

CITY OF ALTON
ALTON CITY COUNCIL

December 17, 2008

A Regular Meeting of the City Council of the City of Alton, Illinois was held in the City Council Chambers, City Hall Building, Alton, Illinois at the hour of 7:30 p.m. on the above date.

The meeting was called to order by Mayor Sandidge.

The Council Members present on call of the roll:

PRESENT: Ryan, Maher, Martin, Brake, Fleming, Boulds – 6

ABSENT: Hanrahan - 1

Mayor Sandidge led the Pledge to the Flag.

The Clerk read the following Notice of Public Hearing.

NOTICE OF PUBLIC HEARING ON ANNEXATION AGREEMENT
CITY COUNCIL
ALTON, ILLINOIS

On December 17, 2008, at 7:30 p.m., a public hearing will be held by the Mayor and City Council of the City of Alton, in the Alton City Hall, 101 E. Third Street, Alton, Illinois, for the purpose of considering and hearing testimony as to an Ordinance authorizing the execution of an Annexation Agreement in regard to a tract of property comprising approximately 100 acres, more or less, of land located at the intersection of Fosterburg Road and Illinois Route 255, all situated in the County of Madison and State of Illinois, and legally described as follows:

(Herein follows several pages of legal descriptions of the parcels of land involved.)

Mr. Maher made a motion, seconded by Mr. Ryan, that said Public Hearing be approved. The motion passed by the following vote:

AYES: Ryan, Maher, Martin, Brake, Fleming, Boulds – 6

NAYS: None – 0

ABSENT: Hanrahan – 1

Mayor Sandidge declared the Public Hearing open at 7:34 p.m.

Mayor Sandidge asked if there were any questions or comments from the Aldermen.

Alderman Fleming asked a question regarding the exact location of the annexation.

Mayor Sandidge asked if there were any questions or comments from the Public.

There were no questions or comments from the Public.

Mr. Boulds made a motion, seconded by Mr. Fleming, that said Public Hearing adjourn. The motion passed by the following vote:

AYES: Ryan, Maher, Martin, Brake, Fleming, Boulds – 6

NAYS: None – 0

ABSENT: Hanrahan – 1

The Public Hearing adjourned at 7:35 p.m.

COUNCIL MINUTES, COMMUNICATIONS AND REPORT OF OFFICERS

The Clerk presented the following Council Meeting Minutes of December 10, 2008 and the following Communications: Illinois Department of Transportation , re: Motor Fuel Tax Allotment and Transactions for November, 2008; Allied Waste Services, re: Solid Waste and Recycling Volumes for November, 2008; American Federation of State, County and Municipal Employees, Council 31, re: New monthly union dues rates for Members (full and part time) and the Fair Share rates effective January 1, 2009 and the following Report of Officers: City Treasurer, re: Monthly Report for November, 2008; Alton Fire Department, re: Estimated Fire Loss for November, 2008; Alton Fire Department, re: Monthly Fire Damage Report to Assessor's Office for November, 2008. Mr. Maher made a motion, seconded by Mr. Ryan, that said Minutes, Communications and Report of Officers be placed on file. The motion passed by the following vote:

AYES: Ryan, Maher, Martin, Brake, Fleming, Boulds – 6

NAYS: None – 0

ABSENT: Hanrahan – 1

COMMITTEE REPORT

Mr. Brake presented the following Committee of the Whole Meeting Report for December 15, 2008; Resolution, re: Discount and Special Bills paid; Resolution, re: Department of Development & Housing be authorized to purchase property at 1206 Coppinger Rd.; Resolution, re: Appropriate the sum of \$1,323,497.66 of Motor Fuel Tax funds to maintain streets and highways under the provisions of the Illinois Highway Code; Resolution, re: Maintenance Engineering Agreement between Sheppard, Morgan & Schwaab, Inc. and the City of Alton for engineering services; Resolution, re: That City officials accept a deed in proper form conveying the interest of the present owner of 410 Vine Street; Resolution, re: Amend the Budget ordinance to authorize the transfer of \$100,000.00 from line item 530-6917 to line item 2908-8220; Resolution, re: Consider an ordinance to establish regulations pertaining to recreational vehicle parks; Resolution, re: Consider an ordinance concerning a Third Amendment to the Agreement between the City of Alton and Coyote Alton Mall, L.P.; Resolution, re: Fire Chief be authorized to enter into an agreement with Alton Steel to provide a special rescue team; Bid Report and

Resolution, re: Bid #2008-37, Annual Contract for Batteries for various departments; Bid Report and Resolution, re: Bid #2008-38, Asbestos Removal at 825-829 Union. Mr. Brake made a motion, seconded by Mr. Fleming, that said report be placed on file. The Chair so ordered.

Mr. Brake presented the following resolution:

BE IT RESOLVED that the Discount and Special Bills Paid; also all Expenditure Detail Bills as listed in the Comptroller's report dated December 15, 2008, be allowed and payment be made for same. Mr. Brake made a motion, seconded by Mr. Fleming, that said resolution be approved. The motion passed by the following vote:

AYES: Ryan, Maher, Martin, Brake, Fleming, Boulds – 6

NAYS: None – 0

ABSENT: Hanrahan – 1

Mr. Brake presented the following resolution:

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ALTON, ILLINOIS, that officials of the Dept. of Development & Housing are hereby authorized to purchase property identified by Parcel Index Number(s): 23-2-07-11-13-303-022, commonly known as 1206 Coppinger Rd., with Community Development Block Grant funds at a cost not to exceed \$8,500.00. Mr. Brake made a motion, seconded by Mr. Ryan, that said resolution be approved. The motion passed by the following vote:

AYES: Ryan, Maher, Martin, Brake, Fleming, Boulds – 6

NAYS: None – 0

ABSENT: Hanrahan – 1

Mr. Brake presented the following resolution:

BE IT RESOLVED, by the City Council of the City of Alton, Illinois, that there is hereby appropriated the sum of \$1,323,497.66 of Motor Fuel Tax funds for the purpose of maintaining streets and highways under the applicable provisions of the Illinois Highway Code from January 1, 2009 to December 31, 2009.

BE IT FURTHER RESOLVED, that only those streets, highways, and operations as listed and described on the approved Municipal Estimate of Maintenance Costs, including supplemental or revised estimates approved in connection with this resolution, are eligible for maintenance with Motor Fuel Tax funds during the period as specified above.

BE IT FURTHER RESOLVED, that the Clerk shall, as soon as practicable after the close of the period as given above, submit to the Department of Transportation, on forms furnished by said Department, a certified statement showing expenditures from and balances remaining in the account(s) for this period; and

BE IT FURTHER RESOLVED, that the Clerk shall immediately transmit two certified copies of this resolution to the district office of the Department of Transportation, at Collinsville, Illinois. Mr. Brake made a motion, seconded by Mr. Boulds, that said resolution be approved. The motion passed by the following vote:

AYES: Ryan, Maher, Martin, Brake, Fleming, Boulds – 6

NAYS: None – 0

ABSENT: Hanrahan – 1

Mr. Brake presented the following resolution:

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ALTON, ILLINOIS, that the Maintenance Engineering Agreement between Sheppard, Morgan & Schwaab, Inc. and the City of Alton, for engineering services pertaining to the City of Alton's 2009 MFT Maintenance Program, a copy of which is attached hereto, be and is hereby approved and the Mayor is authorized to execute agreement. Mr. Brake made a motion, seconded by Mr. Ryan, that said resolution be approved. The motion passed by the following vote:

AYES: Ryan, Maher, Martin, Brake, Fleming, Boulds – 6

NAYS: None – 0

ABSENT: Hanrahan – 1

Mr. Brake presented the following resolution:

WHEREAS, it is appropriate for the City of Alton in the performance of its municipal responsibilities to acquire the property commonly known as 410 Vine Street, Alton, Illinois; and

WHEREAS, the owner of said property commonly known as 410 Vine Street, Alton, Illinois, has offered to tender a deed to the City of Alton conveying her interest in said property to the City of Alton.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ALTON, ILLINOIS, that the Mayor and appropriate City officials are hereby authorized and directed to accept on behalf of the City of Alton a deed in proper recordable form conveying the interest of the present owner of 410 Vine Street, Alton, Illinois, to the City of Alton, a municipal corporation, for and in furtherance of its municipal purposes. Mr. Brake made a motion, seconded by Mrs. Martin, that said resolution be approved. The motion passed by the following vote:

AYES: Ryan, Maher, Martin, Brake, Fleming, Boulds – 6

NAYS: None – 0

ABSENT: Hanrahan – 1

Mr. Brake presented the following resolution:

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ALTON, ILLINOIS, that the Budget Ordinance of the City of Alton shall be amended so as to authorize the transfer of \$100,000.00 from the line item 530-6917 (Treatment Plant Renewal and Replace Existing Cash) to the line item 2908-8220 (Treatment Plant Renewal and Replacement Contract Work) with regard to the current budget fiscal year so as to provide funding for necessary repairs to the roof of the blower building and the filter building at the Sewage Treatment Plant. Mr. Brake made a motion, seconded by Mr. Ryan, that said resolution be approved. The motion passed by the following vote:

AYES: Ryan, Maher, Martin, Brake, Fleming, Boulds – 6

NAYS: None – 0

ABSENT: Hanrahan – 1

Mr. Brake presented the following resolution:

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ALTON, ILLINOIS that an Ordinance establishing regulations pertaining to recreational vehicle parks shall be considered. Mr. Brake made a motion, seconded by Mr. Boulds, that said resolution be approved. The motion passed by the following vote:

AYES: Ryan, Maher, Martin, Brake, Boulds – 5

NAYS: Fleming – 1

ABSENT: Hanrahan – 1

Mr. Brake presented the following resolution:

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ALTON, ILLINOIS, that an Ordinance concerning a Third Amendment to the Agreement between the City of Alton and Coyote Alton Mall, L.P., extending the deadline to terminate the Business District taxes imposed upon the Alton Square Business District under certain conditions be considered. Mr. Brake made a motion, seconded by Mr. Maher, that said resolution be approved. The motion passed by the following vote:

AYSE: Ryan, Maher, Martin, Brake, Fleming, Boulds – 6

NAYS: None – 0

ABSENT: Hanrahan – 1

Mr. Brake presented the following resolution:

BE IT RESOLVED, By the City Council of the City of Alton, Illinois, that the best bid of Carquest of Alton, per tabulation sheet is hereby awarded for Bid #2008-37, Contract for Batteries for Various Departments of the City of Alton. Mr. Brake made a motion, seconded by Mr. Ryan, that said resolution be approved. The motion passed by the following vote:

AYES: Ryan, Maher, Martin, Brake, Fleming, Boulds – 6

NAYS: None – 0

ABSENT: Hanrahan – 1

Mr. Brake presented the following resolution:

BE IT RESOLVED, By the City Council of the City of Alton, Illinois, that the best bid of Abatement Management in the amount of \$500.00 is hereby awarded for Bid Number 2008-38, Asbestos Removal at 825-829 Union for the Building & Zoning Department of the City of Alton. Mr. Brake made a motion, seconded by Mr. Maher, that said resolution be approved. The motion passed by the following vote:

AYES: Ryan, Maher, Martin, Brake, Fleming, Boulds – 6

NAYS: None – 0

ABSENT: Hanrahan – 1

At this time, Corporation Counselor Schrempf stated that the Council may wish to reconsider Item 8h on the Agenda for the purpose of amending the Resolution concerning Alton Square Mall. Mr. Boulds made a motion, seconded by Mr. Brake, that Item 8h be reconsidered. The motion passed by the following vote:

AYES: Ryan, Maher, Martin, Brake, Fleming, Boulds – 6

NAYS: None – 0

ABSENT: Hanrahan – 1

Mr. Boulds made a motion, seconded by Mr. Fleming, that the Council approve the resolution concerning the Third Amendment to the Agreement between the City of Alton and Coyote Alton Mall, L.P..

Mr. Boulds then introduced an amendment to the resolution on the floor so as to authorize and to direct the appropriate City officials to execute a Redevelopment Agreement between the City of Alton and Coyote Alton Mall, L.P., in the form as attached, and as presented to the City Council. Mr. Boulds made a motion, seconded by Mr. Fleming, that said amendment be approved. The motion passed by the following vote:

AYES: Ryan, Maher, Martin, Brake, Fleming, Boulds – 6

HAYS: None – 0

ABSENT: Hanrahan – 1

Mr. Boulds made a motion, seconded by Mr. Brake, that said resolution be approved as amended. The motion passed by the following vote:

AYES: Ryan, Maher, Martin, Brake, Fleming, Boulds – 6

NAYA: None – 0

ABSENT: Hanrahan – 1

SECOND READING OF ORDINANCES

Acting Mayor Pro Tem Maher presented the following ordinance for second reading.

Ordinance No. 7113. An Ordinance further amending Ordinance Number 5018 to add the Alton Square Mall and the proposed Heritage Environmental Services Site in

Roxana to the Riverbend Enterprise Zone. Mr. Maher made a motion, seconded by Mr. Ryan, that said ordinance be adopted. The motion passed by the following vote:

AYES: Ryan, Maher, Martin, Brake, Fleming, Boulds – 6

NAYS: None - 0

ABSENT: Hanrahan – 1

Acting Mayor Pro Tem Maher presented the following ordinance for second reading.

Ordinance No. 7114. An Ordinance regulating nudity when applied in a sexually discriminatory manner. Mr. Maher made a motion, seconded by Mr. Ryan, that said ordinance be adopted. The motion passed by the following vote:

AYES: Ryan, Maher, Martin, Brake, Fleming, Boulds – 6

NAYS: None – 0

ABSENT: Hanrahan – 1

Acting Mayor Pro Tem Maher presented the following ordinance for second reading.

Ordinance No. 7115. An Ordinance establishing one handicap parking space in front of 615 Brookside Street, Alton, Illinois. Mr. Maher made a motion, seconded by Mr. Fleming, that said ordinance be adopted. The motion passed by the following vote:

AYES: Ryan, Maher, Martin, Brake, Fleming, Boulds – 6

NAYS: None – 0

ABSENT: Hanrahan – 1

Acting Mayor Pro Tem Maher presented the following ordinance for second reading.

Ordinance No. 7116. An Ordinance providing for the annual Tax Levy upon the real estate situated within the corporate limits of the City of Alton, in the County of Madison, State of Illinois, subject to taxation for the fiscal year commencing on the 1st day of April, 2008, and ending on the 31st day of March, 2009. Mr. Maher made a motion, seconded by Mr. Ryan, that said ordinance be adopted. The motion passed by the following vote:

AYES: Ryan, Maher, Martin, Brake, Fleming, Boulds – 6

NAYS: None – 0

ABSENT: Hanrahan – 1

APPOINTMENTS

Mayor Sandidge presented the following appointment of Tracy Castelli to the Alton Regional Convention & Visitor's Bureau Board of Directors. Mr. Ryan made a motion, seconded by Mr. Maher, that said appointment be approved. The motion passed by the following vote:

AYES: Ryan, Maher, Martin, Brake, Fleming, Boulds – 6
NAYS: None – 0
ABSENT: Hanrahan – 1

COMMENTS OR RESOLUTIONS FROM THE COUNCIL

Mr. Ryan presented the following resolution:

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ALTON, ILLINOIS, that the parking lot located at 200 E. Broadway (adjacent to Sam's Loans) be limited to 3 hour parking and that appropriate signs be installed. Mr. Ryan made a motion, seconded by Mr. Maher, that said resolution be referred to the Committee of the Whole. The Chair so ordered.

Mr. Boulds made a motion, seconded by Mrs. Martin, that the Rules of the Council be Suspended in order to act upon Ordinance No. 7118. The motion passed by the following vote:

AYES: Ryan, Martin, Brake, Boulds, Mayor Sandidge – 5
NAYS: Maher, Fleming – 2
ABSENT: Hanrahan – 1

Mr. Boulds made a motion, seconded by Mr. Brake, that Ordinance No. 7118 be presented for first and second readings. The motion passed by the following vote:

AYES: Ryan, Martin, Brake, Boulds – 4
NAYS: Maher, Fleming – 2
ABSENT: Hanrahan – 1

Mr. Boulds presented the following ordinance for first reading.

Ordinance No. 7118. An Ordinance amending the regulations pertaining to mobile home courts so as to include recreational vehicles.

Mr. Boulds presented the following ordinance for second reading.

Ordinance No. 7118. An Ordinance amending the regulations pertaining to mobile home courts so as to include recreational vehicles. Mr. Boulds made a motion, seconded by Mr. Brake, that said ordinance be adopted. The motion passed by the following vote:

AYES: Ryan, Martin, Brake, Boulds – 4
NAYS: Maher, Fleming – 2
ABSENT: Hanrahan – 1

Mr. Boulds presented the following resolution:

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ALTON, ILLINOIS, that the Underground Facilities Locating and Marking Service Agreement

between the City of Alton, Illinois, Department of Public Works, and SM&P Utility Resources, Inc., a copy of which is attached hereto, be and is hereby approved and the Mayor is authorized to execute agreement. Mr. Boulds made a motion, seconded by Mr. Brake, that the Rules of the Council be Suspended in order to act upon said resolution. The motion passed by the following vote:

AYES: Ryan, Maher, Martin, Brake, Fleming, Boulds, Mayor Sandidge – 7

NAYS: None – 0

ABSENT: Hanrahan – 1

Mr. Boulds made a motion, seconded by Mr. Brake, that the above and foregoing resolution be approved. The motion passed by the following vote:

AYES: Ryan, Maher, Martin, Brake, Fleming, Boulds – 6

NAYS: None – 0

ABSENT: Hanrahan – 1

Mr. Boulds made a motion, seconded by Mr. Ryan, that the Rules of the Council be Suspended in order to act upon the following: Alton Plan Commission Minutes; a resolution to approve the final plat of Edwards Pine Tree Subdivision Phase 2; a resolution for a special use permit on property known as 920 E. 5th St., Alton, Illinois; and a resolution to approve the annexation agreement between the City of Alton and Fosterburg – 255 LLC. The motion passed by the following vote:

AYES: Ryan, Maher, Martin, Brake, Fleming, Boulds, Mayor Sandidge – 7

NAYS: None – 0

ABSENT: Hanrahan – 1

Mr. Boulds presented the following Alton Plan Commission, re: Public Hearing Minutes of December 16, 2008. Mr. Boulds made a motion, seconded by Mr. Maher, that said minutes be placed on file. The motion passed by the following vote:

AYES: Ryan, Maher, Martin, Brake, Fleming, Boulds – 6

NAYS: None – 0

ABSENT: Hanrahan – 1

Mr. Boulds presented the following resolution:

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ALTON, ILLINOIS, that the final plat of Edwards Pine Tree Subdivision Phase 2, located in Part of Lot 1 of Edward's Subdivision together with Part of the Northwest One Quarter of the Northeast One Quarter of Section 31, Township 6 North, Range 9 West of the Third Principal Meridian, Madison County, Illinois, located off Union School Road, BE AND IS HEREBY APPROVED. Mr. Boulds made a motion, seconded by Mr. Brake, that said resolution be approved. The motion passed by the following vote:

AYES: Ryan, Maher, Martin, Brake, Fleming, Boulds – 6

NAYS: None – 0

ABSENT: Hanrahan – 1

Mr. Boulds presented the following resolution:

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ALTON, ILLINOIS, that a special use permit on the property identified by permanent parcel number 23-2-07-13-06-102-043, Section 13, Township 5 North, Range 10 West of the Third Principal Meridian, also known as 920 E. 5th, Alton, Illinois (legal attached), for collocation of antennas on the church bell tower and equipment on the southeast side of the church, BE AND HEREBY IS APPROVED. Mr. Boulds made a motion, seconded by Mr. Maher, that said resolution be approved. The motion passed by the following vote:

AYES: Ryan, Maher, Martin, Boulds, Mayor Sandidge – 5

NAYS: Brake, Fleming – 2

ABSENT: Hanrahan – 1

Mr. Boulds presented the following resolution:

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ALTON, ILLINOIS, that the Annexation Agreement between the City of Alton and Fosterburg – 255 LLC be approved and that the use of the subject property be in accordance with City of Alton zoning district C-2 (City General Commercial District). The subject property includes the following parcels:

20-1-02-34-01-101-001
20-1-02-34-01-101-001.002
20-1-02-33-00-000-008
20-1-02-34-01-101-037.001
20-1-02-33-04-401-009.002
20-1-02-33-00-000-010.002
20-1-02-34-01-101-037
20-1-02-34-01-101-036
20-1-02-33-00-000-010
20-1-02-33-04-401-009

Section 33 and Section 34, Township 6 North, Range 9 West of the Third Principal Meridian, generally known as land at the interchange of Illinois Route 255 and Fosterburg Road, Foster Township, Illinois, BE AND HEREBY IS APPROVED. Mr. Boulds made a motion, seconded by Mr. Fleming, that said resolution be approved. The motion passed by the following vote:

AYES: Ryan, Maher, Martin, Brake, Fleming, Boulds – 6

NAYS: None – 0

ABSENT: Hanrahan – 1

There being no further business to come before the Council at this time, Mr. Boulds made a motion, seconded by Mr. Ryan, that the meeting adjourn. The motion passed by the following vote:

AYES: Ryan, Maher, Martin, Brake, Fleming, Boulds – 6
NAYS: None – 0
ABSENT: Hanrahan – 1

Mary T. Boulds MMC
City Clerk

(Seal of the City of Alton, Illinois)