

CITY OF ALTON  
ALTON CITY COUNCIL

March 24, 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, Fleming, Boulds – 7

ABSENT: None - 0

Mayor Hoechst called upon Fire Chief Bock to lead the Pledge to the Flag.

At this time, Mayor Hoechst announced that the City of Alton received the Pride 2010 Award of Achievement for the completion of the Amphitheater and Fountain in Riverfront Park. Mayor Hoechst stated that this was accomplished with much vision and many years of hard work by previous administrations beginning in the early 1990s.

COUNCIL MINUTES AND COMMUNICATIONS

The Clerk presented the following Council Meeting Minutes of March 10, 2010 and the following Communications: Jerry F. Costello, U.S. House of Representatives, re: In opposition for privatizing both Medicare and Social Security; Illinois Department of Transportation, re: Motor Fuel Tax Allotment and Transactions for February, 2010; Illinois Commerce Commission, re: City of Alton, Illinois, by its Mayor, Donald E. Sandidge, Petitioner, v. Norfolk Southern Corporation and State of Illinois Department of Transportation, Respondents; Union Pacific Railroad, re: Docket No. T07-0076, City of Alton v. Union Pacific Railroad Company, et al; Neil F. Flynn, Attorney At Law, re: T07-0076, City of Alton v. Union Pacific, Norfolk Southern, et al; Illinois American Water, re: Opposition to HB 5485; Madison County Government, Planning and Development Department, re: 1190100002-Madison, Alton/Alton Municipal Landfill, Compliance File; Ameren Illinois Utilities, re: Upcoming Vegetation Activities Notification. Mr. Ryan made a motion, seconded by Mr. Fleming, that said Minutes and Communications 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, re: Richard Rodden requests a text amendment to the C5 classification in the City Code to include tattoo shop or the special use permit classification to include tattoo shops for property located at 1606

Bozza St., Alton, Illinois for the purpose of operating a tattoo shop. Mr. Ryan made a motion, seconded by Mr. Boulds, that said Petition be referred to the Plan Commission. The Chair so ordered.

### REPORT OF OFFICERS

The Clerk presented the following Report of Officers: City Treasurer, re: Monthly Report for February, 2010; Alton Fire Department, re: Estimated Fire Loss for February, 2010; Alton Fire Department, re: Monthly Fire Damage Report to Assessor's Office for February, 2010. Mr. Ryan made a motion, seconded by Mr. Fleming, that said 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 March 22, 2010; Resolution, re: Discount and Special Bills paid; Resolution, re: Demolition of 1105 Hill Rd.; Resolution, re: Lease Agreement between the City of Alton and Tony's Lounge, Inc.; Resolution, re: Consider an ordinance to establish an additional liquor license so as to permit the Park and Recreation Commission to sell beer and wine at the Riverfront Amphitheater; Resolution, re: Consider an ordinance to establish a Caterer liquor license; Resolution, re: A new City budget will not be ready for final approval by March 31, 2010, therefore the City Council resolves that all everyday normal expenses of the City including payroll continue to be paid until a new annual budget is approved; Resolution, re: Demolition of 3301 Hillcrest; Bid Report and Resolution, re: Bid #2009-36, Mowing Services for the Building & Zoning Department; Bid Report and Resolution, re: Bid #2009-37, Asbestos Removal at 219 McClure for the Building & Zoning Department. 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 March 22, 2010, 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

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:

1105 Hill Rd.

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 attached Lease Agreement between the City of Alton and Tony's Lounge, 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, 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 an additional liquor license be established so as to permit the Parks and Recreation Commissions of the City of Alton to sell beer and wine at the Riverfront Amphitheater as set forth in the attached Ordinance. 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 attached Ordinance establishing a Caterer liquor license 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, Fleming, Boulds – 7

NAYS: None – 0

Mr. Boulds presented the following resolution:

WHEREAS, a new City budget will not be ready for final approval by March 31, 2010, and

WHEREAS, the City's fiscal year ends on that date, and

WHEREAS, it will be necessary to conduct everyday business of the City of Alton,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ALTON, ILLINOIS that all everyday normal expenses of the City including payroll shall continue to be paid until a new annual budget can be approved. 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:

3301 Hillcrest

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 best bid of Midwest Mowing Inc. in the amount of \$0.01/per square foot for mowing and \$30.00/per man, per hour for brush & waste removal is hereby awarded for Bid #2009-36 Mowing Services for the Building & Zoning Department 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 resolution:

BE IT RESOLVED, By the City Council of the City of Alton, Illinois, that the best bid of Abatement Management Inc. in the amount of \$500.00 is hereby awarded for Bid #2009-37, Asbestos Removal at 219 McClure for Building & Zoning Department.

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

### FIRST READING OF ORDINANCES

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

Ordinance No. 7188. An Ordinance amending Chapter 10 of Title 6 of the City Code of the City of Alton, Illinois, pertaining to the use of polyvinyl chloride sewer pipe. Mr. Ryan made a motion, seconded by Mr. Brake, that said ordinance be LAID OVER. The Chair so ordered.

Mayor Pro Tem Ryan made a motion, seconded by Mrs. Martin, that the Rules of the Council be Suspended in order to present the first and second readings of Ordinance No. 7189. The motion passed by the following vote:

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

NAYS: Fleming – 1

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

Ordinance No. 7189. An Ordinance amending the Liquor Code pertaining to Catering.

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

Ordinance No. 7189. An Ordinance amending the Liquor Code pertaining to Catering. 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

### SECOND READING OF ORDINANCES

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

Ordinance No. 7187. An Ordinance authorizing neighborhood vehicles. 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 January 27, 2010. Mr. Ryan made a motion, seconded by Mr. Velloff, 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 resignation of Robert D. Honke from the Park and Recreation Commission and from the Alton Zoning Board of Appeals. Mr. Ryan made a motion, seconded by Mr. Boulds, that said 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 appointment of Richard Maguire to the Building Board of Appeals. Mr. Ryan made a motion, seconded by Mrs. Martin, that said appointment 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. Ryan presented the following eight (8) resolutions:

1. BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ALTON, ILLINOIS, that the Mayor be and is hereby authorized to execute a contract with Sheppard, Morgan & Schwaab, Inc. to initiate final design of the Alton Riverfront Promenade from its present terminus near the Boat of the Riverbend to the entrance of the Argosy Casino with said funding coming from the Marina/Riverfront \$0.10 Restricted Fund.
2. BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ALTON, ILLINOIS, that the Mayor be and is hereby authorized to execute appropriate contracts with Sheppard, Morgan & Schwaab, Inc. Environmental Operations, Inc. and Henderson & Associates commence work for environmental remediation, demolition, architectural enhancements and engineering to initiate construction of a municipal parking lot and associated streetscape improvements in and around the 300 Block of Piasa (east side) with said funding coming from the TIF Project Account #1 (Riverfront).

3. BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ALTON, ILLINOIS, that the Public Works Department be and is hereby authorized to assist in demolition of the Stratford parking structure (hauling only) consistent with the terms of the attached letter from Moyer Contracting Company.

4. BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ALTON, ILLINOIS, that the City Clerk is hereby authorized and directed to publish the attached Notice of Sale of Real Property for three (3) consecutive weeks with the initial date of publication on or about April 16, 2010.

5. BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ALTON, ILLINOIS, that the attached Lease Agreement between the City of Alton and Chez Marilyn, Inc. be and hereby is approved and the Mayor is authorized to execute the agreement.

6. BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ALTON, ILLINOIS, that the attached Lease Agreement between the City of Alton and Bossanova of Alton, Inc. d/b/a Bossanova be and hereby is approved and the Mayor is authorized to execute the agreement.

7. WHEREAS, Alderman James Ryan has requested, pursuant to the desire of the Simmons Law Firm, that a portion of Fourth Street be closed on Saturday, September 25, 2010, to facilitate a 5K run event; and

WHEREAS, the City Council has considered the request, which was submitted in a timely manner, and does hereby approve said request.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ALTON, ILLINOIS, that the Public Works Department, Police Department, and Fire Department are hereby authorized and directed to effectuate the temporary closure of that portion of Fourth Street from its intersection with Court Street to its intersection with George Street on Saturday, September 25, 2010, from 7:00 a.m. to 11:00 a.m. to facilitate a 5K run event.

8. WHEREAS, the Block Parties in Downtown Alton have been successful in recent years with few complaints; and

WHEREAS, Downtown Alton, Inc., is willing and able to sponsor the Block Parties in Downtown Alton as it did last year; and

WHEREAS, the Block Parties are popular with thousands of Alton residents and visitors; and

WHEREAS, the Block Parties have significantly contributed to the economic well being of the businesses located in Downtown Alton.

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

Downtown Alton, Inc., is granted permission to host their Block Party events on the following six dates:

May 1, 2010  
May 29, 2010  
June 26, 2010  
July 31, 2010  
August 28, 2010  
September 25, 2010

subject to the following conditions:

1. State Street from Broadway to Fourth Street, Wall Street from William Street to State Street, Third Street from Piasa Street to State Street, Fourth Street from Piasa Street to Belle Street, and Belle Street from Third Street to Fourth Street shall be closed and appropriately barricaded between the hours of 2:00 p.m. until 6:00 a.m. the following morning.
2. Only one outdoor band or musical presentation shall be allowed, and it shall be located on a stage at the Third Street and Belle Street intersection.
3. All outdoor music presentation shall stop at 10:30 p.m.
4. All outdoor sales of alcoholic liquor shall stop and all outdoor vendors shall be off the streets by 11:30 p.m.
5. Downtown Alton, Inc., shall cause one police officer or security person to be present at each vendor's location to monitor sales of alcoholic liquor, particularly with regard to prohibiting minors from purchasing or consuming alcoholic liquor
6. Downtown Alton, Inc., shall provide at least one off duty police officer to security person to patrol the Christian Hill residential area adjacent to Downtown Alton during all evening hours of the Block Party.
7. Downtown Alton, Inc., shall provide pickup and disposal of all trash or litter in the Block Party area and in the Christian Hill residential area adjacent to the Block Party area throughout the hours of the Block Party and in the morning immediately following the Block Party.
8. Downtown Alton, Inc., shall provide all additional security and cost for security related to the Block Party. It is agreed that as part of the security, the sponsors of the Block Parties shall deliver to the office of the City Treasurer the sum of \$1,120.00 by a check made payable to the "City of Alton" within seven (7) days following each Block

Party for deposit to the General Fund of the City as and for partial reimbursement of additional cost to the City of Alton Police Department incurred in connection with Block Parties. Failure to make the aforesaid payment within the time allowed may cause the City of Alton to revoke the permission herein granted for any Block Parties following the failure to timely remit the aforesaid payments.

Mr. Ryan made a motion, seconded by Mr. Boulds, that the above and foregoing eight (8) resolutions be referred to the Committee of the Whole. The Chair so ordered.

Mr. Velloff presented the following two (2) 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:

1226 E. 6th  
919 Tonsor

2. BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ALTON, ILLINOIS, that the attached Ordinance Establishing the Alton Amphitheater Commission be considered.

Mr. Velloff made a motion, seconded by Mr. Ryan, that the above and foregoing two (2) resolutions be referred to the Committee of the Whole. The Chair so ordered.

Mrs. Martin 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 Town Club of Alton, Inc. d/b/a Town Club Tavern, be and hereby is approved and the Mayor is authorized to execute the agreement. Mrs. Martin made a motion, seconded by Mr. Brake, that said resolution 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 one handicap parking space be established in front of 2524 Clawson, Alton, Illinois. Mr. Brake made a motion, seconded by Mr. Fleming, that said resolution be referred to the Committee of the Whole. The Chair so ordered.

Mr. Fleming presented the following resolution:

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ALTON, ILLINOIS, that the Mayor and appropriate officials are hereby authorized and directed to sign on behalf of the City of Alton the attached PROVISION OF LAW ENFORCEMENT SERVICES COOPERATIVE AGREEMENT – AMENDMENT NO. 17 with the U.S. Army Corps of Engineers for additional police services. Mr. Fleming made a motion, seconded by Mr. Brake, that said resolution 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 Mayor be and is hereby authorized to execute a Letter of Intent to purchase the properties known as the Millman Lumber Company property consisting of 5.18 acres and the Cornerstone Bank & Trust property consisting of 1.88 acres for the total price of \$1,300,000 with said funding coming from the TIF Project Account #1 (Riverfront). Mr. Boulds made a motion, seconded by Mr. Fleming, that the Rules of the Council be Suspended in order to act upon said resolution. The motion passed by the following vote:

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

Mayor Hoechst – 8

NAYS: None – 0

Mr. Boulds made a motion, seconded by Mr. Fleming, that the above and foregoing 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, an ordinance transferring funds from certain line items within certain departments of the City of Alton, Illinois, be considered. Mr. Boulds made a motion, seconded by Mr. Fleming, 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. 7190. The motion passed by the following vote:

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

Mayor Hoechst – 8

NAYS: None – 0

Mr. Boulds made a motion, seconded by Mr. Fleming, that the above and foregoing 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 ordinance for first reading.

Ordinance No. 7190. An Ordinance transferring funds from certain line items within certain departments of the City of Alton.

Mr. Boulds presented the following ordinance for second reading.

Ordinance No. 7190. An Ordinance transferring funds from certain line items within certain departments of the City of Alton. Mr. Boulds 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

Mr. Boulds presented the following resolution:

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ALTON, ILLINOIS, that an Ordinance be considered so as to prohibit bicycles, rollerblades, skate boards or similar devices from the Alton Amphitheater and from any fountain or sidewalk surrounding a fountain of the City of Alton. Mr. Boulds made a motion, seconded by Mr. Fleming, 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. 7191. The motion passed by the following vote:

AYES: Ryan, McCahill, Velloff, Martin, Brake, Fleming, Boulds,  
Mayor Hoechst – 8  
NAYS: None – 0

Mr. Boulds made a motion, seconded by Mr. Fleming, that the above and foregoing 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 ordinance for first reading.

Ordinance No. 7191. An Ordinance prohibiting bicycles, skateboards, rollerblades, and similar devices from the Alton Amphitheater.

Mr. Boulds presented the following ordinance for second reading.

Ordinance No. 7191. An Ordinance prohibiting bicycles, skateboards, rollerblades and similar devices from the Alton Amphitheater. Mr. Boulds 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

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)