

VILLAGE PRESIDENT
Ray Danford

VILLAGE CLERK
erry Menard

VILLAGE TRUSTEES
Rita Baker
Charlie Mattern
Kevin Groth
Corby Valentine
Steve Smith
Tony Miller

VILLAGE OF FREEBURG

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VILLAGE ADMINISTRATOR
Dennis Herzing

VILLAGE TREASURER
Bryan A. Vogel

PUBLIC WORKS DIRECTOR
Ronald Dintelmann

POLICE CHIEF
Melvin E. Woodruff, Jr.

VILLAGE ATTORNEY
Stephen R. Wigginton

FREEBURG REGULAR BOARD MEETING Monday, December 3, 2007 7:30 P.M.

CALL TO ORDER: Mayor Raymond Danford called the Regular Board Meeting to order at 7:30 p.m., on Monday, December 3, 2007, in the Freeburg Municipal Board Room.

PLEDGE OF ALLEGIANCE: Those present and Board Members recited the Pledge of Allegiance.

ROLL CALL: Trustee Charlie Mattern – here; Trustee Steve Smith – here; Trustee Rita Baker – here; Trustee Corby Valentine – absent; Trustee Tony Miller – here; Trustee Kevin Groth – here and Mayor Raymond Danford – here. (5 present, 1 absent) Mayor Danford announced there is a quorum.

MINUTES OF PREVIOUS MEETING: *Trustee Rita Baker motioned to approve the minutes of Monday, November 19, 2007 with corrections on page 4 under Legal and Ordinance number 4 and Trustee Tony Miller seconded the motion. (5 ayes, 0 nays, 1 absent) All voting aye, motion carried.*

FINANCE: Trustee Smith stated the first thing we have tonight is the Warrant List.

- Warrant List:** *Trustee Steve Smith motioned to approve the Warrant List in the amount of \$3,314.61 and Trustee Rita Baker seconded the motion. ROLL CALL:* Trustee Steve Smith – aye; Trustee Rita Baker – aye; Trustee Charlie Mattern – aye; Trustee Corby Valentine – absent; Trustee Tony Miller – aye; Trustee Kevin Groth – aye (5 ayes, 0 nays, 1 absent) All voting aye, motion carried.
- Industrial Park:** Trustee Smith said we are in the process of closing on one of the lots.
- Tax Levy:** We talked about the 2007 Tax Levy and the Tax Abatement which is on the agenda for later.
- Employee's Christmas Bonuses:** We discussed Christmas bonuses for the employees, \$75.00 for full-time and \$25.00 for part-time.

Trustee Rita Baker motioned to approve the Employees' Christmas Bonuses and Trustee Kevin Groth seconded the motion. ROLL CALL: Trustee Rita Baker – aye; Trustee Kevin Groth – aye; Trustee Charlie Mattern – aye; Trustee Steve Smith – aye; Trustee Corby Valentine – absent; Trustee Tony Miller – aye. (5 ayes, 0 nays, 1 absent) All voting aye, motion carried.

TREASURER'S REPORT: Treasurer Bryan Vogel announced the Auditors are here and should be here the rest of the week.

ATTORNEY'S REPORT: None.

ESDA REPORT: None.

PUBLIC PARTICIPATION:

1. Jan Baechle asked have they started with all of the liens on the other properties so the city doesn't lose money again. Mayor Danford answered no legal steps have been taken in that direction yet. Jan asked did we miss out again, she thought they already missed out on Mr. Sheets' liens because he already sold his properties. Mayor Danford said there is some question as to who might be responsible for those if you are no longer the owner and I don't think we really have a firm answer on that. Trustee Miller asked which ones did Sheets sell? Administrator Herzing answered the one on Edison Street and really the Alton Street one long time ago we didn't spend much money on that one, the Washington Street one is more in question. Dennis said the one on Monroe Street is still an active court case. Trustee Groth stated we can't put liens on those properties until the Judge says we are allowed to. Administrator Herzing said the first step is the Judge has to issue an order of demolition. If the owner doesn't demolish it and we do, then we can place the liens to recover the loss and our attorney fees. It is not real clear whether we can or if we should go after attorneys' fees if they sell the property before there is ever an order of demolition which what happened on the Washington Street property. Jan asked if you spend a lot of money on the ones with the attorneys' fees, wouldn't it be to the Village's benefit and try and get some of that money back. Dennis and Mayor Danford answered we agree with you, but the procedures have yet to be established. Mayor said he is of the same opinion as Jan to go ahead and attach a lien to whoever the new owner is to that property. Dennis said it needs to be clarified -- up until the time you actually do the demolition, we are not talking about a huge sum of money, around \$1,500 to \$2,000 per property. He stated the real money comes in at when you actually do the demolition. Mayor told Jan we will get back to you when we find out what our options are. Jan said it's money you can use for the swimming pool or something else. Mayor said if we can't, he would still be satisfied if that is how circumstances turned out, that we couldn't just because of a twist of faith, that it was still money well spent. Trustee Miller said he doesn't think it's something we should not do, just because. Jan said the Koesterer property looks much better since it's not there. Trustee Miller said we might want to take a look at the house out on Route 15 as for as derelict buildings. Jan said the one inhabited? Mayor said that was actually the main focus when we set up our initial list of properties. We try not to choose those that are inhabited.

Trustee Groth said the question you have Jan is the same question all of us trustees have since this has started. What I think that needs to be kept in mind is whether we can recover the legal fee for that particular piece of property once this process is finished. The property tax on that piece of property is liable to go up, which we will recover that legal fee in no time at all plus some. Those properties were bleed and we were losing money because of the property tax were going down on those properties we been able to stop that hopefully were be able to turn that around. He agrees we go after legal fees but if we can't recover them you can't consider money lost, because we are going to recover that plus a whole lot more. Jan said they have torn down the Koesterer house and there nothing there so there can be no property tax there. More discussion about demolition talk took place between Trustee Mattern and Administrator Herzing.

REPORTS AND CORRESPONDENCE: None.

RECOMMENDATIONS OR ACTIONS OF BOARDS AND COMMISSIONS: None.

CONTRACTS, RELEASES, AGREEMENTS AND ANNEXATIONS: None.

BIDS: None.

RESOLUTIONS: None

ORDINANCES:

Ordinance No. 1272: TAX LEVY ORDINANCE FOR THE VILLAGE OF FREEBURG for the fiscal year for April 1, 2007, to March 2008. Mayor Danford asked for any comments on Ordinance No. 1272. Hearing no comments motion to accept:

Trustee Rita Baker motioned to accept Ordinance No. 1272 by title only and Trustee Kevin Groth seconded the motion. ROLL CALL: Trustee Rita Baker – aye; Trustee Kevin Groth – aye; Trustee Charlie Mattern - aye; Trustee Steve Smith – aye; Trustee Corby Valentine – absent; Trustee Tony Miller – nay. (4 ayes, 1 nays, 1 absent) With 4 ayes, 1 nay, motion carried.

Ordinance No. 1273: AN ORDINANCE ABATING THE TAX HERETO LEVIED FOR THE YEAR 2007 TO PAY THE PRINCIPAL OF THE INTEREST ON \$5,960,000 GENERAL OBLIGATION BONDS (ELECTRIC SYSTEM ALTERNATE REVENUE SOURCE), SERIES 2005, OF THE VILLAGE OF FREEBURG ST. CLAIR COUNTY, ILLINOIS.

Trustee Tony Miller motioned to accept Ordinance No. 1273 by title only and Trustee Steve Smith seconded the motion. ROLL CALL: Trustee Tony Miller – aye; Trustee Steve Smith – aye; Trustee Charlie Mattern - aye; Trustee Rita Baker – aye; Trustee Corby Valentine – absent; Trustee Kevin Groth - aye (5 ayes, 0 nays, 1 absent) All voting aye, motion carried.

Ordinance No. 1274: AN ORDINANCE AUTHORIZING SETTLEMENT OF EMGE LITIGATION.

Trustee Tony Miller motioned to accept Ordinance No. 1274 by title only and Trustee Rita Baker seconded the motion. ROLL CALL: Trustee Tony Miller – aye; Trustee Rita Baker – aye; Trustee Charlie Mattern - aye; Trustee Steve Smith – aye; Trustee Corby Valentine – absent; Trustee Kevin Groth – abstain. (4 ayes, 0 nays, 1 abstain, 1 absent) With 4 ayes, 1 abstention, motion carried.

OLD BUSINESS: None.

NEW BUSINESS: None.

APPOINTMENTS: None.

COMMITTEE MEETINGS:

Committee As A Whole : The Committee As A Whole Meeting was called to order at 5:30 p.m. on Monday, November 26, 2007 by Mayor Ray Danford.

1. Providing gas to residents: Mayor Danford said basically we are going to release that information to the public. He was attempting to stay under the radar of Ameren which became pointless after the editorial came out. He said he sees no reason not to go ahead and release that. If the trustees decide to pursue this, they will have to make decision on how they want the information released.
2. Municipal Pool: We had a discussion regarding the Municipal Pool to pick a direction on that project. We decided to entertain options from some other professional companies and see what their professional recommendations will cost the village. Depending on how the village and citizens want to pursue this will provide direction on how we will proceed with the municipal pool or some type of recreational oriented project.
3. Regional Wastewater Treatment Plant: We had a fairly lengthy discussion on how to pursue the Regional Wastewater Treatment Plant and decided that it is time to look forward in the interests of the Village of Freeburg. We will look at some engineering proposals on the best direction to proceed.

Trustee Tony Miller motioned to recommend the Water/Sewer Committee interview three engineering firms to provide a needs analysis for the future and Trustee Rita Baker seconded the motion. ROLL CALL: Trustee Tony Miller – aye; Trustee Rita Baker - aye; Trustee Charlie Mattern - aye; Trustee Steve Smith – aye; Trustee Corby Valentine - absent; Trustee Kevin Groth – aye. (5 ayes, 0 nays, 1 absent) All voting aye, motion carried.

Trustee Tony Miller motioned that we authorize Administrator Herzing to set up a meeting with up to four prospective consultant firms beside Counsilman-Hunsaker to provide a scope of services for a recreational analysis for the Village before the Public Property Committee and Trustee Charlie Mattern seconded the motion. ROLL CALL: Trustee Tony Miller – aye; Trustee Charlie Mattern - aye; Trustee Steve Smith - aye; Trustee Rita Baker – aye; Trustee Corby Valentine - absent; Trustee Kevin Groth – aye. (5 ayes, 0 nays, 1 absent) All voting aye, motion carried.

Mayor Danford asked for anymore comments: Trustee Miller said I had one more Mayor. It is about the recording system in the board room. After the Zoning Board of Appeals Meeting in here the other night, Trustee Valentine and I discussed how difficult it was to hear what people were saying when you are not in the same room with them. Trustee Miller said with the recording system we are getting, maybe we should look into getting an amplification system also. There was a lengthy discussion about the amplification system with the trustees and the public participating. Mayor Danford asked Administrator Herzing to get a cost on an amplification system.

Trustee Mattern asked the Mayor for us to back up to the pool issue. Trustee Mattern said if Trustee Miller has no objection he would like to make a new motion.

Trustee Charlie Mattern motioned to recommend a Committee As A Whole Meeting be organized to interview the consultants for the recreational analysis for the pool project and Trustee Tony Miller seconded the motion. ROLL CALL: Trustee Charlie Mattern – aye; Trustee Tony Miller - aye; Trustee Steve Smith - aye; Trustee Rita Baker – aye; Trustee Corby Valentine - absent; Trustee Kevin Groth – aye. (5 ayes, 0 nays, 1 absent) All voting aye, motion carried.

Mayor Danford asked for any further comments. Trustee Groth said he wants to gather all the requirements and suggestions for the pool funding ahead of time so when we make a decision on the pool project, we will have that already have that information.

UPCOMING MEETINGS:

Legal & Ordinance Committee Meeting - Thursday, December 6, 2007 – 4:00 p.m.

Electric Committee Meeting - Wednesday, December 12, 2007 – 5:30 p.m.

Personnel & Police Committee Meeting – Wednesday, December 12, 2007 – 6:30 p.m.

Plan Commission – Wednesday, December 12, 2007, 7:30 p.m.

Board Meeting – Monday, December 17, 2007, 7:30 p.m.

Committee as a Whole – Monday, January 14 or 28, 2008 – 5:30 p.m.

Committee as a Whole - Long Range Meeting – Monday, January 14 or 28 , 2008 – 5:30 p.m.

VILLAGE PRESIDENTS AND TRUSTEE'S COMMENTS

Trustee Charlie Mattern: No, thank you Mayor.

Trustee Steve Smith: No, thank you Mayor.

Trustee Rita Baker: No.

Village Clerk Jerry Menard: No, thank you Mayor.

Trustee Corby Valentine: Absent.

Trustee Tony Miller: He has just one on the Tax Levy Ordinance for the Village of Freeburg. He doesn't want Jan to think we raise her taxes but in essence we lower your taxes for how many years in a row. He doesn't know when you look at your tax bill if you look at the tax rate for Village of Freeburg, your tax rate has gone down probably over last three or four years and probably will go down again. If we keep the rate the same we would get more money from the village services because the rate would be on assessed value and assessed values go up every year. So actually your tax rate got lower which if we continue to do that we are going have a harder time making budget.

Trustee Kevin Groth: Yes, Ray I have comment to make. He read Section 31.007 so as not to make a false statement here. Every officer shall at all times when required submit the books and papers of his or her office to the inspection of the Mayor or any committee or a member of the board. He just wants to make that clear. He, as a trustee, wants to see records of the village so he can inspect them. Do you agree with that? Mayor Danford said he does agree to that, but he not sure he agrees to the extent that you may had with your conversation with Bryan at this point.

Trustee Groth said he is not particularly worried about that but he thinks the question that was brought of an individual member of the board having authority to inspect records in general needs to make sure that is clarified. Mayor Danford said he was not at that meeting, do you feel you were denied access to records at anytime? Trustee Groth said no, he thinks it was more a matter of little miscommunication maybe as much my fault as Bryan's. He thinks he will get to where he wants to be without any problems and it all will get resolved. He just wants to make sure that Bryan and any other officers of the Village understand that a trustee has the right to inspect records.

STAFF: None.

Mayor Danford said he is going to make a quick comment. It's probably not really necessary, but he does understand from the Village's perspective that when we do a demolition, that it does impact certain people and he is sorry for the Koesterer's -- he knows the house was important to them. He regrets we have to take those types of steps for the public good. In this case it is necessary and we did try to work it out to their benefit every legal way that we could. He just wanted to say he is sorry we had to go that route with individual citizens. He said he is not a big advocate of eminent domain and such other nasty tools but they are sometimes necessary and they should never be. As a citizen he always said he was against using them but he wants to make it clear if it is in the best interests of the public, we will have to use tools such as that.

ADJOURN:

Trustee Rita Baker motioned to adjourn at 9:08 p.m. and Trustee Tony Miller seconded the motion. All voting aye, motion carried.



Jerry Lynn Menard
Village Clerk