed the committee on the proposed sweet corn stand to be located at 1790 W. Highway 50, which is consistent with previous events. The committee recommended approval of the Special Event Permit with a vote of 5-0.
- D. SEPA – O'Fallon Grand Prix Road Race (Motion) – Justin Randall gave a brief overview of the proposed bicycle road race. The event is to be held on Saturday June 20<sup>th</sup> with the event scheduled from 6 AM to 4 PM. The route proposed is consistent with previous approvals, which results in the intermittent closure of Kyle Road from Simmons to Lincoln from 8 AM to 4 PM. Use of Kyle Road will be available to all homeowners with their only access of Kyle Road, which includes the new North Parc Grove development. The organizers are aware all police officer hours will be charged at the overtime rate of \$40.00 / hour. The committee recommended approval of the Special Event Permit with a vote of 5-0.
- E. Green Mount Professional Building – Planned Use (2<sup>nd</sup> Reading) – Justin Randall informed the committee there were no changes from 1<sup>st</sup> Reading. The committee recommended moving the planned use forward with a vote of 5-0.

**IV) Other Business - None**

MEETING ADJOURNED: 6:30 PM

NEXT MEETING: April 13, 2015 – Public Safety Building

Prepared by: Justin Randall, Senior City Planner



## CITY COUNCIL AGENDA ITEM

**To:** Mayor Graham and City Council

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

**Date:** May 4, 2015

**Subject:** Special Event Permit – “Newbold Toyota May Sales Event” (MOTION)

---

**List of committees that have reviewed:** The application for the Newbold Toyota May Sales Event is requesting to place a tent on the property for the month of May. This requires a special event permit and since it will span an entire month it will require Council approval. Due to the timing of the submittal (Tuesday April 28<sup>th</sup>) we were unable to put it on Community Development, so we are requesting the item be reviewed by City Council on May 4<sup>th</sup>. The code would allow staff to administratively approve the tent for the weekend and then if approved by Council the tent could remain the rest of the month.

**Background:**

- Applicant: Craig Schnaak for Newbold Toyota
- Special Event Permit for a tent sale from May 1<sup>st</sup> – June 1<sup>st</sup> 2015.
- Location: Newbold Toyota at 1282 Central Park Drive.
- The tent will be up every day, with cars parked under the tent.
- Newbold will have soda, chips and hot dogs two-three times a week
- The tent will be a 30 ft x 30 ft tent located near the southeast corner of the property.

**Legal Considerations, if any:** None

**Budget Impact:** None

**Staff Review:** The Police and Fire Departments have approved the request. Staff recommends approval of the Special Event Permit with the following condition of approval:

1. The tent shall be anchored properly, and an inspection shall be scheduled with the City when the tent is installed.





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

Attach proof of not-for-profit status with application

OR

Provide \$50.00 application fee with application

**APPLICATION FOR A SPECIAL EVENT PERMIT**

Event Name: MAY SALES EVENT

Location of Event: Newbold Toyota

Name of Event Organization: Carla Schnack

Name of person in charge of event (applicant) and mailing address: Kent & Debbie Newbold

Phone: 618 - 628-7000 E-Mail: Schnacker21@Hotmail.com

Secondary Contact Person: Kent Newbold

Phone: 618 628-7000 E-Mail: Knewbold@newboldtoyota.com

Beginning Date / Times: MAY 1<sup>st</sup> 2015 9:AM Ending Date / Times: June 1<sup>st</sup> 9:AM

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

- 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 30X30 Tent on South side of lot facing Highway 44.
- Sketch plan of site.

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

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

ATTACHED  NOT APPLICABLE
- 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
- 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

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)

## NARRATIVE

Please include:

- hours of operation
- activities provided
- signage
  - dimensions,
  - quantity,
  - location, etc...
- traffic/parking plan
- contingency plans for rain
- plans for toilet facilities
- security plan
- expected attendance
- Any additional helpful information

Narrative:

SALES Event only!

Cars to be parked under tent -  
tables & chairs also under tent

Soda - chips - Hot Dogs - Two - Three DAYS  
a week under tent.







## CITY COUNCIL AGENDA ITEM

**To:** Mayor Graham and City Council

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

**Date:** May 4, 2015

**Subject:** Special Event Permit – Keller Farms, Inc. “Sweet Corn Stand” (MOTION)

---

**List of committees that have reviewed:** The Community Development Committee reviewed this application at its April 27, 2015 meeting and voted 4-0 to recommend it for approval.

**Background:**

- Applicant: Lindsey Keller for Keller Farms, Inc.
- Special Event Permit for a sweet corn stand from approximately June 15<sup>th</sup> to August 20<sup>th</sup>, 2015.
- Stand will be located at 1790 W. Highway 50 in front of the Metro-East Christian Fellowship Church as in previous years.
- Event will occur from 9:00 am to 6:00 pm daily.
- Customers will park on the designated parking area as shown on the attached site plan. No driveways will be blocked.
- Two “v-shaped” banners mounted on stakes will be placed near the front of the property as shown on the attached site plan. Dimensions are 3 ft x 8 ft.
- The applicant has not requested any special consideration from the City for this event.

**Legal Considerations, if any:** None

**Budget Impact:** None

**Staff Review:** This request is consistent with previous year approvals by the Council for Keller Farms Sweet Corn Stand. Fire and Police Departments approved the request. Therefore, staff recommends approval of the Special Event Permit as proposed.





APR 13 2015

PAID

Attach proof of not-for-profit status with application

OR

Provide \$50.00 application fee with application

PD ole  
FD ole

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

APPLICATION FOR A SPECIAL EVENT PERMIT

Event Name: Keller Farms, Inc.

Location of Event: 1790 West Highway 50

Name of Event Organization: Keller Farms Sweet Corn Stand

Name of person in charge of event (applicant) and mailing address: Lindsey Keller  
435 South Bluff Road, Collinsville, IL 62234

Phone: 618-344-8623 E-Mail: Lindsey@kellerfarmsinc.com

Secondary Contact Person: Craig Keller

Phone: 618-344-8623 E-Mail: Craig@kellerfarmsinc.com

Beginning Date / Times: Approx. 6/15/15 Ending Date / Times: Approx. 8/20/15

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

- 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
- Sketch plan of site.  
 ATTACHED
- Permission letter from property owner, if applicant is not the property owner.  
 ATTACHED       NOT APPLICABLE
- Proof of not-for-profit status (so that application fee can be waived.)  
 ATTACHED       NOT APPLICABLE
- 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
- 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): Not Applicable  
(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: \_\_\_\_\_

1656-7196

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.

Lindsey M Keller  
Signature of Applicant/ person in charge of event

04/10/2015  
Date of Submission

FOR OFFICE USE ONLY

ELIGIBLE FOR ADMINISTRATIVE APPROVAL? ( ) YES (X) NO

Just to be safe 4/10/15

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)

**Narrative, including hours of operation.**

Keller Farms sweet corn stand at this location is open 7 days a week from 9:00 a.m. to 6 p.m. The estimated time period would be mid to late June thru mid August.

**Parking**

The parking spot for the location is written in red on the sketch of plan site, this is a designated rocked area, and no streets will be blocked.



1790 West Hwy 50, O'Fallon, IL

↑ NORTH

Metro East  
Christian Fellowship  
Church

Church Parking

Portable  
Restroom



Keller Farms Sweet  
Corn Stand

Banners/  
Flags



Parking

Rothman Furniture

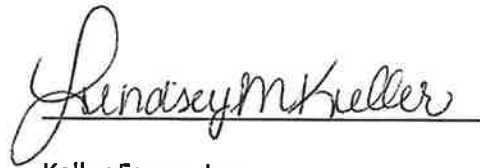
W Highway 50

2015 Lease Agreement

Metro East Christian Fellowship, of O'Fallon, IL gives permission to Keller Farms, Inc. of Collinsville, IL to use the property as they have in the past at 1790 West Highway 50 for the 2015 sweet corn season.



Metro East Christian Fellowship



Keller Farms, Inc.

2-17-15

Date

02/10/2015

Date

**Jessica Warden**

---

**From:** Eric Van Hook  
**Sent:** Tuesday, April 14, 2015 1:13 PM  
**To:** Jessica Warden; Brent Saunders  
**Cc:** Craig Koch; Justin Randall; Ted Shekell  
**Subject:** RE: Keller Farm Sweet Corn Stand SEPA

Chief Eric Van Hook  
O'Fallon Police Department  
285 North Seven Hills Road  
O'Fallon, Illinois 62269

618-624-4545 (Work)  
618-363-2142 (Mobile)

**From:** Jessica Warden  
**Sent:** Tuesday, April 14, 2015 8:55 AM  
**To:** Eric Van Hook; Brent Saunders  
**Cc:** Craig Koch; Justin Randall; Ted Shekell  
**Subject:** Keller Farm Sweet Corn Stand SEPA

Good morning,

Please see the attached SEPA and reply back to me.

Approved: \_\_\_\_\_ EVH \_\_\_\_\_

Denied: \_\_\_\_\_

Comments: \_\_\_\_\_

This will need to go to City Council.

Thanks!  
Jessica Warden

Administrative Assistant  
Community Development  
City of O'Fallon  
Ph: (618) 624-4500 ext. 4  
Fax: (618) 624-4534  
jwarden@ofallon.org

## Jessica Warden

---

**From:** Brent Saunders  
**Sent:** Tuesday, April 14, 2015 1:06 PM  
**To:** Jessica Warden; Eric Van Hook  
**Cc:** Craig Koch; Justin Randall; Ted Shekell  
**Subject:** RE: Keller Farm Sweet Corn Stand SEPA

See below

### *Brent Saunders*

Fire Chief  
City of O'Fallon  
Office 618-624-9452  
[bsaunders@ofallon.org](mailto:bsaunders@ofallon.org)

---

**From:** Jessica Warden  
**Sent:** Tuesday, April 14, 2015 8:55 AM  
**To:** Eric Van Hook; Brent Saunders  
**Cc:** Craig Koch; Justin Randall; Ted Shekell  
**Subject:** Keller Farm Sweet Corn Stand SEPA

Good morning,

Please see the attached SEPA and reply back to me.

Approved:  B Saunders

Denied: \_\_\_\_\_

Comments: \_\_\_\_\_

This will need to go to City Council.

Thanks!  
Jessica Warden

Administrative Assistant  
Community Development  
City of O'Fallon  
Ph: (618) 624-4500 ext. 4  
Fax: (618) 624-4534  
[jwarden@ofallon.org](mailto:jwarden@ofallon.org)



## CITY COUNCIL AGENDA ITEM

**To:** Mayor Graham and City Council

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

**Date:** May 4, 2015

**Subject:** Special Event Permit – Metro East Cycling “O’Fallon Grand Prix Bicycle Race”  
(MOTION)

---

**List of committees that have reviewed:** The Community Development Committee reviewed this application at its April 27, 2015 meeting and recommended 4-0 for approval with conditions.

### **Background:**

- Applicant: Tom Jackson for Metro East Cycling
- Special Event Permit for a Bicycle Road Race
- Saturday, June 20, 2015
- 6:00 AM to 4:00 PM
- Starts and finishes around the 200 block of Kyle Rd
- 20 mile loop, mostly on county and township roads
- Minimum of 5 paid USA Cycling officials on staff
- Metro East Cycling will have more than 100 volunteers on hand.
- Request for intermittent closure of Kyle Rd from Simmons to Lincoln from 8:00am to 4:00pm.
  - Road would be open only for bicycles and support vehicles for the race, emergency vehicles, and residents whose only access is from Kyle Road. MEC staff will contact affected residents and the North Parc Grove development.
- Parking will be provided at Fulton Jr. High and on-street parking (Illini, Tazewell, and Vermillion)
- Permission has been granted by Fulton Junior High School to use their property.
- Special signage will be provided to direct attendees to race start and parking areas, to route traffic around Kyle Rd, and into the school.
- Anticipated attendance: 200 to 400 racers plus spectators.
- Insurance will be provided under USA Cycling.
- A list of profit vendors and their sales tax numbers shall be provided prior to the event.
- Portable toilet facilities will be provided.
- Event will be held rain or shine. In the event of rain, tents will be used for registration.
- Request for assistance from Streets, Police, Fire and EMS.

**Legal Considerations, if any:** None

**Budget Impact:** City expenses for service are to be reimbursed by the applicant.

**Staff Recommendation:** The Fire and Police and Public Works Departments have approved the special event. The Police Department noted the PD will be sending an invoice for the requested assistance. Staff recommends approval of the Special Event Permit with the following conditions:

1. The City of O'Fallon must be listed as an additional insured for the race at least 30 days prior to the event.
2. The applicant is required to pay the City of O'Fallon to cover personnel costs for the event.
3. The applicant must meet with appropriate police department personnel to plan for the road closures.
4. The applicant is responsible for providing any traffic control devices (barricades, pylons, signs etc.) necessary to safely stage the event. On the day of the race, the police department will oversee the placement of those items consistent with the plan(s) developed.
5. Proof of written permission must be provided from affected road entities – townships, counties, IDOT.
6. Applicant must notify all affected residents and North Parc Grove development of Kyle Road closure.



Attach proof of not-for-profit status with application

OR

Provide \$50.00 application fee with application

RECEIVED MAR 30 2015

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

PD —  
 FD —  
 PW —

APPLICATION FOR A SPECIAL EVENT PERMIT

Event Name: O'Fallon Grand Prix Road Race

Location of Event: Kyle Road - Fulton Junior High

Name of Event Organization: Metro East Cycling

Name of person in charge of event (applicant) and mailing address: Tom Jackson  
P.O. Box 126, O'fallon, IL 62269

Phone: (618) 530-2648 E-Mail: director@ofallongrandprix.com

Secondary Contact Person: Brady Jordan

Phone: (618) 541-9309 E-Mail: director@ofallongrandprix.com

Beginning Date / Times: June 20, 2015, 8:00am Ending Date / Times June 20, 2015, 3:30pm

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 -Permit applied for with USA Cycling. T]
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.

JACKSON.THOMAS.PAT  
RICK.1090432210

Digitally signed by JACKSON.THOMAS.PATRICK.1090432210  
DN: cn=US, ou=U.S. Government, ou=DoD, ou=PW, ou=USAF,  
cn=JACKSON.THOMAS.PATRICK.1090432210  
Date: 2015.03.27 12:47:42 -0500

Signature of Applicant/ person in charge of event

Mar 27, 2015

Date of Submission

FOR OFFICE USE ONLY

ELIGIBLE FOR ADMINISTRATIVE APPROVAL? ( ) YES

NO

*Justin R. Randall 4/1/15*

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)



**MULTI-JURISDICTIONAL APPLICATION**

1. Business Name \_\_\_\_\_
2. Business Address \_\_\_\_\_
3. Location of Sale \_\_\_\_\_
4. Are you registered as a multi-jurisdictional business? Yes  No
5. Have you notified the Illinois Department of Revenue Central Registry to inform them that you have a temporary location in O'Fallon? Yes  No   
(call 217.785.2889)
6. Will you report O'Fallon sales on \*Illinois State Sales Tax Form ST-2 (attach to ST-1)?  
Yes  No

**\*Form ST-2, Multiple Site Form**

**Note:** If you make sales from door to door or from changing locations (such as fairs or flea markets), you must combine and report your sales for each local taxing jurisdiction (i.e., city or county)

This form is distributed to registered businesses. For a pre-printed form, call the Central Registry at the number above to obtain a form and register.

Failure to register your business and name the City of O'Fallon as the city to receive taxes will penalize you from conducting business in the future.



# Metro East Cycling

## O'FALLON GRAND PRIX

### **Description**

Metro East Cycling (MEC) requests permission to hold a bicycle road race starting and finishing around the 200 block of Kyle Road in the city of O'Fallon on Saturday, June 20, 2015. Activities relating to the race will begin at approximately 6:00 a.m. and end approximately 4:00 p.m. This event is defined as a Road Race by the bicycle racing sanctioning body, USA Cycling, which MEC is a member. The race is an approximately 20-mile loop with all but three miles on township and county roads. Depending on the class of rider, the loop will be completed anywhere from one to four times during the day. This race is sanctioned by USA Cycling and will have a minimum of five paid officials on staff. MEC will have in excess of 100 volunteers on hand as Course Marshals, Registrars, and in other functions.

### **Special Request**

MEC requests the closure of Kyle Road to vehicular traffic from the corner of Simmons Road on the west and the corner of Lincoln on the east from the hours of 8:00 a.m. until 4:00 p.m. on race day. This would make Kyle available only to bicycles and support vehicles in the race, residents whose only access to their homes is on Kyle Road and emergency/police/fire vehicles. MEC will notify the homeowners on Kyle Road as to this request and arrange to allow the homeowners' unlimited access to their homes as the need arises.

### **Parking and Staging**

MEC is using, with permission, the parking facilities of E.A. Fulton Junior High. Fulton has approximately 150 parking places. The race start/finish line will be on Kyle Road in front of Fulton Junior High school. Other parking areas will be located along Ilini, Tazewell and Vermillion Drives. Special signs will be placed to direct race attendees to the race start and the parking areas. Additional signs will be made to route traffic around Kyle Road. We also have volunteers directing traffic into the school. MEC anticipates 200 to 400 racers and an additional number of spectators.

### **Contingency**

This race will be held rain or shine. In the event of severe weather, Fulton JH will be used as the shelter.

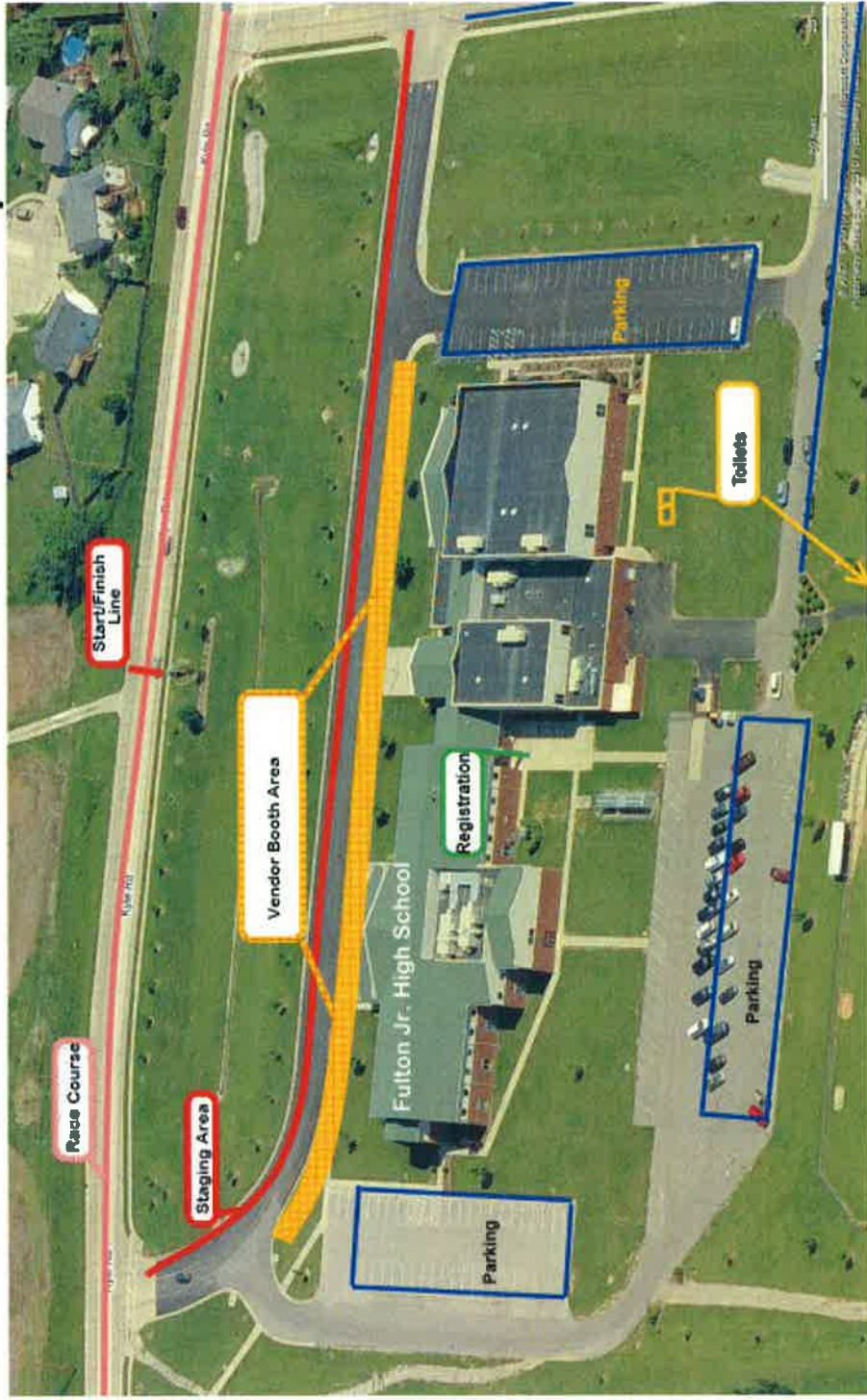
### **Insurance**

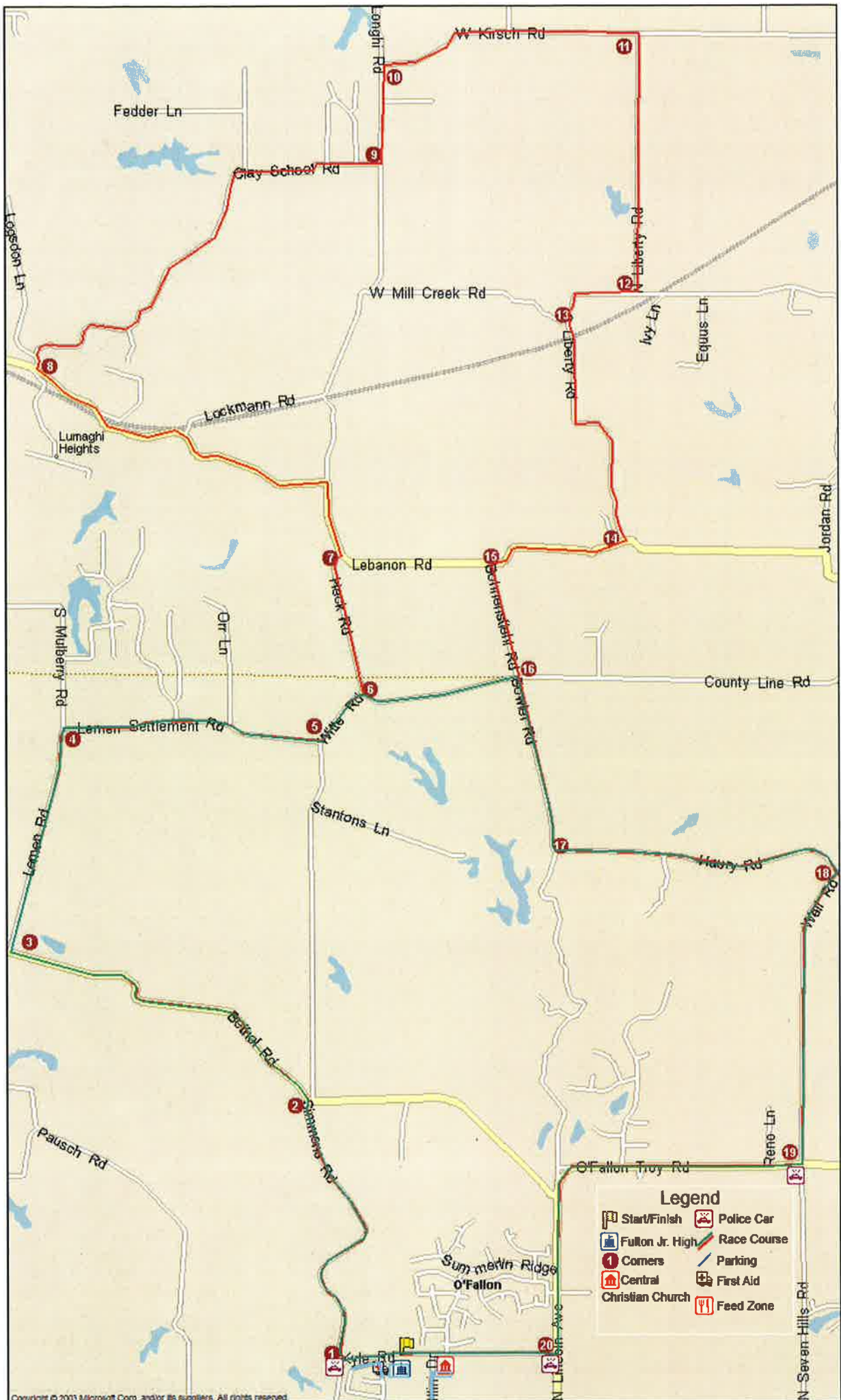
Insurance is required and issued under the auspices of USA Cycling and will be provided as soon as it is received from them via the approved event permit.

### **Special Requests**

Request barriers to be used for road closures of Kyle Rd. These barriers would be placed at the corner of each intersection on Kyle Rd. the day before the event. On event day, event personnel will set up and take down the barriers and place them back at the corner where they were dropped off. Also request event notification on the electronic sign across Lincoln Ave from City Hall. Event notification would read; "O'fallon Grand Prix Bicycle Race on June 20th. Start and Finish at Fulton Junior High." This notification should begin no later than 7 days prior to the event, or June 13th.

# O'Fallon Grand Prix Facilities Map





## ARTICLES OF ORGANIZATION FOR METRO EAST CYCLING

Articles of Incorporation of the undersigned, a majority of whom are citizens of the United States, desiring to form a Non-Profit Corporation under the Non-Profit Corporation Law of the State of Illinois, do hereby certify:

First: The name of the Corporation shall be Metro East Cycling

Second: The place in this state where the principal office of the Corporation is to be located is the City of O'Fallon, St Clair County.

Third: Said Corporation is organized exclusively for charitable, religious, educational, and scientific purposes, including, for such purposes, the making of distributions to organizations that qualify as exempt organizations under section 501(c)(3) of the Internal Revenue Code, or the corresponding section of any future federal tax code. Metro East Cycling seeks to encourage cycling skill development and growth, to improve the health and fitness of members, and to work in cooperation to increase cycling awareness. The primary and overarching purpose of Metro East Cycling is to foster amateur bicycling competition, and to support and develop amateur athletes as a qualified amateur sports organization within the meaning of section 501(c)(3) of the Internal Revenue Code.

Fourth: The names and addresses of the persons who are the initial trustees of the corporation are as follows:

Name: Robert W. Norman  
Address: 1021 Woodleaf Drive, O'Fallon, IL 62269

Name: Fredric Wipperman  
Address: 3651 Willoughby Circle, Belleville, IL 62221

Name: Steven J. Schmidt  
Address: 204 Monroe Circle, O'Fallon, IL 62269

Name: John T. Baynes, Jr.  
Address: 1212 Seward Drive, O'Fallon, IL 62269

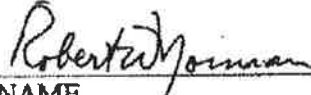
Fifth: No part of the net earnings of the Corporation shall inure to the benefit of, or be distributable to its members, trustees, officers, or other private persons, except that the Corporation shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes set forth in Article Third hereof. No substantial part of the activities of the Corporation shall be the carrying on of propaganda, or otherwise attempting to influence legislation, and the Corporation shall not participate in, or intervene in (including the publishing or distribution of statements) any political campaign on behalf of or in opposition to any candidate for public office. Notwithstanding any other provision of these articles, this Corporation shall not, except to an insubstantial degree, engage in any activities or

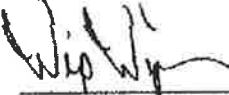


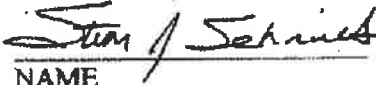
exercise any powers that are not in furtherance of the purposes of this Corporation.

Sixth: Upon the dissolution of the Corporation, assets shall be distributed for one or more exempt purposes within the meaning of section 501c)(3) of the Internal Revenue Code, or the corresponding section of any future federal tax code, or shall be distributed to the federal government, or to a state or local government, for a public purpose. Any such assets not so disposed of shall be disposed of by a Court of Competent Jurisdiction of the county in which the principal office of the Corporation is then located, exclusively for such purposes or to such organization or organizations, as said Court shall determine, which are organized and operated exclusively for such purposes.

In witness whereof, we have hereunto subscribed our names this 18th day of June 2007.

  
\_\_\_\_\_  
NAME  
President, Metro East Cycling

  
\_\_\_\_\_  
NAME  
Vice-President, Metro East Cycling

  
\_\_\_\_\_  
NAME  
Secretary, Metro East Cycling

  
\_\_\_\_\_  
NAME  
Treasurer, Metro East Cycling



# Fallon Grand Prix

OGP Event Director  
P.O. Box 126  
O'Fallon, Illinois, 62269  
618-530-2648  
[director@ofallongrandprix.com](mailto:director@ofallongrandprix.com)

Dear Homeowner,

On Saturday, June 20, 2015, Metro East Cycling is hosting a bicycle race in your area. This year is the eighth annual O'Fallon Grand Prix, a two-day event throughout the O'Fallon area which will draw cyclists from throughout the region.

We are asking for your cooperation to help make travelling safe and easier for everyone. This letter is to provide you advance notice of increased bicycle traffic on the roads that make up the race course. You are receiving this letter because you are either on, or near, the race course. Cyclists will start in two waves (8:30 am will have 4 separate groups and 11:30am will have 7 separate groups, each group leaving in 5 minute increments). Each group of cyclists has a lead pace car and a follow truck in the rear. The individual groups will contain 20-100 cyclists. You can expect to encounter a cycling group at any time between the first start at 8:30 am until 3:00 p.m.

Kyle Road will be closed for a portion of the day. Although the other roads on the race course will remain open, it will be monitored by course marshals and police officers. You may be asked to stop your vehicle to allow for a group of cyclists to safely pass. If you should encounter a group of cyclists, and need to pass, please pass when it is safe to go around the entire group, as well as the lead and follow vehicles. For the safety of the cyclists and dogs residing on the course, we request all dog owners please keep their pets in the house or leashed. If you should have any concerns on race day, law enforcement officers will be around the course and can be of assistance.

In addition, we ask that you exercise extra vigilance in the race area before and during the race weekend. The course will be monitored by municipal and county police before and during the race. Should you observe any suspicious activity, please contact us at the number below or your local law enforcement office.

The O'Fallon Grand Prix is a festive and enjoyable race for fans and participants. By providing this notice, it is our intention to make your Saturday travel plans manageable and pleasant. For some added entertainment, you may want to put out a chair and cheer the racers as they pass. In addition to the adult race, there is also a kids' bike race along with other fun activities. We would like to invite you and your family to participate in one or more of these events. The community is welcome and encouraged to participate. For more information, please visit our website [www.ofallongrandprix.com](http://www.ofallongrandprix.com). Thank you for your help in making the O'Fallon Grand Prix a first class event!

If you have any questions please do not hesitate to contact me.

Sincerely,

*Tom Jackson*

Race Director, O'Fallon Grand Prix

618.530.2648; [director@ofallongrandprix.com](mailto:director@ofallongrandprix.com)



# Fallon Grand Prix

OGP Event Director  
P.O. Box 126  
O'Fallon, Illinois, 62269  
618-530-2648  
[director@ofallongrandprix.com](mailto:director@ofallongrandprix.com)

## Things to remember for the O'Fallon Grand Prix Saturday, June 20<sup>TH</sup>

- 🚲 Race time is between 8:30 a.m. until 3:00 p.m.
- 🚲 Use caution when driving near your home and at intersections along the course.
- 🚲 Be prepared to stop and/or slow down when you encounter a single cyclist or group of cyclists. Please pass when it is safe to pass the entire group.
- 🚲 Please keep your dogs leashed.
- 🚲 Join in the fun! Participate in one or more of the day's events. We will be having a FREE kids race at Fulton Jr. High at 11:00am
- 🚲 Watch the race as it passes your home.





# Fallon Grand Prix

## Omnium

19-21 June 2015

The eighth Annual O'Fallon Grand Prix once again brings 3 days of racing excitement to southwestern Illinois. The festivities begin Friday evening June 19th and will continue through the afternoon of Sunday June 21st, 2015.

**\$7000+ in Cash and Prizes awarded over the weekend. Stay tuned to social media and race day announcements for [all the race prize details!](#)**

### EVENT SCHEDULE

Friday Night—Racers will test themselves against the clock during the 13.1 mile Time Trial located at McKendree University in Lebanon, Illinois. Rolling hills, good pavement, and fast times.

Saturday—The OGP road race is a winding and challenging course through the rural areas north of O'Fallon, IL, starting and finishing at Edward A. Fulton Jr. High School. There will also be a kids race so ensure you pack up your kids bike and helmets to have them share in the fun.

Sunday—The SWIC Criterium will be held Southwestern Illinois College. A super-fast and exciting 1.3 mile loop with smooth roads and 5 turns will allow for tremendous spectator viewing and the fastest finish around. Along with great competition there will be family entertainment and a kids race for a day of family fun.

## OMNIUM

Omnium categories are Pro/1/2, Cat. 3, Masters 40+ Cat. 1/2/3, Masters 50+ Cat. 1/2/3, Cat. 4, Women's Cat. Pro/1/2, Women's Cat 3/4, Cat. 5, Masters 30+ Cat. 4/5, Juniors 9-14 Boys/Girls and Juniors 15-18 Boys/Girls. For full details, see [Omnium details](#) page within this document.

To be eligible for Omnium prizes, racers must start all three events.

You DO NOT need to be registered in the Omnium to be eligible for the individual race day prizes.

### USA CYCLING LICENSE

All Racers must possess a valid USA Cycling license. A one-day license may be purchased for \$10 on-site for Cat 5 Men and Cat 4 Women for each day of participation, or an annual license for \$70. Juniors may purchase an annual license for \$30.

### ONLINE REGISTRATION

Riders are encouraged to pre-register online at [www.bikereg.com](http://www.bikereg.com). **No additional fee for online registration.** Riders who register for the Omnium online will receive a \$5 discount. Online registration will close on Wednesday, June 17th at 10:00 p.m. CST.

### ON-SITE REGISTRATION

See individual race pages for full on-site registration information.





# Fallon Grand Prix

## Omnium

Friday, June 19, 2015

### TIME TRIAL

Total Payout = \$1070

CATEGORY	DISTANCE	START GROUP	EARLY BIRD	PRE-REG	RACE DAY	PRIZES
Juniors 15-18/9-14	13.1 Miles	1	\$10	\$15	\$20	Medals
Category 5	13.1 Miles	2	\$25	\$30	\$35	Medals
Women Cat 3/4	13.1 Miles	3	\$25	\$30	\$35	\$40,\$30,\$20
Masters 50+ Cat1/2/3	13.1 Miles	4	\$25	\$30	\$35	\$50,\$30,\$20
Women Pro/1/2	13.1 Miles	5	\$25	\$30	\$35	\$80,\$60,\$40
Masters 30+ Cat4/5	13.1 Miles	6	\$25	\$30	\$35	Medals
Category 4	13.1 Miles	7	\$25	\$30	\$35	\$40,\$30,\$20
Masters 40+ Cat1/2/3	13.1 Miles	8	\$25	\$30	\$35	\$50,\$30,\$20
Category 3	13.1 Miles	9	\$25	\$30	\$35	\$80,\$60,\$40, \$20
Pro 1/2	13.1 Miles	10	\$25	\$30	\$35	\$100,\$80,\$60,\$40,\$30

#### Details

A 13.1 mile time trial starting at McKendree University in Historic Lebanon IL. Lebanon IL is located on IL Route 4, just north of Exit 23 along Interstate 64. The TT course is a rolling course with no significant climbs. Course map is available on the race website.

#### \*Start Times:

Riders will start by Start Group, in order of registration, beginning with Start Group 1 @ 5:30 p.m. Subsequent Start Groups will follow in numerical order. Riders will start in 60 second intervals. Start times will be emailed to those who pre-register and will be posted on [www.ofallongrandprix.com](http://www.ofallongrandprix.com) on Thursday 6/18/2015.

It is HIGHLY encouraged that you pre-register for the TT. There will be a few open slots available for each start group for those who prefer race day registration. However, the best way to guarantee you have a time slot is to pre-register!

Riders must arrive at the staging area no later than 5 minutes prior to their scheduled start time.

All races are part of MOBAR competition. Masters points (M40+/M50+) will be awarded based on overall time.

More race details at [www.ofallongrandprix.com](http://www.ofallongrandprix.com)

#### Registration

Pre-register at [www.bikereg.com](http://www.bikereg.com). No additional fee to register on-line. Pre-registration closes on Wednesday—6/17/2015 at 10:00 p.m.

Race day registration is located within the McKendree University fitness center, located along N. Alton Street, Lebanon IL. Race day registration opens at 4:30 pm and closes at 7:20. No additional fee for race day registration.

#### General Rules

All 2015 USAC rules are in effect.

A current USAC license must be presented at registration. Juniors 9-14 are restricted to mass start bicycles. Events will be held rain or shine.



USA Cycling Permit 2015-XXX



@OFallonGrandPri  
#OGP15



Metro East Cycling

METRO EAST ST. LOUIS' 1ST CYCLING CLUB







# Fallon Grand Prix

## Omnium

Saturday, June 20, 2015

### ROAD RACE

Total Payout = \$3000

CATEGORY	DISTANCE	START TIME	EARLY BIRD	PRE-REG	RACE DAY	FIELD LIMIT	PRIZES
Women Cat 3/4	31 Miles	8:30 AM	\$35	\$40	\$45	75	\$60,\$50,\$40,\$30,\$20
Category 5	31 Miles	8:45 AM	\$35	\$40	\$45	75	Medals
Juniors 15-18	20 Miles	8:50 AM	\$15	\$20	\$25	75	\$30,\$20,\$10
Juniors 9-14	11 Miles	8:55 AM	\$15	\$20	\$25	75	Medals
Kids Race	Sprint	11:00 AM	FREE	FREE	FREE		Medals
Pro 1/2	80 Miles	11:30 AM	\$35	\$40	\$45	100	\$205,\$150,\$130,\$100, \$80,\$70,\$60,\$50,\$40, \$30
Category 3	71 Miles	11:35 AM	\$35	\$40	\$45	100	\$150,\$100,\$75,\$45,\$30
Masters 30+ Cat4/5	40 Miles	11:40 AM	\$35	\$40	\$45	75	\$50,\$40,\$30,\$20
Category 4	60 Miles	11:45 AM	\$35	\$40	\$45	75	\$100,\$75,\$50,\$40,\$30
Masters 40+ Cat1/2/3	60 Miles	11:50 AM	\$35	\$40	\$45	100	\$100,\$75,\$50,\$40,\$30
Masters 50+ Cat1/2/3	60 Miles	11:55 AM	\$35	\$40	\$45	100	\$100,\$75,\$50,\$40,\$30
Women Pro/1/2	60 Miles	12:00 PM	\$35	\$40	\$45	75	\$150,\$100,\$75,\$45,\$30

#### Details

All races are part of MOBAR competition except there will be no Masters 40+ points awarded.

Kids' races are free to enter but each child must register and wear an approved helmet.

#### Registration

Pre-register at [www.bikereg.com](http://www.bikereg.com). No additional fee to register on-line. Pre-registration closes on Wednesday—6/17/2015 at 10:00 p.m.

Race day registration and staging will take place at Fulton Jr. High, 307 Kyle Rd, O'Fallon, IL. Race day registration opens at 7:00 am and closes 30 minutes prior to each event. There is a \$5 surcharge for race day registration.

#### General Rules

All 2015 USAC rules are in effect.

A current USAC license must be presented at registration.

Events will be held rain or shine.

Helmets must be worn on the bike at all times.

Junior riders must use gearing as per USAC regulations.

The yellow line rule will be strictly enforced.

A feed zone will be located along Kyle Road.

Corner marshals will be on the course, but ultimately, it is the riders' responsibility to know the course!

Wheel vehicles are provided (wheels in, wheels out).

Wheels can be picked up at the finish area after the race.



USA Cycling Permit 2015-XXX



@OFallonGrandPri  
#OGP15



Metro East Cycling

METRO EAST ST. LOUIS 1ST CYCLING CLUB





# Fallon Grand Prix

## Omnium

Sunday, June 21, 2015

SWIC Criterium							Total Payout = \$2580
CATEGORY	DISTANCE	START TIME	EARLY BIRD	PRE-REG	RACE DAY	FIELD LIMIT	PRIZES
Juniors 15-18 (B/G)	20 mins	8:00 AM	\$15	\$20	\$20	75	\$25, \$15, \$10
Juniors 9-14 (B/G)	20 mins	8:00 AM	\$15	\$20	\$20	75	Medals
Cat 5	30 minutes	8:30 AM	\$25	\$30	\$35	75	Medals
Women Cat 3/4	30 minutes	9:10 AM	\$25	\$30	\$40	75	\$40, \$30, \$20, \$10
Masters 30+ Cat 4/5	40 minutes	9:50 AM	\$25	\$30	\$40	75	\$50, \$30, \$20, \$10
Masters 40+ Cat 1/2/3**	50 minutes	10:40 AM	\$25	\$30	\$40	100	\$100, \$70, \$50, \$40, \$30
Masters 50+ Cat 1/2/3**	50 minutes	10:40 AM	\$25	\$30	\$40	100	\$100, \$70, \$50, \$40, \$30
Cat 4	40 minutes	11:40 AM	\$25	\$30	\$40	100	\$100, \$70, \$50, \$40, \$30
Cat 3	50 minutes	12:30 PM	\$25	\$30	\$40	75	\$100, \$70, \$50, \$40, \$30
Kids Race	SPRINT	1:30 PM	FREE	FREE	FREE		Medals
Women Pro/1/2	40 minutes	2:10 PM	\$25	\$30	\$40	75	\$100, \$75, \$50, \$40, \$30
Pro 1/2	70 minutes	3:00 PM	\$25	\$30	\$40	100	\$120, \$90, \$80, \$70, \$60, \$50, \$40, \$30, \$20, \$10

### Details

All races are part of MOBAR competition.

Second race is only \$15.

Kids' races are free to enter but each child must register and wear an approved helmet.

\*\*Masters races will be run together, but will be scored and paid separately.

More race details at [www.ofallongrandprix.com](http://www.ofallongrandprix.com)

### Registration

Pre-register at [www.bikereg.com](http://www.bikereg.com). No additional fee to register on-line. Pre-registration closes on Wednesday—6/17/2015 at 10:00 p.m.

Race day registration is located at the SWIC Campus, Belleville, IL. Registration opens at 7:00 a.m. and closes 30 minutes prior to each race. No additional fee for race day registration.

### General Rules

All 2015 USAC rules are in effect.

A current USAC license must be presented at registration. Events will be held rain or shine.

Helmets must be worn on the bike at all times.

Junior riders must use gearing as per USAC regulations.

Races may be shortened at the discretion of the Chief Referee



USA Cycling Permit 2015-XXX



@OFallonGrandPri  
#OGP15



Metro East Cycling





# Fallon Grand Prix

19-21 June 2015

## OMNIUM DETAILS

Points will be awarded to the top ten finishers in each category for each race. Omnium points may also be awarded as primes in the road race and criterium. The Omnium categories, payouts and point award schedule are shown below. In order to qualify for an Omnium payout, each athlete must **start** each race. If there is a tie, the tiebreaker will be broken in favor of the racer with the most 1st place finishes.

OMNIUM CATEGORY	PURSE	PAYOUT
Pro/1/2	\$400	\$150, \$100, \$75, \$50, \$25
Category 3	\$200	\$80, \$60, \$40, \$20
Masters 40+ Cat. 1/2/3	\$150	\$75, \$50, \$25
Masters 50+ Cat. 1/2/3	\$150	\$75, \$50, \$25
Women Pro/1/2	\$200	\$80, \$60, \$40, \$20
Women Cat. 3/4	\$100	\$50, \$30, \$20
Category 4	\$100	\$50, \$30, \$20
Masters 30+ Cat. 4/5	Medals	1st, 2nd, 3rd
Category 5	Medals	1st, 2nd, 3rd
Juniors 9-14 Boys/Girls*	Medals	1st, 2nd, 3rd
Juniors 15-18 Boys/Girls*	Medals	1st, 2nd, 3rd

\* Omnium medals will be awarded to both Boys and Girls in these categories.

## OMNIUM POINTS

RACE	PLACE	1	2	3	4	5	6	7	8	9	10
TT		15	13	11	9	7	5	4	3	2	1
Road Race		15	13	11	9	7	5	4	3	2	1
Criterium		15	13	11	9	7	5	4	3	2	1



USA Cycling Permit 201-XXX



@OFallonGrandPri  
#OGP15



Metro East Cycling

METRO EAST ST. LOUIS' 1ST CYCLING CLUB





# Fallon Grand Prix

WOULD LIKE TO THANK ALL OF OUR SPONSORS



the  
**BIKE  
SURGEON**

**RAYMOND JAMES®**  
Ken Nettleton  
V.P. Investments, O'Fallon Illinois



**Metro East Cycling**

METRO EAST ST. LOUIS' 1ST CYCLING CLUB

**APPLICATION AND AGREEMENT FOR USE OF  
O'FALLON COMMUNITY CONSOLIDATED SCHOOL DISTRICT 90 FACILITIES**

REQUESTOR: Tom JACKSON DATE: 18 MAR 2015

Facility Requested: Building (rest rooms, Multi purpose room, Bando room) at Fulton JR. High School.

Event: Type of Program: O'Fallon GRAND PRIX - Bicycle RACE

Date(s) of Facility Usage: SATURDAY, June 20, 2015

Time of Usage: From: 0600 6 AM To: 1600 4pm pm 10hr

Number of People Expected to Attend: 600 Admission: \$ 25-35 for RACERS, Free for Spectators

Planned Use of Funds: Personal \_\_\_\_\_ Civic \_\_\_\_\_

Applicant: Metro EAST Cycling (Print)

Address: P.O. Box 126 O'Fallon, IL 62269

Phone: 618-530-2648

RECEIVED MAR 19 2015

Charge(s) for Facility: \$ 300.<sup>00</sup> Charge for Custodial: \$ 370.<sup>00</sup>

Total charges due prior to event: \$ 670.<sup>00</sup> Certificate of Insurance attached: yes  (no) (being worked with USA cycling)

This figure represents the contracted charge and will be the same unless additional custodial service or school equipment is needed. In the event that equipment or building is damaged during the event, you will be billed for the actual cost of repairs or replacement at the discretion of the Board of Education. Permission for the use of school facilities is automatically cancelled on those days when school has been cancelled due to weather conditions. District 90 will not be responsible for the upkeep of the athletic fields.

In consideration of being provided access to property and facilities of O'Fallon Community Consolidated School District No. 90, in connection with the activities or events described herein, ***I waive any claim or right of recovery against O'Fallon Community Consolidated School District No. 90***, as well as any of its officers, agents, employees or school board members (referred to hereinafter as "School District"), whether for personal injury, property damage or other loss of any kind.

I understand that my use of the school facilities is a non-school sponsored event, and is not organized, operated, regulated, supervised or insured by the School District, and that I participate in such activity at my own and sole risk. For example, the School District provides no first aid, emergency services, transportation, supervision or security for non-school sponsored events and activities.

Revised 1/2014

Multi purpose room \$250.  
Bando room \$50.  
\$300.

Custodial: 10hrs X \$37 = \$370.

If I damage any building, facility, equipment or other property of the School District or others during or related to my use of school property or facilities, I understand I am personally financially responsible therefor. I will save the School District harmless from any claims arising out of my participation in the activity or event.

I understand that this document applies to each and every time I use the school facilities or school property as described herein. I understand that no one is authorized to change the terms of this document, and any purported changes or alterations are of no effect, except as authorized by the Superintendent of O'Fallon Community Consolidated School District No. 90 in writing.

I hereby declare the facts in the foregoing application are true of my own knowledge and that I have read and agreed to the regulations and fees listed in the attached documents. This statement is made under penalties of perjury.

Applicant's Signature: Tom Jones Date: 18 MAR 2015

Principal's Signature: Joe H. Wells Date: 3/18/15

Permission for Use Granted: JAW Date: 3-19-15



## NOTICE OF EMERGENCY PLAN

O'Fallon School District No. 90 has adopted and implemented a Medical Emergency Procedure which encompasses the use of an Automated External Defibrillator or "AED". A copy of the District's Medical Emergency Procedure may be obtained by contacting the District Office at (618)632-3666.

There is one AED at the District Office on the wall outside the Conference Room.

There is one AED located at each school building:

- Amelia Carriel Junior High School 451 N. Seven Hills Road  
Hallway between gymnasium and locker rooms.
- Delores Moyer Elementary School 1010 Moyer School Road  
North hallway between cafeteria and gymnasium
- E.A. Fulton Junior High School 305 Kyle Road  
North wall in the main lobby, to the right of the Boy's Bathroom
- Estelle Kampmeyer Elementary School 707 N. Smiley Street  
Main hallway, south of the cafeteria, across from Nurse's Office
- J.E. Hinchcliffe Elementary School 1050 Ogle Road  
Southeast corner of Multi-purpose Room
- LaVerna Evans Elementary School 802 Dartmouth Drive  
Southeast wall of cafeteria/gymnasium
- Marie Schaefer Elementary School 505 S. Cherry

Additionally, there are portable AEDs located at the following school buildings:

- Amelia Carriel Junior High School (2)
- EA Fulton Junior High School (2)

In the event that a medical emergency occurs, please make sure that 9-1-1 is called immediately. In addition, please have the Custodian contact the building Principal.

O'Fallon School District 90 assumes no liability for loss or damages incurred as the result of the negligent use or failure to use the AED or allegedly resulting from the adoption or implementation of the Medical Emergency Procedure. Additionally, the organization is responsible for the cost of the AED if not returned in good working order or if not returned at all; that cost is \$3,500.

By signing this Notice, the undersigned acknowledges that they agree with the terms of this Notice acknowledges that they have received a copy of the Notice, and acknowledges that it is their responsibility to have a trained AED user present while the facility is being used. O'Fallon School District 90 will not provide a trained AED user for non-school functions.

Applicant's Signature: 

Date: 18 MAR 2015

Outside organizations shall make their written request for use of school facilities to the Principal of the facility requested who in turn will submit the request to the Superintendent or the Secretary of the Board of Education of District No. 90. The request will be signed by an officer of the organization requesting the facility.

If the use conforms to the policies of the school district, the Superintendent or the Secretary of the Board of Education of District 90 shall grant the use of the desired facility upon execution of the accompanying agreement, provided the date does not conflict with a school function. School sponsored activities will receive first priority for use of school facilities and equipment.

DRAFT

**Public Works Committee  
Minutes  
6:30 P.M.; April 27, 2015**

Minutes of a meeting of the City of O'Fallon's Public Works Committee, held in the Community Room of the Public Safety Building, 285 N. Seven Hills Road, O'Fallon, Illinois on April 27, 2015.

CALL TO ORDER: Time: 6:30 P.M.

ROLL CALL: MEMBERS: Meile, Cozad, Bennett, Roach, Drolet  
NON-COMMITTEE ALDERMEN: Hagarty; True, Gerrish, Holden, Mouser, McCoskey  
STAFF LIAISON: Bell, Sullivan, Nolan, Taylor, Shewmaker, Denton, Evans, Funk  
GUESTS: Vern Malare, Joe Rushing, Karl Kombrink, Scott Munie, Charles Pitts, Galyn Rushing, Stephanie Francis, Jason Helldoerfer, Andy Brockhahn, Justin Renner, Lindsey Rushing, Alan Hooking, Susan Rushing, Kathy Despain Rogers, Jerold Clausius, Richard & Carol Stein, Bob Kueker, Cheryl Sommer, Matt Smallheer, Phil Goodwin, Dean Rich, K. Welch, Gretchen Stadts, Dave Witter

Minutes from March 23, 2015 were approved.

**Item 1:** **AI:** Holiday Decorations Contract - Staff reported in 2011 it was decided go out for contract on putting the decorations up and taking them down as well as maintenance and storage. The contract had a sliding scale 2011- \$34,822, 2012 - \$37,608, and 2013 - \$39,910. Demond Signs, the contractor selected in 2011, gave us a one year extension price of \$39,910 for the 2014 season. They have offered a new contract for 2015 thru 2019. The contract price will be \$34,822 per year (the original 2011 price). 66% percent would be due upon installation with 34% due upon removal of the decorations. Demond also takes care of the maintenance of the decorations and storage. Previously, staff calculated for City workers to do the decorations and contract storage would cost between \$45,000 and \$50,000. After some discussion, Committee recommends approval of the contract. (Closed)

**Motion:** Committee recommended approval of the contract with Demond Signs in the amount of \$34,822.00 for the years 2015-2019.

**Item 2:** **AI:** Sewerage Study, I-64 East Areas – Staff presented an agreement from Burns & McDonnell. This study is to look at taking on the sewage flow from Scott Air Force Base (SAFB), the proposed NGA site and generally developable areas southeast of the City. SAFB is looking at getting out of the wastewater treatment business. The proposed study will look at three (3) alternate routes to get the sewage from SAFB to the City's WWTP and potential pick up additional sources on the way. Our WWTP currently treats 2.5 to 3.5 million gallons per day on average. Our design capacity for an average day is 5.6 million gallons. SAFB treats 2 million gallons per day on average. Their plant is inefficient and in need of replacement. Mascoutah and Belleville could potentially take the wastewater from SAFB as well. Staff

**POI:** Point of Information

**AI:** Action Item

feels Burns & McDonnell is a good choice for the study. They currently also do work at SAFB. (Closed)

**Motion:** Committee recommends approval of the contract with Burns & McDonnell in the amount of \$62,900.00.

**Item 3:** **AI:** 8645 E. Hwy 50 Compound Privacy Wall Bid – Staff presented a bid tab for a precast screen wall to be installed to meet City codes for an open storage area. The one bid came in at \$108,030.00. Staff hopes this type of fence would last 50 to 60 years. It would have a running brick pattern on the concrete. A discussion began on the cost of a vinyl or other type of fencing to be used instead. Staff reported that we spend a great deal of time repairing fences made of wood or vinyl at our lift stations. The repairs often cost more per foot than a new fence is worth. The precast wall bid was sought to reduce the need for maintenance. The wall would be 4 inches thick, 6 feet in height, and be similar to the sound walls on I-64. Committee requested staff go back and obtain other quotes/options for the required fencing. (Open)

**Item 4:** **AI:** Water/Sewer Lease – Alderman Roach requested a discussion on the possible lease. The issue has been researched/discussed for several months with public referendums on the April ballot. The citizens voted no on both referendums to not consider the Water/Sewer Lease any further. Alderman Roach would like to see the City Council adopt some form of a statement that the City is abandoning the lease option. Some Council members argued that since they had not seen a proposal at this time, it was premature to issue such a statement. After a lengthy discussion Alderman Roach made a motion for the Council to end the consideration of the leasing option.

**Motion:** Committee recommended the motion. Ayes – Meile, Drolet, Roach; No – Cozad, Bennett

ADJOURNMENT: 7:58 P.M.

PREPARED BY: Heide Bell

Next regular meeting is scheduled for Tuesday, May 26, 2015 at 7:00 P.M., to be held in the Community Room at the Public Safety Building.



## CITY COUNCIL AGENDA ITEM

**To:** Mayor Graham and City Council  
**From:** Dennis Sullivan, Director of Public Works  
Walter Denton, City Administrator  
**Date:** May 4, 2015  
**Subject:** MOTION – Holiday Decoration Storage/Installation/Takedown

**List of committees that have reviewed:** Public Works.

**Background:** In 2011, the City solicited bids for storage, maintenance, installation and takedown of exterior decorations. Demond Signs were the only bidder at that time. The contract period was for 3 seasons. Last year, Demond offered to extend the 2013-2014 offer/cost (\$39,910) to the 2014-2015 season. Recently, Demond contacted Public Works and provided an unsolicited proposal for the 2015-2016, 2016-2017, 2017-2018 and 2018-2019 seasons at their original 2011-2012 price of \$34,822. This price is significantly lower than the estimated cost of the City employees doing the work and the City providing storage.

**Legal Considerations, if any:** None beyond that of obtaining a commercial service contract.

**Budget Impact:** Funding for the work is and will continue to be budgeted in the FY16 – FY20 Streets Division Budget.

**Staff recommendation:** Staff recommends accepting the DeMond Sign proposal in the amount of \$34,822.00.

**FINANCE AND ADMINISTRATION  
MEETING MINUTES  
5:30 P.M. Monday, April 27, 2015**

Minutes of a regular meeting of the Finance and Administration Committee of the City of O'Fallon, held at the Public Safety Building, 285 N. Seven Hills Road, O'Fallon, Illinois on April 27, 2015.

CALL TO ORDER: 5:30pm

ROLL CALL: COMMITTEE MEMBERS: Bennett, Chairman, Drolet, Gerrish  
McCoskey, Albrecht (Absent)

NON-COMMITTEE ALDERMEN: Holden, Meile, Roach, Hagarty, True, Cozad,  
Mouser

STAFF LIAISON: Evans, Denton, Funk, Gentry

GUESTS/RESIDENTS: Malare, Pitts, Smallheer, Kueker, Lengerman, Goodwin

Approval Minutes: - March 23, 2015 Motion McCoskey, Second Drolet  
All Ayes. **Motion carried.**

**Items Requiring Council Action: None**

**Other Business:**

**Item A: Update on Bond Issuance for St. Elizabeth's Hospital:** Director of Finance announced that the City will be moving forward in issuing the bonds for the mine remediation portion of the Hospital complex as per the redevelopment agreement since the Certificate of Need (CON ) was approved. Staff mentioned that the intent is to do all of the required readings/ordinances using "not to exceed \$10M" parameters since the exact amount is not known. The City has an estimate but that is based on an estimated cubic per sq. foot of grout and until the project is done, the City will not know the exact cost. City Staff has talked with Hospital Management about the possibility of waiting to actually sell the bonds until we know the exact amount. Depending on time constraints, the ordinances might not go through Finance Committee for first review, but rather directly to council for approval.

**Item B: IT Update:** IT Manager Dan Gentry addressed the issue of the City moving forward with the paperless agenda. Staff explained that they had experimented with various devices, such as the chromebook and iPad, as well as various applications. He is recommending the iPad for the purpose of retrieving the necessary documents. After some discussion, it was decided to move forward with the process, however; staff is to email the aldermen (waiting until new members are sworn in) and ask how many Alderman currently have a device they could use, the type of device and if they do not have one, do they want the City to purchase an iPad for them. Staff will send email in May and then move forward.

Dan also explained the purchase of Microsoft 365 licensing, which is cloud based and is calculated on a “per user” basis rather than a “per unit” basis. Staff estimates approximately an \$11K/yr savings, as well as other benefits, in particular security based analysis which will be the first step in addressing the issue of doing an IT audit as recommended by Alderman Bennett.

**Other:** Alderman Hagarty asked that at the next meeting, which will be in June, the topic of Gambling revenue be put on the agenda.

Director of Finance thanked Aldermen John Drolet and Ed True for their service to the Finance Committee.

**Motion to Adjourn:** McCoskey, Second Gerrish **All Ayes. Motion carried.**

**Next Meeting: June 22, 2015**

**ADJOURNMENT: 6:07 p.m. PREPARED BY: Sandy Evans**