

CITY OF ALTON
ALTON CITY COUNCIL

December 9, 2009

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 Hoechst.

The Council Members present on call of the roll:

PRESENT: Ryan, McCahill, Velloff, Martin, Brake, Fleming, Boulds – 7

ABSENT: None - 0

Mayor Hoechst called upon Alderman Boulds to lead the Pledge to the Flag.

Mayor Hoechst presented the following proclamation declaring the month of December, 2009 to be “Drunk and Drugged Driving (3D) Prevention Month” in the City of Alton, Illinois.

At this time, Mayor Hoechst recognized Mr. Gregory Norris (Executive Director of ACES 4 Youth-Alton 2011 Project), Ms. Dorothy Willis (Executive Director of the Riverbend Food Pantry), Ms. Linda Price (Executive Director of Mexico Village People), Mrs. Katherine Casey (Assistant Pastor of Whole Truth Church) and Pastor Maggos (Open Door Fellowship Church) and presented a proclamation declaring November 22 – 28, 2009 to be “National Family Week” in the City of Alton, Illinois.

COUNCIL MINUTES

The Clerk presented the following Council Meeting Minutes of November 24, 2009. Mr. Ryan made a motion, seconded by Mr. Fleming, that said minutes be placed on file. The motion passed by the following vote:

AYES: Ryan, McCahill, Velloff, Martin, Brake, Fleming, Boulds – 7

NAYS: None – 0

COMMUNICATIONS AND REPORT OF OFFICERS

The Clerk presented the following Communications: FEMA National Flood Insurance Program (NFIP), re: Southwestern Illinois Information Sessions, December 15 and 16, 2009 concerning changes in FEMA accreditation status of the S.W. Illinois levees in Madison, Monroe and St. Clair counties; Illinois Environmental Protection Agency, Water Pollution Control Permit, re: ALTON – Fosterburg Road SSX, Phase 3 (Alton Sewage Treatment Plant) – Sanitary Sewer Permit; Illinois State Police, re: Forfeiture check; AT&T Illinois, re: Pricing changes for AT&T U-verseSM TV customers; Illinois American Water, re: New self-service web site My H2O Online; Charter Communica-

tions, re: Adjustments to be made to pricing for customers; Alton Regional Convention & Visitors Bureau, re: Thank you to Argosy Casino Alton for hosting the 5th Annual Tourism Summit on November 18, 2009 and the following Report of Officers: Mayor Tom Hoechst, re: Letters to Governor Pat Quinn, Congressman Jerry Costello, Senator Roland W. Burris and Senator Richard J. Durbin to ask for support in funding the emergency repairs to the Wood River Levee; Mayor Tom Hoechst, re: Letters to Representative Jerry Costello, Senator Roland W. Burris and Senator Richard J. Durbin to ask for support of the inclusion of a Targeted Fiscal Assistance Program in the jobs bill; Alton Fire Department, re: Estimated Fire Loss for November, 2009; Alton Fire Department, re: Monthly Fire Damage Report to Assessor's Office for November, 2009; Department of Building and Zoning, re: Monthly Report for November, 2009; The Alton Marina, re: Annual Budget Tracking 2009 Season. Mr. Ryan made a motion, seconded by Mr. Brake, that said Communications and Report of Officers be placed on file. The motion passed by the following vote:

AYES: Ryan, McCahill, Velloff, Martin, Brake, Fleming, Boulds – 7

NAYS: None – 0

PETITIONS

Mayor Pro Tem Ryan presented the following petition from Jacqueline Spiker to request renewal of the special use permit for Club Paws, Inc. located at 299 E. Elm Street, Alton, Illinois. Mr. Ryan made a motion, seconded by Mr. Boulds, that said petition be referred to the Plan Commission. The Chair so ordered.

COMMITTEE REPORT

Mr. Boulds presented the following Committee of the Whole Meeting Report for December 7, 2009; Resolution, re: Discount and Special Bills paid; Resolution, re: Redevelopment Agreement between the City of Alton and Alton Center Business Park, LLC to facilitate the expansion of Imperial Sheet Metal, Ltd.; Resolution, re: Demolition of 2027 Booker and 1115 Greene; Resolution, re: The Department of Development and Housing to purchase property commonly known as 209, 221 and 225 McClure and said Department of Development and Housing accept transfer of property commonly known as 219 and 223 McClure Ave.; Resolution, re: Corporation Counselor present an ordinance authorizing a fee to recover part of the cost incurred by the City in processing the posting of cash bonds by defendants. Mr. Boulds made a motion, seconded by Mr. Fleming, that said report be placed on file. The motion passed by the following vote:

AYES: Ryan, McCahill, Velloff, Martin, Brake, Fleming, Boulds – 7

NAYS: None – 0

Mr. Boulds 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 7, 2009 be allowed and payment be made for same. Mr. Boulds made a motion, seconded by Mr. Fleming, that said resolution be approved. The motion passed by the following vote:

AYES: Ryan, McCahill, Velloff, Martin, Brake, Fleming, Boulds – 7
NAYS: None – 0

Mr. Boulds presented the following resolution:

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ALTON, ILLINOIS, that the attached Redevelopment Agreement between the City of Alton, Illinois, and Alton Center Business Park, LLC., to facilitate the expansion of Imperial Sheet Metal, Ltd., 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, McCahill, Velloff, Martin, Brake, Fleming, Boulds – 7
NAYS: None – 0

Mr. Boulds presented the following resolution:

WHEREAS, it is necessary to effect the demolition of certain structures deemed unsafe under 65 ILCS 5/11-31-1, the owners of which have neglected or refuses to perform required demolition.

NOW, THEREFORE:

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ALTON, ILLINOIS, that its officials and agents are hereby authorized to pursue appropriate legal action against such properties in the Circuit Court as listed below:

2027 Booker
1115 Greene

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

AYES: Ryan, McCahill, Velloff, Martin, Brake, Fleming, Boulds – 7
NAYS: None – 0

Mr. Boulds 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): 23-2-08-18-09-203-006, -004, & -002, commonly known as 209, 221, and 225 McClure Ave., with Community Development Block Grant funds at a cost not to exceed \$29,000.00; and

BE IT FURTHER RESOLVED, that officials of the Dept. of Development & Housing are hereby authorized to accept transfer of real property identified by Parcel Index Number(s): 23-2-08-09-203-005 and -003, commonly known as 219 and 223 McClure Ave., subject to appropriate title search and review. Mr. Boulds made a motion, seconded by Mrs. Martin, that said resolution be approved. The motion passed by the following vote:

AYES: Ryan, McCahill, Velloff, Martin, Brake, Fleming, Boulds – 7
NAYS: None – 0

Mr. Boulds presented the following resolution:

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ALTON, ILLINOIS, that the Corporation Counselor develop and present an Ordinance authorizing a fee to recover at least part of the cost incurred by the City in processing the posting of cash bonds by Defendants with said fee to be collected from the respective Defendants. Mr. Boulds made a motion, seconded by Mr. Brake, that said resolution be PLACED ON FILE. The motion passed by the following vote:

AYES: Ryan, McCahill, Velloff, Martin, Brake, Fleming, Boulds – 7
NAYS: None – 0

FIRST READING OF ORDINANCES

Mayor Pro Tem Ryan presented the following ordinance for first reading.

Ordinance No. 7171. An Ordinance amending the Liquor Code to permit catering by liquor license holders from other jurisdictions. Mr. Ryan made a motion, seconded by Mrs. Martin, that said ordinance be LAID OVER. The Chair so ordered.

SECOND READING OF ORDINANCES

Mayor Pro Tem Ryan presented the following ordinance for second reading.

Ordinance No. 7163. 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, 2009, and ending on the 31st day of March, 2010. Mr. Ryan made a motion, seconded by Mr. Fleming, that said ordinance be adopted. The motion passed by the following vote:

AYES: Ryan, McCahill, Velloff, Martin, Brake, Fleming, Boulds – 7
NAYS: None – 0

Mayor Pro Tem Ryan presented the following ordinance for second reading.

Ordinance No. 7164. An Ordinance providing Rules and Regulations for the impoundment of motor vehicles in the City of Alton, Illinois. Mr. Ryan made a motion, seconded by Mr. Fleming, that said ordinance be adopted. The motion passed by the following vote:

AYES: Ryan, Velloff, Martin, Brake, Fleming, Boulds – 6
NAYS: McCahill - 1

Mayor Pro Tem Ryan presented the following six (6) ordinances for second reading.

Ordinance No. 7165. An Ordinance of the City of Alton, Madison County, Illinois, abating a portion of the 2009 Tax Levy for \$5,000,000.00 General Obligation Bonds, Series 2000B.

Ordinance No. 7166. An Ordinance of the City of Alton, Madison County, Illinois, abating a portion of the 2009 Tax Levy for \$4,315,000.00 General Obligation Bonds, Series 2006A.

Ordinance No. 7167. An Ordinance abating the tax heretofore levied for the year 2009 to pay debt service on \$4,395,000.00 General Obligation Bonds (Alternate Revenue Source), Series 1998, of the City of Alton, Madison County, Illinois.

Ordinance No. 7168. An Ordinance abating the tax heretofore levied for the year 2009 to pay debt service on \$8,500,000.00 General Obligation Bonds, Series 2000, of the City of Alton, Madison County, Illinois.

Ordinance No. 7169. An Ordinance abating the tax heretofore levied for the year 2009 to pay debt service on \$7,140,000.00 General Obligation Refunding Bonds, Series 2004, of the City of Alton, Madison County, Illinois.

Ordinance No. 7170. An Ordinance abating the tax heretofore levied for the year 2009 to pay debt service on \$5,675,000 General Obligation Bonds, Series 2006B, of the City of Alton, Madison County, Illinois.

Mr. Ryan made a motion, seconded by Mr. Brake, that the above and foregoing six (6) ordinances be adopted. The motion passed by the following vote:

AYES: Ryan, McCahill, Velloff, Martin, Brake, Fleming, Boulds – 7

NAYS: None – 0

REPORTS AND/OR RESOLUTIONS OF SPECIAL COMMITTEES

The Clerk presented the following Joint Review Board, Tax Increment Financing Redevelopment Plan & Project Proposed Hunterstown Redevelopment Project Area, re: Public Hearing Minutes of December 2, 2009; and the Recommendation of the Joint Review Board regarding the TIF Redevelopment Plan and Project for the Hunterstown Redevelopment Project Area and the Alton Plan Commission, re: Public Hearing Minutes of December 1, 2009. Mr. Boulds made a motion, seconded by Mr. Ryan, that said minutes and recommendation be placed on file. The motion passed by the following vote:

AYES: Ryan, McCahill, Velloff, Martin, Brake, Fleming, Boulds – 7

NAYS: None – 0

The Clerk presented the following resolution:

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ALTON, ILLINOIS, that the property identified by permanent parcel number 23-2-07-02-05-101-

008, Section 2, Township 5 North, Range 10 West of the Third Principal Meridian, also known as the 701 W. Delmar, Alton, Illinois, (legal attached) be rezoned from R-2 (Single Family Residential) to C-1 (Neighborhood commercial) to move “White Birch” from 611 W. Delmar into larger accommodations, BE AND HEREBY IS APPROVED. Mr. Ryan made a motion, seconded by Mr. McCahill, that said resolution be approved. The motion passed by the following vote:

AYES: Ryan, McCahill, Velloff, Martin, Brake, Fleming, Boulds – 7

NAYS: None – 0

PUBLIC FORUM ADDRESSING CITY BUSINESS

Mayor Pro Tem Ryan presented the following two (2) requests for the floor from Stacy Keshner and James A. Becker. Mr. Ryan made a motion, seconded by Mr. Fleming, that said requests be approved. The motion passed by the following vote:

AYES: Ryan, McCahill, Velloff, Martin, Brake, Fleming, Boulds – 7

NAYS: None – 0

Ms. Keshner was not present to speak.

Mr. Becker took the floor and spoke, re: My street (3703 Coronado) has been having sewer floods over the last two years. Complaints have been filed with the IL EPA.

COMMENTS OR RESOLUTIONS FROM THE COUNCIL

Mr. Ryan presented the following resolution:

WHEREAS, the State of Illinois has passed new laws mandating that the City of Alton post certain information about the Americans with Disabilities Act on the website of the City of Alton and name an Americans with Disabilities Act Coordinator effective January 1, 2010.

WHEREAS, the City Council of the City of Alton desires to use its best faith efforts to be fully compliant with the mandates imposed by the legislature of the State of Illinois; and

WHEREAS, Mayor Hoechst has suggested Matt Asselmeier to serve as Americans with Disabilities Act Coordinator for the City of Alton.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ALTON, ILLINOIS, THAT:

Section 1

That Matt Asselmeier be and is hereby approved as the Americans with Disabilities Act Coordinator for the City of Alton.

Section 2

That the following Grievance Procedure under the Americans with Disabilities Act be and is hereby adopted as the Grievance Procedure of the City of Alton.

City of Alton, Illinois Grievance Procedure under The Americans with Disabilities Act

This Grievance Procedure is established to meet the requirements of the Americans with Disabilities Act of 1990 (“ADA”). It may be used by anyone who wishes to file a complaint alleging discrimination on the basis of disability in the provision of services, activities, programs, employment or benefits by the City of Alton, Illinois.

The complaint should be in writing and contain information about the alleged discrimination such as name, address, phone number of complainant and location, date, and description of the problem. Alternative means of filing complaints, such as personal interviews or a tape recording of the complaint, will be made available for persons with disabilities upon request.

The complaint should be submitted by the grievant and/or his designee as soon as possible but no later than 60 calendar days after the alleged violation to:

Matt Asselmeier
ADA Coordinator
101 East Third Street Alton, Illinois 62002

Within 15 calendar days after receipt of the complaint, the ADA Coordinator or his designee will meet with the complainant to discuss the complaint and the possible resolutions. Within 15 calendar days of the meeting, the ADA Coordinator or his designee will respond in writing, and where appropriate, in a format accessible to the complainant, such as large print, Braille, or audio tape. The response will explain the position of the City of Alton, Illinois and offer options for substantive resolution of the complaint.

If the response by the ADA Coordinator or his designee does not satisfactorily resolve the issue, the complainant and/or his/her designee may appeal the decision within 15 calendar days after receipt of the response to the Mayor or his designee.

Within 15 calendar days after receipt of the appeal, the Mayor or his designee shall schedule a time to meet with the complainant to discuss the complaint and possible resolutions. Within 15 calendar days after the scheduled meeting, the Mayor or his designee will respond in writing, and, where appropriate, in a format accessible to the complainant, with a final resolution of the complaint.

All written complaints received by the ADA Coordinator or his designee, appeals to the Mayor or his designee, and responses from these two offices will be retained by the City of Alton, Illinois for at least three years.

Section 3

That the Americans with Disabilities Act Coordinator for the City of Alton shall cause the forgoing Grievance Procedure of the City of Alton to be posted and published on the website of the City of Alton and there maintained until amended, modified or repealed by the City Council of the City of Alton.

Mr. Ryan made a motion, seconded by Mr. Boulds, that said resolution be referred to the Committee of the Whole. The Chair so ordered.

Mr. McCahill presented the following resolution:

WHEREAS, there are currently five (5) Class C-1 liquor licenses authorized by the City Code and there are five (5) class C-1 liquor licenses issued by the Liquor Commissioner of the City of Alton; and

WHEREAS, there exists a greater demand for Class C-1 liquor licenses than the number authorized by the City Code; and

WHEREAS, the City Council of the City of Alton finds and determines that it is in the best interest of the City to increase the number of authorized Class C-1 liquor licenses by one (1); and

WHEREAS, the City Council of the City of Alton does specifically find that the increase of the available C-1 liquor licenses as described above will not be detrimental to the health, welfare or public safety of the City of Alton at this time; and

WHEREAS, the Class G liquor license requires further clarification as hereinafter set forth; and

WHEREAS, with regard to any initial liquor license application a fee is appropriate to recover the administrative costs of the City in processing an application for a liquor license.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ALTON, ILLINOIS, that the number of Class C-1 liquor licenses authorized by the City Code shall be increased from five (5) to six (6), and the Class G liquor license powers be amended, and a fee for an initial liquor license application be considered as set forth in the attached Ordinance. Mr. McCahill made a motion, seconded by Mr. Ryan, that said resolution be referred to the Committee of the Whole. The Chair so ordered.

Mr. Velloff presented the following resolution:

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ALTON, ILLINOIS, that the attached Ordinance concerning compliance with the new Freedom of Information Act mandates of the State of Illinois shall be considered. Mr. Velloff made a motion, seconded by Mr. Ryan, that said resolution be referred to the Committee of the Whole. The Chair so ordered.

Mrs. Martin presented the following resolution:

WHEREAS, it is necessary to effect the demolition of certain structures deemed unsafe under 65 ILCS 5/11-31-1, the owners of which have neglected or refuses to perform required demolition.

NOW, THEREFORE:

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ALTON, ILLINOIS, that its officials and agents are hereby authorized to pursue appropriate legal action against such properties in the Circuit Court as listed below:

2304 E. Broadway

Mrs. Martin made a motion, seconded by Mr. Fleming, that said resolution be referred to the Committee of the Whole. The Chair so ordered.

Mr. Brake presented the following three (3) resolutions:

1. WHEREAS, it is necessary to effect the demolition of certain structures deemed unsafe under 65 ILCS 5/11-31-1, the owners of which have neglected or refuses to perform required demolition.

NOW, THEREFORE:

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ALTON, ILLINOIS, that its officials and agents are hereby authorized to pursue appropriate legal action against such properties in the Circuit Court as listed below:

2609 Salu

2. 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 2010 MFT Maintenance Program, a copy of which is attached hereto, be and is hereby approved and the Mayor is authorized to execute the agreement.

3. BE IT RESOLVED, by the City Council of the City of Alton, Illinois, that there is hereby appropriated the sum of 958,830.40 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, 2010 to December 31, 2010.

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. Fleming, that the above and foregoing three (3) resolutions be referred to the Committee of the Whole. The Chair so ordered.

Mr. Boulds presented the following resolution:

BE IT RESOLVED, by the City Council of the City of Alton, Illinois, that the Deputy Comptroller is hereby authorized to request bids for the installation of six complete light poles with 26 fixtures for infield and outfield lighting at diamond #3, Gordon F. Moore Community Park.

Funding: Madison County Park Enhancement Grant

Mr. Boulds made a motion, seconded by Mr. Fleming, that said resolution be referred to the Committee of the Whole. The Chair so ordered.

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

AYES: Ryan, McCahill, Velloff, Martin, Brake, Fleming, Boulds – 7

NAYS: None – 0

Mary T. Boulds MMC
City Clerk

(Seal of the City of Alton, Illinois)