

VILLAGE PRESIDENT  
Ray Danford

VILLAGE CLERK  
Jerry Menard

VILLAGE TRUSTEES  
Rita Baker  
Seth Speiser  
Charlie Mattern  
Ray Matchett, Jr.  
Steve Smith  
Mike Blaies

# VILLAGE OF FREEBURG

FREEBURG MUNICIPAL CENTER  
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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  
Weilmuenster Law Group, P.C

## FREEBURG REGULAR BOARD MEETING Tuesday, February 19, 2013 at 7:30 P.M. Board Meeting Minutes

**CALL TO ORDER:** Acting Mayor Rita Baker called the Regular Board Meeting to order at 7:30 p.m., on Tuesday, February 19, 2013 in the Freeburg Municipal Board Room.

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

**ROLL CALL:** Trustee Charlie Mattern - here; Trustee Steve Smith - here; Trustee Rita Baker - here; Trustee Mike Blaies – here; Trustee Raymond Matchett, Jr. – here; Trustee Seth Speiser - here; Mayor Ray Danford - absent; (5 present, 1 absent 1 conference call). Acting Mayor Rita Baker announced there is a quorum.

### MINUTES OF PREVIOUS MEETING:

#### Exhibit A:

Acting Mayor Baker said we have minutes for approval from Monday, February 4, 2013 Regular Board meeting.

*Trustee Steve Smith motioned to approve the minutes of Monday, February 4, 2013 Regular Board meeting and Trustee Mike Blaies seconded the motion. All voting aye, the motion carried.*

**FINANCE:** Trustee Smith asked Village Administrator Herzing if we have heard back from Mark White about revised of cost on the signs. Dennis said no. Trustee Smith asked Dennis to invite him to the next Finance meeting.

**TREASURER'S REPORT:** Treasurer Bryan Vogel said he presented three months of monthly Treasurer's Reports, July, August and September of 2012 at the last meeting to be reviewed and hopefully to have an approval this evening.

*Trustee Steve Smith motioned to approve the Treasurer's Report for July, August, and September of 2012 and Trustee Seth Speiser seconded the motion. (6 ayes, 0 nays, 0 abstain, 0 absent) the motion carried.*

**ATTORNEY'S REPORT:** None.

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**ESDA Report:** Acting Mayor Baker said everyone should have an ESDA Report in front of them and it looks like some bad weather is coming our way. Acting Mayor Baker asked is there any questions or comments.

**PUBLIC PARTICIPATION: Acting Mayor Rita Baker called for Public Participation.**

Mr. Dennis Robertson took the floor to discuss what he can do about the new business that opened up next to his residence. Mr. Robertson stated that he has been told that the business is in a B 2 zone. Mr. Robertson said the person is operating a bobcat and tractor and has a 40 foot construction tub sitting five feet from his house. Mr. Robertson said he was not aware that B 2 zone was construction. Mrs. Robertson voiced her concerns also on the issue. Village Administrator Herzing told the board he had spoken to the Roberts before he left for his surgery and passed all of their concerns on to Phil. Dennis said Phil has been working with the people who own the business; he has made them aware they are to put up a fence to screen their operation from the residential area. After a further discussion on the issue Acting Mayor Baker said she thinks we have heard enough on the issue. We will take the issue to the Streets Committee meeting, which will be tomorrow night and go from there.

**REPORTS AND CORRESPONDENCE: None**

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

**CONTRACTS, RELEASE, AGREEMENTS,**

1. Acting Mayor Baker stated we have IDOT Safe Routes to School Local Agency Amendment #1 Ordinance No.1452. Trustee Blaies asked before we vote could Dennis explain why the agreement is being amended. Dennis said we talked about this in the committee meeting, since the bid came in low for the Main Street Safe Routes; Dennis said he requested to IDOT that we be able to use the grant funds to fund the construction engineering instead of using our MFT funds, because the Safe Routes grant did not include any engineering. Dennis said this is just amending the original Safe Route agreement to include engineering and the agreement with TWM for the engineering. If you pass this tonight it will go to IDOT for approval, if they approve it we should be able to use the grant fund for engineering.

Acting Mayor Baker asked for a motion.

*Trustee Steve Smith motioned to adopt Ordinance No. 1452 by title only and Trustee Raymond Matchett, Jr. seconded the motion. **ROLL CALL:** Trustee Steve Smith - aye; Trustee Raymond Matchett, Jr. - aye; Trustee Seth Speiser - aye; Trustee Charlie Mattern - aye; Trustee Rita Baker- aye; Trustee Mike Blaies - aye; (6 ayes, 0 nays, 0 absent). All voting aye, motion carried.*

2. Acting Mayor Baker stated we have IDOT and TWM Safe Routes to School Construction Engineering Agreement, could we have a motion.

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*Trustee Raymond Matchett, Jr. motioned to adopt Ordinance No. 1453 by **title only** and Trustee Seth Speiser seconded the motion. **ROLL CALL:** Trustee Raymond Matchett, Jr. - aye; Trustee Seth Speiser - aye; Trustee Mike Blaies - aye; Trustee Steve Smith - aye; Trustee Rita Baker- aye; Trustee Charlie Mattern - aye; (6 ayes, 0 nays, 0 absent). All voting aye, motion carried.*

Trustee Smith said before we move on he would like to asked a question; Trustee Smith asked Village Administrator Herzing do we have to wait until these ordinances are approved by the state before we can approve the low bid on construction. Dennis said the state is required to tell the contractor to proceed within 45 days and that is coming up. Dennis said what we are going to have to do is to ask the contractor if he will delay in starting the work to have time to get this approved. If he refuses to do that we cannot force him, we may still end up using some of the MFT funds for engineering. Dennis said it's like everything else with Federal Highway money being involved getting this approved going to take a while. We are going to need to ask him to delay the project a month or two to get this approved, but the contractor doesn't have to wait. Trustee Smith asked would we have to re-bid it them. Dennis said no, this has no effect on the bid.

**ANNEXATIONS: None.**

**BIDS: None.**

**RESOLUTIONS: None.**

#### **ORDINANCES:**

Acting Mayor Baker stated we have Exhibit C Ordinance #1451, An Ordinance Approving and Authorizing the Village to Enter Into and the Mayor to Execute a Collective Bargaining Agreement between the Village of Freeburg and the International Union of Operating Engineers, AFL-CIO, Local 148.

*Trustee Steve Smith motioned to adopt Ordinance No. 1451 by **title only** and Trustee Charlie Mattern seconded the motion. **ROLL CALL:** Trustee Steve Smith - aye; Trustee Charlie Mattern - aye; Trustee Rita Baker - aye; Trustee Mike Blaies - aye; Trustee Raymond Matchett, Jr. - nay; Trustee Seth Speiser - aye; (5 ayes, 1 nay, 0 absent). With 5 ayes, 1 nay, motion carried.*

#### **OLD BUSINESS:**

Acting Mayor Baker asked is there any old business to come before this meeting.

Trustee Smith said he has a question. In the last meeting when we voted on approving Laura McGarrys request to be paid for comp time instead of taking vacation time. He would like to understand from Seth and Ray what is needed to be approved as we move forward to know what those requirements are. Trustee Speiser said comp time to him is we comp the time not monetary, if that is the case then we hire someone to come in and clean and pay direct.

If you want to pay them direct for any additional work like sub-contact out if they want to come and clean on the weekends just pay them for it, and if it is going to be comp time then take comp time. Trustee Smith asked Trustee Matchett is this how you understand also. Trustee Matchett agree with Trustee Speiser. Trustee Smith said his next question; in the January 22 board meeting we all approved Taylor Isaac being paid for comp time this is why he doesn't understand what the difference was. Trustee Speiser said it was 7.5 hours versus 40 hours. Trustee Smith asked if the difference is the amount. Trustee Speiser said if we are going to do comp time then do comp time not monetary. Trustee Speiser said if we get rid of comp time then there would not be any arguments. Trustee Matchett said we talked about that when we were dealing with other issues with the public workers director and assistant public workers director with all the hours they had in and didn't claim them. Trustee Smith said this is a different this is a contract. The department heads do not have a contract. Trustee Matchett said when does the comp time and monetary end. Trustee Smith said he asked that question before because basically we are paying double and no one disagreed with me at the time. Trustee Steve said he is just trying to understand the ground rules so as were going forward they either have to take comp time or take time off or get paid for it so we don't mix apples with oranges. Village Administrator Herzing said all of these issues are in the union contract. Dennis said it has always been in the ordinance that employees could request payment for comp time and the board can approve it. Dennis said this is all better defined in the union contract how much time they can accumulate how much can be cashed in and how much is not subject to buy out so the rules are more cut and dry.

**NEW BUSINESS: None**

**APPOINTMENTS: None.**

**COMMITTEE MEETING REPORTS:**

**Exhibit C:**

Legal/Ordinance Committee Meeting: Trustee Speiser called the Legal/Ordinance Committee meeting to order on Wednesday, February 6, 2013 at 4:45 p.m.

**OLD BUSINESS:**

1. Status of Public Hazard Homes: Trustee Speiser said we had Phil send a reminder letter to Bill Herr about the 60- day deadline to remove the mobile home. Trustee Smith asked about the request for the controlled burn at the Old Compton farm, are they tearing it down and then burning it. Trustee Speiser said they came to Dennis and wanted to burn it as it sits. Trustee Speiser said Dennis told them they need to check with Lee Smith from the Fire Department. Dennis said he does not know if they even contacted Lee Smith. When he was on sick leave Julie told Dennis that Lee Smith called and said there was some kind of fire out there and he wanted to know if we had talked to Mr. Sheets, Julie said yes; but we told him he would have to contact the Fire Department.

**Electric Committee Meeting: Trustee Blaies called the Electric Committee meeting to order on Wednesday, February 13, 2013 at 5:30 p.m.**

**OLD BUSINESS:**

1. Portable Generator Replacement: Trustee Blaies said we talked about a couple of portable generators we are still being looking at, we are trying to make a decision on to combine the two together and make one or buying a use one.
2. Safety Training: Trustee Blaies said we talked about safety training. We held a CPR training course in February of this year. Trustee Blaies said Ron showed the committee a personal demonstration on the voltage defector we purchased for electric department.
3. Digger truck: Trustee Blaies said we have a scheduled a date to go and look at the truck before they paint it to make sure everything is where they want it.
4. Wiegmann's project: Trustee Blaies stated the Wiegmann's project is still ongoing.
5. Shed: Trustee Blaies said we are moving right along with the shed. They have the shell and roof up.
6. Risk assessment conducted by insurance company: Trustee Blaies said we talked about the risk assessment; we are gathering information and cataloging it, this is stuff we already do but we have to get it on record.
7. Spill containment: Trustee Blaies stated the spill containment areas have been taken care of at both plants.

**NEW BUSINESS:**

1. Wiegmann replacement transformer: Trustee Blaies said we had to purchase a 1000 kva transformer from Mascoutah to take care of the one that went out a couple of weeks ago. We need to purchase one for a backup in case this happens to us again.

*Trustee Mike Blaies motioned to accept Solomon's bid in the amount of \$10,950 for the purchase of a 500 kva remanufactured transformer and Trustee Raymond Matchett, Jr. seconded the motion. **ROLL CALL:** Trustee Mike Blaies - aye; Trustee Raymond Matchett, Jr. - aye; Trustee Charlie Mattern - aye; Trustee Steve Smith - aye; Trustee Rita Baker- aye; Trustee Seth Speiser - aye; (6 ayes, 0 nays, 0 absent). All voting aye, motion carried.*

*Trustee Mike Blaies motioned that we surplus the 1,000 kva transformer back to Solomon at \$3.00 per kva or \$3,000 and Trustee Steve Smith seconded the motion.*

ROLL CALL: Trustee Mike Blaies - aye; Trustee Steve Smith - aye; Trustee Seth Speiser - aye; Trustee Raymond Matchett, Jr. - aye; Trustee Charlie Mattern - aye; Trustee Rita Baker - aye; (6 ayes, 0 nays, 0 absent). All voting aye, motion carried.  
Trustee Blaies said we got an update from Ron on one of the linemen and he is coming along just fine.

Personnel/Police Committee Meeting: Trustee Baker called the Personnel/ Police Committee meeting to order on Tuesday, February 19, 2013, at 6:30 p.m.  
Trustee Baker said we had Police/Personnel meeting right before this evening board meeting; so minutes are not available. Trustee Baker said the only thing that came out of the meeting was Collective Bargaining Agreement and this was taken care of earlier on the agenda.

### UPCOMING MEETINGS

Streets Committee Meeting – Wednesday, February 20, 2013 – 6:30 p.m.  
Committee As A Whole Meeting – Monday, February 25, 2013 -5:30  
Water/Sewer Committee Meeting - Wednesday, February 27, 2013 - 4:30 p.m.  
Finance Committee Meeting – Wednesday, February 27, 2013 – 5:30  
Board Meeting - Monday, March 4, 2013 – 7:30 p.m.

### VILLAGE BOARD AND STAFF COMMENTS:

Trustee Charlie Mattern: No thank you.  
Trustee Steve Smith: No thank you.  
Trustee Rita Baker: No thank you  
Village Clerk Jerry Menard: No thank you.  
Trustee Mike Blaies: No thank you.  
Trustee Raymond Matchett, Jr.:  
Trustee Seth Speiser: No thank you.  
Staff Comments: None

Mayor Ray Danford entered the meeting at 8:01 p.m.

ADJOURN: *Trustee Rita Baker motioned to adjourn the meeting at 8:03 p.m. and Trustee Steve Smith seconded the motion. All voting aye, the motion carried.*

  
Jerry Lynn Menard  
Village Clerk