

VILLAGE PRESIDENT  
Ray Danford

VILLAGE CLERK  
Jerry Menard

VILLAGE TRUSTEES  
Mike Blaies  
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  
Weilmuenster Law Group, P.C

January 31, 2011

## NOTICE

### MEETING OF LEGAL AND ORDINANCE COMMITTEES (Annexation; Building; Zoning; Subdivision) Speiser/Baker/Mattern

A Legal and Ordinance Committee Meeting of the Village of Freeburg will be held at the Municipal Center, Executive Board Room, **Wednesday, February 2, 2011, at 4:30 p.m.**

### LEGAL AND ORDINANCE COMMITTEE MEETING AGENDA

I. Items to be Discussed:

A. Old Business

1. Approval of January 5, 2011 Minutes
2. Status of Public Hazard Homes
3. Unionization
4. Material Requirements on Commercial Buildings
5. Update Code Book
6. Nuisance Abatement Code
7. B-2 Trash Bins
8. Recycling

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) a.]; collective negotiating matters between the public body and its employees or their representatives [5 ILCS 120/2 (C)(2). or real estate transactions [5 ILCS, 120/2 - (c)(5)].

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Legal and Ordinance Committee Meeting  
(Annexation; Building; Zoning; Subdivision)  
(Speiser/Baker/Mattern)  
Wednesday, February 2, 2011 at 4:30 p.m.

The meeting of the Legal and Ordinance Committee was called to order at 4:30 p.m. by Chairman Seth Speiser on Wednesday, February 2, 2011, in the Freeburg Municipal Center. Members attending were Chairman Seth Speiser, Trustee Rita Baker, Village Administrator Dennis Herzing and Office Manager Julie Polson. Guest present: Janet Baechle (4:40 p.m.).

## A. OLD BUSINESS:

1. Approval of January 5, 2011 Minutes: Trustee Rita Baker motioned to approve the January 5, 2011 minutes and Trustee Seth Speiser seconded the motion. All voting aye, the motion carried.

2. Status of Public Hazard Homes: Dennis needs to talk to Phil about having the Kinzingers provide us with an updated demolition date. He will also check with Phil on the status of the tires at Shaffers.

3. Unionization: Dennis will check to see when the next meeting has been scheduled.

4. Material Requirements on Commercial Buildings: Julie will send a letter to the Plan Commission to schedule a meeting to discuss this.

5. Update Code Book: Frank provided a revised price of \$3500 to review/update the code book.

*Trustee Rita Baker motioned to recommend to the full Board a complete review and update of the Freeburg Municipal Code to be conducted by Illinois Codification Services at a cost not to exceed \$5,000 and Trustee Seth Speiser seconded the motion. All voting aye, the motion carried.*

6. Nuisance Abatement Ordinance: Phil gave Julie the checklist to prepare.

7. B-2 Trash Bins: Dennis provided a memo listing the areas of the code that would be affected if we eliminated the requirement to screen dumpsters in the B2 zoning district. Dennis said if we want to change the zoning code, we would have to hold a Plan Commission hearing. The committee decided to include this topic in the discussion with the Plan Commission members. Julie suggested we move the Legal/Ordinance committee meeting to 6:30 p.m. on Wednesday, March 2nd. If the Plan Commission members can't make that meeting, we'll schedule it on their normal meeting night.

Legal and Ordinance Committee Meeting  
Wednesday, February 2, 2011  
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8. Recycling: Dennis said we continue to have problems with the cardboard recycling. Julie said the paper representative called her to set up a meeting since he found out we wanted to eliminate the paper dumpsters and replace them with cardboard. The meeting was scheduled for yesterday but due to the bad weather, it will be rescheduled. The Water/Sewer committee directed Dennis to prepare an ordinance limiting the recycling center to Freeburg/Freeburg township residents only and also if anyone is caught dumping trash on the ground, the police will have the ability to fine them.

**B. NEW BUSINESS:** None.

**C. GENERAL CONCERNS:** None.

**D. PUBLIC PARTICIPATION:** Janet asked if there are bigger cardboard dumpsters that can be used and Dennis said they do have taller ones but those are very hard for the residents to be able to reach up and put the cardboard in them. They are geared more for business use.

**E. ADJOURN:** *Trustee Rita Baker motioned to adjourn the meeting at 4:52 p.m. and Trustee Seth Speiser seconded the motion. All voting aye, the motion carried.*



Julie Polson  
Office Manager

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Legal and Ordinance Committee Meeting  
(Annexation; Building; Zoning; Subdivision)  
(Speiser/Baker/Mattern)  
Wednesday, January 5, 2011 at 4:30 p.m.

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The meeting of the Legal and Ordinance Committee was called to order at 4:30 p.m. by Chairman Seth Speiser on Wednesday, January 5, 2011, in the Freeburg Municipal Center. Members attending were Chairman Seth Speiser, Trustee Rita Baker, Trustee Charlie Mattern, Village Administrator Dennis Herzing and Office Manager Julie Polson. Guest present: Janet Baechle (4:50 p.m.).

## A. OLD BUSINESS:

1. Approval of December 1, 2010 Minutes: Trustee Rita Baker motioned to approve the December 1, 2010 minutes and Trustee Charlie Mattern seconded the motion. All voting aye, the motion carried.
2. Status of Public Hazard Homes: Charlie asked about the Kinzinger home and Dennis advised Phil is working with them to get the property in shape. Charlie asked that we obtain an updated letter from the Kinzingers stating when their home will be demolished. Phil talked to Shaffers about the tires but Dennis does not know the outcome of that conversation.
3. Unionization: Dennis said we met with the Public Works union yesterday morning and went through some of their proposals that came back to us. Another meeting has been scheduled for late January.
4. Material Requirements on Commercial Buildings: Julie needs to contact the members of the Plan Commission to schedule a meeting to discuss this.
5. Update Code Book: Julie provided information to Frank that he requested and we are waiting to hear back from him on a price to update the book.
6. Nuisance Abatement Ordinance: Phil gave Julie the checklist to prepare.
7. B-2 Trash Bins: Dennis needs to look through the code to see what would be affected.

Dennis brought up the recycling stating it is becoming a problem with people dumping their trash on the ground. We also have out-of-town/township people using the recycling center. He discussed it with Mel who thinks we need to write a separate ordinance to address the problem. We would like the ability to write local tickets in order to fine the people that don't comply with the recycling rules. Mel will talk to the people at St. Clair County who handle environmental grants to see if they have any advice.

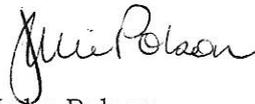
**B. NEW BUSINESS:**

1. St. Clair County Board of Appeals Hearing: A request was received from the St. Clair County Zoning Board of Appeals regarding Dan and Carolyn McGuire's request to allow a 1.61 acre parcel in an agricultural district at 7100 Kinney Branch Lane in Freeburg. The committee had no issues with the request.

**C. GENERAL CONCERNS:** None.

**D. PUBLIC PARTICIPATION:** None.

**E. ADJOURN:** *Trustee Rita Baker motioned to adjourn the meeting at 5:00 p.m. and Trustee Charlie Mattern seconded the motion. All voting aye, the motion carried.*



Julie Polson  
Office Manager

Office of  
Illinois Codification Services  
& Frank X. Heiligenstein,  
St. Clair County Board

P.O. Box 69 Freeburg, Illinois 62243  
Phone: (618) 539-5771 FAX: (618) 539-9890

FAX TRANSMISSION

TO: Julie  
FAX #: 539-5590 DATE: 1-12-11 TIME: 1:50 PM  
FROM: Frank X. Heiligenstein

MESSAGE:

The estimate for the Codification  
will be \$ 750.00

FxH

\$ 3,500 update/review of code

This message contains confidential information intended for recipient only, and which is protected by privilege. If you receive this message in error, please delete it and any copies immediately and notify the sender so the address information may be corrected.

PAGES TRANSMITTED INCLUDING THIS PAGE: 1

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## MEMO:

**To:** Legal & Ordinance Committee

**From:** Dennis R. Herzing, P.E., Village Administrator

**CC:** Mayor Danford

**Date:** 9/24/09

**Re: Dumpster Regulations**

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If we want to eliminate the requirement to screen dumpsters in the B2 zoning district, we would have to address the following sections of the code.

*Section 155.181(B) Refuse Containers. All refuse generated by facilities located in this district shall be stored in tightly-covered containers placed in visually screened areas.*

This section would have to be eliminated or modified. Since it is part of the Zoning Code, **any change would require a Plan Commission hearing.**

If a Plan Commission hearing is held to consider a change, two other parts of Section 155.181 should probably also be discussed since neither of them has been consistently enforced over the years. Those sections are;

*155.181(A) Storage Areas. Any inventory or materials stored outside may be open to the sky, but shall be enclosed by walls or solid fences at least six feet high.*

*151.181(C) Screening. Along the side and rear lot lines of any lot abutting any residential district, screening at least six feet high, which completely blocks the view from the adjacent residential property, shall be installed. The screening shall be approved by the Zoning Administrator.*

In addition to the above, the new nuisance abatement code would have to be changed. Section 151.049 reads as follows;

*151.049 Garbage Storage Containers. The owner, manager or operator of every establishment producing garbage, vegetable waste or other putrescible materials shall provide, and at all times, cause to be used, leak proof containers having close-fitting covers for storage of the materials until such time as they are removed from the premises for disposal. The storage cotainers shall be located behind or to the sides of a building. All storage containers which are greater than one cubic yard in size located in commercial areas shall be screened from residential areas and residential streets so they are not visible. All storage containers which are greater than four yards cubic in size located in residential areas shall be screened from view so as not to be visible from open areas.*