



APPROVED BY THE CITY COUNCIL

APR 22 2010

**City of O'Fallon
100 North Main Street
O'Fallon, Missouri 63366
City Council Meeting
April 8th, 2010**

A. Mayor Hennessy called the meeting to order at 7:30 P.M., there were approximately 49 people in attendance.

B. Roll Call

Councilman Gardner	Present	Councilman Haman	Present
Councilman Perkins	Present	Councilman Haney	Present
Councilman Lucas	Present	Councilman Howell	Excused
Councilman Conley	Present	Councilman Schwentker	Present
Mayor Hennessy	Present		

C. Invocation by Chaplain Steve Dull, followed by the Pledge of Allegiance

D. A Motion was made by Councilman Conley, seconded by Councilman Lucas to approve the agenda as presented.

All Councilmen were in favor of approving Agenda as presented, Motion Passes

E. Presiding Officer's Report

1) Recognition of the following Police Officers for exemplary performance of their duties:

**Officer Richard DeWitt
Officer Ryan VanWave**

2) Proclamation – "Operation Orange Week"

F. Citizen Comments

The following people spoke during the Citizen Comment portion of the meeting and they are listed below:

- 1.) A. C. Dienoff located at P. O. Box #1539 spoke about Chapter 100 and Hampton Woods undeveloped lots.**
- 2.) Mary Laulo located at 522 Legacy Pointe Drive, St. Peters, Missouri talked about the vacant seat in Ward 2 and asked for support of her being appointed to that position.**

G. Ward Reports

Each Councilman gave a report for their Ward.

H. Old Business

- 1. Bill No. 5954, Sponsored by Councilmen Haney and Haman, an Ordinance finding and declaring that the acquisition of certain lands for the public stormwater improvement for the Knolls Creekbank Stabilization Improvements project is declared to be necessary for municipal purposes, and authorizing acquisition of said land.**

Comment: Second and Final Passage. Ordinance is attached for your review.
Located in Ward 3

A motion for second reading of Bill 5954 was made by Councilman Haman, seconded by Councilman Haney. All signed aye. City Attorney, Kevin O'Keefe read the Bill.

A motion was made for final passage by Councilman Haman, seconded by Councilman Haney.

Random Roll Call:

Councilman Lucas	Yes
Councilman Haney	Yes
Councilman Perkins	Yes
Councilman Gardner	Yes
Councilman Conley	Yes
Councilman Howell	Excused
Councilman Haman	Yes
Councilman Schwentker	Yes

All Councilmen present were in favor, Motion Passes

Bill No. 5954 now becomes Ordinance No. 5580

- 2. Bill No. 5955, Sponsored by Councilmen Haney and Haman, an Ordinance annexing certain property contiguous and compact to the City of O'Fallon, Missouri, pursuant to Section 71.015 R.S.MO. and upon an election duly held on April 7, 2009, and a Declaratory Judgment issued by the St. Charles County Circuit Court.**

Comment: Second and Final Passage. Ordinance is attached for your review.
Located in Ward 3

A motion for second reading of Bill 5954 was made by Councilman Haney, seconded by Councilman Haman. All signed aye. City Attorney, Kevin O'Keefe read the Bill.

A motion was made for final passage by Councilman Haney, seconded by Councilman Haman.

Random Roll Call:

Councilman Gardner	Yes
Councilman Conley	Yes
Councilman Howell	Excused
Councilman Haman	Yes
Councilman Schwentker	Yes
Councilman Lucas	Yes

Councilman Haney Yes
Councilman Perkins Yes

All Councilmen present were in favor, Motion Passes

Bill No. 5955 now becomes Ordinance No. 5581

- 3. Bill No. 5956, Sponsored by The Council as a Whole, an Ordinance amending the 2010 Budget for the period of January 1, 2010 through December 31, 2010, for the City of O'Fallon, Missouri, and providing for the approval of expenditures made pursuant to said budget.**

Comment: Second and Final Passage. Ordinance is attached for your review.

A motion for second reading of Bill 5956 was made by Councilman Haman, seconded by Councilman Haney. All signed aye. City Attorney, Kevin O'Keefe read the Bill.

A motion was made for final passage by Councilman Haman, seconded by Councilman Haney.

Random Roll Call:

Councilman Schwentker Yes
Councilman Gardner Yes
Councilman Lucas Yes
Councilman Haney Yes
Councilman Perkins Yes
Councilman Conley Yes
Councilman Howell Excused
Councilman Haman Yes

All Councilmen present were in favor, Motion Passes

Bill No. 5956 now becomes Ordinance No. 5582

- 4. Bill No. 5957, Sponsored by Councilman Lucas, an Ordinance authorizing the Mayor to enter into a cooperative purchasing agreement with the City of Lake St. Louis.**

Comment: Second and Final Passage. Ordinance is attached for your review.

A motion for second reading of Bill 5957 was made by Councilman Lucas, seconded by Councilman Gardner. All signed aye. City Attorney, Kevin O'Keefe read the Bill.

A motion was made for final passage by Councilman Lucas, seconded by Councilman Gardner.

Random Roll Call:

Councilman Howell Excused
Councilman Haman Yes
Councilman Schwentker Yes
Councilman Lucas Yes
Councilman Haney Yes
Councilman Perkins Yes
Councilman Gardner Yes

Councilman Conley Yes

All Councilmen present were in favor, Motion Passes

Bill No. 5957 now becomes Ordinance No. 5583

Pamela Clement, City Clerk presented the Committee and Commission Reports.

I. Committee and Commission Reports:

1. **Minutes of the March 4th, 2010 Planning & Zoning Commission meeting.**
2. **Minutes of the January 27th, 2010 Convention & Visitors Bureau Committee (OCVB) meeting.**
3. **Minutes of the February 10th, 2010 Board of Adjustment meeting.**
4. **Preliminary Plat for lots 4 and 5 of Keaton Corporate Park, Plat Two (2)/Beth Academy to be located a the corner of Keaton Corporate Parkway and Keaton Crossing Drive – Keaton Corporate park, LLC, Property owner – proposed use: subdivision of existing parcel into three (3) lots. Located in Ward 2**
5. **Finance Reports**

Pamela Clement, City Clerk presented the Consent Calendar.

Councilman Haney made a motion to remove item J.5 from the Consent Calendar and vote on it separately, seconded by Councilman Haman.

Councilman Schwentker voted no, all other Councilmen were in favor, motion passes

J. Consent Calendar

1. **Minutes of the March 11th & 25th, 2010 City Council Meetings.**
2. **Liquor License request from Kirk Menard for Virginia BBQ located at 3002 Winghaven Boulevard for a 5% Beer and Light Wine license.**
3. **Liquor License request from Ludivico Marin for the Grab n Go located at 1228 Bryan Road for a Original Package Retail and Sunday Sales License.**
4. **Liquor License request from Gabriel Perez for LaChata's Mexican Restaurant located at 2027 Highway K for an extension of the premises license for April 30th – May 5th.**
6. **Extension of the escrow for Countrysire Plat Roadway Dedication & Recreational Area in the amount of \$50,595.07 until May 12, 2012.**

Motion was made to approve the Consent Calendar as presented with the removal of item J.5 by Councilman Conley, seconded by Councilman Lucas.

All Councilmen present were in favor, Motion Passes

5. **Liquor License request from Michelle Kasper for Brewskeezs Sports Café located at 4251 Keaton Crossing Boulevard for an extension of the premises license for May 1st – May 5th.**

Motion was made to approve Item J.5 as presented by Councilman Schwentker, seconded by Councilman Lucas.

All Councilmen present were in favor, Motion Passes

K. New Business

- 1. Resolution No. 4-8-2010, A Resolution naming the fireworks display at the Heritage and Freedom Fest in Memory of Jena "Dusty" Mielke.**

A motion to read the Resolution by title only by Councilman Schwentker, second by Councilman Howell. All Councilmen signed aye. City Attorney, Kevin O'Keefe, read **Resolution 4-8-2010** by title only.

Motion was made to approve Resolution 4-8-2010, by Councilman Schwentker, seconded by Councilman Howell.

Mayor Hennessy asked if everyone was in favor of approving the Resolution.

All Councilmen present were in favor, Motion passes

- 2. A Public Hearing to consider an Ordinance of the City of O'Fallon adopting new applications and checklists for Record Plats, Condominium, Resubdivision and Boundary Adjustment Plats and Commercial Construction Site Plans and matters relating thereto.**

Jay Herigodt, Construction Inspection Manager explained proposed Bill 5958 in detail.

- 3. Bill No. 5958, Sponsored by Councilman Schwentker, an Ordinance of the City of O'Fallon adopting new applications and checklists for Record Plats, Condominium, Resubdivision and Boundary Adjustment Plats and Commercial Construction Site Plans and matters relating thereto.**

Comment: First Reading ONLY. Ordinance is attached for your review.

Bill 5958 was introduced and a motion was made to read the Bill for First Reading by title only by Councilman Schwentker, seconded by Councilman Perkins. Councilman Schwentker read the title of the Bill.

- 4. Bill No. 5959, Sponsored by The Council as a Whole, an Ordinance annexing certain property contiguous and compact to the City of O'Fallon, Missouri, pursuant to Section 71.015 R.S.MO. and upon an election duly held and a Declaratory Judgment issued by the St. Charles County Circuit Court.**

Comment: First Reading ONLY. Ordinance is attached for your review. **Located in Ward 4**

Bill 5959 was introduced and a motion was made to read the Bill for First Reading by title only by Councilman Schwentker, seconded by Councilman Perkins. Councilman Schwentker read the title of the Bill.

- 5. Bill No. 5960, Sponsored by The Council as a Whole, an Ordinance annexing certain property contiguous and compact to the City of O'Fallon, Missouri, pursuant to Section 71.015 R.S.MO. and upon an election duly held and a Declaratory Judgment issued by the St. Charles County Circuit Court.**

Comment: First Reading ONLY. Ordinance is attached for your review. ***Located in Ward 2***

Bill 5960 was introduced and a motion was made to read the Bill for First Reading by title only by Councilman Lucas, seconded by Councilman Conley. Councilman Lucas read the title of the Bill.

- 6. Bill No. 5961, Sponsored by Councilmen Perkins and Gardner, an Ordinance approving a petition filed by Margaret M. Grelle and Robert W. Grelle regarding certain property contiguous and compact to the City of O'Fallon, Missouri and generally located along Genteman Road at the intersection of West Terra Lane.**

Comment: First Reading ONLY. Ordinance is attached for your review.
Located in Ward 5

Bill 5961 was introduced and a motion was made to read the Bill for First Reading by title only by Councilman Perkins, seconded by Councilman Gardner. Councilman Perkins read the title of the Bill.

- 7. Bill No. 5962, Sponsored by The Council as a Whole, an Ordinance amending certain provisions of Chapter 220 of Title II relating to procedures for enforcement and abatement of certain nuisances and clarifying requirements for the maximum height of grass, weeds and vegetation.**

Comment: First Reading ONLY. Ordinance is attached for your review.

Bill 5962 was introduced and a motion was made to read the Bill for First Reading by title only by Councilman Schwentker, seconded by Councilman Gardner. Councilman Schwentker read the title of the Bill.

- 8. Resolution No. 4-8-2010A, A Resolution authorizing the extension of the agreement with Kienstra Ready Mix of O'Fallon, Inc., for the purchase of ready mix concrete.**

A motion to read the Resolution by title only by Councilman Lucas, second by Councilman Gardner. All Councilmen signed aye. City Attorney, Kevin O'Keefe, read **Resolution 4-8-2010A** by title only.

Motion was made to approve Resolution 4-8-2010A, by Councilman Lucas, seconded by Councilman Gardner.

Mayor Hennessy asked if everyone was in favor of approving the Resolution. Schwentker voted no, all others were in favor of approval.

- 9. Resolution No. 4-8-2010B, A Resolution approving an intergovernmental cooperation agreement with the Waterbury Storm Water Community Improvement District and Authorizing certain actions in connection therewith. *Located in Ward 2***

A motion to read the Resolution by title only by Councilman Haman, second by Councilman Haney. All Councilmen signed aye. City Attorney, Kevin O'Keefe, read **Resolution 4-8-2010B** by title only.

Motion was made to approve Resolution 4-8-2010B, by Councilman Haman, seconded by Councilman Haney.

Mayor Hennessy asked if everyone was in favor of approving the Resolution.

All Councilmen present were in favor of approval

10. Resolution No. 4-8-2010C, A Resolution of official intent of the City Council of the City of O'Fallon, Missouri, for the issuance of the City's Industrial Development Revenue Bonds in a principal amount not to exceed \$24,000,000 to finance a project for the benefit of Centene Corporation, and authorizing certain actions relating thereto.

A motion to read the Resolution by title only by Councilman Haman, second by Councilman Haney. All Councilmen signed aye. City Attorney, Kevin O'Keefe, read **Resolution 4-8-2010C** by title only.

Motion was made to approve Resolution 4-8-2010C, by Councilman Haney, seconded by Councilman Haman.

Mayor Hennessy asked if everyone was in favor of approving the Resolution.

Councilman Perkins was opposed.

All other councilmen present were in favor of approval.

11. Resolution No. 4-8-2010D, A Resolution authorizing an agreement with Custom Products Corporation and Grimco Inc. for the purchase of signs, poles and hardware.

A motion to read the Resolution by title only by Councilman Schwentker, second by Councilman Lucas. All Councilmen signed aye. City Attorney, Kevin O'Keefe, read **Resolution 4-8-2010D** by title only.

Motion was made to approve Resolution 4-8-2010D, by Councilman Schwentker, seconded by Councilman Lucas.

Mayor Hennessy asked if everyone was in favor of approving the Resolution. All councilmen present were in favor of approval.

12. Resolution No. 4-8-2010E, A Resolution authorizing an agreement between the City of O'Fallon and Wendy's Old Fashioned Hamburgers of New York, Inc., for a Stormwater Management and Best Management Practices Facilities Maintenance Agreement. **Located in Ward 4**

A motion to read the Resolution by title only by Councilman Schwentker, second by Councilman Lucas. All Councilmen signed aye. City Attorney, Kevin O'Keefe, read **Resolution 4-8-2010E** by title only.

Motion was made to approve Resolution 4-8-2010E, by Councilman Schwentker, seconded by Councilman Lucas.

Mayor Hennessy asked if everyone was in favor of approving the Resolution. All councilmen present were in favor of approval.

13. Resolution No. 4-8-2010F, A Resolution authorizing an agreement between the City of O'Fallon and QuikTrip Corporation, for a Stormwater Management and Best Practices Facilities Maintenance Agreement. **Located in Ward 1**

A motion to read the Resolution by title only by Councilman Gardner, second by Councilman Lucas. All Councilmen signed aye. City Attorney, Kevin O'Keefe, read **Resolution 4-8-2010F** by title only.

Motion was made to approve Resolution 4-8-2010F, by Councilman Gardner, seconded by Councilman Perkins.

Mayor Hennessy asked if everyone was in favor of approving the Resolution. All councilmen present were in favor of approval.

14. Resolution No. 4-8-2010G, A Resolution authorizing additional sign purchases for the annual Street ID Program fro Grimco.

A motion to read the Resolution by title only by Councilman Schwentker, second by Councilman Lucas. All Councilmen signed aye. City Attorney, Kevin O'Keefe, read **Resolution 4-8-2010G** by title only.

Motion was made to approve Resolution 4-8-2010G, by Councilman Schwentker, seconded by Councilman Lucas.

Mayor Hennessy asked if everyone was in favor of approving the Resolution. All councilmen present were in favor of approval.

L. City Administrators Report

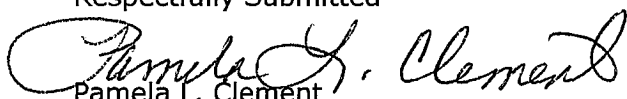
Keith Riesberg, City Administrator announced there had been 330 applicants that signed up for the Utility Tax Rebate. He also gave an update regarding the Census and encouraged everyone to send in their information to be counted. He reminded everyone that a Special City Council meeting will be held on April 20th at 7:00 p.m.

M. Adjourn

A motion was made by Councilman Conley, seconded by Councilman Lucas to adjourn the meeting at 8:37 p.m.

All Councilmen present were in favor, Motion passes

Respectfully Submitted


Pamela L. Clement
City Clerk

