VILLAGE PRESIDENT
Seth Speiser

VILLAGE CLERK
Jerry Menard

VILLAGE TRUSTEES
Mathew Trout
Dean Pruett
Lisa Meehling
Ray Matchett, Jr.
Mike Blaies
Denise Albers

VILLAGE OF FREEBURG

FREEBURG MUNICIPAL CENTER
14 SOUTHGATE CENTER, FREEBURG, IL 62243
PHONE: (618) 539-5545 • FAX: (618) 539-5590
Web Site: www.freeburg.com

VILLAGE ADMINISTRATOR
Tony Funderburg

VILLAGE TREASURER
Bryan A. Vogel

PUBLIC WORKS DIRECTOR
John Tolan

POLICE CHIEF
Stanley Donald

VILLAGE ATTORNEY
Weilmuenster & Keck, P.C.

June 27, 2016

NOTICE

MEETING OF LEGAL AND ORDINANCE COMMITTEES
Annexation; Building; Zoning; Subdivision
(Meehling/Blaies/Pruett/Trout)

A Legal and Ordinance Committee Meeting of the Village of Freeburg will be held at the Municipal Center, Executive Board Room, **Wednesday, June 29, 2016, at 5:30 p.m.**

LEGAL AND ORDINANCE COMMITTEE MEETING AGENDA

I. Items to be Discussed:

A. Old Business
   1. Approval of May 25, 2016 Minutes
   2. Zoning Report/Nuisance Properties
   3. Combination of Plan Commission and Board of Appeals
   4. Golf carts or side by side vehicles
   5. Noise Ordinance

B. New Business

C. General Concerns

D. Public Participation

E. Adjourn

At said Legal and Ordinance Meeting, the Village Trustees may vote on whether or not to hold an Executive Session to discuss the selection of a person to fill a public office [5 ILCS, 120/2 – (c)(3)], litigation [5 ILCS, 120/2 - (c)(11)] personnel [5 ILCS, 120/2 – (c)(1)]; collective negotiating matters between the public body and its employees or their representatives [5 ILCS, 120/2-(c)(2), real estate transactions [5 ILCS, 120/2 - (c)(5)] or discussion of executive session minutes, [5 ILCS-120/2-(c)(21)

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Legal and Ordinance Committee Meeting
(Annexation; Building; Zoning; Subdivision)
(Meehling/Blaies/Pruett/Trout)
Wednesday, May 25, 2016 at 5:30 p.m.

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The meeting of the Legal and Ordinance Committee was called to order at 5:30 p.m. by Chairperson Lisa Meehling on Wednesday, May 25, 2016, in the Freeburg Municipal Center. Members attending were Chairperson Lisa Meehling, Trustee Mike Blaies, Trustee Dean Pruett, Trustee Matt Trout, Mayor Seth Speiser, Village Clerk Jerry Menard (absent), Trustee Denise Albers, Trustee Ray Matchett, Zoning Administrator Gary Henning, Public Works Director John Tolan, Village Administrator Tony Funderburg and Office Manager Julie Polson. Guests present: Janet Baechle, Robin Schutzenhofer, Stan Koerber (5:58 p.m.), Chief Stan Donald (5:54 p.m.) and Treasurer Bryan Vogel, (6:05 p.m.).

A. OLD BUSINESS:

1. Approval of April 27, 2016 Minutes: *Trustee Matt Trout motioned to approve the April 27, 2016 minutes and Trustee Dean Pruett seconded the motion.* All voting yea, the motion carried.

Trustee Matt Trout motioned to amend the agenda in order to hear Public Participation and Trustee Dean Pruett seconded the motion. All voting yea, the motion carried. See below.

2. Zoning Report/Nuisance Properties: Zoning Administrator Gary Henning advised they are making progress at 3 Lake Dr. We have a Board of Appeals hearing tomorrow for Kuklinski to operate a home business in SR-1 district at 3646 St. Rt. 15. We also have the Yarber and Moerchen hearings scheduled in June. Those will be special use permits to operate a home business in an agriculture district.

3. Combination of Plan Commission and Board of Appeals: Administrator Funderburg advised we have not had a chance to meet with Attorney Manion on this.

4. Local Debt Recovery Program: This will be on the first board meeting agenda in June.

5. Golf Cars or Side by Side Vehicles: Trustee Albers asked Janet Baechle's opinion of allowing golf carts, and Janet stated she did not see anything wrong with it. Denise further asked her what the benefits are, and Janet said if she lived closer in town, it would be convenient for her to use a golf cart in town. Trustee Albers asked if this will be during daytime hours or 24 hours a day, and Trustee Meehling said sunup to sundown. Administrator Funderburg advised Attorney Manion is aware of the discussions regarding this topic, and he will be ready to discuss the legal liability of allowing golf carts at the board meeting.

   Chief Donald stated he has an entire police department that doesn't want them. He advised we have enough crashes in town with 99% on them on State Street. The other local towns that have golf carts do not have the traffic we do. Trustee Albers asked

the school if they would have a problem with someone picking up a child in a golf cart, and they were not in favor of it. Chief asked who will conduct the inspections, and Mayor Speiser advised Rt. 15 Cycle has agreed to. They would be issued a sticker and inspected annually. Item will be placed on the board agenda for discussion. IML has an ordinance we can use as a guideline.

6. Happy Hour Consideration: Administrator Funderburg advised the ordinance was emailed earlier today. The revision to the happy hour was previously approved by this committee. Attorney Manion has reviewed and approved the changes to the code. The State of Illinois will require everyone to be trained.

Trustee Dean Pruett motioned to recommend to the full Board Ordinance #1596, An Ordinance Amending Chapter 21 of the Revised Code (Happy Hour Restrictions) and Trustee Matt Trout seconded the motion. All voting yea, the motion carried.

B. NEW BUSINESS: None.

C. GENERAL CONCERNS: None.

D. PUBLIC PARTICIPATION: Robin Schutzenhofer stated she would like to address the noise ordinance that we have in the Village. She only found no playing music after 10:00 p.m., and that you can't disturb peace of another. She has a problem with the outdoor patio and music at Tequilas. They continually play after 10:00 p.m., and also the noise level of music depending on the band that is there. She stated nothing happens when call the restaurant themselves, only when they call police. She has researched other towns where they have a certain decibel level. She wants to know if there is something we can do to make a certain acceptable level of noise, or fine the business. Administrator Funderburg said the problem with using a decibel level is that it is not precise. Tony provided information to the trustees from Chicago that uses a certain distance. We need to review the proposed program and make sure it is appropriate for all situations. Mayor Speiser is going to talk to the owner of Tequilas.

Stan Koerber asked to be heard on the golf cart issue. He wanted to know the Village's liability if someone gets hurt. Tony stated our attorney, we have tort immunity. Stan Koerber said then why do you need an ordinance. Trustee Meehling advised it is a state law that says we have to pass an ordinance in order to allow golf carts. Administrator Funderburg advised our attorney will be available at the June 6th board meeting if anyone has any questions.

E. ADJOURN: *Trustee Matt Trout motioned to adjourn at 6:21 p.m. and Trustee Dean Pruett seconded the motion.* All voting yea, the motion carried.

Julie Polson

Julie Polson
Office Manager

LEGAL/ORDINANCE MEETING

JUNE 29, 2016

Gary Henning Zoning Administrator

The Board of Appeals held two hearing last Thursday 23 June, 2016, with the first beginning at 6:30 and the second at 6:45 at the Village Hall. Both applicants requested special use permits to run a business other than Agriculture in and "A" Agriculture zoned district. After much discussion in the first hearing—the Yarbers withdrew their request. In the second hearing the board voted 7-0 to send the request of Mark Moerchen to the planning commission for consideration of a possible amendment to the special use code to include storage of materials.

7--Occupancy Permits issued to date in June 2016

12--Building Permits issued to date in June 2016

- 1- Demolition
- 1-New Home Addition
- 1-Driveway Extension
- 1-Truck Stall Enclosure
- 1-Electrical
- 1-Portable Shed
- 1-Inground Pool
- 1-Pool House with Patio
- 2-New Decks
- 2-Fences

Nuisances Corrected to date in June - 18

LOGISTICS INC: Permit has been issued.