

CITY OF O'FALLON

GARY L. GRAHAM

Mayor

PHILIP A. GOODWIN

City Clerk

Walter Denton
City Administrator

DAVID H. HURSEY

City Treasurer

ALDERMAN

Gene McCoskey Ward 1 John Drolet Ward 4

Richie Meile Ward 1 Michael Bennett Ward 5

Ed True Ward 2 Courtney Cardona Ward 5

Jerry Albrecht Ward 2 Jim Hursey Ward 6

Jerry Mouser Ward 3 Ray Holden Ward 6

Kevin Hagarty Ward 3 David Cozad Ward 7

Herb Roach Ward 4 Harlan Gerrish Ward 7

CITY COUNCIL MEETING

A G E N D A

Monday, June 16, 2014

7:00 P.M. – Council Chambers

I. CALL TO ORDER

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL

IV. APPROVAL OF MINUTES – [June 2, 2014](#)

V. PUBLIC HEARING –

VI. REPORTS

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

B. Clerk's Report

1. Request from St. Nicholas Church to conduct a raffle for cash prizes from July 1, 2014 – June 26, 2015
2. Request from American Legion Post 137 to conduct a raffle for cash from June 17, 2014 – August 8, 2015
3. Request from O'Fallon Moose Lodge 2608 to conduct a raffle for cash from June 17 – December 26, 2014
4. Request from O'Fallon Moose Lodge 2608 to conduct a raffle for cash from June 17 – December 18, 2014
5. Request from O'Fallon Kiwanis Club to conduct a raffle for a garden wagon filled with alcohol from June 30, 2014 – August 16, 2014

C. Mayor's Report

VII. RESOLUTIONS –

VIII. ORDINANCES

A. 1st reading –

ITEM 1 – Ord. declaring certain vehicles and equipment as surplus property for sale and/or disposal pursuant to 65 ILCS 5/11-76-4 ([Click here](#) to view the staff report)

C. 2ND Reading –

2. Ord. Approving the Franchise Agreement (On Hold)

IX. STANDING COMMITTEES

1. Community Development - **Motion** to approve the Special Event permit request from the O'Fallon Panther Band Boosters for the O'Town 5th of July Block Party including a Parade Permit request and a Special Event Liquor License request the staff report and attachment)

2. Public Works

3. Public Safety – *Minutes Attached* ([Click here](#) to view the attachment)

4. Finance/Administration

5. Parks/Environment

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

XI. ACTION TAKEN ON EXECUTIVE SESSION ITEMS

XII. ADJOURNMENT

**O'FALLON CITY COUNCIL
MINUTES OF THE REGULAR COUNCIL MEETING
Draft June 2, 2014**

The regular meeting was called to order at 7:05 p.m. by Mayor Graham who led the Council in "The Pledge of Allegiance to the Flag."

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

Mayor Graham asked for approval of the minutes. Motion was made by J. Mouser and seconded by K. Hagarty to approve the minutes of May 19, 2014. All ayes. Motion carried.

PUBLIC HEARING – None scheduled.

RESIDENTS: No one came forward.

REPORTS:

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

1. Request from St. Clare Catholic School to conduct a raffle from August 20th – September 20, 2014 for a cash prize
2. Request from OTHS District 203 to conduct a raffle from June 3 – July 5, 2014 for a cash prize
3. Request from the Alzheimer's Association to conduct a roadblock on Saturday, June 21, 2014 from 8:00 a.m. – 12:00 p.m. at the intersection of State/Lincoln and State/Smiley

Motion was made by J. Mouser and seconded by H. Roach to approve. All ayes. Motion carried.

Mayor's Report: Mayor Graham presented a Proclamation declaring June 7th as Salute to Scott Day. Colonel Kremer and CMSgt. Mathias received the proclamation on behalf of the base.

RESOLUTIONS: Motion by J. Mouser and seconded by M. Bennett to approve Resolution item 1, a Resolution ascertaining the Prevailing Rate of Wages for laborers, workmen, and mechanics employed by contractors or subcontractors in the performance of Public Works contracts from June 1, 2014 – May 31, 2015.

ROLL CALL: McCoskey, aye; Meile, aye; Mouser, 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.

ORDINANCES:

1st Reading – Mayor Graham announced there are no 1st readings.

2nd Readings – Motion by J. Mouser and seconded by M. Bennett to approve on 2nd Reading item 2, an Ordinance amending Ord. 3483 and 3643, Planned Uses, Chapter 158, Section 116.

ROLL CALL: McCoskey, aye; Meile, aye; Mouser, 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.

Mayor Graham stated the Ordinance approving the Franchise Agreement remains on hold.

STANDING COMMITTEES –

Community Development: Motion by J. Mouser and seconded by M. Bennett to approve the Special Event Permit requests:

American Cancer Society to display signs for the Relay for Life – 2014 event, with conditions

Valvoline Instant Oil Change to hold a weekly car wash with conditions

Regency Conference Center for signage from June 3rd – June 20th with conditions

All ayes. Motion carried.

J. Mouser announced that the next meeting will be on June 9th.

Public Works: R. Meile stated they will meet on June 23rd at 7:00 p.m.

Public Safety: K. Hagarty announced they will meet June 9th at 5:00 p.m. in the Mayor's Conference Room.

Finance/Administration: Motion by M. Bennett and seconded by J. Mouser to approve Warrant #302 in the amount of \$792,639.28.

ROLL CALL: McCoskey, aye; Meile, aye; Mouser, 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.

Parks and Environment: J. Mouser stated the June meeting is cancelled.

EXECUTIVE SESSION: Mayor Graham said we will have closed session. Motion by J. Mouser and seconded by K. Hagarty to go into Closed Session to discuss property acquisition, disposition, and pending litigation.

ROLL CALL: McCoskey, aye; Meile, aye; Mouser, 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.

The Council went into closed session at 7:18 p.m. and returned at 8:00 p.m. with no action.

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

The meeting was adjourned at 8:00 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
ORDINANCE NO.

**AN ORDINANCE DECLARING
CERTAIN VEHICLES AND
EQUIPMENT AS SURPLUS
PROPERTY FOR SALE AND/OR
DISPOSAL PURSUANT
TO 65 ILCS 5/11-76-4**

WHEREAS, the City of O'Fallon no longer has a need for the following inventory and has elected to sell the items as surplus property;

2008	Ford Crown Victoria	2FAFP71V18X103715
2008	Ford Crown Victoria	2FAFP71VX8X103714
2002	Ford Explorer	1FMZU72E62ZA95915
2002	Cadillac Deville	1G6KD54Y92U269431
	Oce TCS 500 Plotter	
	Miscellaneous equipment from Police Department	

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. Disposal. It is in the best interest of the City to dispose of the vehicles and equipment as heretofore mentioned, as the City no longer has a need for same.

Section 2. Method. (1) Said vehicles and equipment may be disposed of by sale with or without advertising for sale, or (2) may be converted into some other form that is useful to the City by using said material within, or (3) may be conveyed or turned in as part payment on a new purchase of any similar vehicle. However, such vehicle shall not be turned in as part of a purchase price except upon receipt of competitive bids, in such manner as may be further prescribed by an amendment to this ordinance, after notice to all bidders that a vehicle will be turned over as part of the purchase price.

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 June 2014.

ATTEST:

Approved by the Mayor this ____ day

(seal)

of June 2014.

Philip A. Goodwin, City Clerk

Gary L. Graham, Mayor

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

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



CITY COUNCIL AGENDA ITEMS

To: Mayor and City Council

From: Maryanne Fair, Deputy City Clerk
Philip Goodwin, City Clerk
Walter Denton, City Administrator

Date: June 16, 2014

Subject: Ordinance Declaring Vehicles and Equipment as Surplus for Sale and/or Disposal

List of committees that have reviewed: n/a

Background: Vehicles and equipment have been identified as surplus and ready for sale or disposal. All items will be listed on an Internet resale site of our choosing and sold to the highest bidder or failing that disposed of properly.

Legal Considerations, if any: None.

Budget Impact: Does not incur cost or liability to the city.

Staff recommendation: Staff recommends Council approval for this ordinance.



CITY COUNCIL AGENDA ITEM

To: Mayor Graham and City Council

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

Date: June 16, 2014

Subject: Special Event Permit – “O-Town 5th of July Block Party” (MOTION)

Background:

- Applicant: O'Fallon Panther Band Boosters
- Event: O'Town 5th of July Block Party
- Location: O'Fallon Community Park
- Date: July 5, 2014
- Time: 7:00 AM to 6:00 PM
- Summary:
 - The O'Fallon Panther Band Boosters are hosting an event in the park following the parade to raise funds for the OTHS Band's trip to the Rose Bowl Parade in January 2015.
 - The event will feature a BBQ contest, Car Show, Frisbee Tournament, Craft Fair, Dunk Tank and Inflatables Fair.
 - Global Brew will be vending alcohol.
 - The event will be open from approximately 10:00 AM to 6:00 PM, with set up occurring prior.
 - Approximately 1,000 are expected to be in attendance.
 - Representatives from the Police & Fire Departments will be in attendance.
 - Existing parking will be used at Community Park, with overflow provided at OTHS.
 - Existing toilet facilities will be used at Community Park, with additional portable toilets.
 - Applicant has coordinated with Parks, Police, Fire & EMS. Parks has estimated cost associated with the Special Event totaling \$750. The potential costs associated with the Police Department are unknown at this time.

Legal Considerations, if any: None

Budget Impact: Potential impact to the Police Department budget.

Staff Review: The Fire and Parks Departments had no issues with the event. Police Department is finalizing the approval of staffing necessary. Staff recommends approval of the Special Event Permit.



COMMUNITY DEVELOPMENT DEPARTMENT
 255 S. Lincoln Avenue, 2nd 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: O' Town 5th of July Block Party

Location of Event: O'Fallon Community Park

Name of Event Organization: O'Fallon Panther Band Boosters

Name of person in charge of event (applicant) and mailing address: Mark Donahue
600 S. Smiley St, O'Fallon, IL 62269

Phone: (309) 369-8432 E-Mail: donahuem@oths.us

Secondary Contact Person: Mike Frey

Phone: (618) 604-4240 E-Mail: michael.j.frey@citi.com

Beginning Date / Times: 7/5/14 7am Ending Date / Times: 7/5/14 6pm

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

Will be provided before event - expires soon (end of June) Mrs

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

To be applied for by

7. Liquor license information for beer sales (including hours of sale): Global Brew is handling this-
(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: Not necessary per Sandy Evans as long as each vendor is sent a letter notifying them of requirement to collect sales tax. Abs 5/14/14

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.

McDrea e-mail - Anne
Signature of Applicant/ person in charge of event

5-14-14
Date of Submission

FOR OFFICE USE ONLY

ELIGIBLE FOR ADMINISTRATIVE APPROVAL? () YES

NO

Abs 5/14/14

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:

We are hosting an event in the park following the parade on July 5th. This is meant to help raise funds for the OTHS Band's upcoming trip to the Rose Parade on January 1st, 2015. The event will be comprised of a BBQ contest, Car Show, Frisbee Tournament, Craft Fair, Dunk Tank/Inflatables Fair, in order to fill the park. A band parent will be vending BBQ on behalf of the band. Global Brew will be vending alcohol for us. The event will be from approximately 11am to 6pm. We will have several portable toilets, including one ADA compatible. Parking will be available in the lot next to the Katy Cavins Center with overflow at OTHS. We plan to have police and fire/ems on site. We hope to have approximately 1,000 people on site. Our rain contingency plan is utilizing the Katy Cavins Center and the OTHS North Gym.

O'FALLON
COMMUNITY PARK



O'Town 5th of July Block Party

BBQ Contest Arts & Crafts Fair Parade Car Show Music Family Fun

10AM-6PM

***PARADE STARTS AT 9AM**

www.OTHSBAND.COM for more info

Food & Drinks
for sale include:
BBQ, FUNNEL CAKES,
LEMONADE
WATER
SODA
BEER

Proceeds will benefit the participation of the O'Fallon Township High School Marching Panthers in the 2015 Rose Parade.®

O'FALLON
COMMUNITY PARK



O'Town 5th of July Block Party

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O'FALLON TOWNSHIP HIGH SCHOOL

DISTRICT NO. 203

EXCELLENCE IN EDUCATION FOR EVERY STUDENT EVERY DAY



Business Office
600 South Smiley St.
O'Fallon, IL 62269

Dr. Darcy G. Benway
Superintendent

Jeremy M. Davis
Chief School Business Official

Business Office
(618) 632-3507
(618) 632-9730 Fax

May 19, 2014

To Whom It May Concern:

O'Fallon Township High School District No. 203 (OTHS) has been asked to provide a certificate of insurance to the City of O'Fallon for a fundraiser involving the OTHS Band. OTHS currently has adequate insurance coverage in place, however, OTHS is scheduled to renew or change insurance vendors on July 1, 2014. OTHS will have adequate insurance coverage after July 1, 2014, but our current or future vendor will not be able to provide a certificate of insurance until an agreement is reached for OTHS insurance coverage beginning July 1, 2014.

If you have any questions in the meantime, or if you need any additional information, please feel free to contact Jeremy M. Davis, Chief School Business Official, at DavisJ@OTHS.k12.il.us or (618) 632-3507.

Sincerely,

Jeremy M. Davis
Chief School Business Official



Illinois Department of Revenue

Office of Local Government Services
Sales Tax Exemption Section, 3-520
101 W. Jefferson Street
Springfield, Illinois 62702
217 782-8881

June 7, 2013

OFALLON PANTHER BAND BOOSTERS
TREASURER
PO BOX 993
O FALLON IL 62269-0993

We have received your recent letter; and based on the information you furnished, we believe

OFALLON PANTHER BAND BOOSTERS INC
of
O FALLON, IL

is organized and operated exclusively for charitable purposes.

Consequently, sales of any kind to this organization are exempt from the Retailers' Occupation Tax, the Service Occupation Tax (both state and local), the Use Tax, and the Service Use Tax in Illinois.

We have issued your organization the following tax exemption identification number: E9972-1007-06. To claim the exemption, you must provide this number to your suppliers when purchasing tangible personal property for organizational use. This exemption may not be used by individual members of the organization to make purchases for their individual use.

This exemption will expire on July 1, 2018, unless you apply to the Illinois Department of Revenue for renewal at least three months prior to the expiration date.

Office of Local Government Services
Illinois Department of Revenue



X

X

X

X

XX

Drinks

BBQ
BBQ

BBQ

Arts and
Crafts Vendor
Parking

Police

Ball Drop

Dunk
Tank

Craft Fair
Vendors

Frisbee Field

Car Show

Vendor Parking & Access

O'Town 5th of July
Block Party

O'Fallon
Community
Park

Parkview Dr

Parkview Dr

Parkview Dr

Parkview Dr

E 5th St

E 5th St

E 5th St

E 5th St

S Park St

S Hilgard St

S Hilgard St

S Hilgard St

S Hilgard St



Public Safety Committee Minutes
June 09, 2014, 5:00 p.m.

Minutes of a regular meeting of the Public Safety Committee of the City of O'Fallon, held in the Mayor's Conference Room, City Hall, 255 S. Lincoln, O'Fallon, Illinois, June 09, 2014. Call to order 5:00 p.m.

ROLL CALL:

Members Present:	Hagarty, Hursey, Roach,
Members Not Present:	Cardona
Staff Liaison:	Chief Van Hook - OPD, Chief Saunders - OFD
Other Aldermen Present	Albrecht, Cozad, Gerrish, Holden, McCoskey, Meile, Mouser, True
Other Persons Present	Walter Denton, City Adm.; Pam Funk – Asst. City Admin.; Captain Mark Berry – OPD; Captain Mick Hunter – OPD; Lt. James Cavins – OPD; Ted Shekell - CD; Justin Randall – CD; Misty McDonald, OPD;
Media Persons Present:	None

Chairman Hagarty declared a quorum present and requested a Motion to approve the Minutes of May 12, 2014, Alderman Roach made a Motion to accept the minutes of May 12, 2014 as presented and Alderman Hursey seconded the Motion. All Ayes.

Old Business

Item 1. Solicitors Permits/ Panhandling – Discussed the Solicitor's Bond in that if applicant is seeking an independent permit, the surety bond must be in the individual's name. If the surety bond is in a company's name, then the applicant must seek a permit under the company's name.

Action: Have City Attorney look over ordinance to verify legal wording.

Motion: Motion to send City Ordinance for Solicitor Permits, Panhandling and Solicitor's Bond to city council for approval at the next council meeting on June 16, 2014 was made by Alderman Roach and seconded by Alderman Hursey. All ayes.

Disposition: closed

Item 2. Truck Weight Ordinances – Officer Hancock and Officer Thomas have been working with Planning and Zoning on the ordinances.

Action: Send final Truck ordinances to Walter Denton for approval and bring back to next Public Safety meeting July 14, 2014.

Motion: None

Disposition: Open

New Business

Item 1. Leads On Line – Captain Mick Hunter presented the application of Leads on Line; which is a computer database to recover stolen items. There are several applications with the program including the opportunity for citizens to log into the database and record their personal items with pictures and serial numbers. With this application it will be necessary for local shops that buy and sell electronics and metals to input data into Leads on Line instead of filling out paperwork to send to St. Clair County. The County is also considering using the Leads on Line application for their stolen property. Captain Hunter prepared an ordinance for buying and selling metals, electronics and other expensive items. Committee asked for some clarification on the wording of the ordinance.

Action: Captain Hunter will revise the ordinance and will return to Public Safety meeting July 14, 2014.

Motion: None

Disposition: Open

Item 2. O-Town 5th of July Block Party – Ted Shekell presented special event permit requested by O’Fallon Township High School Band Boosters. This event is a parade and party in the Community Park to raise funds for the OTHS Band’s trip to the Rose Bowl Parade in January 2015. Original application asked for Highway 50 and State Street to be closed for the parade. Chief Van Hook spoke with the Boosters and changed the route for 3rd Street and Highway 50, as there are no other highways that lead out of town, we need to keep one open for traffic flow.

Action: None

Motion: A motion was made by Alderman Roach to send the O’Town 5th of July Block Party to City Council and Alderman Hursey seconded the motion. All ayes.

Disposition: Closed

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

Meeting Adjourned:	5:52 p.m.
Next PS Meeting:	July 14, 2014, 5:00 p.m.
Minutes Taken By:	Misty McDonald



Public Safety Committee Minutes
June 09, 2014, 5:00 p.m.

Minutes of a regular meeting of the Public Safety Committee of the City of O'Fallon, held in the Mayor's Conference Room, City Hall, 255 S. Lincoln, O'Fallon, Illinois, June 09, 2014. Call to order 5:00 p.m.

ROLL CALL:

Members Present:	Hagarty, Hursey, Roach,
Members Not Present:	Cardona
Staff Liaison:	Chief Van Hook - OPD, Chief Saunders - OFD
Other Aldermen Present	Albrecht, Cozad, Gerrish, Holden, McCoskey, Meile, Mouser, True
Other Persons Present	Walter Denton, City Adm.; Pam Funk – Asst. City Admin.; Captain Mark Berry – OPD; Captain Mick Hunter – OPD; Lt. James Cavins – OPD; Ted Shekell - CD; Justin Randall – CD; Misty McDonald, OPD;
Media Persons Present:	None

Chairman Hagarty declared a quorum present and requested a Motion to approve the Minutes of May 12, 2014, Alderman Roach made a Motion to accept the minutes of May 12, 2014 as presented and Alderman Hursey seconded the Motion. All Ayes.

Old Business

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Action: Have City Attorney look over ordinance to verify legal wording.

Motion: Motion to send City Ordinance for Solicitor Permits, Panhandling and Solicitor's Bond to city council for approval at the next council meeting on June 16, 2014 was made by Alderman Roach and seconded by Alderman Hursey. All ayes.

Disposition: closed

Item 2. Truck Weight Ordinances – Officer Hancock and Officer Thomas have been working with Planning and Zoning on the ordinances.

Action: Send final Truck ordinances to Walter Denton for approval and bring back to next Public Safety meeting July 14, 2014.

Motion: None

Disposition: Open

New Business

Item 1. Leads On Line – Captain Mick Hunter presented the application of Leads on Line; which is a computer database to recover stolen items. There are several applications with the program including the opportunity for citizens to log into the database and record their personal items with pictures and serial numbers. With this application it will be necessary for local shops that buy and sell electronics and metals to input data into Leads on Line instead of filling out paperwork to send to St. Clair County. The County is also considering using the Leads on Line application for their stolen property. Captain Hunter prepared an ordinance for buying and selling metals, electronics and other expensive items. Committee asked for some clarification on the wording of the ordinance.

Action: Captain Hunter will revise the ordinance and will return to Public Safety meeting July 14, 2014.

Motion: None

Disposition: Open

Item 2. O-Town 5th of July Block Party – Ted Shekell presented special event permit requested by O’Fallon Township High School Band Boosters. This event is a parade and party in the Community Park to raise funds for the OTHS Band’s trip to the Rose Bowl Parade in January 2015. Original application asked for Highway 50 and State Street to be closed for the parade. Chief Van Hook spoke with the Boosters and changed the route for 3rd Street and Highway 50, as there are no other highways that lead out of town, we need to keep one open for traffic flow.

Action: None

Motion: A motion was made by Alderman Roach to send the O’Town 5th of July Block Party to City Council and Alderman Hursey seconded the motion. All ayes.

Disposition: Closed

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

Meeting Adjourned:	5:52 p.m.
Next PS Meeting:	July 14, 2014, 5:00 p.m.
Minutes Taken By:	Misty McDonald

CITY OF O’FALLON, ILLINOIS
ORDINANCE NO. 121
DATE OF PASSAGE

O’FALLON CODE OF ORDINANCES 121; A NEW ARTICLE ENTITLED
“PAWNBROKERS AND SECONDHAND DEALERS”

WHEREAS, the City of O’Fallon has a population of more than 25,000 persons and is, therefore, a home rule unit under subsection (a) of Section 6 of Article VII of the Illinois Constitution of 1970; and

WHEREAS, subject to said section, a home rule unit may exercise any power and perform any function pertaining to its government and affairs for the protection of the public health, safety, morals and welfare; and

WHEREAS, stolen goods are frequently sold for cash at pawn shops, resale shops, junk/scrap yards, recycling centers, jewelry stores, cash-for-gold stores, and others businesses which pay money for used or scrap goods; and

WHEREAS, the Police Department has reported that identifying and retrieving stolen goods from such businesses and identifying the persons who sold such stolen goods has proven to be a difficult and labor-intensive task; and

WHEREAS, the goals of deterrence of crime, apprehension of criminals, retrieval of stolen goods for return to the lawful owners, and maintenance of public order are served by an effective and efficient system of recording and reporting such sales; and

WHEREAS, a regional approach to address the sale of stolen goods will be more effective than a solely local approach; and

WHEREAS, the Police Department has further knowledge of a service called “LeadsOnline,” which service assists law enforcement agencies nationwide in solving a variety of crimes by maintaining a searchable electronic database of certain identifying information from the sale of second hand and scrap goods; and

WHEREAS, subscribing to LeadsOnline would give the Police Department access not only to such transactions within the City of O’Fallon, but also to the transactions from any other participating business in the United States, including regional/national chain stores such as Best Buy, GameStop, Play N Trade, Cash America, Mister Money, Pawn America, EZPawn, Big Pawn, Fast Cash & Pawn, Monster Pawn, Pawn King, Midwest Gold Buyers, Disc Replay, Play it Again Sports, Guitar Center, JB Robinson Jewelers, Kay Jewelers, Jared Galleria of Jewelry, Treasure Hunters Road Show, and EBay; and

WHEREAS, reporting such transactions to LeadsOnline is already required by such other regional municipalities as Collinsville IL, Belleville IL, FBI Fairview Hts IL, US Postal Inspection Service Fairview Hts IL, Creve Coeur MO, Wentzville MO, Des Peres MO, Richmond Heights MO, Sunset Hills MO, Glendale MO, Pacific MO, Ballwin MO, Kirkwood MO, Bellefontaine Neighbors MO, Olivette MO, Maryland Heights MO, University City MO, Maplewood MO, Clayton MO, Woodson Terrace MO, Edmundson MO, Washington MO, Florissant MO, Pevely MO, University of Missouri St Louis MO, Bridgeton MO, Crestwood MO, Berkeley MO, Arnold MO, Vinita Park MO, Overland MO, Chesterfield MO, St John MO, Washington University MO, Ladue MO, Lake St Louis MO, Webster Groves MO, Normandy MO, Lambert Airport MO, St Peters MO, St Charles MO, US Postal Service Office of Inspector General, St Louis County MO, O’Fallon MO, St Charles County MO, Hazelwood MO, Eureka MO, Manchester MO, St Ann MO, Town and Country MO, Missouri Baptist Hospital MO; and

WHEREAS, the Police Department recommends that all pawnbrokers, secondhand dealers, recyclers, junk/scrap dealers, recycling centers, jewelry stores, cash-for-gold stores, etc., operating within the City of O’Fallon be required to report all transactions to LeadsOnline as specified by this ordinance as a condition of being licensed to conduct such business in the City of O’Fallon; and

WHEREAS, the corporate authorities of the City of O’Fallon have therefore determined that it is both advisable and in the best interests of the City and its residents to establish O’Fallon Code of Ordinances 121, entitled “Pawnbrokers and Secondhand Dealers” in order to implement a system whereby pawnbrokers, secondhand dealers, recycling centers, junk/scrap dealers, jewelry stores, cash-for-gold stores, and etc., are required to take the necessary steps to track property and merchandise that they receive with LeadsOnline in order to further the general welfare of the citizens of O’Fallon.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of O’Fallon, Illinois, as follows:

Section One: O’Fallon Code of Ordinances 121; entitled “Pawnbrokers and Secondhand Dealers” which shall read as follows:

ARTICLE 121. PAWNBROKERS AND SECONDHAND DEALERS

DIVISION 1. GENERALLY

Sec. 121-01. Definitions.

1) *Pawnbroker*: Every individual, owner, operator, business, corporation, partnership, employee, or other entity engaged in the business of receiving property in pledge or as security for money or other things advanced to the pawnor or pledger shall be deemed to be a pawnbroker or who deals in the purchase of Second Hand Goods, as defined herein, on the condition of selling them back at a stipulated price. The business of a pawnbroker shall not include the lending of money on the deposit, pawn or pledge of the title to Second Hand goods, as defined herein, which are not physically delivered to the lender. A Pawnbroker licensed hereunder is sometimes referred to herein as the “Licensee.”

2) *Secondhand Dealer*: Every owner, operator or employee engaged in the business of the purchase, sale or barter of secondhand articles, including but not limited to recyclable materials, scrap metal, electronics, video game systems/video games/video game accessories, jewelry, valuable and/or precious metals and stones, or household goods, shall be deemed to be a secondhand dealer, whether such dealer operates from a fixed storefront business, or is conducting business on a temporary, short-term basis from a non-fixed location.

3) *Licensee*: The owner, operator, and all employees of a business licensed under this article.

4) *Junk/Scrap*: Manufactured articles or parts that have been discarded and are useful only as material for reprocessing or recycling.

(A) *Second Hand Goods* means, including but not limited to, any of the following described goods, wares and merchandise which was previously owned or used by any person other than the manufacturer, wholesaler, or retailer:

- (1) Antiques and collectibles;
- (2) Artwork, including but not limited to paintings and sculptures;
- (3) Audio-visual equipment, including but not limited to any stereo, speaker, radio, video recorder, video camera, television set, tape or disc player;
- (4) Bicycles;
- (5) Cameras and other photographic instruments and equipment
- (6) China;
- (7) Clothing;
- (8) Computers, printers, software, and computer supplies, tablets;
- (9) Crystal;
- (10) Electronic toys and games, and related equipment;
- (11) Electronic equipment other than electronic toys and games;
- (12) Fur coats and other fur clothing;
- (13) Microwave ovens and other kitchen appliances;
- (14) Mopeds, motor-scooter or similar devices;
- (15) Office equipment;
- (16) Pianos, organs, guitars, and all other musical instruments;
- (17) Precious Metals and Stones, as defined herein;
- (18) Silverware and flatware
- (19) Small electrical appliances;
- (20) Sports equipment;
- (21) Telephones, including, but not limited to pager and cellular phones and other satellite signal devices;
- (22) Tools;
- (23) Trading cards and memorabilia;
- (24) Valuable Metals, as defined herein;

(25) Videotapes, digital video discs, compact discs, records, audiotapes, digital audio discs, or similar audio or audio-visual recording media.

(B) *Precious Metals and Stones* means any articles combining precious metals, including but not limited to silver, gold and platinum such as, but not limited to, commemorative coins or other items of memorabilia, United States or foreign currency, or any articles containing any gem, diamond, ruby, emerald, sapphire or pearl of any value.

(C) *Valuable Metals* means aluminum, copper, lead, titanium, stainless steel, copper alloy or brass, formed as a bar, cable, rod, tubing, wire, wire scrap, clamp, connector, bushing or bearing or other appurtenances utilized or that can be utilized by persons, firms, corporations or municipal corporations; or any copper, copper alloy or brass, or aluminum materials utilized for the purpose of plumbing, storm doors and windows, siding, or gutters of building structures, storm drains, HVAC, or automotive parts

Sec. 121-02. Exemptions.

This article shall not apply to the purchase or sale of used motor vehicles, including motorcycles and motor driven cycles, as defined in the Illinois Vehicle Code, nor shall it apply to charitable organizations that accept donated goods for resale as a fund-raising program for the charity.

Sec. 121-03. Electronic reporting of transactions.

The Police Department shall enter into a contract for service and maintain its contract for service with LeadsOnline, or a similar entity as designated by the chief of police, in order to enhance its investigative services to protect both pawnbrokers/secondhand dealers and members of the general public. Any article deposited, pawned or pledged shall be entered into the leadsonline.com database within twelve (12) hours of receipt of the article. In the event of a change to its electronic reporting system, the city will notify all impacted licensees of the change within a reasonable time prior to such change.

Every pawnbroker or secondhand dealer shall operate and maintain a computer system with internet access and photographic or video capability sufficient for the electronic reporting requirements described in this article. Any failure or malfunction of such equipment on the part of the licensee shall not exempt the licensee from the recording/reporting requirements outlined in Sec. 121-04 of this article. The licensee shall immediately notify the police department of any such failure or malfunction, and shall have such resolved as soon as practicable. Failure by the licensee to resolve any failure or malfunction of equipment in a reasonable amount of time will lead to license revocation proceedings.

Sec. 121-04. Record of transactions.

Throughout the term of the license, every pawnbroker or secondhand dealer shall report/upload to LeadsOnline, or the city's current electronic reporting system, the below listed information for each and every transaction conducted during each day they were open for business by the end of that business day. All information shall be recorded in the English language.

A transaction shall consist of all articles brought in to a pawnbroker or secondhand dealer for sale, barter, trade, pledge or pawn by an individual (pawner/seller) at the same time and date, and includes the sale of non-junk/scrap articles by a pawnbroker or secondhand dealer to another person.

Articles brought in to a pawnbroker or secondhand dealer by an individual (pawner/seller) for sale, barter, trade, pledge or pawn at different times on the same date by the same person shall be considered as separate transactions, regardless of how short the difference in time is between those transactions. Separate transactions, either from the same person or different persons, shall not be combined and reported collectively. No entry made in the records shall be erased, mutilated, altered or in any way changed.

1. Non-junk/scrap articles.

a. Purchases/receipts by licensees.

i. All non-junk/scrap articles brought in to a pawnbroker or secondhand dealer by an individual (pawner/seller) for sale, barter, trade, pledge or pawn during a single transaction shall be itemized separately. Licensees shall not lump non-junk/scrap articles together (e.g., "five gold chains") and must individually itemize, photograph and describe each individual article.

ii. Each non-junk/scrap article brought in to a pawnbroker or secondhand dealer by an individual (pawner/seller) for sale, barter, trade, pledge or pawn during a transaction shall be associated with the person (pawner/seller) who brought the article in. The licensee shall record/report the following information for each such transaction:

1. A digital photographic image of a photo ID card of the pawner/seller, sufficiently clear to allow the information on the ID to be read. The photo ID must be a currently valid (not expired) card issued by a government entity of the United States, and must include the pawner/seller's first and last name, current address, date of birth, and physical descriptors.

In the event the card is valid but does not contain the pawner/seller's current address, the licensee must separately record and report the current address. In addition to a valid driver's license or government issued identification card, other acceptable forms of pictured identification shall include, but not be limited to an employee or student identification card, pictured credit card, or a pictured civic, union or professional association membership card.

2. A clear, digital color facial photograph shall be taken of all persons pawning or pledging any article. A surveillance

video camera positioned appropriately to capture a frontal facial color picture of the pawner or pledger will be sufficient in lieu of a digital photograph.

3. If the pawner/seller is pawning or selling on behalf of a company or business, the name, address, and telephone number of such company or business shall also be recorded/reported.
4. The date and time of the transaction.
5. A complete and thorough description of each non-junk/scrap article including but not limited to the following:
 - a. Type of article.
 - b. Brand name/make/manufacture (if applicable).
 - c. Model number (if applicable).
 - d. Serial number (if applicable).
 - e. Color/finish.
 - f. Any other identifying marks, writing, engraving, etc.
6. A digital photograph(s) of each non-junk/scrap article purchased or received as trade, barter, pledge or pawn by a pawnbroker or secondhand dealer, sufficiently detailed to allow reasonable identification of each article. Any article deposited, pawned or pledged shall be clearly digitally photographed face up, in color so as to be able to clearly identify such article. If the article contains any identifying numbers, marks, writing, engraving, etc., or any other distinguishing characteristics, an additional image(s) shall capture same.

b. Sales by licensees.

- i. All non-junk/scrap articles sold by a pawnbroker or secondhand dealer to an individual shall be itemized separately. Licensees shall not lump non-junk/scrap articles together (e.g., "five gold chains") and must individually itemize, photograph and describe each individual article.
- ii. Each non-junk/scrap article sold by a pawnbroker or secondhand dealer shall be associated with the person to whom it was sold. The licensee shall record/report the following information for each such transaction:
 1. The name and current address of the purchaser must be recorded/reported—a photographic image of a government-issued photo ID card is not necessary.
 2. A digital photograph of non-junk/scrap articles sold by a pawnbroker or secondhand dealer to an individual is not required.

2. Junk/scrap articles.

- a. Purchases by licensees.
 - i. Junk/scrap articles may be recorded/reported in bulk, but must specify the weight, type (e.g., steel, copper, aluminum, etc.) and form (e.g. sheet, cans, pipe, wire, etc.) of the bulk material.
 - ii. Each different type and form of junk/scrap bulk material brought in to a secondhand dealer by an individual for sale during a transaction shall be associated with the person who brought the material in. Licensees shall record/report the following information for each such transaction:
 - 1. A photographic image of a photo ID card of the seller, sufficiently clear to allow the information on the ID to be read. The photo ID must be a currently valid (not expired) card issued by a government entity of the United States, and must include the pawner/seller's first and last name, current address, date of birth, and physical descriptors. In the event the card is valid but does not contain the seller's current address, the licensee must separately record and report the current address.
 - 2. If the seller is selling on behalf of a company or business, the name, address, and telephone number of such company or business shall also be recorded/reported.
 - 3. If the junk/scrap is brought by motor vehicle to a licensee for sale, the make, model, color, and license plate number of that vehicle shall be recorded/reported.
 - 4. The date and time of the transaction.
 - 5. A digital photograph or, if the licensee has a video system, video segment of each individual type & form of bulk material purchased by the licensee shall be linked to the record of that transaction.
 - 6. A clear, digital color facial photograph shall be taken of all persons pawning or pledging any article. A surveillance video camera positioned appropriately to capture a frontal facial color picture of the pawner or pledger will be sufficient in lieu of a digital photograph.
- b. Sales by licensees.
 - i. Licensees need to record/report any information pertaining to the sale of junk/scrap material.

In the event the electronic reporting system malfunctions or is otherwise not operational, the licensee shall, at all times during such malfunction or non-operation, be required to keep written records of any and all transactions made during the period of malfunction or non-operation, to include all information required by this section. These written records shall be reported/uploaded to LeadsOnline, or the city's current electronic reporting system, as soon as practicable after the

electronic reporting system is functional. No such written records shall be erased, mutilated or changed. Written records shall be open and available for review upon request by the city treasurer or any peace officer during regular business hours.

The Licensee shall also have installed, and operating at all times during business hours, a color video surveillance camera positioned so as to record all transactions, as well as the facial features of those persons depositing, pawning or pledging such article with the Licensee. The video surveillance camera will be in working order and be actively recording all transactions. The video recordings will be saved for a period of sixty(60) calendar days from the date of the transaction.

Sec. 121-05. Pawnbrokers: Issuance of signed receipt.

Every pawnbroker shall, at the time of making any advancement or loan, deliver to the person pawning or pledging any property a receipt signed by him containing an accurate account and description, in the English language, of all the goods, articles or other things pawned or pledged, the amount of money, value or thing loaned thereon, the time of pledging the same, the rate of interest to be paid on such loan and the name and residence of the person making the pawn or pledge.

Sec. 121-06. Pawnbrokers: employment of persons under sixteen.

No pawnbroker shall permit any person under the age of sixteen (16) years to take pledges in pawn for him.

Sec. 121-07. Secondhand dealer not to act as a pawnbroker.

No secondhand dealer shall receive any article or thing by way of pledge or pawn, nor shall he loan or advance any sum of money on the security of any article or thing, unless he also happens to be separately licensed as a pawnbroker under this article, and complies with the specific requirements of Sections 121-05 and 121-06 of this article.

Sec. 121-08. Waiting periods.

No articles received on deposit or pledge by any pawnbroker, shall be permitted to be redeemed or removed from the place of business of such pawnbroker for the space of forty-eight(48) hours after the delivery of the signed receipt required by Section 121-05. No articles pawned or pledged shall be sold or disposed of by any pawnbroker within one (1) year from the time the pawner or pledger shall make default in the payment of interest on the money so advanced by the pawnbroker, unless by the written consent of the pawner or pledger.

No pawnbroker or secondhand dealer shall expose for sale, or sell or barter, or melt, crush/compact, alter, destroy, or otherwise dispose of, any non-scrap/junk article within thirty (30) days of the time of purchasing or receiving the same, nor until the same has been in or upon the premises where the same are offered, exposed, bartered or sold, at least thirty (30) days.

There shall be no waiting period for scrap/junk.

Sec. 121-09. Prohibited transactions.

No pawnbroker or secondhand dealer, in the course of conducting his business, shall receive any articles for pawn, pledge, advancement of money, loan, resale, or personal use from:

1. Minors who are under eighteen (18) years of age.
2. Any person appearing to be intoxicated or under the influence of drugs or alcohol.
3. Any person known to the pawnbroker or secondhand dealer to have been convicted of Theft, Residential Burglary, Burglary, Home Invasion, Vehicular Invasion, Armed Robbery, Robbery or Electronic Fencing under the laws of the State of Illinois, or the equivalent laws of any other state. A peace officer may provide such criminal conviction information to a pawnbroker or secondhand dealer, and a pawnbroker or secondhand dealer may also access the LeadsOnline “No Buy” list prior to making a transaction to ensure that the prospective pawner/seller has not been convicted of any such crime.
4. Any person presenting a serial numbered non-scrap/junk article from which the serial number has been removed or obliterated.

In the event that any of the above enumerated persons shall attempt to conduct a prohibited transaction, a representative of that business shall notify the police department of the incident while the person is still present in the business if safe to do so, or otherwise as soon as the person has left the business. A description of the individual in question including the vehicle and registration, if applicable, will be forwarded to the responding officers.

Prohibited Items

No Licensee or agent or employee thereof, shall accept or receive the deposit, pawn or pledge of any firearm, stun gun, or taser or any article, the possession of which is prohibited pursuant to Section 24-1 (a)(1) of the Illinois Criminal Code, 720 ILCS 5/24-1(a)(1)

Sec. 121-10. Report of false/fictitious/forged/altered ID card.

In the event that a person seeking to sell or pawn any item presents to the owner/operator/employee of a pawn or resale shop what is reasonably believed to be a false/fictitious/forged/altered ID card, a representative of that business shall notify the police department of the incident while the person is still present in the business if safe to do so, or otherwise as soon as the person has left the business. A description of the individual in question including the vehicle and registration, if applicable, will be forwarded to the responding officers.

Sec. 121-11. Report of lost or stolen articles to police.

Every pawnbroker or secondhand dealer who shall receive or be in possession of any goods, articles or things under circumstances which would lead a reasonable person to conclude that they have been lost or stolen, or which have been alleged or supposed to have been lost or stolen shall immediately notify the police department of such receipt and, forthwith on demand, exhibit the same to any member of the police department.

Sec. 121-12. Return of stolen property.

When any person is found to be the owner of stolen property which has been pawned or purchased by a secondhand dealer, such property shall be returned to the owner thereof without the payment of the money advanced by the pawnbroker or paid by the second dealer thereon or any costs or charges of any kind which the pawnbroker or secondhand dealer may have placed upon the same.

Sec. 121-13. Inspection of premises by police.

The police chief or any officer designated by him shall have general supervision over all pawnbrokers and secondhand dealers, and shall also have power to inspect their respective places of business and all articles or things kept therein, whenever he shall deem it necessary to do so.

Sec. 121-14. Inspection of Records.

The record book, computer generated records, video surveillance records, digital photographs taken, as well as every article deposited, pawned or pledged shall at all times be open to inspection by the Chief of Police or any sworn law enforcement officer during the Licensee's business hours. The record book, any computer generated records and all photographs taken shall be maintained for a period of three (3) years after the date on which the record was prepared. Video surveillance records shall be maintained for a period of one (1) year after the date on which the record was prepared.

Sec. 121-15. Hours of operation.

No business licensed under this article shall purchase or accept as pawn or pledge any goods, articles or things whatsoever, from any person, between the hours of 10:00 p.m. and 6:00 a.m.

DOES THE CITY WISH TO ADD THIS SECTION INTO THE ORDINANCE, REQUIRING LICENCING OF SCRAP VEHICLES AND PAWNBROKERS?

DIVISION 2. LICENSE

Sec. 121-16. Required.

No person shall engage in, carry on or conduct the business of a pawnbroker or secondhand dealer, or operate or cause to be operated any motor vehicle for the purpose of collecting or disposing of junk/scrap within the city, unless he is licensed to do so.

A pawnbroker's license, secondhand dealer's license, and scrap/junk collection vehicle license are separate from each other, and the license shall state which it is for. Persons may hold more than one (1) license under this section.

A secondhand dealer's license will entitle the licensee to the use of one (1) junk/scrap collection vehicle. Each additional motor vehicle used for such purpose shall require a separate license and fee in the amount specified annually by resolution or ordinance in the city. No license for a junk/scrap collection vehicle shall be issued for less than the full annual license fee.

Violation of this section shall be a Class III misdemeanor, and shall also result in proceedings to revoke any other city-issued business license the person may hold.

Sec. 121-17. Application.

Any person desiring a license as a pawnbroker or secondhand dealer, or for a junk/scrap collection vehicle, shall make application in writing to the city treasurer, setting out in the application the full name and residence of the applicant, if an individual, and if a corporation, the name and residence of each of its officers. Such application shall also set out the location at which it is intended or desired to conduct such business, and such other information as the city treasurer shall from time to time deem appropriate.

Any false information provided on the application shall result in the denial or revocation of the license.

Sec. 121-18. License to state location of business.

Every license granted to any pawnbroker or secondhand dealer under the provisions of this division shall designate the place in which the person receiving the license shall be authorized to carry on such business. Such business shall not be carried on or conducted in any other place than that designated by the license.

Every license granted to any owner of a junk/scrap collection vehicle under the provisions of this division shall designate the business location and phone number that the vehicle operates from, or if none, then the street address and phone number of the licensee's residence.

Sec. 121-19. Inspection; Code compliance

(A) Prior to issuing any license required hereunder, the building and premises used or

proposed to be used for such business shall be inspected by the appropriate City official or officials for compliance with all City codes, ordinances, rules and regulations, including the requirements of this Ordinance, as well as the laws of the State of Illinois and all other applicable governmental rules and regulations. Also, prior to the reissuance of any license required by this Ordinance, such building and premises shall be re-inspected if directed by the Mayor.

(B) Such building and premises shall comply with all City zoning, building, fire and health codes, rules and regulations, as well as all other applicable Village codes, ordinances, rules and regulations and shall be maintained in good repair, free of litter and debris and kept in a safe condition for employees, customers and other persons present therein or thereon.

© Any business licensed under this Ordinance shall comply with all laws of the State of Illinois and all other applicable governmental rules and regulations and shall not be conducted, operated, maintained or carried on so as to constitute a nuisance.

Sec. 121-20. Change of location of business.

In case any person licensed as a pawnbroker or secondhand dealer shall remove his place of business from the place designated on such license, no business shall be carried on or engaged in at the new location under such license until written notice of such change has been given by the licensee to the city treasurer, and such change has been noted by the city treasurer upon such license. The address of his place of business shall thereupon be changed on the sides of any vehicle used by such licensed pawnbroker or dealer, and made to correspond with such new place of business.

Any change in the address listed on the license for a junk/scrap collection vehicle shall be provided in writing to the city treasurer, who shall note such change upon said license. No junk/scrap collection shall be carried on or engaged in by the licensee until such notification and change has been made, and until the address of the licensee's place of business or residence shall be changed on the sides and rear of the licensed vehicle, and made to correspond with such new address.

Sec. 121-21. License to be publicly posted.

Every license granted under this article shall be conspicuously posted for public viewing so as to be seen by anyone entering the place of business of such pawnbroker or secondhand dealer, whether that place of business is a fixed storefront or temporary, non-fixed location, or in any vehicle licensed under this article.

Sec. 121-22. Bond.

Every person licensed as a pawnbroker or secondhand dealer shall at the time of receiving the license execute a bond to the city in the sum of one thousand dollars (\$1,000.00) with good and sufficient sureties, conditioned for the due observance of the ordinances of the city respecting pawnbrokers, loanbrokers or keepers of loan offices or secondhand dealers, to be returned upon sale or closure of business, or expiration of the license, whichever comes last.

Sec. 121-23. Issuance of license; fee.

The city treasurer shall grant licenses to such pawn broker, secondhand dealer or junk/scrap collection vehicle applicants as shall pass a background check, including fingerprinting, conducted by the Police Department, to engage in the business of a pawnbroker or secondhand dealer at, or operate a junk/scrap collection vehicle from, the place designated in the application for and during the period of such license, upon payment by the applicant to the city of an annual license fee in the amount specified annually by resolution or ordinance in the city.

Any person employed by or providing volunteer work for the licensee at the business or in the vehicle for which the license is sought, at any time during the period of the license, shall also be required to pass a background check conducted by the Police Department, if that employee or volunteer engages in the collection, receipt, purchase or sale of secondhand or junk/scrap articles.

The results of all background checks shall be provided to the city treasurer, who shall determine if the applicant and all employees/volunteers of the business for which the license is sought meet satisfactory standards of good character. No license shall be issued to any person, partnership, corporation or other entity, if any owner, manager, partner, officer, director, employee or shareholder owning more than (5) percent of the shares of stock in the corporation has been convicted of any felony offense or convicted of the offense(s) of possession of stolen goods, burglary, robbery, or who has been convicted of any criminal offense involving dishonesty or moral turpitude.

Sec. 121-24. Revocation.

It shall be the duty of the police chief to report to the city treasurer any failure to comply with any provision of this article on the part of any such licensee, and the city treasurer shall then commence administrative hearing procedures as provided in Chapter 29, Section 29-209, to revoke the license of such person.

DIVISION 3. PENALTIES

Sec. 121-25. Penalty provisions.

Unless otherwise specifically recited in a given section of this article, the penalty for violation of this article shall be revocation of licensure.

ARTICLE VII. RESCINDED

Section Two: That this ordinance shall be in full force and effect, and shall be controlling, 30 days after its passage and approval.

Section Three: That all ordinances or parts of ordinances thereof in conflict herewith are hereby repealed to the extent of any such conflict.

Section Four: That any Section or provision of this ordinance that is construed to be invalid or void shall not affect the remaining Sections or provisions which shall remain in full force

and effect thereafter.

PASSED by the City Council of the City of O'Fallon, Illinois, on _____.

AYES _____ NAYES _____

APPROVED AND SIGNED by the Mayor of the City of O'Fallon, Illinois, on _____.

Mayor

ATTEST:

City Clerk

City of O'Fallon
Law Department
285 N Seven Hills Rd
O'Fallon, IL 62269
(618) 624-4545

COORDINATED VIDEO SURVEILLANCE SYSTEM CONTRACT

THIS COORDINATED VIDEO SURVEILLANCE SYSTEM CONTRACT (“**CONTRACT**”) is made between the City Of Fallon, Illinois (hereinafter referred to as “**Provider**”) and Wehrenberg, Inc. (hereinafter referred to as “**Recipient**”).

WHEREAS THE PROVIDER, an Illinois Municipal Corporation, operates the O’Fallon Police Department which is responsible for the safety of citizens and visitors throughout the community; and

WHEREAS THE PROVIDER through the O’Fallon Police Department, is interested in continuing to develop a Coordinated Video Surveillance System comprised of a network of video cameras and archiving equipment situated throughout the City; and

WHEREAS THE RECIPIENT is interested in installing or currently operates a video surveillance system on the property commonly known as O’Fallon 15 Cine, 1320 Central Park Drive, O’Fallon, IL. (“**Property**”), that is consistent with the operational parameters required by the Provider with respect to the Coordinated Video Surveillance System and wishes to avail itself of the Coordinated Video Surveillance System operated by the Provider, to include system monitoring and archiving.

NOW, THEREFORE, in consideration of the mutual covenants contained herein the parties agree as follows:

1. The Provider, at its own cost, will provide a “wireless” network capable of delivering the data from the Recipient’s on-site video surveillance system to one or more sites of the Provider for archiving and monitoring.
2. The Provider will allow the Recipient to monitor any and all images captured by video cameras that are a part of the Coordinated Video Surveillance System located on the Recipients’ Property.
3. Recipient shall be entitled, upon reasonable prior notice, to monitor, during normal business hours, any images recorded by video surveillance equipment on Recipient’s Property. Recipient shall not be entitled to monitor any images captured from video surveillance equipment on other properties. It is understood that images captured on the video surveillance equipment are archived for 20 days.
4. The Provider shall have the right to connect equipment associated with the Coordinated Video Surveillance System operated by Provider on Recipient’s Property, at its own cost, provided that Recipient shall have the right to review and approve the nature, amount, location, and the manner and time of installation

of such equipment in advance of installation. Provider shall have the right to connect such equipment to the electric system of Recipient's Property and to use electric current at no cost to Provider.

5. The use and operation of such equipment by Provider shall not interfere with Recipient's business operations on the Property.

6. Provider agrees to indemnify, defend and hold harmless Recipient, its officers, directors, employees and agents, from and against any and all claims, liabilities, actions, losses and expenses, including reasonable attorneys' fees and court costs, relating to or arising out of the use and operation of Provider's Coordinated Video Surveillance System.

7. The Provider shall use any equipment provided by the Recipient solely for the purpose of operating a public safety surveillance system and nothing herein shall be construed as creating any right, duty, obligation or liability of the Provider to the Recipient for any extraordinary security or police service and there is no guarantee, expressed or implied that the Provider will monitor the images received from the Recipient.

8. The Provider shall have a reasonable right of ingress and egress during Recipient's normal business hours on and over the Recipient's Property as necessary for the purposes of repairing, maintaining and operating the Coordinated Video Surveillance System.

9. Nothing contained herein shall be construed to convey to either party an ownership interest or other property right in any property or equipment belonging to the other party.

10. Each party shall be responsible for the cost of the equipment, installation, replacement and maintenance of the equipment that they contribute to the Coordinated Video Surveillance System.

11. In order to insure consistence and system performance, any equipment to be used in the Coordinated Video Surveillance System shall meet any and all technical specifications set forth by the Provider.

12. The Provider shall be responsible to "trouble-shoot" any system problems or failures and the owner of any components found to be defective shall be responsible for costs associated with any repair or replacement.

13. Should the Provider determine the Recipient's equipment needs to be replaced or updated, it shall be the option of the Recipient to either update or replace the equipment as requested by the City, at Recipient's costs, or terminate this Contract upon 60 days advance written notice to the City. In addition this Contract may be terminated by either party upon 60 days advance written notice

to the other party. Upon termination of this Contract, Provider shall remove its equipment which has been installed on Recipient's Property and repair any damage occasioned to Recipient's Property in connection with such removal.

14. All notices, requests, demands and other communications hereunder shall be in writing and shall be deemed to have been duly given when either personally delivered, or delivered by national overnight courier, or sent by facsimile transmission (with electronically generated verified receipt of transmission), or mailed by certified mail, return receipt requested, postage prepaid, addressed as follows:

Provider: O'Fallon Police Department
285 North Seven Hills Road
O'Fallon, IL 62269
Fax: _____
Attn: _____

Recipient: Wehrenberg, Inc.
12800 Manchester Road
St. Louis, MO 63131
Fax: 314.822.8032
Attn: President

With a copy to:
General Counsel
Fax: 314.822.8032

16. This Contract shall be binding upon the parties hereto, and their successors and permitted assigns.

PROVIDER

RECIPIENT

CITY OF O'FALLON

WEHRENBURG, INC.

By: _____
Mayor Date

By: _____
Title: Date

ATTST:

City Clerk Date



MEMORANDUM

Going to
Public Safety Committee
re

TO: ~~Community Development Committee~~
FROM: Justin Randall, Senior City Planner
THRU: Ted Shekell, Planning Director
DATE: June 9, 2014
SUBJECT: Special Event Permit – "O'Town 5th of July Block Party" (MOTION)

Project Summary

- **Applicant:** O'Fallon Panther Band Boosters
- **Event:** O'Town 5th of July Block Party
- **Location:** O'Fallon Community Park
- **Date:** July 5th, 2014
- **Time:** 7:00 AM to 6:00 PM
- **Summary:**
 - The O'Fallon Panther Band Boosters are hosting an event in the park following the parade to raise funds for the OTHS Band's tip to the Rose Bowl Parade in January 2015.
 - The event will feature a BBQ contest, Car Show, Frisbee Tournament, Craft Fair, Dunk Tank and Inflatables Fair.
 - Global Brew will be vending alcohol.
 - The event will be open from approximately 10:00 AM to 6:00 PM, with set up occurring prior.
 - Approximately 1,000 are expected to be in attendance.
 - Representatives from the Police & Fire Departments will be in attendance.
 - Existing parking will be used at Community Park, with overflow provided at OTHS.
 - Existing toilet facilities will be used at Community Park, with additional portable toilets.
 - Applicant has coordinated with Parks, Police, Fire & EMS.
 - No request was made for signage.

Recommendation: Staff recommends approval of the Special Event Permit, pending final approval from the Police, Fire and Parks Departments.

PD? needs clarification on PD presence
FD? not contacted by 5/19 applicant yet
P+R
PW
CC



COMMUNITY DEVELOPMENT DEPARTMENT
255 S. Lincoln Avenue, 2nd 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: O' Town 5th of July Block Party
Location of Event: O'Fallon Community Park
Name of Event Organization: O'Fallon Panther Band Boosters
Name of person in charge of event (applicant) and mailing address: Mark Donahue
600 S. Smiley St, O'Fallon, IL 62269
Phone: (309) 369-8432 E-Mail: donahuem@oths.us
Secondary Contact Person: Mike Frey
Phone: (618) 604-4240 E-Mail: michael.j.frey@citi.com
Beginning Date / Times: 7/5/14 7am Ending Date / Times: 7/5/14 6pm

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

Will be provided before event - ins expired expires soon (end of June)

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

provided + on file
~~To be applied for by~~
5/20/14
ue

7. Liquor license information for beer sales (including hours of sale): Global Brew is handling this.
(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: Not necessary per Sandy Evans as long as each vendor is sent a letter notifying them of requirement to collect sales tax. AOS 5/14/14

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.

Rec'd via e-mail - Anne
Signature of Applicant/ person in charge of event

5-14-14
Date of Submission

FOR OFFICE USE ONLY

ELIGIBLE FOR ADMINISTRATIVE APPROVAL? () YES NO AOS 5/14/14

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:

We are hosting an event in the park following the parade on July 5th. This is meant to help raise funds for the OTHS Band's upcoming trip to the Rose Parade on January 1st, 2015. The event will be comprised of a BBQ contest, Car Show, Frisbee Tournament, Craft Fair, Dunk Tank/Inflatables Fair, in order to fill the park. A band parent will be vending BBQ on behalf of the band. Global Brew will be vending alcohol for us. The event will be from approximately 11am to 6pm. We will have several portable toilets, including one ADA compatible. Parking will be available in the lot next to the Katy Cavins Center with overflow at OTHS. We plan to have police and fire/ems on site. We hope to have approximately 1,000 people on site. Our rain contingency plan is utilizing the Katy Cavins Center and the OTHS North Gym.

O'FALLON
COMMUNITY PARK



O'Town 5th of July Block Party

BBQ Contest Arts & Crafts Fair Parade Car Show Music Family Fun

10AM-6PM

***PARADE STARTS AT 9AM**

www.OTHSBAND.COM for more info

Food & Drinks
for sale include:
BBQ, FUNNEL CAKES,
LEMONADE
WATER
SODA
BEER

Proceeds will benefit the participation of the O'Fallon Township High School Marching Panthers in the 2015 Rose Parade.®

O'FALLON
COMMUNITY PARK



O'Town 5th of July Block Party

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O'FALLON TOWNSHIP HIGH SCHOOL

DISTRICT No. 203

EXCELLENCE IN EDUCATION FOR EVERY STUDENT EVERY DAY



Business Office
600 South Smiley St.
O'Fallon, IL 62269

Dr. Darcy G. Benway
Superintendent

Jeremy M. Davis
Chief School Business Official

Business Office
(618) 632-3507
(618) 632-9730 Fax

May 19, 2014

To Whom It May Concern:

O'Fallon Township High School District No. 203 (OTHS) has been asked to provide a certificate of insurance to the City of O'Fallon for a fundraiser involving the OTHS Band. OTHS currently has adequate insurance coverage in place, however, OTHS is scheduled to renew or change insurance vendors on July 1, 2014. OTHS will have adequate insurance coverage after July 1, 2014, but our current or future vendor will not be able to provide a certificate of insurance until an agreement is reached for OTHS insurance coverage beginning July 1, 2014.

If you have any questions in the meantime, or if you need any additional information, please feel free to contact Jeremy M. Davis, Chief School Business Official, at DavisJ@OTHS.k12.il.us or (618) 632-3507.

Sincerely,

Jeremy M. Davis
Chief School Business Official



Date submitted: 19 MAY 2014

**SPECIAL EVENT PERMIT APPLICATION
(LICENSE HOLDER)**

REQUEST FOR APPROVAL TO SELL OR SERVE ALCOHOL FOR A SPECIAL EVENT

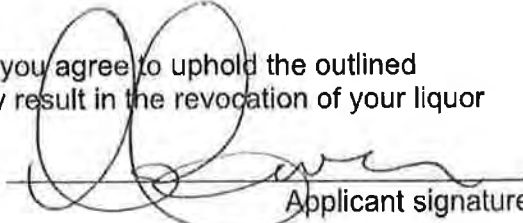
1. Name of applicant LAUREN VARDAMAN
2. Name of establishment: GLOBAL BREW, INC
3. Mailing address 455 REGENCY PARK, SUITE B, O'FALLON IL 62269
Telephone 618-632-1818
4. Liquor License classification: _____
4. Will this event be held on City property/City street? Yes No
5. Location of event O'FALLON COMMUNITY PARK
6. Date(s) of event 05 JULY 2014
7. Description of activity planned: OTHS BAND BOOSTERS BLOCK PARTY + CRAFT BEER SALES

Attach Certificate of Dram shop Liquor Liability Insurance covering the sale of liquor outside of permanent structure of the licensed premises.

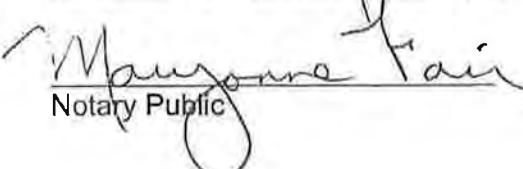
Restrictions:

- Sales must be made on the license premises as defined in the original license application.
- No sales will be permitted or consumption allowed on any public property.
- The area used for the special event must be enclosed or designated in some manner to mark boundaries for the event.
- No alcohol may be removed from the enclosed or designated boundary of the event.

Acknowledgement: By signing this application you agree to uphold the outlined restrictions. The penalty for breaking such may result in the revocation of your liquor license.


Applicant signature

Subscribed and sworn to before me this 19th day of May 2014.


Notary Public





STATE OF ILLINOIS
LIQUOR CONTROL COMMISSION
 Governor Pat Quinn

1A-0105006
 License Number

IN ACCORDANCE WITH THE LIQUOR CONTROL ACT OF 1934, THIS CERTIFIES THAT:

GLOBAL BREW INC
 GLOBAL BREW TAP HOUSE & LOUNGE
 455 REGENCY PARK
 STE B
 O FALLON IL 62269-1998

St. Clair

HAS PAID ALL FEES AND IS ISSUED A LICENSE IN THE FOLLOWING CLASS:	RETAILER COMBINED	
ISSUE DATE:	04/29/14	Effective: 05/01/14
THIS LICENSE EXPIRES ON:	04/30/15	

THIS LICENSE MUST BE FRAMED AND HUNG IN PLAIN VIEW IN A CONSPICUOUS PLACE ON THE LICENSED PREMISES.

Sales Tax Acct # 40056023

THIS LICENSE NOT TRANSFERABLE AS TO PRINCIPAL

Warehouse: N/A

Client#: 83072

GLOBABRE

ACORD™

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

05/20/2014

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER 28-Diamond Bros.-Edwardsville 2900 Madison Avenue Granite City, IL 62040 618 877-0388	CONTACT NAME: Ryan Matthews PHONE (A/C, No, Ext): 618 877-0388		FAX (A/C, No): 618 877-2642
	E-MAIL ADDRESS: ryan.matthews@dimondbros.com		
INSURED Global Brew Inc. 181 Somerset Dr Glen Carbon, IL 62034-1378	INSURER(S) AFFORDING COVERAGE		NAIC #
	INSURER A : Illinois Casualty Company		
	INSURER B : Columbia Insurance Group		
	INSURER C :		
	INSURER D :		
	INSURER E :		

COVERAGES

CERTIFICATE NUMBER:

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.


INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC			BP34439	11/15/2013	11/15/2014	EACH OCCURRENCE DAMAGE TO RENTED PREMISES (Ea occurrence) MED EXP (Any one person) PERSONAL & ADV INJURY GENERAL AGGREGATE PRODUCTS - COMP/OP AGG	\$1,000,000 \$100,000 \$2,000 \$1,000,000 \$2,000,000 \$2,000,000 \$
B	AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO ALL OWNED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS <input type="checkbox"/> UMBRELLA LIAB <input type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> DED <input type="checkbox"/> RETENTION \$			CAPIL000017086	03/02/2014	03/02/2015	COMBINED SINGLE LIMIT (Ea accident) BODILY INJURY (Per person) BODILY INJURY (Per accident) PROPERTY DAMAGE (Per accident) EACH OCCURRENCE AGGREGATE	\$1,000,000 \$ \$ \$ \$ \$ \$
A	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? <input checked="" type="checkbox"/> Y/N (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below			WQ990573	04/14/2014	04/14/2015	<input type="checkbox"/> WC STATU-TORY LIMITS <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT E.L. DISEASE - EA EMPLOYEE E.L. DISEASE - POLICY LIMIT	 \$500,000 \$500,000 \$500,000
A	Liquor Liability			LL96179	11/15/2013	11/15/2014	1,000,000	

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, If more space is required)

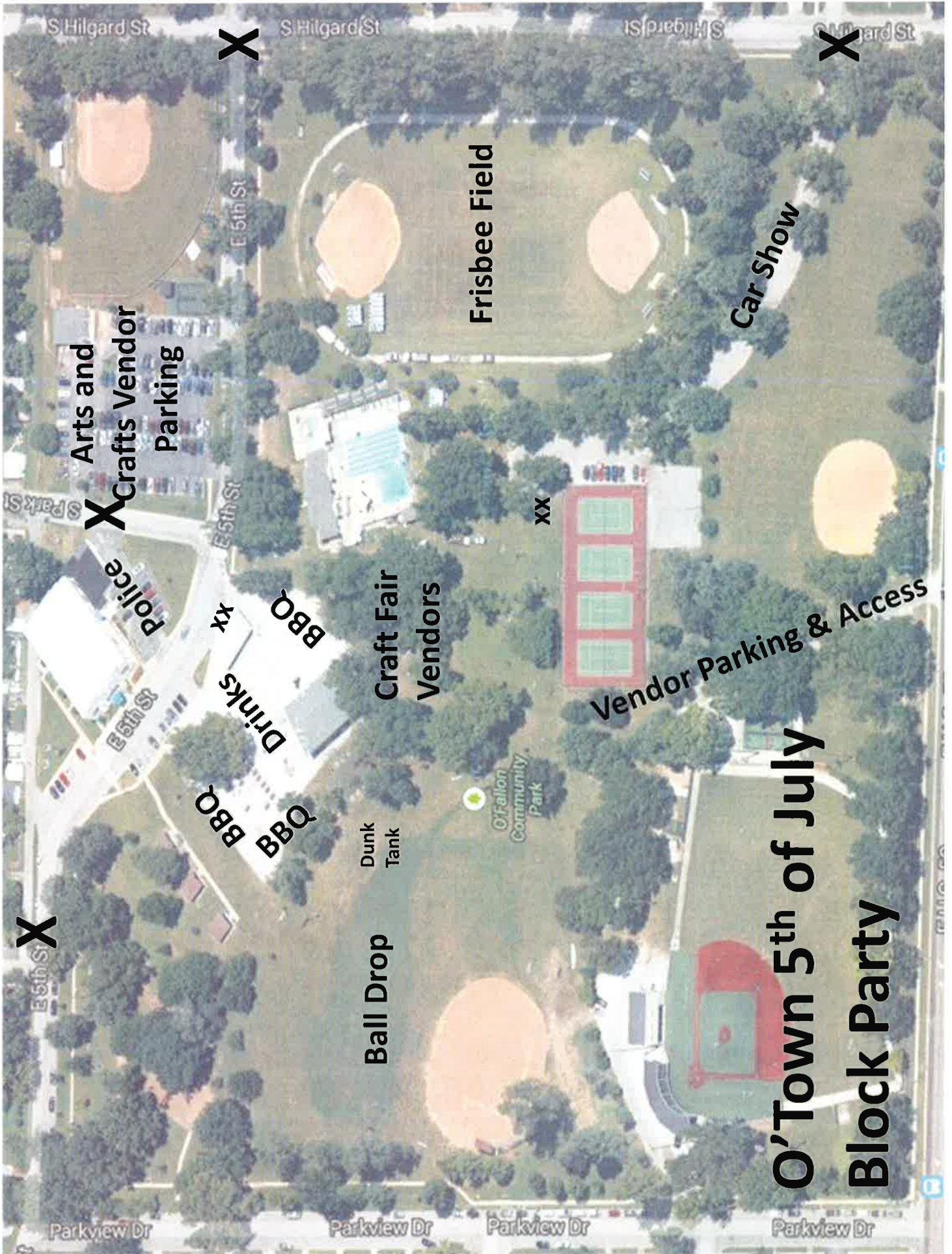
O'Town 5th of July Block Party - July 5, 2014
 O'Fallon Community Park
 410 E Fifth St
 O'Fallon, IL 62269

CERTIFICATE HOLDER

CANCELLATION

City of O'Fallon 255 S Lincoln Ave O'Fallon, IL 62269	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE 
--	---

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S Hilgard St

S Hilgard St

S Hilgard St

S Hilgard St

X

X

Arts and
Crafts Vendor
Parking

Frisbee Field

Car Show

X

XX

Police

BBQ

Craft Fair
Vendors

Vendor Parking & Access

Drinks

BBQ

Dunk
Tank

O'Fallon
Community
Park

X

Ball Drop

O'Town 5th of July
Block Party

Parkview Dr

Parkview Dr

Parkview Dr

Parkview Dr

111.02 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

CANVASSER. Any person, firm, corporation or entity including agents and employees of any firm, corporation or entity whether a resident of the city or not, who engages in canvassing.

CANVASSING. Includes the act of any person, whether a resident of the city or not, traveling by foot, vehicle or other type of conveyance to go from place to place, from house to house or street to street by:

- (1) Conducting a poll, survey or petition drive;
- (2) Sharing, communicating or otherwise conveying ideas, views or beliefs; or
- (3) Disseminating oral or written information to a person willing to directly receive such information, for the political, religious, charitable purposes or otherwise.

CHARITABLE. Patriotic, philanthropic, social service, health, welfare, benevolent, educational, civic, cultural or fraternal.

COMMERCIAL BUILDING. Any place of business within the city or any structure used by any firm, corporation or entity for the purpose of sale of any items on a commercial basis.

HANDBILLS. Include any commercial or non-commercial handbill, pamphlet, circular, newspaper, paper, newsletter, booklet, poster, leaflet, brochure or other printed or written materials that have been cast, deposited, placed, scattered or thrown onto the property of a business or residence in the absence of a subscription agreement.

HEARING OFFICER. The person designated or responsible for hearing and deciding any appeal relating to or regarding the denial or revocation of a solicitors permit and issuing a decision as required by this chapter.

PANHANDLER. A person who panhandles.

PANHANDLING. Any individual who accosts/engages or begs persons for money, goods or food.

PEDDLER. Any individual, firm, partnership, joint venture, association corporation, limited liability company, estate, trust, receiver, trustee, syndicate or other lawful entity, organization, society or association who or which engages in peddling.

PEDDLING. The selling, bartering or exchanging or the offering for sale, barter or exchange of any tangible personal property upon or along the streets, highways or public places of the city or from house to house, whether at one place thereon or from place to place, from any wagon, truck, pushcart or other vehicle or from movable receptacles of any kind, but shall not include the delivery routes where the purchaser has previously requested the seller to stop and exhibit his or her items.

RESIDENCE. Any separate living unit occupied for residential purposes by one or more persons, contained within any type of building or structure.

SOLICITATION. Occurs when a solicitor travels by foot, vehicle or any other type of conveyance, from place to place, house to house or from street to street while engaging in one or more of the following activities:

(1) Seeking to obtain orders for the purchase of goods, wares, merchandise, personal property or services of any kind, character or description for any kind of remuneration or consideration regardless of advance payment of sought;

(2) Seeking to obtain prospective customers for application or purchase of insurance of any type;

(3) Seeking to obtain prospective customers or clients for application or purchase of stocks, bonds, mutual funds or other investments;

(4) Seeking to obtain subscriptions to books, magazines, periodicals, newspapers and every other type or kind of publication;

(5) Seeking to obtain gifts or contributions of money, clothing or other property of value for the support or benefit, in whole or in part, of any charitable or non-profit association, organization, corporation or project;

(6) Delivery of handbills;

(7) Seeking to engage an individual in conversation at a residence or commercial building for the purpose of promoting or facilitating the receipt of information regarding religious belief, political position or charitable conduct;

(8) Activities falling within the definition of canvassing; and/or

(9) Activities falling within the definition of peddling.

SOLICITOR. Any individual, firm, partnership, joint venture, association corporation, limited liability company, estate, trust, receiver, trustee, syndicate or other lawful entity, organization, society or association who or which engages in solicitation.

111.03 PERMIT REQUIRED.

Unless otherwise authorized, permitted or exempted, pursuant to the terms and provisions of this chapter, being in or upon a private residence or commercial property or on a public street within the city by a solicitor for the purpose of solicitation is prohibited and is punishable as set forth in this chapter.

111.09 REGULATIONS AND PROHIBITIONS.

Unless otherwise noted herein, the following shall apply to all **solicitors and panhandlers**, including those exempt from obtaining a solicitor's permit or from registering with the city.

(A) Any solicitor who has gained entrance to any residence or commercial building, whether invited or not, shall immediately and peacefully depart from the premises when requested to do so by the occupant.

(B) It is hereby declared to be unlawful and shall constitute a nuisance for any person, whether issued a permit under this chapter or not, to solicit on a public street or to go upon any premises and ring the doorbell upon or near any door of a residence or commercial building located thereon, or rap or knock upon any door, or create any sound in any other manner calculated to attract attention of the occupant of such residence or commercial building for the purpose of securing an audience with the occupant thereof, and engage in soliciting as herein defined, at any time less than 30 minutes after sunrise or 30 minutes before sunset. Further, it shall be unlawful to engage in soliciting at any time Sunday or any state or nation holiday. This provision shall not apply to solicitation on streets by charitable organizations, as provided in § [111.14](#) of this chapter. Further canvassing may take place between the hours of 9:00 a.m. and 8:00 p.m. central time on any day.

(C) Except as provided in § [111.14](#) of this chapter, no solicitor shall solicit in a city street or highway located within the city.

(D) No solicitor shall represent in any manner that the city or its departments or officers have indorsed the permit holder or the products, services or causes on behalf of which individuals are being solicited without the written consent of the Director of Public Safety.

(E) No solicitor shall willfully obstruct the movement of any person on any street, sidewalk or other public place.

(F) No solicitor shall solicit any person that has objected by words or conduct to such soliciting.

(G) No solicitor shall refuse to identify the entity on whose behalf the soliciting is being conducted when requested to do so by any person contacted by the solicitor or fail to truthfully state the use(s) to which any solicited item(s) will be put when requested to do so by any person being solicited.

(H) No solicitor shall threaten any injury or damage to any individual who declines to be subject to any soliciting or who declines to make a purchase, donation or contribution.

(I) No solicitor shall directly or indirectly solicit for any purpose by misrepresentation of his or her name, occupation, financial conditions, social condition, physical or mental health or residence and no person shall make or perpetrate any misstatement, deception or fraud in connection with any soliciting for any purpose.

(J) No more than two solicitors shall solicit at a residence or commercial building at any one time.

(K) It shall be unlawful for any solicitor, other than the permit holder, to use any permit issued under the provisions of this chapter.

(I) It shall be unlawful for any person to conduct panhandling at any public location or where the owner of the property prohibits panhandling.

(Ord. 3775, passed 9-4-2012) Penalty, see § [111.99](#)

§ 111.15 SOLICITOR'S BOND.

(A) *Surety bond.*

(1) The applicant's employer or principal or if none, the applicant himself or herself shall, before a permit is issued to the applicant, file with the city a surety bond in the amount of \$10,000 covering the applicant's employer or principal, as the case may be, or if none the applicant himself or herself. If more than one employee or agent of an employer or principal is issued a permit under this chapter the bond shall cover all such employees or agents. The bond shall condition that the applicant shall comply fully with the ordinances of the city and statutes of the state regulating the solicitors, and guaranteeing to the residents of the city that all money paid to the applicant or his or her employer or principal will be accounted for or applied according to the representations of the applicant, and further guaranteeing to the residents of the city doing business with the applicant that the property purchased will be delivered according to the representations of the applicant. Actions on such bond may be brought by the person aggrieved and for whose benefit among others the bond is given.

(2) Any person injured by the breach of conditions of such surety bond may make application to the city to recover legal damages suffered by reason of such breach; provided that, the aggregate recovery from such surety bond for all such damages shall, in no event, exceed the sum of said surety bond. Where the legal damage suffered by an injured person exceeds the amount recovered by the surety bond, such partial recovery shall, in no way, prejudice the right of the injured person to proceed directly against the solicitor for such excess damages.

(B) *Cash bond.* In addition to posting the surety bond, as provided in division (A) above, the applicant's employer or principal, or if none the applicant himself or herself, shall, before a permit is issued to the applicant, post with the city a cash bond in the amount of \$100 to ensure compliance with the code of ordinances of the city. Should the city issue a citation against the permit holder for violation of an ordinance of the city, the bond may, at the city's discretion, be applied to any fine levied against the solicitor upon a guilty plea or finding of guilt as to the citation.

(1) Violations of this ordinance or citation issued against the permit holder shall cause the permit to be suspended from all agents to solicit and the following administrative fees shall be paid before reinstatement:

- a. Tier 1 – 1st violation - \$500
- b. Tier 2 – 2nd violation - \$1000
- c. Tier 3 – 3rd violation - Permanent revocation to solicit in the City of O'Fallon.

(Ord. 3775, passed 9-4-2012)