

**O'FALLON CITY COUNCIL
MINUTES OF THE REGULAR COUNCIL MEETING
Draft February 18, 2014**

The regular meeting was called to order at 7:03 p.m. by Mayor Gary Graham who led the Council in "The Pledge of Allegiance to the Flag."

Philip Goodwin, City Clerk, called the roll: Gene McCoskey, present; Richie Meile, present; Ed True, present; 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, excused. A quorum was declared present.

Mayor Graham asked for approval of the minutes. Motion was made by J. Mouser and seconded by J. Hursey to approve the minutes of February 3, 2014. All ayes. Motion carried.

PUBLIC HEARING – No hearing scheduled.

Mayor Graham asked the 8th grade girls' basketball team to come forward. He read a proclamation declaring February 18, 2014 as Edward A. Fulton Jr. High School 8th Grade Girls Basketball Week in O'Fallon.

RESIDENTS: Businessman, Jamie Auffenberg, stated he was speaking on behalf of the auto dealerships in O'Fallon. He said he has an interest in the former Subaru property. In October, a realtor approached him about leasing the property. He rejected the terms of the lease that was later presented to him, as they were not what he had specified. He still has an interest in it, but he did not want to absorb the tax issues. He added he has a business interest in O'Fallon and has brought in sales tax revenue.

Vern Malare asked the Mayor and Council if they had plans for the property at 401 East Adams. T. Shekell stated they had the house on the property demolished. Mayor Graham replied that we bought the property to clean up the area. Mr. Malare asked that they consider putting in a small park.

REPORTS:

Clerk's Report: City Clerk Goodwin read a request from the request from Knights of Columbus #4239 to conduct a roadblock on Friday, September 19th from 7:00 a.m. – 9:00 a.m. and 4:00 p.m. – 6:00 p.m., as well as Saturday, September 20th from 8:00 a.m. – noon at the intersections of State and Lincoln and State and Smiley. Motion by J. Mouser and seconded by G. McCoskey to approve the request. J. Drolet stated that they should look at other dates or change the Ordinance. After further discussion, it was decided that they would need to ask for an alternate date. G. McCoskey withdrew his second. Motion failed. H. Roach said he will talk to them about getting another weekend.

Mayor's Report: Motion by J. Mouser and seconded by G. McCoskey to reappoint Don Murdock to the Police Pension Board. All ayes. Motion carried.

This month's meeting of the Southwestern Illinois Council of Mayors will be held Thursday, February 27th at the Truck Centers in Troy. Please contact Jamie to make your reservation

RESOLUTIONS: Motion by J. Mouser and seconded by E. True to approve a Resolution authorizing the Mayor to execute an agreement with McGrath Consulting Group, Inc., for professional services for an EMS and Police Master Planning Study in an amount not to exceed \$28,000.

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

ORDINANCES:

1st Readings – Motion by J. Mouser and seconded by J. Hursey to consider on 1st reading item 3, an Ordinance amending Ord. 623, Zoning, development known as Domino's Retail Center at 304 East Highway 50.

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

Motion by J. Mouser and seconded by M. Bennett to consider on 1st reading, item 2, an Ordinance amending Ord. 623, Zoning, development known as Schaefer Autobody Center located at 1290 Central Park Drive.

G. McCoskey stated that it was discussed in committee. He said they discussed a letter from J. Auffenberg. They also discussed the staff recommendation that the area not be re-zoned. He said the owners have a right to sell the property. He added there are zoning and legal issues on whether or not we can do this. There were discussions about revenue. The property has been vacant for four years. He stated that there is no threat to Mr. Auffenberg's business and Collision Plus is four parcels down. Motion by G. McCoskey to approve the zoning as B-2 Business District. Died from a lack of a second.

Attorney John Hundley, representing People's National Bank, introduced himself and announced he would be available if anyone had questions.

M. Bennett stated he did not want to see it re-zoned to B-2. This ordinance is a use variance.

J. Mouser stated the legal issue was confusing. Motion by J. Mouser and seconded by R. Meile to refer the Ordinance back to committee for further review.

Mayor Graham said the staff recommendation was based on the legal issue. He stated further that failure to authorize the use defies all economic values of the property. The Zoning Officer said the use variance is when extreme measures are taken only when there is no economic value. The City has only done this once in fifteen years.

ROLL CALL: McCoskey, no; Meile, aye; True, aye; Mouser, aye; Hagarty, aye; Drolet, no; Roach, no; Bennett, aye; Cardona, no; Hursey, aye; Holden, aye; Cozad, aye. Ayes - 8; Nos - 4. Motion carried.

Motion by J. Mouser and seconded by M. Bennett to consider item 4 on 1st reading, an Ordinance for the lease of City Real Estate located on Seven Hills Road to St. Clair County for the purpose of adding a 911 Communications Antenna and related equipment on and near a City-owned water tower.

ROLL CALL: McCoskey, aye; Meile, aye; True, aye; Mouser, aye; Hagarty, aye; Drolet, aye; Roach, aye; Bennett, aye; Cardona, aye; Hursey, aye; Holden, aye; Cozad, aye. Ayes - 12; Nos - 0. All ayes. Motion carried.

2nd Readings – Motion by J. Mouser and seconded by H. Roach to consider items 5 – 9 under the Omnibus Agreement. All ayes. Motion carried.

Motion by J. Mouser and seconded by E. True to approve items 5 – 9 under the previous Omnibus Agreement.

Mayor Graham read the following Ordinances:

Item 5 - Ord. amending Ord. 623, Zoning, development known as Joe's Place Adult Daycare to be located on the northeast corner of Hartman Lane and Three Rivers Drive, as amended

6. Ord. approving the transfer of volume cap in connection with private activity bond issues and related matters

7. Ord. amending Ord. 623, Zoning, development known as Mainstay Suites Hotel to be located on Lot 9, part of Lot 10 and part of Outlot A of Regency Park, 1st addition, amended plat

8. Ord. amending the 2014 Code of Ordinances by amending Title IX: General Regulations, Chapter 90 and Chapter 94 providing regulation on the creation of the Rural Residential District; amending Title XV: Land Usage, multiple sections of chapter 158: providing regulations for the creation of the rural residential zoning district, providing regulations for screening, home daycare and swimming pools

9. Ord. amending the Comprehensive Plan Future Land Use Map

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

STANDING COMMITTEES –

Community Development: J. Mouser announced that the next meeting is at 6:00 p.m. on February 24th.

Public Works: R. Meile stated they will meet February 24th at 7:00 p.m. in the Council Chambers.

Public Safety: K. Hagarty announced they will meet March 10th 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 #295 in the amount of \$1,060,524.25.

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

M. Bennett said they will meet at 5:00 p.m. next week. The meeting time is earlier as they will be discussing the budget.

Parks and Environment: E. True said they will meet on March 10th at 6:00 p.m. to go over the budget.

EXECUTIVE SESSION: None brought forward.

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

The meeting was adjourned at 7:40 p.m.

Submitted by,

Philip A. Goodwin
City Clerk

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