

VILLAGE PRESIDENT
Seth Speiser

VILLAGE CLERK
Jerry Menard

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

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
Michael J. Schutzenhofer

VILLAGE ATTORNEY
Weilmuenster & Keck, P.C.

December 21, 2017

NOTICE

MEETING OF LEGAL AND ORDINANCE COMMITTEE Annexation; Building; Zoning; Subdivision (Pruett/Albers/Matchett/Meehling)

A Legal and Ordinance Committee Meeting of the Village of Freeburg will be held at the Municipal Center, Executive Board Room, **Wednesday, December 27, 2017, at 5:30 p.m.**

LEGAL AND ORDINANCE COMMITTEE MEETING AGENDA

I. Items to be Discussed:

- A. Old Business
 - 1. Approval of November 29, 2017 Minutes
 - 2. Zoning Report/Nuisance Properties
- B. New Business
 - 1. Resolution #18-01 – A Resolution Urging the Governor to Veto Senate Bill 1451
- 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)]; discussion of executive session minutes, [5 ILCS-120/2-(c)(21)]; discussion of purchase or lease of real property for the use of the public body, [5 ILCS-120/2-(c)(5)]; or discussion of the setting of a price for sale or lease of property owned by the public body, [5 ILCS-120/2-(c)(6)].

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Legal and Ordinance Committee Meeting
(Annexation; Building; Zoning; Subdivision)
(Pruett/Albers/Matchett/Meehling)
Wednesday, November 29, 2017 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 Chairman Dean Pruett on Wednesday, November 29, 2017, in the Freeburg Municipal Center. Members attending were Chairman Dean Pruett, Trustee Denise Albers, Trustee Ray Matchett, Trustee Lisa Meehling, Mayor Seth Speiser, Village Clerk Jerry Menard (absent), Trustee Mike Blaies, Trustee Matt Trout, Zoning Administrator Gary Henning, Public Works Director John Tolan, Village Administrator Tony Funderburg and Office Manager Julie Polson, Police Chief Mike Schutzenhofer. Guests present: Mike Heap, Kris Gebke and Andy Jackson.

A. OLD BUSINESS:

1. Approval of October 25, 2017 Minutes: Trustee Lisa Meehling motioned to approve the October 25, 2017 minutes and Trustee Denise Albers seconded the motion. All voting yea, the motion carried.
2. Zoning Report/Nuisance Properties: Zoning Administrator Gary Henning reported a new home started this past week.

B. NEW BUSINESS:

1. Meadow Pines Preliminary Plat: Village Administrator Tony Funderburg stated Attorney Keck could not make it tonight. Tony stated the recommendation to either approve or disapprove the preliminary plat has to be done at the next board meeting. Unless new information comes to light, he recommends denying the plat.
2. St. Clair County Board of Appeals Hearing on December 4, 2017: The board had no issue with the request of the Eitzenhefer land being divided into a 6-acre parcel for Matthew and Ashley Reeder.
3. Illinois Bicentennial Celebration Proclamation: Trustee Lisa Meehling motioned to recommend to the full Board the Illinois Bicentennial Celebration Proclamation for approval and Trustee Denise Albers seconded the motion. All voting yea, the motion carried.

C. GENERAL CONCERNS: None.

D. PUBLIC PARTICIPATION: Kris Gebke expressed his concern about the additional traffic this subdivision would bring. Tony stated our code states there can't be undue stress placed on a connecting subdivision, and Tony stated the builders don't believe it is the right time to build.

E. ADJOURN: Trustee Lisa Meehling motioned to adjourn at 5:35 p.m. and Trustee Denise Albers seconded the motion. All voting yea, the motion carried.


Julie Polson
Office Manager

Legal and Ordinance Committee Meeting
Wednesday, November 29, 2017

**VILLAGE OF FREEBURG, ILLINOIS
RESOLUTION NO. 18-01**

A RESOLUTION URGING THE GOVERNOR TO VETO SENATE BILL 1451

WHEREAS, the Village of Freeburg supports the goal of ensuring reliable wireless services in our communities and the advancement of technology in the telecommunications industry; and

WHEREAS, Senate Bill (“SB”) 1451 establishes the Small Wireless Facilities Deployment Act and severely limits municipal authority to regulate, site, or charge permit fees for wireless facilities; and

WHEREAS, SB 1451 permits a private business entity to use public right-of-way at a rate far below market value, distorting the private market for small wireless facilities; and

WHEREAS, SB 1451 permits wireless providers, and third parties who act as agents or contractors for wireless providers, to locate telecommunications equipment with an antenna as large as six (6) cubic feet in size, and associated equipment up to twenty-five (25) cubic feet in size, on existing or new utility poles subject to minimal zoning regulations by the municipality; and

WHEREAS, SB 1451 creates an automatic approval timeline, which is one-sided and detrimental to the public, presuming that municipalities are negligent—and providers not—when a permit is incomplete or inadequate; and

WHEREAS, state legislators amended SB 1451 to exempt the City of Chicago in an effort to pass the legislation; and

WHEREAS, many municipalities have already enacted ordinances, or are in the process of updating their codes to address small wireless facilities, or are developing right-of-way use agreements with the industry, indicating that municipalities are making a significant effort to develop reasonable standards for the deployment of wireless facilities; and

WHEREAS, Illinois municipalities are diverse and each one must be given the opportunity to develop reasonable regulations that will protect their specific needs;

NOW, THEREFORE, BE IT RESOLVED that the Village of Freeburg opposes SB 1451 as passed by the Illinois General Assembly and urges the Governor to veto the legislation.

BE IT FURTHER RESOLVED that the Village of Freeburg is committed to developing reasonable regulations for the deployment of wireless technology and is eager to work with stakeholders to develop regulations that ensure reliable wireless services while also preserving the rights of the municipality, property owners, and citizens.

Ayes	_____	Nays	_____
	_____		_____
	_____		_____
	_____		_____
	_____		_____

Absent _____ Abstain _____

PASSED by the Village Board and APPROVED by the Mayor this 2nd day of January, 2018.

Seth E. Speiser
Mayor

ATTEST:

Jerry Menard, Village Clerk

(SEAL)