

## REGULAR BOARD MEETING AGENDA - JANUARY 19, 2010 - 7:30 P.M.

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Minutes of Previous Meeting
  - 4 - 1. January 4, 2010 - Public Hearing - **Exhibit A**
  - 4 - 2. January 4, 2010 - Regular Board Meeting - **Exhibit B**
5. Finance
  - 5 - 1. Financial Report - None.
  - 5 - 2. Balance Sheet - None.
6. Treasurer's Report -
7. Attorney's Report - None.
8. ESDA Report -
9. Public Participation
10. Reports and Correspondence -
  - 10 - 1. Thank you's for Police Department - **Exhibit C**
11. Recommendations of Boards and Commissions - None.
12. Contracts, Releases, Agreements and Annexations - None.
13. Bids - None.
14. Resolutions - None.
15. Ordinances -
  - 15 - 1. Ordinance #1344 - An Ordinance Authorizing Execution of Cencom Agreement - **Exhibit D**
  - 15 - 2. Ordinance #1345 - An Ordinance Amending Title IX, Ch. 94 of the Revised Code (Bonfire) - **Exhibit E**
16. Old Business
17. New Business
18. Appointments - None.
19. Committee Meeting Minutes
  - 19 - 1. Legal/Ordinance Committee Meeting - Wednesday, January 6, 2009 - 4:30 p.m. - **Exhibit F**
  - 19 - 2. Personnel/Police Committee Meeting - Tuesday, January 12, 2010 - 5:30 p.m. - **Exhibit G**
  - 19 - 3. Electric Committee Meeting - Thursday, January 14, 2010 - 5:30 p.m. - **Exhibit H** - Executive Session to discuss real estate transactions, 5 ILCS, 120/2-(c)(5).
20. Upcoming Meetings
  - 20 - 1. Water/Sewer Committee Meeting - Wednesday, January 20, 2010 - 4:00 p.m.
  - 20 - 2. Streets Committee Meeting - Wednesday, January 20, 2010 - 6:00 p.m.
  - 20 - 3. Finance Committee Meeting - Wednesday, January 27, 2010 - 5:30 p.m.
  - 20 - 4. Economic Development Committee Meeting - Wednesday, January 27, 2010 - 6:30 p.m.
  - 20 - 5. Board Meeting - Monday, February 1, 2010 - 7:30 p.m.
21. Village President's and Trustees' Comments
22. Staff Comments
23. Adjournment

At said Board Meeting, the Village Board of 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)]; personnel [5 ILCS, 120/2 - (c)(1)a.]; litigation [5 ILCS, 120/2 - (c)(11)]; real estate transactions [5 ILCS, 120/2 - (c)(5)].

VILLAGE PRESIDENT  
Ray Danford

VILLAGE CLERK  
Jerry Menard

VILLAGE TRUSTEES  
Corby Valentine  
Steve Smith  
Tony Miller  
Rita Baker  
Seth Speiser  
Charlie Mattern

# 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  
Dennis Herzing

VILLAGE TREASURER  
Bryan A. Vogel

PUBLIC WORKS DIRECTOR  
Ronald Dintelmann

POLICE CHIEF  
Melvin E. Woodruff, Jr.

VILLAGE ATTORNEY  
Stephen R. Wigginton

## FREEBURG PUBLIC HEARING RONALD WATERS

MONDAY, JANUARY, 4, 2010  
7:15 P.M.

Acting Mayor Rita Baker called the Public Hearing to order at 7:15 p.m. for the Annexation Agreement regarding Ronald Waters whose property is located at 1109 S. State Street, Freeburg Illinois, 62243.

First call by Acting Mayor Rita Baker at 7:20 p.m. for any comments regarding the Annexation Agreement with Ronald Waters and the Village of Freeburg. "No Comments."

Second call by Acting Mayor Rita Baker at 7:25 p.m. for any comments regarding the Annexation Agreement with Ronald Waters and the Village of Freeburg. "No Comments."

Third call by Acting Mayor Rita Baker at 7:28 p.m. for any comments regarding the Annexation Agreement with Ronald Waters and the Village of Freeburg. "No Comments."

Acting Mayor Rita Baker closed the Annexation Agreement Public Hearing at 7:29 p.m. with no objections.



Jerry Lynn Menard  
Village Clerk



**2. Committee As A Whole:** Trustee Smith said he would like to hold a Committee as a Whole meeting to discuss an update to the 3-year-5-year plan. It was scheduled for Monday, February 8, 2010 at 7:00 p.m.

**3. Tax Abatement Ordinance:** Trustee Smith said we talked about the Tax Abatement Ordinance which we need to pass so we don't triple everyone's taxes. We will vote on this later this evening.

**3. Reviewing the Budget:** Trustee Smith said Dennis is reviewing the budget and it looks like the state income tax is going to fall short about 32% which is a decrease of \$113,000.00. We have a number of items in the budget which haven't been spent so far, so we are expecting to be alright.

*Trustee Smith motioned to approve the FY09 Audit and Trustee Seth Speiser seconded the motion. ROLL CALL:* Trustee Steve Smith – aye; Trustee Seth Speiser – aye; Trustee Tony Miller – aye; Trustee Corby Valentine – aye; Trustee Rita Baker – aye; Trustee Charlie Mattern – aye; (6 ayes, 0 nays, 0 absent). All voting aye, the motion carried.

**TREASURER'S REPORT:** Acting Mayor Baker called on Treasurer Bryan Vogel. Bryan said we should be getting the monthly credit reports.

**ATTORNEY'S REPORT:** Acting Mayor Baker asked Village Administrator Dennis Herzing if there is anything from the attorney's office and Village Administrator Dennis Herzing replied, "No, there is not."

**ESDA REPORT:** Acting Mayor Baker said ESDA Coordinator Gene Kramer is not present this evening, but he did drop off a couple of fliers letting us know it is going to get very cold and we should receive total snowfall amounts ranging from 2 to 4 inches and also the H1N1 Vaccine Clinic will be on January 9, 2010 from 9:00 am to 12:00 p.m. at the Carl Barton Elementary School.

Acting Mayor Baker said the vaccine is open to the public and will be given to anyone over the age of 6 months and it is free.

**PUBLIC PARTICIPATION:** Acting Mayor Baker called on Mr. Andrew Lehman, Superintendent of Freeburg Community High School. Mr. Lehman presented information to the Village Board and to everyone present about a tax referendum that will be voted on in February, 2010. The school is asking the voters to consider a \$3 million bond issue to improve the school's athletic facilities. Mr. Lehman passed out literature to everyone present to review along with his presentation. Mr. Lehman talked to us about the following:

1. Background Information
2. Current Conditions of Facilities
3. Plan for New Facilities
4. Timeline of Project
5. Costs of Components
6. Impact of Bond Sale on Real Estate Taxes

## 7. Other Plans for FCHS

Before Mr. Lehman asked for any questions, Acting Mayor Baker called upon Mr. Gary Henning to take the floor. Mr. Henning explained that the project would not only improve the school's offering, but would also benefit the entire community. Questions were asked and Mr. Lehman answered them to the best of his knowledge.

Mayor Ray Danford took over the meeting excusing Acting Mayor Rita Baker from her position as Mayor.

Mayor Danford said next on the agenda is the Proclamation. Mayor Danford presented Mr. Lehman, Superintendent of Freeburg High School with a Proclamation to the excellence of the Freeburg High School athletic teams: High School Girl's Volleyball Team, Girl's Cross Country Team, Boy's Cross Country Team and Girl's Golf Team.

**REPORTS AND CORRESPONDENCE:** None.

**RECOMMENDATIONS OF BOARDS AND COMMISSIONS:** None.

**CONTRACTS, RELEASES, AGREEMENTS AND ANNEXATIONS:** None.

**BIDS:** None.

**RESOLUTIONS:** None.

**ORDINANCES:** Mayor Danford said next on the agenda is Ordinance No 1341: An Ordinance Abating the Tax Hereto Levied for the Year 2009 to Pay the Principal of and Interest on \$5,960,000 General Obligation Bonds. *Trustee Corby Valentine motioned to adopt Ordinance No. 1341 by title only and Trustee Steve Smith seconded the motion.*

**ROLL CALL:** Trustee Corby Valentine – aye; Trustee Steve Smith – aye; Trustee Charlie Mattern – aye; Trustee Rita Baker – aye; Trustee Tony Miller – aye; Trustee Seth Speiser – aye; (6 ayes, 0 nays, 0 absent). All voting aye, the motion carried.

**ORDINANCES:** Mayor Ray Danford said next on the agenda is Ordinance No. 1342: An Ordinance Authorizing the Execution of an Annexation Agreement for the Annexation of 3.0 Acres, More or Less, of Real Estate Owned by Ronald L. Waters, Trustee, situated in the County of St. Clair, State of Illinois. *Trustee Tony Miller motioned to adopt Ordinance No. 1342 by title only and Trustee Rita Baker seconded the motion.* **ROLL CALL:** Trustee Tony Miller – aye; Trustee Rita Baker – aye; Trustee Seth Speiser – aye; Trustee Corby Valentine – aye; Trustee Charlie Mattern – aye; Trustee Steve Smith – aye; (6 ayes, 0 nays, 0 absent). All voting aye, the motion carried.

**ORDINANCES:** Mayor Ray Danford said next on the agenda is Ordinance No. 1343: An Ordinance Annexing Certain Territory to the Village of Freeburg, St. Clair County, Illinois, Waters Property, 1109 S. State Street, Freeburg, Illinois.

*Trustee Rita Baker motioned to adopt Ordinance No. 1343 by title only and Trustee Tony Miller seconded the motion.* **ROLL CALL:** Trustee Rita Baker – aye; Trustee Tony Miller – aye; Trustee Seth Speiser – aye; Trustee Corby Valentine – aye; Trustee Charlie Mattern – aye; Trustee Steve Smith – aye; (6 ayes, 0 nays, 0 absent). All voting aye, the motion carried.

**OLD BUSINESS:** Mayor Danford called for any Old Business: Trustee Smith said we need to take a vote on the Blue Cross/Blue Shield Health Insurance.

*Trustee Steve Smith motioned to approve the Blue Cross/Blue Shield monthly premium not to exceed \$21,042.18 and Trustee Rita Baker seconded the motion. ROLL CALL:* Trustee Steve Smith – aye; Trustee Rita Baker - aye; Trustee Charlie Mattern - aye; Trustee Corby Valentine – aye; Trustee Tony Miller – aye; Trustee Seth Speiser – aye; (6 ayes, 0 nays, 0 absent). All voting aye, the motion carried.

**NEW BUSINESS:** None.

**APPOINTMENTS:** None.

**COMMITTEE MEETINGS MINUTES:** None.

#### **UPCOMING MEETINGS**

Legal/Ordinance Committee Meeting - Wednesday, January 6, 2010 - 4:30 p.m.

Personnel/Police Committee Meeting - Tuesday, January 12, 2010 -5:30 p.m.

Electric Committee Meeting – Thursday, January 14, 2010 – 5:30 p.m.

CLOSED IN OBSERVANCE OF MARTIN LUTHER KING DAY - Monday, January 18th

Board Meeting – Tuesday, January 19, 2010 – 7:30 p.m.

Water Sewer Committee Meeting - Wednesday, January 20, 2010 - 4:00 p.m.

Streets Committee Meeting - Wednesday, January 20, 2010 - 6:00 p.m.

#### **VILLAGE PRESIDENTS AND TRUSTEES' COMMENTS**

**Trustee Charlie Mattern:** No, thank you.

**Trustee Steve Smith:** No, thank you.

**Trustee Rita Baker:** Nothing.

**Trustee Corby Valentine:** No.

**Trustee Tony Miller:** No, thank you.

**Trustee Seth Speiser:** No.

**Village Clerk Jerry Menard:** No, thank you.

**STAFF:** None.

#### **ADJOURN:**

*Trustee Rita Baker motioned to adjourn at 8:23 p.m. and Trustee Tony Miller seconded the motion. All voting aye, the motion carried.*



Jerry Lynn Menard  
Village Clerk

Your kindness  
meant so much!

I had a worry free  
visit with my family  
because of your patrol  
of my house while I was  
away. Thank you.  
Janet P.

I just want to say "Thank you" again to the  
policemen who came at 1:00 AM one night last week to  
help me up from a fall. They were very courteous, sym-  
pathetic & helpful and did a great job! I'm so happy we have the  
genre of policemen we have in Freeburg! Thank you again.

Sincerely

M. Jeanette Kempa

**ORDINANCE NO. 1344**

**AN ORDINANCE OF THE BOARD OF TRUSTEES  
OF THE VILLAGE OF FREEBURG, ILLINOIS,  
AUTHORIZING THE VILLAGE TO ENTER INTO AND THE MAYOR TO EXECUTE  
A CONTRACT BETWEEN THE VILLAGE OF FREEBURG, ILLINOIS POLICE  
DEPARTMENT AND ST. CLAIR COUNTY, ILLINOIS FOR COORDINATED  
COMMUNICATION SERVICES**

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**WHEREAS**, St. Clair County holds a license from the Federal Communications Commission and thereunder operates radio stations and has offered to perform certain communication services for the Village of Freeburg Police Department, and;

**WHEREAS**, the Village of Freeburg wishes to avail itself of the 9-1-1 and various communications services offered by St. Clair County including telephone, radio, paging, and computerized criminal history services, and;

**WHEREAS**, the Village of Freeburg has on file with the St. Clair County Emergency Telephone System Board a valid inter-agency agreement for 9-1-1 services and intends to continue to maintain such agreement, and;

**WHEREAS**, the Board of Trustees of the Village of Freeburg, Illinois believes it is in the best interest of the Village to enter into a contract for 9-1-1 and various communications services offered by St. Clair County including telephone, radio, paging, and computerized criminal history services,

**NOW, THEREFORE**, be it ordained by the Board of Trustees of the Village of Freeburg, St. Clair County, Illinois as follows:

**SECTION 1.** The recitals set forth above are hereby adopted found true and correct and are incorporated by reference as if fully set forth herein.

**SECTION 2.** The Board of Trustees hereby determines that it is advisable, necessary and in the public interest that the Municipality enter into a contract for 9-1-1 and various communications services offered by St. Clair County.

**SECTION 3.** The Mayor of the Village of Freeburg, Illinois is hereby authorized and directed to execute the Contract attached hereto and made a part hereof, and to do all other things necessary and essential, including the execution of any documents and certificates necessary to carry out the provisions of said Contract.

**SECTION 4.** This Ordinance shall be in full force and effect after its passage and approval as provided by law.

PASSED by the Board of Trustees and approved by the Mayor this 19th day of January, 2010.

AYES \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

NAYS \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

ABSENT \_\_\_\_\_

ABSTAIN \_\_\_\_\_

\_\_\_\_\_  
Jerry Menard, Village Clerk

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

**VILLAGE OF FREEBURG, ILLINOIS**

\_\_\_\_\_  
Raymond S. Danford, Village President

ATTEST:

\_\_\_\_\_  
Jerry Menard, Village Clerk

Approval as to Legal Form:

\_\_\_\_\_  
Stephen R. Wigginton, Village Attorney

\_\_\_\_\_

**ST. CLAIR COUNTY, ILLINOIS  
COORDINATED COMMUNICATIONS SERVICES CONTRACT**

THIS AGREEMENT, made and entered into this **1st day of January 2010**, by and between ST. CLAIR COUNTY, ILLINOIS, hereinafter referred to as COUNTY, and **VILLAGE OF FREEBURG POLICE DEPT.**, located in St. Clair County, Illinois, hereinafter referred to as SERVICE RECIPIENT.

**WHEREAS**, COUNTY holds a license from the Federal Communications Commission and there under operates radio stations in the performance of its duties of law enforcement, and has offered to perform certain communications services for various cities, villages, municipalities, fire districts, fire departments, EMS departments, EMS districts, federal agencies, and county agencies;

**WHEREAS**, the SERVICE RECIPIENT wishes to avail itself of the 9-1-1 and various communications services offered by St. Clair County, including telephone, radio, cad, paging, and computerized criminal history services (LEADS) and other services. (LEADS) services will apply to law enforcement agencies only);

**WHEREAS**, the SERVICE RECIPIENT now owns certain communications equipment which it desires to use in connection therewith;

**WHEREAS**, the SERVICE RECIPIENT has on file with the St. Clair County Emergency Telephone System Board a valid inter-agency agreement for 9-1-1 services and will continue to maintain such agreement for the duration of this agreement;

**NOW, THEREFORE**, this Agreement has been entered into by the undersigned in order to accomplish the aforementioned purposes.

- 1) COUNTY shall provide 9-1-1 and non-emergency telephone call processing, radio dispatching, and paging services to and from the **SERVICE RECIPIENT'S** telephones, radios, and pagers.
- 2) COUNTY shall perform the services provided for in this Contract in compliance with the standards of St. Clair County Government, the Emergency Telephone System Act, ETSB Interagency Agreements, and all applicable laws.
- 3) The **SERVICE RECIPIENT** shall furnish to St. Clair County during the month of April, **2010** and more frequently if required by FCC regulations or by St. Clair County, the frequency measurements of all radio equipment owned or used by the **SERVICE RECIPIENT** in conjunction with this contract. Such measurements are to be made by an entity licensed to make such measurements.
- 4) The **SERVICE RECIPIENT** shall comply with all regulations set by the FCC and those rules and regulations set by the St. Clair County ETSB (pertaining to 9-1-1 services) and St. Clair County Government.

- 5) The **SERVICE RECIPIENT** shall pay St. Clair County the sum of \$37,867.20 for communications services to be performed by St. Clair County as set forth in paragraph (1). A quarterly payment schedule, has been established for 2010. The first payment is due **March 1, 2010** with subsequent payments due **June 1, 2010, September 1, 2010 and December 1, 2010** may be established with St. Clair County Government for payment of these fees.

Charges for law enforcement agencies will include each law enforcement agency's proportionate share of LEADS charges.

- 6) The **SERVICE RECIPIENT** shall pay for all St. Clair County telephone system costs incurred by the **SERVICE RECIPIENT** in changing to and/or from COUNTY'S coordinated communications services.

- 7) The **SERVICE RECIPIENT** shall provide an errors and omissions insurance policy underwritten by an insurance company, and in a form acceptable to St. Clair County, in the amount of not less than \$1,000,000 per occurrence. St. Clair County Public Building Commission, St. Clair County Central Dispatch PSAP (CENCOM), and St. Clair County Emergency Telephone System Board (ETSB), and their employees, elected and appointed officials, contractors, consultants and volunteers, shall be included as "Additional Insured" in this policy. Coverage under this insurance policy shall extend to the negligence, wrongful act, error, omission, breach of duty, or other act committed by a Service Recipient employee, elected or appointed official, volunteer, service contractor, or consultant, which may give rise to any of the "Additional Insured" being named as a defendant in any legal action related to services performed under this Contact.

In the event a "deductible" is applied under said insurance policy to claim expense or damages against an "Additional Insured," Service Recipient shall pay the full amount of deductible applied, on behalf of the "Additional Insured."

In the event said insurance policy does not respond to any such legal action against an "Additional Insured," or should such legal action include a claim for "willful or wanton misconduct, or other uninsured claim", Service Recipient shall hold St. Clair County (and any of the Additional Insured) harmless, and shall, at its own expense, defend and protect them from any expense or loss not covered by Service Recipient's insurance policy.

- 8) This Coordinated Communications Services Contract may be terminated by either party hereto upon ninety (90) days written notice to the other party and upon approval of the St. Clair County ETSB in accordance with the St. Clair County 9-1-1 Plan.
- 9) This Coordinated Communications Services Contract may be terminated immediately upon written notice by the County if the premises, facilities,

and/or equipment used by the County in fulfillment of the Service provisions of this contract are substantially destroyed or damaged through no fault of the County. If the County elects to continue this agreement and re-construct or repair the damaged premises, facilities, or equipment, then the County is not required to provide such services that are the subject of the contract until the premises, facilities, or equipment are restored to the condition existing immediately prior to such damage or destruction.

- 10) Upon termination of this Contract for any reason, the **SERVICE RECIPIENT** shall within ten (10) days remove all radio crystals or programming from its radio equipment so that said equipment will no longer be capable of transmitting on any frequencies licensed to St. Clair County by the F.C.C. This shall not apply to those frequencies licensed by the F.C.C. to the **SERVICE RECIPIENT**.
- 11) This Contract shall take effect on the **1st day of January, 2010** and shall expire on the **31st day of December, 2010**. The **SERVICE RECIPIENT** shall give COUNTY ninety (90) days written notice prior to the expiration of this Contract if the **SERVICE RECIPIENT** will not execute a similar communications services contract for the succeeding year. If the **SERVICE RECIPIENT** fails to provide the required notice, St. Clair County will not be obligated to renew said contract for the succeeding year, but may choose to do so at the sole option of the County.

**ACCEPTED:**

**Service Recipient**

**St. Clair County, Illinois**

By \_\_\_\_\_

By \_\_\_\_\_

Title: Mayor/Board President

Title: County Board Chairman

Date \_\_\_\_\_

Date \_\_\_\_\_

**ORDINANCE NO. 1345**

AN ORDINANCE AMENDING TITLE IX, CHAPTER 94, Section 94.63  
OF THE REVISED CODE OF THE VILLAGE OF FREEBURG, ST. CLAIR  
COUNTY, ILLINOIS (BONFIRE REGULATIONS)

BE IT ORDAINED BY THE VILLAGE PRESIDENT AND VILLAGE BOARD OF TRUSTEES  
OF THE VILLAGE OF FREEBURG, ST. CLAIR COUNTY, ILLINOIS, THAT:

WHEREAS, the Village Board desires to effect changes to its existing Code Section listed below.

Section 1. That TITLE IX GENERAL REGULATIONS, CHAPTER 94 Nuisances Section 94.63  
BONFIRES present language is hereby deleted in its entirety and replaced with the following:

94.63 **Recreational Fires and Bonfires.** Recreational fires are those that are typically found at single family homes; essentially a campfire generally attended by a small number of people vs. the bonfire scenario that would typically be held at a school, church or commercial site where there could be 50 people or more. Bonfires at multi-family, commercial, assembly; or institutional buildings are required to obtain a permit from the Village of Freeburg. Permits for bonfires shall be required. Bonfire permits may be obtained from the Office of Administration and must be authorized by the Chief of Police. Recreational fires do not require a permit.

A. Requirements:

1. Open burning fires that will be offensive or objectionable because of smoke or odor emissions, or when atmospheric conditions or local circumstances make such fires hazardous, shall be prohibited. The Fire and Police Departments are authorized to order the extinguishment of any objectionable or hazardous fire.

2. Materials burned in recreational fires or bonfires shall consist only of the following: tree logs, tree branches, and tree stumps. Materials not permitted shall consist of but not be limited to, the following: vegetable or plant refuse, garbage and agricultural waste, construction waste, brush, weeds, leaves, grass, shrubbery, yard waste, or other tree trimmings.
3. The location for open burning fires shall not be less than 50 feet from any structure, and provisions shall be made to prevent the fire from spreading to within 50 feet of any structure. Exception: Fires in approved containers that are not less than 15 feet from a structure.
4. The wood pile size shall be 3 feet in diameter or less, and 2 feet or less in height.
5. Open burning fires, recreational or bonfires shall be constantly attended by a competent person 18 years of age or older until the fire is extinguished. On site extinguishing equipment shall always be available for immediate use.
6. Manufactured fireplaces are allowed provided they meet the required size limits of 3 feet in diameter or square and 2 feet in height. Fireplaces must be screened and have a lid to prevent flying embers. Home built stationary fireplaces will require a building permit.
7. Bonfires shall not be permitted between the hours of 12:00 a.m. and 6:00 a.m.

Section 2. This Ordinance shall be in full force and effect immediately after its passage, approval and recordation according to law.

PASSED BY THE VILLAGE BOARD OF THE VILLAGE OF FREEBURG, ILLINOIS,  
 ST. CLAIR COUNTY, AND APPROVED BY THE VILLAGE PRESIDENT  
 THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2010.

Vote Recorded:

Ayes \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Nays \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Absent \_\_\_\_\_  
 \_\_\_\_\_

Abstain \_\_\_\_\_  
 \_\_\_\_\_

Vote Recorded by:

\_\_\_\_\_  
 Jerry Menard, Village Clerk

Approved by the Village President of the Village of Freeburg, St. Clair County, Illinois,

this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

\_\_\_\_\_  
Raymond S. Danford, Village President

ATTEST:

\_\_\_\_\_  
Jerry Menard, Village Clerk

Approval as to Legal Form: \_\_\_\_\_  
Stephen R. Wigginton, Village Attorney

\_\_\_\_\_

VILLAGE PRESIDENT  
Ray Danford

VILLAGE CLERK  
Jerry Menard

VILLAGE TRUSTEES  
Corby Valentine  
Steve Smith  
Tony Miller  
Rita Baker  
Seth Speiser  
Charlie Mattern

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Web Site: www.freeburg.com

EXHIBIT F  
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

Legal and Ordinance Committee Meeting  
(Annexation; Building; Zoning; Subdivision)  
(Speiser/Baker/Mattern)  
Wednesday, January 6, 2009 at 4:30 p.m.

The meeting of the Legal and Ordinance Committee was called to order at 4:35 p.m. by Chairman Seth Speiser on Wednesday, January 6, 2010, in the Freeburg Municipal Center. Members attending were Chairman Seth Speiser, Trustee Rita Baker, Trustee Charlie Mattern, Village Clerk Jerry Menard and Village Administrator Dennis Herzing.

## A. OLD BUSINESS:

1. Approval of December 2, 2009 Minutes: *Trustee Rita Baker motioned to approve the December 2, 2009 minutes and Trustee Charlie Mattern seconded the motion. All voting aye, motion carried.*

2. Community Improvement Board/Material Requirements on Commercial Buildings/Nuisance Abatement Code: With respect to the material requirements on commercial buildings, Charlie thinks the portion of the building visible from the highway should be done in masonry and that vinyl and steel siding should be eliminated. The committee agreed to limit this to the B-1 and B-2 zoning districts instead of just the highway. Charlie asked if we want to run this by the Economic Development Committee or Plan Commission before we present it to the full Board. Dennis will put something together in ordinance form for this committee's review before it goes to the Economic Development Committee.

Seth came up with examples that would warrant a permit from the Village on commercial remodels: any alterations or additions to existing structures, plumbing, or electric. Dennis said you would also want it to apply to mechanical and HVAC systems. He thinks that is pretty much the way the International Building Code currently reads. Dennis will also work on that.

Seth questioned the Community Improvement Board and the nuisance ordinance. The committee requested another copy and everyone would like an electronic copy.

3. Status of Public Hazard Homes: Dennis sent a letter to the County asking them if they would try to enforce the Sheets' well issue. Phil told Dennis today that he has been talking quite a bit with Mary Kinzinger about her property on Main Street. She is in the process of cleaning it out and intends to tear it down. The property on Phillips Street is still in bad shape. Seth says more stuff keeps being added to it. Phil has also been talking to Waseem at G&S Foundry and he has cleaned up some of the junk

Legal and Ordinance Committee Meeting  
Wednesday, January 6, 2010  
Page 1 of 2

from the property. Charlie asked if it is a hazardous site and Dennis suspects it is but doesn't think any sampling has been done to prove that.

4. TIF litigation: Dennis said Wigginton had a talk with Koppeis and Koppeis has sent back demands in a revised agreement. Copies were provided to the committee. Dennis will meet with Steve next Wednesday to review the revised agreement. Koppeis is requesting a number of changes and all will be reviewed with Attorney Wigginton next week. After the meeting, Attorney Wigginton will come to a board meeting to hold an executive session to explain the revised agreement.

5. Stumpf Lawnmower Business: Dennis said as far as he knows, everything is settled.

6. Bonfire Code: Dennis put together the ordinance and included it in the packet. The way the ordinance is written, a small bonfire would not require a permit.

*Trustee Rita Baker motioned to recommend the Bonfire Ordinance to the full Board and Trustee Charlie Mattern seconded the motion. All voting aye, the motion carried.*

**B. NEW BUSINESS:** None.

**C. GENERAL CONCERNS:** Jerry wanted to know if we have an ordinance that requires someone wear reflective material when walking at night. Dennis thinks there may be traffic regulations for kids on bicycles and will check on it.

**D. PUBLIC PARTICIPATION:** None.

**E. ADJOURN:** *Trustee Rita Baker motioned to adjourn the meeting at 5:15 p.m. and Trustee Charlie Mattern seconded the motion. All voting aye, the motion carried.*



Transcribed from tape by  
Julie Polson  
Office Manager

VILLAGE PRESIDENT  
Ray Danford

VILLAGE CLERK  
Jerry Menard

VILLAGE TRUSTEES  
Corby Valentine  
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EXHIBIT G  
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VILLAGE ATTORNEY  
Stephen R. Wigginton

## PERSONNEL AND PUBLIC SAFETY COMMITTEE MEETING Tuesday, January 12, 2010 at 5:30 p.m.

Chairperson Rita Baker called the meeting of the Personnel and Public Safety Committee to order on Tuesday, January 12, 2010 at 5:31 p.m. Those present were Chairperson Rita Baker, Trustee Steve Smith, Trustee Charlie Mattern, Police Chief Mel Woodruff, Village Administrator Dennis Herzing and Office Manager Julie Polson.

### **POLICE: A. OLD BUSINESS:**

1. Security camera for lobby: Dennis said everything is up and running. Item can be taken off the agenda.
2. H1N1 Swine Flu: A swine flu clinic was held on Saturday, January 9, 2010. Item will be taken off the agenda.

### **B. NEW BUSINESS:**

1. Repairs to 2001 Ford Expedition: Mel told the committee the 2001 Ford Expedition needs a new motor. Several estimates were provided: Micks - \$5,776.50, Jim's - \$5,465.00, Green Mill didn't have time and Wetzal Automotive - \$4,577.14. Mel was contacted by Wetzal who currently repairs New Athens and Marissa's police cars. Normally an expenditure at this price level does not need committee approval, but Mel felt with the difference in estimates and the emphasis on expenditures, the committee should be aware of the potential savings if Wetzal was used. Mel said there is a car in the budget and also said he looked into replacing the Expedition. The cost of a new one is approximately \$25,000 and a new Impala is around \$18,000. Smithton buys used cars from the Kansas State Patrol and spend around \$14,000. He did not see an advantage to buying a used police car when you can get a new one for \$18,000. Mel said we try to spread our business around Freeburg as much as possible. He also said it is his responsibility to manage his budget and that is why the other estimate was included. The committee agreed to use Micks at a cost not to exceed the estimate of \$5,776.50, have the warranty stipulated and advise it was a difficult decision to stay in town due to the difference in estimates. The committee felt we might have to go out of town in the future if the cost savings is significant.
2. Dispatching Cost Study: Mel provided a copy of the letter from St. Clair County advising of the increase in dispatching costs and also said we are paying in arrears for the dispatching contract. Our contracted amount for last year was approximately \$22,000 and this year it has increased to \$38,000 or from \$9.01 per transaction to \$12.88. We have 90 days to terminate the contract if we wish to do so. Dennis thinks the \$38,000 is based on the new per call rate based on the call volume from last year so we are really not paying for last year's calls. It is just the County's best guess on how many calls we will have this year. Mel said they try to curtail the number of calls that go through dispatch but when there are increases in criminal activity, the number of calls will increase. Mel said he does not want to put the Village in a position by limiting the

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calls and jeopardizing officer safety. If we terminated the contract and handled the dispatching ourselves, we would have to purchase equipment, hire certified professionals and provide space for the operation. At this time, those costs would outweigh the renewal cost of the contract. Mel said several years ago, some of the area towns looked into a dispatching center run by O'Fallon but Freeburg decided against it due to a control issue. The committee agreed at this time it makes sense to continue with St. Clair County's dispatching center.

*Trustee Steve Smith motioned to recommend to the full Board the 2010 St. Clair County Dispatching Contract for approval and Trustee Charlie Mattern seconded the motion. All voting aye, the motion carried.*

Mel has his annual training in February. He is required by the state to get 20 hours of administrative training and this conference will give him 15 hours.

**PERSONNEL: A. OLD BUSINESS:**

1. Approval of November 30, 2009 minutes: *Trustee Charlie Mattern motioned to approve the November 30, 2009 minutes and Trustee Steve Smith seconded the motion. All voting aye, the motion carried.*

2. Employee handbook: The committee discussed the handbook, made some changes and Julie will get it revised, printed out and to the trustees for their review prior to next month's meeting.

a. Public Works On Call Status: The committee agreed that being on call is part of the employee's job and is not an option. Dennis talked to Steve about the issue of whether we could force the employee to take comp time instead of pay and Steve said we can't. For example, we can offer the employee 4 hours of regular pay or 6 hours of comp time. The committee felt the on call should be assigned to everyone on a rotational basis and if an employee doesn't want to take it, he can find someone else to fill in for him. At that point, a form would need to be filled out by each employee and given to their supervisor for approval. Julie will check the minutes to see what we decided with regard to the rate of compensation.

3. Job Descriptions: The trustees need to review the job descriptions in the code.

**B. NEW BUSINESS:**

1. Employee clothing reimbursements: Dennis advised some of the employees are turning in receipts for everyday clothing. He saw a receipt today for boots and said all workers should be using ANSI approved safety boots. The committee agreed to have Dennis, Ron and John come up with a list of approved clothing to be eligible for the \$200 yearly clothing allowance. For now, we will ask Ron to tell the guys to hold off on any clothing purchases until this list is decided upon.

**C. GENERAL CONCERNS:** None.

**D. PUBLIC PARTICIPATION:** None.

**ADJOURN:** *Trustee Steve Smith motioned to adjourn at 7:00 p.m. and Trustee Charlie Mattern seconded the motion. All voting aye, motion carried.*

Julie Polson, Office Manager



VILLAGE PRESIDENT  
Ray Danford

VILLAGE CLERK  
Jerry Menard

VILLAGE TRUSTEES  
Corby Valentine  
Steve Smith  
Tony Miller  
Rita Baker  
Seth Speiser  
Charlie Mattern

# VILLAGE OF FREEBURG

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PUBLIC WORKS DIRECTOR  
Ronald Dintelmann

POLICE CHIEF  
Melvin E. Woodruff, Jr.

VILLAGE ATTORNEY  
Stephen R. Wigginton

## ELECTRIC COMMITTEE MEETING Thursday, January 14, 2010 at 5:30 p.m.

The meeting of the Electric Committee was called to order at 5:31 p.m. on Thursday, January 14, 2010 by Chairman Corby Valentine. Committee members present were Chairman Corby Valentine, Trustee Steve Smith, Trustee Tony Miller, Village Administrator Dennis Herzing, Public Works Director Ron Dintelmann and Office Manager Julie Polson. Guest present: Mike Blaies.

### A. OLD BUSINESS:

1. Approval of December 9, 2009 minutes: Trustee Tony Miller motioned to approve the minutes of December 9, 2009 and Trustee Steve Smith seconded the motion. All voting aye, the motion carried.

2. Switchover of Ameren to Freeburg power: Dennis provided a copy of Ameren's most recent offer regarding the sale of their facilities and release of associated customers to the committee. There was an increase in the figure due to the addition of extending service to a lift station into the Orchards. The property owner told Dennis there was no easement through her property but Ameren confirmed there is. We are buying the entire line that serves Turkey Hill Lane and the lift station will have to be served from another way. Dennis said we did convince Ameren the lines from SAVE Site have been there since 1955 which brought the price down a little. Ron commented we need to make sure this easement is included in the agreement. This topic will be further discussed at the board meeting on Tuesday, January 19th.

A spreadsheet was passed out regarding Freeburg Care Center's estimated rate comparison and right now, we are about \$15,000 higher than Ameren. It was previously agreed by the committee that we will charge the Care Center Ameren's rate until Ameren's rate surpasses ours. Ron said Ameren currently has two rate increases pending. Dennis asked if we have an accurate mechanism to bill Ameren's rates and Ron said yes, he believes so. We have the ability to program the meter to what we need. Corby asked Ron to go out and check the meter because the off peak numbers are higher than the on peak numbers.

3. Village Utility Needs Analysis: Nothing new.

4. Replacement of old power plant doors: Nothing new.

5. Franchise Fee (Ameren): Waiting on this until negotiations with Ameren regarding the switchover of customers is done.

7. Three-phase service: The committee discussed this and agreed we need to clarify the electric rate ordinance to show the \$15 fee is a facilities charge. With respect to smaller three-phase customers, we will revise the ordinance to

automatically give Rate 1 to the smaller three-phase customers that are using less than 30,000 kilowatts rather than have them request the rate change. Dennis will prepare the ordinance for the next committee meeting and run it by Dean Park if we need to.

**B. NEW BUSINESS:** Steve requested the balance in the Christmas light donation fund and if there is enough money left over, we can put it into a CD. Corby brought up lighting Highway 13/15 north of town. Ron has some older poles that can be used and the committee felt we needed to start with areas involving a high level of safety so we will start with the intersections and go from there.

**C. GENERAL CONCERNS:** Tony asked for us to look into after Christmas deals on decorations for the park. Ron said they are trimming trees and will do so for the next couple of weeks. He also said the pole was taken down on a previous request from a resident on Jefferson Road.

**D. PUBLIC PARTICIPATION:** None.

**E. ADJOURN:** *Trustee Tony Miller motioned to adjourn at 6:25 p.m. and Trustee Steve Smith seconded the motion. All voting aye, motion carried.*



Julie Polson  
Office Manager