

CITY OF ALTON
ALTON CITY COUNCIL

February 10, 2010

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, Boulds – 6

ABSENT: Fleming - 1

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

COUNCIL MINUTES, COMMUNICATIONS AND REPORT OF OFFICERS

The Clerk presented the following Council Meeting Minutes of January 27, 2010 and the following Communications: Illinois Retail Merchants Association, re: Instant rebate program offered by the Illinois Department of Commerce and Economic Opportunity using funds from the American Recovery and Reinvestment Act of 2009; Charter Communications, re: Addition of Universal HD to the channel lineup for the High Definition Television (“HDTV”) HD Ultra View customers effective February 1, 2010; Illinois American Water, re: Accomplishments to support the infrastructure and the communities served from the Alton District during the past year; Fred Ufert, Mayor of Wood River, Illinois, re: Notification requested by the IEPA to surrounding municipalities of a proposed compost facility being constructed in the Envirotech Business Park; Elijah P. Lovejoy Memorial, re: Newsletter for January, 2010; Office of the Attorney General, State of Illinois, re: Certificate of Completion issued to Director of Public Relations/City Council Liaison, Matthew H. Asselmeier – Open Meetings Act and the following Report of Officers: Mayor Tom Hoechst, re: February 2010 Mayor’s Report; Department of Building and Zoning, re: Monthly Report for January, 2010; Animal Control Department, re: Monthly Report for January, 2010; The Alton Marina, re: Annual Budget Tracking 2009 Season. Mr. Ryan made a motion, seconded by Mr. Brake, 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, Boulds – 6

NAYS: None – 0

ABSENT: Fleming – 1

COMMITTEE REPORT

Mr. Boulds presented the following Committee of the Whole Meeting Report for February 8, 2010; Resolution, re: Discount and Special Bills paid; Resolution, re:

Approve the First Amendment to Lease Agreement between the City of Alton, Illinois and Alton Gaming Company; Resolution, re: Consider an ordinance pertaining to restricted hours for house to house solicitation; Resolution, re: Approve the Lease Agreement between the City of Alton and The Pub Room, Inc.; Resolution, re: Approve the Development Agreement between the City of Alton and Giant City Properties, LLC; Amendment, re: Development Agreement between the City of Alton and Giant City Properties, LLC; Resolution, re: Consider an ordinance concerning the fees in connection with the issuance of occupancy permits, increasing the fees to more accurately reflect the costs of the City in connection with the necessary inspections and administrative procedures; Resolution, re: Demolition of 1006 Marie; Resolution, re: Extend the agreement between the City of Alton and Dale A. Kelley, d/b/a The Kelley Watch; Resolution, re: Consider the ordinance regulating burglary and robbery systems; Amendment, re: An ordinance regulating burglary and robbery alarm systems; Resolution, re: Approve the Professional Services Agreement between the City of Alton and Municipal Dynamics, LLC; Amendment, re: Professional Services Agreement, Alarm Registration and False Alarm Management; Resolution, re: Consider an ordinance repealing Ordinance No. 7157, an ordinance prohibiting parking in front of 3423-3425 Yost Street; Bid Report and Resolution, re: Bid #2009-32, Asbestos Removal at 3314 Franor, 8 1/2 East Elm, 720 Washington, 2300-02 East Broadway and 2304 East Broadway for the Building and Zoning Department. Mr. Boulds made a motion, seconded by Mr. Brake, 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 February 8, 2010, be allowed and payment be made for same. 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, Boulds – 6

NAYS: None – 0

ABSENT: Fleming – 1

Mr. Boulds presented the following resolution:

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ALTON, ILLINOIS, that the attached First Amendment to Lease Agreement between the City of Alton, Illinois, and Alton Gaming Company, 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, Boulds – 6

NAYS: None – 0

ABSENT: Fleming – 1

Mr. Boulds presented the following resolution:

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ALTON, ILLINOIS, that the attached Ordinance pertaining to restricted hours for house to house solicitation shall be considered. 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, Boulds – 6

NAYS: None – 0

ABSENT: Fleming – 1

Mr. Boulds presented the following resolution:

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ALTON, ILLINOIS, that the attached Lease Agreement between the City of Alton and The Pub Room, Inc., be and hereby is 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, Boulds – 6

NAYS: None – 0

ABSENT: Fleming – 1

Mr. Boulds presented the following amended resolution:

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ALTON, ILLINOIS, that the attached Development Agreement Between the City of Alton and Giant City Properties, LLC, be approved and that the Mayor and appropriate officials are authorized and directed to execute same on behalf of the City of Alton. 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, Boulds – 6

NAYS: None - 0

ABSENT: Fleming – 1

Mr. Boulds presented the following resolution:

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ALTON, ILLINOIS, that an ordinance concerning the fees in connection with the issuance of occupancy permits, increasing the fees to more accurately reflect the costs of the City in connection with the necessary inspections and administrative procedures 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, Boulds – 6

NAYS: None – 0

ABSENT: Fleming – 1

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:

1006 Marie

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, Boulds – 6

NAYS: None – 0

ABSENT: Fleming – 1

Mr. Boulds presented the following resolution:

WHEREAS, the agreement between the City of Alton and Dale A. Kelley, d/b/a The Kelley Watch, entered into in July 2009 has proved to be beneficial to the City of Alton, already producing net savings in excess of \$78,000.00; and,

WHEREAS, Mr. Kelley has agreed to continue to analyze the power usage and needs of the City of Alton and to recommend additional measures to produce additional saving to the benefit of the City of Alton.

WHEREAS, it appears that further work by Mr. Kelley can produce additional net saving to the benefit of the City of Alton; and,

NOW THEREFORE, BE IT RESOLVED by the City Council of Alton, Illinois that the agreement between the City of Alton and Dale A. Kelley originally begun in July 2009 shall be extended for an additional term of 12 months upon the same terms and conditions as the original agreement. 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, Boulds – 6

NAYS: None – 0

ABSENT: Fleming – 1

Mr. Boulds presented the following amended resolution:

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ALTON, ILLINOIS, that the attached Ordinance Regulating Burglary and Robbery Alarm Systems be considered. Mr. Boulds made a motion, seconded by Mrs. Martin, that said amended resolution be approved. The motion passed by the following vote:

AYES: Ryan, Velloff, Martin, Brake, Boulds – 5
NAYS: McCahill – 1
ABSENT: Fleming – 1

Mr. Boulds presented the following amended resolution:

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ALTON, ILLINOIS, that the attached Professional Services Agreement Between the City of Alton and Municipal Dynamics, LLC, be approved and that the Mayor and appropriate officials are authorized and directed to execute same on behalf of the City of Alton. Mr. Boulds made a motion, seconded by Mr. Ryan, that said amended resolution be approved. The motion passed by the following vote:

AYES: Ryan, Velloff, Martin, Brake, Boulds – 5
NAYS: McCahill – 1
ABSENT: Fleming – 1

Mr. Boulds presented the following resolution:

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ALTON, ILLINOIS, that the attached Ordinance Repealing Ordinance No. 7157, an Ordinance Prohibiting Parking in Front of 3423-3425 Yost Street on Tuesdays, Thursdays and Saturdays, 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, Boulds – 6
NAYS: None – 0
ABSENT: Fleming – 1

Mr. Boulds presented the following resolution:

BE IT RESOLVED, By the City Council of the City of Alton, Illinois, that the best bid of Universal Abatement for 3314 Franor in the amount of \$1,692.00 and 8 1/2 East Elm in the amount of \$638.00, Abatement Management for 720 Washington in the amount of \$2,400.00, Midwest Asbestos Abatement Corp. for 2300-02 East Broadway in the amount of \$1,955.00 and 2304 East Broadway in the amount of \$2,576.00 is hereby awarded for Bid #2009-32, Asbestos Removal for Building & Zoning Department. 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, Boulds – 6
NAYS: None – 0
ABSENT: Fleming – 1

FIRST READING OF ORDINANCES

Mayor Pro Tem Ryan presented the following three (3) ordinances for first reading.

Ordinance No. 7179. An Ordinance amending Ordinance No. 3378, being the Traffic Code of the City of Alton, by establishing one-hour parking on the west side of State Street at 1258 State Street.

Ordinance No. 7180. An Ordinance amending Ordinance No. 3378, being the Traffic Code of the City of Alton, prohibiting parking on a portion of Royal Street.

Ordinance No. 7181. An Ordinance regulating Burglary and Robbery Alarm Systems.

Mr. Ryan made a motion, seconded by Mr. Boulds, that the above and foregoing three (3) ordinances be LAID OVER. The Chair so ordered.

SECOND READING OF ORDINANCES

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

Ordinance No. 7175. An Ordinance providing rules and regulations for Noise Abatement in the City of Alton, Illinois. Mr. Ryan made a motion, seconded by Mr. Brake, that said ordinance be adopted. The motion passed by the following vote:

AYES: Ryan, McCahill, Velloff, Martin, Brake, Boulds – 6

NAYS: None – 0

ABSENT: Fleming – 1

REPORTS AND/OR RESOLUTIONS OF SPECIAL COMMITTEES

The Clerk presented the following Historical Commission, re: Public Hearing Minutes of November 3, 2009 and November 17, 2009; the Appearance Review Commission, re: Public Hearing Minutes of December 2, 2009 and the Alton Plan Commission, re: Public Hearing Minutes of January 26, 2010. Mr. Ryan made a motion, seconded by Mr. Brake, that said minutes be placed on file. The motion passed by the following vote:

AYES: Ryan, McCahill, Velloff, Martin, Brake, Boulds – 6

NAYS: None – 0

ABSENT: Fleming – 1

At this time, Mayor Pro Tem Ryan presented the following two (2) requests for the floor from Christine Olson and Jackie Spiker. Mr. Ryan made a motion, seconded by Mr. Brake, that said two (2) requests be approved. The motion passed by the following vote:

AYES: Ryan, McCahill, Velloff, Martin, Brake, Boulds – 6

NAYS: None – 0

ABSENT: Fleming - 1

Ms. Spiker took the floor and spoke, re: Club Paws.

Ms. Olson took the floor and spoke, re: Club Paws.

The Clerk 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 23-2-07-01-13-301-016, Section 1, Township 5 North, Range 10 West of the Third Principal Meridian, (see attached legal), also known as 299 E. Elm, Alton, Illinois, BE AND HEREBY IS APPROVED. Mr. Brake 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, Boulds – 6

NAYS: None – 0

ABSENT: Fleming – 1

COMMENTS OR RESOLUTIONS FROM THE COUNCIL

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

1. BE IT RESOLVED by the City Council of the City of Alton, Illinois, that it be a matter of public record that the City of Alton supports and endorses the Alton Regional Convention and Visitor Bureau as the State Certified Bureau for the Alton Metroplex.
2. BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ALTON, ILLINOIS, that the best bid of Energy Resources, Inc. be and hereby accepted for the dredging of the Alton Marina.
3. Be it resolved by the City Council of the City of Alton that the attached resolution “expressing official intent regarding certain capital expenditures to be reimbursed from the proceeds of an obligation” passed by the City Council following a suspension of rules at the regular City Council meeting of February 10, 2010 be and the same is reapproved, ratified and confirmed and further any actions in reliance upon the aforesaid resolution approved February 10, 2010 are also specifically approved, ratified and confirmed. Mr. Ryan made a motion, seconded by Mr. Boulds, that the above and foregoing three (3) resolutions be referred to the Committee of the Whole. The Chair so ordered.

Mrs. Martin presented the following three (3) resolutions:

1. BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ALTON, ILLINOIS, that Joesting Terrace and Terra Drive be closed to the public by the erection of a suitable barricade on Joesting Terrace at its intersection with Joesting Avenue, and that Terra Drive be barricaded at its intersection with Washington Avenue, said barricades to be erected by the Public Works Department of the City of Alton, Illinois.
2. BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ALTON, ILLINOIS, that the attached Ordinance Authorizing Neighborhood Vehicles on City streets be considered.

3. 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:

2300 Locust
2515 1/2 Hazel

Mrs. Martin made a motion, seconded by Mr. Brake, that the above and foregoing three (3) resolutions be referred to the Committee of the Whole. The Chair so ordered

Mr. Brake presented the following resolution:

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ALTON, ILLINOIS, that the attached Lease Agreement between the City of Alton and Fast Eddie's Bon-Air, Inc., be and hereby is approved and the Mayor is authorized to execute the agreement. Mr. Brake made a motion, seconded by Mrs. Martin, that said resolution be referred to the Committee of the Whole. The Chair so ordered.

Mr. Boulds presented the following two (2) resolutions:

1. BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ALTON, ILLINOIS, that RCS Construction, Inc. is hereby awarded the Storm Sewer Repair at 3555 College Avenue for Sewer Maintenance. Informal bids were taken, but all bid responses were greater than \$10,000.00; therefore, Sewer Maintenance is requesting approval by City Council of at least a 2/3 majority.

Vendor: RCS Construction, Inc.

Funding: Sewer Funds

2. RESOLUTION expressing official intent regarding certain capital expenditures to be reimbursed from the proceeds of an obligation.

WHEREAS, the City of Alton, Madison County, Illinois (the "Issuer") now wishes to advance moneys from available funds or to have moneys advanced on its behalf to pay the costs of certain capital projects described in *Exhibit A* attached hereto and made a part hereof (the "*Projects*"); and

WHEREAS all or a portion of the expenditures relating to the Projects and to be made from such funds (the "*Expenditures*") (i) have been paid within the sixty (60) days

prior to the passage of this Resolution, or (ii) will be paid on or after the passage of this Resolution; and

WHEREAS the Issuer reasonably expects to reimburse itself or pay for the Expenditures with the proceeds of an obligation;

NOW THEREFORE, Be It and It is Hereby Resolved by the City Council of the City of Alton, Madison County, Illinois, as follows:

Section 1. The Issuer reasonably expects to reimburse or pay the Expenditures with proceeds of an obligation.

Section 2. The maximum principal amount of the obligations expected to be issued for the Projects and to be made from the funds is \$10,000,000.00.

Section 3. All actions of the officers, agents and employees of the Issuer that are in conformity with the purposes and intent of this Resolution, whether taken before or after the adoption hereof, are hereby ratified, confirmed and approved.

Mr. Boulds made a motion, seconded by Mrs. Martin, that the Rules of the Council be Suspended in order to act upon said two (2) resolutions. The motion passed by the following vote:

AYES: Ryan, McCahill, Velloff, Martin, Brake, Boulds, Mayor Hoechst – 7

NAYS: None – 0

ABSENT: Fleming – 1

Mr. Boulds made a motion, seconded by Mr. Ryan, that the above and foregoing two (2) resolutions be approved. The motion passed by the following vote:

AYES: Ryan, McCahill, Velloff, Martin, Brake, Boulds – 6

NAYS: None – 0

ABSENT: Fleming – 1

Mr. Boulds presented the following resolution:

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ALTON, ILLINOIS, that the attached ordinance further amending Ordinance #5018, “An Ordinance Establishing an Enterprise Zone within the City of Alton”, be hereby considered. Mr. Boulds made a motion, seconded by Mr. Brake, that the Rules of the Council be Suspended in order to act upon said resolution and present the first and second readings of Ordinance No. 7182. The motion passed by the following vote:

AYES: Ryan, McCahill, Velloff, Martin, Brake, Boulds, Mayor Hoechst – 7

NAYS: None – 0

ABSENT: Fleming – 1

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

AYES: Ryan, McCahill, Velloff, Martin, Brake, Boulds – 6
NAYS: None – 0
ABSENT: Fleming – 1

Mr. Boulds presented the following ordinance for first reading.

Ordinance No. 7182. An Ordinance further amending Ordinance Number 5018 to add Champion Hotel's proposed projects in Alton to the Riverbend Enterprise Zone.

Mr. Boulds presented the following ordinance for second reading.

Ordinance No. 7182. An Ordinance further amending Ordinance Number 5018 to add Champion Hotel's proposed projects in Alton to the Riverbend Enterprise Zone. Mr. Boulds made a motion, seconded by Mr. Ryan, that said ordinance be adopted. The motion passed by the following vote:

AYES: Ryan, McCahill, Velloff, Martin, Brake, Boulds – 6
NAYS: None – 0
ABSENT: Fleming – 1

At this time, Mayor Hoechst recognized Comptroller, Stephanie J. Elliott, and congratulated her on attaining her Master's Degree from Missouri Baptist University.

Mayor Hoechst recognized Public Works Director, William Kerr, on the good job the Public Works Department performed on snow removal.

Mayor Hoechst acknowledged the number of fires (16) the Fire Department has received since the beginning of the year.

Mayor Hoechst recognized Police Chief David Hayes and the favorable comments he has heard about the Police Academy sessions being held at Lewis & Clark Community College.

EXECUTIVE SESSION

Mr. Boulds made a motion, seconded by Mrs. Martin, that the City Council go into Executive Session to discuss possible real estate acquisitions and that Phil Roggio, Stephanie Elliott, City Attorneys, City Treasurer, and City Clerk be requested to attend the Executive Session. The motion passed by the following vote:

AYES: Ryan, McCahill, Velloff, Martin, Brake, Boulds – 6
NAYS: None – 0
ABSENT: Fleming – 1

The Council reconvened to Open Session at 8:26 p.m.

The Council Members present on call of the roll:

PRESENT: Ryan, McCahill, Velloff, Martin, Brake, Boulds – 6

ABSENT: Fleming – 1

Mr. Boulds presented the following resolution:

Be it resolved that the City purchase the property at 501 E. Broadway to further the purpose and intent of the TIF plans of the City of Alton. Mr. Boulds made a motion, seconded by Mr. Ryan, 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. Brake, that the meeting adjourn. The motion passed by the following vote:

AYES: Ryan, McCahill, Velloff, Martin, Brake, Boulds – 6

NAYS: None – 0

ABSENT: Fleming – 1

Mary T. Boulds MMC
City Clerk

(Seal of the City of Alton, Illinois)