

CITY OF ALTON  
ALTON CITY COUNCIL

December 16, 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.

At this time, Mayor Hoechst announced a moment of silence in memory of L.D. Kelly, a City of Alton Housing Authority appointee.

COUNCIL MINUTES, COMMUNICATIONS AND REPORT OF OFFICERS

The Clerk presented the following Council Meeting Minutes of December 9, 2009 and the following Communications: Federal Energy Regulatory Commission, re: Project No. 13385-000-IL/MO, Mississippi River Lock & Dam No. 27, Water Power Project, Lock +TM Hydro Friends Fund V, LLC; Illinois Department of Transportation, re: Motor Fuel Tax Allotment and Transactions for November, 2009; American Federation of State, County and Municipal Employees, Council 31, re: Notification of new monthly rates effective January 1, 2010; Charter Communications, re: Addition of Big Ten Network (“BTN”) to Channel 414; Charter Communications, re: Completion of Chapter 11 Restructuring of Charter Communications, Inc.; Congressman Jerry F. Costello, re: Letter to the U.S. Army Corps of Engineers to strongly recommend the building of a slurry wall as the best solution to the sand boils at the Wood River Levee; Mark A. Von Nida, Madison County Clerk, re: 2009 Levy Confirmation for Alton Township and the following Report of Officers: Mayor Tom Hoechst, re: December 2009 Mayor’s Report; Mayor Tom Hoechst, re: Letter to the Department of the Army, St. Louis District, Corps of Engineers to express his support for the construction of the slurry wall as a solution to the seepage problem at the Wood River Levee; City Treasurer, re: Monthly Report for November, 2009; Animal Control Department, re: Monthly Report for November, 2009. Mr. Ryan made a motion, seconded by Mr. Fleming, that said Minutes, 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

## COMMITTEE REPORT

Mr. Boulds presented the following Committee of the Whole Meeting Report for December 14, 2009; Resolution, re: Discount and Special Bills paid; Resolution, re: State of Illinois has mandated that the City of Alton post certain information about the Americans with Disabilities Act on the website; Resolution, re: Increase the number of C-1 liquor licenses, amend the Class G liquor license powers and consider a fee for an initial liquor license application; Amendment, re: Approve an ordinance pertaining to initial liquor license application fees, the number of C-1 liquor licenses permitted and clarifying the privileges of a Class G liquor license; Resolution, re: Consider an ordinance concerning compliance with the new Freedom of Information Act mandates; Resolution, re: Demolition of 2304 E. Broadway; Resolution, re: Demolition of 2609 Salu; Resolution, re: Maintenance Engineering Agreement between Sheppard, Morgan & Schwaab, Inc. and the City of Alton for services pertaining to the City's 2010 MFT Maintenance Program; Resolution, re: That the City of Alton appropriate \$958,830.40 of MFT funds for the period January 1, 2010 to December 31, 2010; Resolution, re: Deputy Comptroller to request bids for the installation of six complete light poles with 26 fixtures for infield and outfield lighting at diamond #3 at Gordon F. Moore Community Park. Mr. Boulds made a motion, seconded by Mr. Fleming, that said report be placed on file. The Chair so ordered.

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 14, 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:

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. Boulds made a motion, seconded by Mr. Ryan, 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 amended resolution:

That the attached Ordinance amending Chapter 4 of Title 4, of the City Code of Alton, Illinois, pertaining to initial Liquor License application fees, the number of C-1 Liquor Licenses permitted and clarifying the privileges of a Class G Liquor License be approved. Mr. Boulds made a motion, seconded by Mr. Ryan, that said amended 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 Ordinance concerning compliance with the new Freedom of Information Act mandates of the State of Illinois shall be considered. Mr. Boulds made a motion, seconded by Mr. Velloff, 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:

2304 E. Broadway

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:

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

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:

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. Mr. Boulds made a motion, seconded by Mr. Ryan, 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 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. Boulds made a motion, seconded by Mr. Ryan, 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 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. 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

#### FIRST READING OF ORDINANCES

Mayor Pro Tem Ryan made a motion, seconded by Mr. Brake, that the Rules of the Council be Suspended in order to request the first and second readings of Ordinance No. 7172, Ordinance No. 7173 and Ordinance No. 7174. The motion passed by the following vote:

AYES: Ryan, McCahill, Velloff, Martin, Brake, Fleming, Boulds,  
Mayor Hoechst – 8

NAYS: None – 0

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

Ordinance No. 7172. An Ordinance rezoning 701 West Delmar, Alton, Illinois from R-2 (Single-Family Residential) to C-1 (Neighborhood Commercial).

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

Ordinance No. 7172. An Ordinance rezoning 701 West Delmar, Alton, Illinois from R-2 (Single-Family Residential) to C-1 (Neighborhood Commercial). Mr. Ryan made a motion, seconded by Mr. McCahill, 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 first reading.

Ordinance No. 7173. An Ordinance amending Chapter 4 of Title 4, of the City Code of Alton, Illinois, pertaining to initial liquor license application fees, the number of C-1 liquor licenses permitted and clarifying the privileges of a Class G liquor license.

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

Ordinance No. 7173. An Ordinance amending Chapter 4 of Title 4, of the City Code of Alton, Illinois, pertaining to initial liquor license application fees, the number of C-1 liquor licenses permitted and clarifying the privileges of a Class G liquor license. Mr. Ryan made a motion, seconded by Mrs. Martin, 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 first reading.

Ordinance No. 7174. An Ordinance concerning the Freedom of Information Act.

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

Ordinance No. 7174. An Ordinance concerning the Freedom of Information Act. Mr. Ryan made a motion, seconded by Mr. Boulds, that said ordinance be adopted. The motion passed by the following vote:

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

#### SECOND READING OF ORDINANCES

Mayor Pro Tem Ryan presented the following ordinance for second 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 Mr. Boulds, that said ordinance 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 Appearance Review Commission, re: Public Hearing Minutes of November 4, 2009 and November 5, 2009. Mr. Ryan made a motion, seconded by Mr. Boulds, 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

#### RESIGNATIONS

Mayor Hoechst presented the following two (2) resignations of Janet Lynn Zerr and Richard Connell from the Alton Exposition Commission. Mr. Ryan made a motion, seconded by Mr. Fleming, that said two (2) resignations be approved. The motion passed by the following vote:

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

NAYS: None – 0

#### APPOINTMENTS

Mayor Hoechst presented the following nine (9) appointments and reappointments:

Richard E. Rook appointed to the Building Board of Appeals

Thomas J. Fleming appointed to the Park and Recreation Commission

Matthew H. Asselmeier appointed as the Americans with Disabilities  
Act Coordinator

Matthew H. Asselmeier appointed as the Freedom of Information Officer

Tracy Castelli reappointed to the Alton Regional Convention & Visitor's  
Bureau of Directors

Steve Cousley reappointed to the Alton Regional Convention & Visitor's

Bureau of Directors

Larry Kulp reappointed to the Alton Regional Convention & Visitor's

Bureau of Directors

Cynthia A. Roth reappointed to the Alton Regional Convention &  
Visitor's Bureau of Directors

James Ryan reappointed to the Alton Regional Convention & Visitor's  
Bureau of Directors

Mr. Boulds made a motion, seconded by Mr. Fleming, that the above and foregoing nine (9) appointments and reappointments be approved. The motion passed by the following vote:

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

NAYS: None – 0

COMMENTS OR RESOLUTIONS FROM THE COUNCIL

Mr. Boulds presented the following resolution:

Be it resolved that the City Attorney prepare a draft ordinance providing rules and regulations for noise abatement for the consideration of the City Council. 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

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Mary T. Boulds MMC  
City Clerk

(Seal of the City of Alton, Illinois)