

CITY OF ALTON
ALTON CITY COUNCIL

May 12, 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 Alderman Fleming to lead the Pledge to the Flag.

Mayor Hoechst called for a moment of silence in memory of retired Alton Police Chief Rudy Sowders.

Mayor Hoechst presented a proclamation to Mr. Tom Huber, representing A.B.A.T.E. of Illinois, declaring the month of May to be “Motorcycle Awareness Month” in the City of Alton, Illinois.

Mayor Hoechst presented a proclamation to Alderman Ryan, a member of the Convention and Visitors Bureau, declaring the week of May 8 – 16, 2010 to be “Travel and Tourism Week” in the City of Alton, Illinois.

COUNCIL MINUTES, COMMUNICATIONS AND REPORT OF OFFICERS

The Clerk presented the following Council Meeting Minutes of April 28, 2010 and the following Communications: Allan L. Napp, Attorney At Law, re: Letter to Mayor Hoechst and Madison County State’s Attorney, William A. Mudge commending the staffs of both offices for their excellent job in dealing with three defendants; Charter Communications, re: Addition of new High Definition Television (“HDTV”) channels and several other important changes to the channel lineup; Alton Memorial Day Parade, re: Invitation to Mayor Hoechst and the Aldermen to participate in the Memorial Day Parade on May 31, 2010 and the following Report of Officers: Alton Fire Department, re: Estimated Fire Loss for April, 2010; Alton Fire Department, re: Largest Single Fire Loss for April, 2010; Alton Fire Department, re: Monthly Fire Damage Report to Assessor’s Office for April, 2010; Department of Building and Zoning, re: Monthly Report for April, 2010; Animal Control Department, re: Monthly Report for April, 2010. 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

Chairman Ryan presented the following Committee of the Whole Meeting Report for May 10, 2010; Resolution, re: Discount and Special Bills paid; Laid Over Resolution, re: 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; Resolution, re: Consider an ordinance to amend Ordinance 7072, authorizing permit parking for residents of Downtown Alton; Resolution, re: Contract with Triple Jam Productions for the production and/or booking of amphitheater concerts; Resolution, re: Demolition of 227 W. Delmar; Resolution, re: Lease Agreement between the City of Alton and St. Anthony's Health Center; Resolution, re: Lease Agreement between the City of Alton and William Maher, Jr.; Resolution, re: Consider an Ordinance establishing the requirement to pay prevailing wages; Resolution, re: Amend Ordinance No. 7120 to extend a special use permit for a disguised telecommunication facility at 920 E. 5th Street; Bid Report and Resolution, re: Tulane Ave./Myrtle Blvd. Drainage Improvements; Bid Report and Resolution, re: Clifton Avenue/Piasa Street Improvements; Bid Report and Resolution, re: Bid #2010-5, Amphitheater Modifications for the City of Alton; Resolution, re: Adopt a Budget and Appropriation Ordinance #7196 for fiscal year commencing April 1, 2010 and ending March 31, 2011; Amendments, re: Line items in the Fire Department, City Clerk's Office, Law Department and the Police Department. Mr. Ryan made a motion, seconded by Mr. Fleming, that said report be placed on file. The Chair so ordered.

Mr. Ryan 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 May 10, 2010, be allowed and payment be made for same. Mr. Ryan 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. Ryan presented the following resolution:

BE IT RESOLVED BY the City Council of the City of Alton, Illinois, that the Mayor or other appropriate City Officials are hereby authorized to enter into a contract with Triple Jam Productions for the production and/or booking of amphitheater concerts for the year 2010. Mr. Ryan made a motion, seconded by Mr. Boulds, 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. Ryan 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:

227 W. Delmar

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

Mr. Ryan presented the following resolution:

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 execute a lease agreement by and between the City of Alton, Illinois and St. Anthony's Health Center. Mr. Ryan 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. Ryan presented the following resolution:

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ALTON, ILLINOIS, that an Ordinance be considered establishing the requirement to pay prevailing wages as required by the State of Illinois. Mr. Ryan 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. Ryan presented the following resolution:

BE IT RESOLVED BY the City Council of the City of Alton, Illinois, that Ordinance No. 7120 be amended to extend until January 28, 2011 a special use permit for a disguised telecommunication facility at 920 E. 5th Street. Mr. Ryan 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: Fleming - 1

Mr. Ryan presented the following resolution:

BE IT RESOLVED, by the City Council of the City of Alton, Illinois, that the best bid of G.L. Warren Construction, 4795 Section Line Road, Edwardsville, Illinois in the amount of \$134,071.00 for the project known as Tulane Ave./Myrle Blvd. Drainage Improvements is hereby approved.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the contracts and all construction period documents for the project. Mr. Ryan 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. Ryan presented the following resolution:

BE IT RESOLVED, by the City Council of the City of Alton, Illinois, that the best bid of RCS Construction, Inc., 197 Old St. Louis Road, Wood River, Illinois in the amount of \$38,260.00 for the project known as Clifton Ave./Piasa Street Improvements is hereby approved.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the contracts and all construction period documents for the project. Mr. Ryan 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. Ryan presented the following resolution:

BE IT RESOLVED, By the City Council of the City of Alton, Illinois, that the best bid of CSR Asphalt Paving & Concrete for the asphalt in lieu of brick option in the amount of \$60,000.00 is hereby awarded for Bid #2010-5 Amphitheater Modifications for the City of Alton, Illinois. Mr. Ryan made a motion, seconded by Mr. Boulds, 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. Ryan presented the following amended resolution:

BE IT RESOLVED by the City Council of the City of Alton, Madison County, Illinois, that the City Council adopt a Budget and Appropriation Ordinance #7196 for fiscal year commencing on the 1st day of April, 2010 and ending on the 31st day of March, 2011. Mr. Ryan made a motion, seconded by Mr. Fleming, that said amended resolution be approved.

Mr. Ryan presented the following amendment:

Increase Tourism expenditure line 491 9981-Payment to CVB from \$150,000 to \$161,000.

Increase Tourism revenue line 491 4380-Restaurant Tax from \$350,000 to \$375,000.

Increase Restaurant expenditure line 490 9981-Payment to CVB from \$105,000 to \$210,000.

Mr. Ryan made a motion, seconded by Mrs. Martin, that said amendment be approved.

The motion passed by the following vote:

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

NAYS: None – 0

Mr. Ryan made a motion, seconded by Mrs. Martin, 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

FIRST READING OF ORDINANCES

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

Ordinance No. 7197. An Ordinance adjusting the fees for collection of garbage and refuse.

Ordinance No. 7198. An Ordinance amending Traffic Code of the City of Alton, Illinois, in order to improve the flow of traffic on Hill Road.

Ordinance No. 7199. An Ordinance amending Section 4(B) of Chapter 4 of Title 4 of the City Code of Alton, Illinois by changing the number of C-2 liquor licenses permitted in the City of Alton.

Mr. Ryan made a motion, seconded by Mr. Fleming, 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. 7193. An Ordinance establishing the Alton Amphitheater Commission. 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

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

Ordinance No. 7194. An Ordinance establishing one handicap parking space in front of 2524 Clawson Street, Alton, Illinois. Mr. Ryan made a motion, seconded by Brake, 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 March 10, 2010 and the Alton Plan Commission, re: Public Hearing minutes of April 27, 2010. 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

APPOINTMENTS

Mayor Hoechst presented the following three (3) reappointments:

Cathy Williams to the Civil Service Commission

Floyd Raglin to the Park and Recreation Commission

Darrell McGibany to the St. Louis Regional Airport Authority

Mr. Boulds made a motion, seconded by Mr. Fleming, that said three (3) 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. Ryan presented the following two (2) resolutions:

1. BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ALTON, ILLINOIS, that the attached Ordinance Concerning Parking on the North Side of Broadway in Front of #10 East Broadway be considered.

2. BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ALTON, ILLINOIS, that a public hearing be held before the City Council at its regular meeting of June 23, 2010, pursuant to 65 ILCS 5/11-19-1 and Alton City Code 6-1-8 to consider the vacation of a portion of Alton Street and a portion of Fifth Street more particularly described on the attached "Exhibit A" and by reference each made a part hereof, and as shown on the attached plat marked "Exhibit B" and by reference made a part hereof, all being within the City of Alton, Illinois, with the title to said portion of Alton Street passing to and becoming a part of the property to the east, and with the title to said

vacated portion of Fifth Street passing to and becoming a part of the property to the south, conditioned upon the receipt by the City of Alton of compensation equal to the fair market value of the property vacated, which shall be the cost incurred by the City of Alton in connection with said vacation, including but not limited to engineering, publication and recording fees.

BE IT FURTHER RESOLVED that the City Clerk shall publish notice of the public hearing with regard to this matter at the earliest possible date. Mr. Ryan made a motion, seconded by Mr. Fleming, that the above and foregoing two (2) resolutions be referred to the Committee of the Whole. The Chair so ordered.

Mr. McCahill presented the following resolution:

WHEREAS, the City of Alton has pursued court action for the demolition of a dangerous and unsafe structure at 708 Mechanic Street, Alton, Illinois; and

WHEREAS, a Court Order was entered in Madison County Case No. 09-MR-297 on August 28, 2009, authorizing the City of Alton to demolish or cause to be demolished the structure located at 708 Mechanic, Alton, Illinois, and further authorizing the cost of the demolition proceedings, together with the cost of accomplishing the demolition, to be made a lien upon the real estate commonly known as 708 Mechanic Street, Alton, Illinois; and

WHEREAS, the cost of the demolition proceedings, together with the cost of the demolition expenses incurred in enforcing the Order of the Court, total \$9,647.40 to date; and

WHEREAS, a neighbor of 708 Mechanic Street, Alton, Illinois, by the name of Paul W. Knetzer, of 410 E. Seventh Street, Alton, Illinois, has contacted the appropriate City officials requesting to purchase the real estate commonly known as 708 Mechanic Street, Alton, Illinois; and

WHEREAS, the real estate commonly known as 708 Mechanic Street, Alton, Illinois, is currently encumbered with various and sundry liens, including liens for unpaid real estate taxes due with regard to the aforesaid property; and

WHEREAS, the aforesaid Paul W. Knetzer has agreed to advance expenses that would be incurred by the City of Alton in connection with the foreclosure of the City's lien for demolition expenses as authorized by the Order of Court in Case No. 09-MR-297, City of Alton ordinances, and by the statutes of the State of Illinois; and

WHEREAS, the City Council of the City of Alton desires to clear the clouds upon the title of the real estate commonly known as 708 Mechanic Street, Alton, Illinois, and to allow that real estate to return to private ownership; preferably to be maintained in such as a manner as to be an asset to the surrounding neighborhood.

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

1. That the Corporation Counselor of the City of Alton is hereby authorized and directed to cause to be commenced a court proceeding in the nature of foreclosure of the City's lien for expenses incurred in the court proceeding in Madison County Case No. 09-MR-297, together with the expenses incurred in accomplishing the demolition of the dangerous and unsafe structure at 708 Mechanic Street, Alton, Illinois, along with any additional costs incurred in the pursuit of the court proceeding for foreclosure with regard to the real estate commonly known as 708 Mechanic Street, Alton, Illinois.

2. The Corporation Counselor, in pursuit of the foregoing directive, is authorized to retain additional legal counsel as he may so determine in his discretion, to assist in said proceedings and further to incur necessary and appropriate expenses in connection therewith, including, but not limited to service and publication fees in connection therewith; **but only** on the condition that all such additional fees and expenses shall be advanced or paid by Paul W. Knetzer.

3. That Paul W. Knetzer shall be reimbursed for any such expenses advanced or paid by him in connection with the aforesaid foreclosure proceeding in the event any party shall satisfy the aforesaid lien upon the real estate commonly known as 708 Mechanic Street, Alton, Illinois, in the course of the anticipated foreclosure proceeding as above described, or in the event of the subsequent sale of the aforesaid real estate commonly known as 708 Mechanic Street, Alton, Illinois, by the City of Alton, Illinois, following the vesting of title to said real estate in the City of Alton, Illinois. 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 petition:

Roger and Saralee Watkins on behalf of Phillip Embree and Claudia Harju request a special use permit for property located at 729 Linden, Alton, Illinois for the purpose of establishing a Bed and Breakfast (which will also be their personal home). Mr. Velloff made a motion, seconded by Mr. Ryan, that said petition be referred to the Plan Commission. The Chair so ordered.

Mr. Brake 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:

3435 Humbert Rd.
242 W. 19th

2. BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ALTON, ILLINOIS, that the attached Ordinance providing for the issuance of not to exceed \$2,750,000 General Obligation Refunding Bonds, Series 2010, of the City of Alton, Madison County, Illinois, and providing for the levy and collection of a direct annual tax for the payment of the principal of and interest on said bonds be considered. Mr. Brake made a motion, seconded by Mr. Fleming, that the above and foregoing two (2) resolutions be referred to the Committee of the Whole. The Chair so ordered.

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

1. BE IT RESOLVED by the City Council of the City of Alton, Illinois that the award for Bid Number 2010-3 Asbestos Removal at 305 McClure and 1805 Main Street is hereby made to CENPRO Services, Inc. of Madison, Illinois due to the fact that the low bidder, U.S. Environmental Solutions, LLC of Washington, Missouri is unable to perform the project per the bid specifications.

CENPRO Services, Inc. submitted bids as follows:

305 McClure	\$1,950.00
1805 Main	\$1,680.00

2. WHEREAS, Alderman Boulds has requested that a portion of Old Broadway be closed on Saturday, May 22, 2010, to facilitate a fundraising event for the benefit of Backstoppers; and

WHEREAS, the City Council has considered the request 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 Old Broadway from its intersection with Kyle Street to the intersection of Dreith Drive on Saturday, May 22, 2010, from 8:00 a.m. to 6:00 p.m. to facilitate a fundraising event for the benefit of Backstoppers.

3. WHEREAS, Alderman Boulds has requested that a portion of Greenleaf Drive be closed on Saturday, May 22, 2010, to facilitate a neighborhood block party; and

WHEREAS, the City Council has considered the request 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 the west end of Greenleaf Drive on Saturday, May 22, 2010, from 4:00 p.m. to 10:00 p.m. to facilitate a block party.

Mr. Boulds made a motion, seconded by Mr. Ryan, that the Rules of the Council be Suspended in order to act upon said three (3) resolutions. 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. Ryan, that the above and foregoing three (3) resolutions be approved. 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

Mary T. Boulds MMC
City Clerk

(Seal of the City of Alton, Illinois)