

**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

June 1, 2009

## 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, June 3, 2009, at 5:30 p.m.**

### **LEGAL AND ORDINANCE COMMITTEE MEETING AGENDA**

#### I. Items To Be Discussed

- A. Old Business
  - 1. Approval of May 7, 2009 Minutes
  - 2. Community Improvement Board/Material Requirements on Commercial Buildings/Nuisance Abatement Code/Building Code application
  - 3. Status of Public Hazard Homes
  - 4. TIF Litigation
  - 5. Drainage easement grades
  - 6. Bill's Autobody
  - 7. Huelsman drainage problem
  - 8. Resident lawn business parking complaint
- 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.]; 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, June 3, 2009 at 5:30 p.m.

The meeting of the Legal and Ordinance Committee was called to order at 5:32 p.m. by Chairman Seth Speiser on Wednesday, June 3, 2009, in the Freeburg Municipal Center. Members attending were Chairman Seth Speiser, Trustee Rita Baker, Mayor Ray Danford and Office Manager Julie Polson. Guest present: Mike Blaies.

## A. OLD BUSINESS:

1. Approval of May 7, 2009 Minutes: *Trustee Rita Baker motioned to approve the May 7, 2009 minutes and Trustee Seth Speiser seconded the motion. All voting aye, motion carried.*
2. Community Improvement Board/Material Requirements on Commercial Buildings/Nuisance Abatement Code: Julie advised the CIB has received the revised nuisance code and will review it before the next CIB meeting. It was scheduled for June 29th at 7:00 p.m. but a Committee as a Whole meeting was scheduled for the same date and time so Julie will get the CIB meeting rescheduled. Ray commented this will be the last meeting for a while.
3. Status of Public Hazard Homes: Seth noted the Rogers home has been torn down and Ray advised we closed on the property today. Rita asked if Dennis had contacted Mary Kinzinger regarding her home on Main Street and Julie said she didn't know. Rita also said the weeds on Walnut are high again.
4. TIF litigation: Ray said Attorney Wigginton still wants to make one more appeal to Koppeis' lawyer before sending out the letter.
5. Drainage easement grades: Nothing new, item will stay on the agenda.
6. Bill's Autobody: Seth said he, Dennis and Phil met with Bill and came up with some suggestions to improve the appearance of his business. He will move the inoperable vehicles behind the fence and will kill the weeds around the cars at the front of his property. There is a drainage problem on the side lot by Jenkins' home and Seth said we will ask the public works department to take a look at it. Julie will get a copy of the letter sent to Bill in everyone's mailbox. Seth said we will give him 30 days from the date of the letter to comply with our suggestions. Mike asked what options we have and Ray said we might fine him for illegally operating a

Legal and Ordinance Committee Meeting  
Wednesday, June 3, 2009  
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junk yard. Dennis will look into whether there was a change in use/grandfather clause.

7. Huelsman drainage problem: Seth said the board decided to send Huelsman's attorney a letter stating the board feels it is not our responsibility to take care of their problem. Julie didn't know if Steve had sent the letter. She has not seen anything in Dennis' email inbox.

8. Resident lawn business parking complaint: This is the situation with a lawn care business and someone is parking their trailer on the street. Julie has received some material from Frank on another town's code that addresses this and will work on putting together something for the next committee meeting.

Rita received a call from Angela who is the President of the American Massage Board and she says Freeburg is not in compliance with Illinois, and has contacted Steve Wigginton about it. Rita called Angela back but didn't get to speak with her. Ray said we can be stricter than Illinois law. Rita said she invited her to come to the meeting but she did not show up. The committee decided to wait and see what Steve says about this.

**B. NEW BUSINESS:** None.

**C. GENERAL CONCERNS:** Ray advised the closing for 502 W. White was not a clean closing. There was a contention with one of the outstanding liens which is being worked out. We have closed on our end.

**D. PUBLIC PARTICIPATION:** None.

**E. ADJOURN:** *Trustee Rita Baker motioned to adjourn the meeting at 5:45 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)  
Thursday, May 7, 2009 at 3:30 p.m.

The meeting of the Legal and Ordinance Committee was called to order at 3:40 p.m. by Chairman Seth Speiser on Thursday, May 7, 2009, in the Freeburg Municipal Center. Members attending were Chairman Seth Speiser, Trustee Charlie Mattern, Trustee Rita Baker, Village Administrator Dennis Herzing and Office Manager Julie Polson. Guests present: Bill Herr and Janet Baechle.

## A. OLD BUSINESS:

1. Approval of April 1, 2009 Minutes: *Trustee Rita Baker motioned to approve the April 1, 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: Dennis provided an update from the last CIB meeting. The committee has reviewed the nuisance code and Julie will incorporate their recommendations into the code and bring it back to them for one more review before they recommend it to this committee. Dennis said they were working on the building code issue. Dennis said the committee has mostly likely come to a consensus and they think it makes sense to be more thorough on how we enforce the building code on commercial properties but not make major changes on how we do residential properties. They really haven't come to an agreement on rental properties. Dennis said Dave Favre had suggested we inspect rentals on a complaint basis where the tenant could file complaints if they felt the landlord wasn't taking care of their issues. Seth said once a year smoke detectors and carbon monoxide detectors should be inspected and Dennis said the committee hasn't talked about that issue. This committee felt rental properties should be considered commercial properties and permits should be required on remodels. With regard to residential properties, Dennis said John Davinroy feels if you open up a wall and do work that will be concealed, you need a permit and inspection. Dennis is concerned about how we will enforce it. If we do require smoke detectors and carbon monoxide detectors be inspected once a year on rental properties, we could see if the Fire Department would be able to do that. We will ask the CIB's opinion on this topic.

3. Status of Public Hazard Homes: Dennis said the Rogers closing has been scheduled for 5/18/09. The house will be demolished before the closing and Rosemarie Heidenreich-Parker will represent Susan Rogers in the closing. Rita asked about the Wilderman house and Dennis said she needs to contact Mary

Legal and Ordinance Committee Meeting  
Thursday, May 7, 2009  
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Kinzinger because the roof has failed. Janet asked about the weeds at Walnut and High Street. Julie will get that information to Phil.

4. TIF litigation: Attorney Wigginton is waiting for a response from Koppeis' attorney on our last counterproposal.

5. Drainage easement grades: Seth said something needs to be done and Charlie asked Seth how he thinks it should be enforced and paid for. Seth said if there is a drainage ditch there, the grade should remain the same. If the developer or contractor comes in and changes it, they need to be responsible. The committee discussed whether we want to get into shooting grades when there is a drainage problem on private property. Dennis said there is a final inspection on the development and we are talking about how to handle it from that point forward. The committee decided it is a civil issue between the homeowners and the Village should not get involved in the maintaining of drainage easements on private property.

6. Bill's Autobody: Bill was present and said he has hauled off about 10 cars and also said it is pretty costly to do that. Dennis said he sees signs of improvement but doesn't think it is what the committee is looking for. Charlie asked what his plan is and Bill said he has to know what is causing people a problem. Charlie said we have to respond to complaints we receive. The committee agreed to give Bill another 30 days. Dennis, Seth, Phil and Rita will go there next week and offer some suggestions and guidelines for Bill to follow.

7. Dusk to Dawn Lighting: Dennis said this should really be discussed in the Electric Committee and their recommendations can be brought back here. Item will be moved to Electric and taken off this agenda.

8. Updating our code: Julie advised the updates have been received and asked the trustees to bring their books in and she will get them updated. Item can be taken off the agenda.

9. Building code application: This will be moved and included under number 2 above.

10. Unpaid utility bills: Jane compiled information from surrounding towns on their policy for unpaid renter bills. Charlie talked about raising renter deposits to offset the unpaid final bills left over from the renters. Dennis thinks statute makes the owner of the property responsible for unpaid utility bills and the question is do we want to enforce it. Dennis said based on the calculations he and Jane did, we would be writing off about \$5,000 - \$6,000 a year. Seth said the landlord should raise their own deposits. The committee agreed to leave our policy the way it is.

11. Huelsman drainage problem: Dennis advised the attorneys are working on it.

**B. NEW BUSINESS:**

1. Resident lawn business parking complaint: Mr. Augustine was advised of the meeting time and date change. Dennis has tried to find a previous ordinance that Frank sent him on outlawing parking trailers on streets. Dennis said Mel is in favor of this and also said we don't have anything in our ordinance to address this issue. Dennis will continue to work on this and bring something back to the next meeting that states you can't park a utility trailer on a public street.

**C. GENERAL CONCERNS:** None.

**D. PUBLIC PARTICIPATION:** Janet Baechle said she was trying to turn north onto Belleville Street from Apple Street and stated the cars are parked too close to the intersection. Dennis will have Mel look at it and put it on the next Streets' agenda. Janet also said she thought 3:30 p.m. was too early for a public meeting.

**E. ADJOURN:** *Trustee Rita Baker motioned to adjourn the meeting at 4:35 p.m. and Trustee Charlie Mattern seconded the motion. All voting aye, the motion carried.*



Julie Polson  
Office Manager