

VILLAGE PRESIDENT  
Seth Speiser

VILLAGE CLERK  
Jerry Menard

VILLAGE TRUSTEES  
Ray Matchett, Jr.  
Mike Blaies  
Denise Albers  
Bob Kaiser  
Michael Heap  
Lisa Meehling

VILLAGE TREASURER  
Bryan A. Vogel

# 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

PUBLIC WORKS DIRECTOR  
John Tolan

POLICE CHIEF  
Michael J. Schutzenhofer

ESDA COORDINATOR  
Eugene Kramer

ZONING ADMINISTRATOR  
Matt Trout

VILLAGE ATTORNEY  
Weilmuenster & Keck, P.C.

July 22, 2019

## NOTICE

### MEETING OF LEGAL AND ORDINANCE COMMITTEE Annexation; Building; Zoning; Subdivision (Heap/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, July 24, 2019, at 5:30 p.m.**

#### LEGAL AND ORDINANCE COMMITTEE MEETING AGENDA

##### I. Items to be Discussed:

###### A. Old Business

1. Approval of June 26, 2019 Minutes
2. Zoning Report/Nuisance Properties
3. Meadow Pines/Edison Estates Subdivisions
4. Code Revisions/Legal Review
5. Bill's Auto Service
6. IML Conference
7. Side-by-Side Vehicles

###### B. New Business

1. Jonathon Sehr Voluntary Annexation

###### 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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Web Site: [www.freeburg.com](http://www.freeburg.com)  
Legal and Ordinance Committee Meeting  
(Annexation; Building; Zoning; Subdivision)  
(Heap/Albers/Matchett/Meehling)  
Wednesday, June 26, 2019 at 5:30 p.m.

VILLAGE ADMINISTRATOR  
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The meeting of the Legal and Ordinance Committee was called to order at 5:31 p.m. by Chairman Mike Heap on Wednesday, June 26, 2019, in the Freeburg Municipal Center. Members attending were Chairman Mike Heap, Trustee Denise Albers, Trustee Ray Matchett, Trustee Lisa Meehling (5:33 p.m.), Mayor Seth Speiser, Village Clerk Jerry Menard, Trustee Mike Blaies, Trustee Bob Kaiser, Zoning Administrator Matt Trout, Police Chief Mike Schutzenhofer (absent), Public Works Director John Tolan (absent), Village Attorney Fred Keck, Village Administrator Tony Funderburg (absent) and Office Manager Julie Polson. Guest present: Janet Baechle.

## A. OLD BUSINESS:

1. Approval of May 29, 2019 Minutes: Trustee Denise Albers motioned to approve the May 29, 2019 minutes and Trustee Ray Matchett seconded the motion. All voting yea, the motion carried.
2. Zoning Report/Nuisance Properties: Zoning Administrator Matt Trout advised 8 permits have been issued (2 electric, 1 wrecking, 1 driveway, 1 fence, 1 new home, 1 new duplex, 1 covered patio), and 9 occupancy permits as well. The nuisance property list was provided, and Matt is working on some of the older outstanding issues. Matt has also sent out letters regarding inoperable motor vehicle letters.
3. Meadow Pines/Edison Estates Subdivisions: Matt took care of the extension cord issue in Meadow Pines. He and Jane have discussed the sewer tap on fee procedure since no-one has come into pay for any. Mayor Speiser suggested requiring payment when they pay for the building permit. Matt advised the Combined Planning and Zoning Board the preliminary concept plan for Edison Estates with a 7-0 vote, and it will be on Monday's board meeting to approve. Attorney Keck advised he reviewed that proposed ordinance for this. Matt stated the concept plan includes rezoning the property and a maximum lot coverage variance from 25% to 30% for the SR-2 district.
4. Code Revisions/Legal Review: Matt provided the zoning code proposed changes to pole barns, solar, prefab car ports, storage containers and the ordinance violation penalty amount. He asked for everyone to review the changes before it goes to the Combined Planning and Zoning Board for a public hearing. Attorney Keck stated Carbondale has had 6 applications for cannibas lounges. We have to decide if and how we want to regulate this. Fred also said we need to get language in our code addressing solar farms. He suggested using the model ordinances from IML.

Matt advised the letters have gone out to the Industrial Park businesses regarding lawn mowing.

## B. NEW BUSINESS:

1. Bill's Auto Service: Matt advised we are receiving more complaints about Bill Herr's business property. He and Trustee Heap met with him, and the meeting did not go well. Matt suggested a strongly worded letter for a final chance to clean up his property and have it delivered by Officer Ruhmann. Attorney Keck stated our zoning code does not allow the property to be in that condition. Trustee Albers asked for a time fame in the letter, and the committee agreed

Legal and Ordinance Committee Meeting  
Wednesday, June 26, 2019

on two weeks to address the fence and weeds. After that, he will receive a daily ordinance violation until the issues are addressed. After that, the inoperable cars in the back need to be taken care of.

2. **Village Hall Hours of Operation:** Office Manager Julie Polson asked the committee to consider changing the hours of operation from 7:00 a.m. – 5:00 p.m. to 7:00 a.m. – 4:00 p.m. She said the office would still stay open until 5:00 p.m. on due date and disconnect date. Our drop box is the most popular way our residents pay. They can also pay at their local bank, online or through our direct debit program.

*Trustee Lisa Meehling motioned to recommend to the full Board Village Hall operating hours be changed to 7:00 a.m. – 4:00 p.m. Monday through Friday and Trustee Denise Albers seconded the motion. All voting yea, the motion carried.*

3. **IML Conference:** Mayor Speiser asked for anyone that is interested in attending the IML Conference on September 19<sup>th</sup> – 21<sup>st</sup>, to let Village Administrator Tony Funderburg know as soon as possible.
4. **Side-by-Side Vehicles:** Mayor Speiser stated we need to have an ordinance stating either we are or are not allowing side-by-side vehicles in Freeburg. Attorney Keck confirmed this, and further stated he reviewed our previous ordinance and said it was very well done. He believes if we decide to do this, we should follow that ordinance. He believes we have addressed the biggest issue of driving them at night. The side-by-side would be treated like a car and only be allowed sunrise to sunset. The inspection fee would be paid to the inspector. Mayor Speiser said you could get a local auto shop to perform the inspection. Trustee Heap would like more time to discuss with Chief Schutzenhofer.

**C. GENERAL CONCERNS:** None

**D. PUBLIC PARTICIPATION:** Janet asked if the side-by-side discussion is starting all over again, and Trustee Heap advised yes.

**E. ADJOURN:** *Trustee Lisa Meehling motioned to adjourn at 6:11 p.m. and Trustee Denise Albers seconded the motion. All voting yea, the motion carried.*



Julie Polson  
Office Manager

**ORDINANCE NO. 1687**

**AN ORDINANCE ANNEXING  
CERTAIN TERRITORY TO THE VILLAGE  
OF FREEBURG, ST. CLAIR COUNTY, ILLINOIS  
(SEHR PROPERTY)**

WHEREAS, a written petition, signed by the legal owners of record of all land within the territory hereinafter described, has been filed with the Village Clerk of the Village of Freeburg, St. Clair County, Illinois, requesting that said territory be annexed to the Village of Freeburg, and,

WHEREAS, petitioner is the sole elector residing within the said territory; and,

WHEREAS, the said territory is not within the corporate limits of any municipality but is contiguous to the Village of Freeburg; and

WHEREAS, legal notices regarding the intention of the Village to annex said territory have been sent to all public bodies required to receive such notice by state statute; and,

WHEREAS copies of such notices required to be recorded, if any, have been recorded in the Office of the Recorder of St. Clair County; and,

WHEREAS, all petitions, documents, and other necessary legal requirements are in full compliance with the statutes of the State of Illinois, specifically Section 7-1-8 of the Illinois Municipal Code; and,

WHEREAS, it is in the best interest of the Village of Freeburg that the territory be annexed thereto.

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

Section 1: THAT the following described territory,

Legal Description:

Part of the Southeast Quarter of Section 29, Township 1 South, Range 7 West of the Third Principal Meridian, St. Clair County, Illinois, more particularly described as follows:

Commencing at a stone marking the Northwest corner of the Southeast Quarter of said Section 29; thence on a assumed bearing of South 00 degrees 01 minutes 10 seconds West on the West line of the Southeast Quarter of Section 29, a distance of 765.84 feet to an iron pin on the Southwesterly right-of-way line of F.A.S. Route 847 (Illinois Route 15); reference being had to the Plat thereof recorded in the Recorder's Office of St. Clair County, Illinois, in Plat Book 53, page 24, said point being the Point of Beginning of the tract of land herein described; thence continuing South 00 degrees 01 minutes 10 seconds West on the West line of the Southeast Quarter of Section 29, a distance of 336.94 feet to an iron pin; thence North 60 degrees 25 minutes 45 seconds East, a

**ORDINANCE #1687 cont.**

distance of 167.98 feet to an iron pin on the Southwesterly right-of-way line of said F.A.S. Route 847 (Illinois Route 15); thence North 29 degrees 53 minutes 00 seconds West on said right-of-way line, a distance of 293.00 feet to the Point of Beginning.

Except the coal, gas and other minerals.

Situated in the County of St. Clair, State of Illinois.

P.I.N.: 14-29.0-400-035

Property Address: 610 Urbanna Drive, Freeburg, Illinois 62243

being indicated on an accurate map of the annexed territory (which is appended to and made part of this Ordinance) is hereby annexed to the Village of Freeburg, St. Clair County, Illinois, with a zoning classification of SR-1 (Single Family Residence).

Section 2: THAT the Village Clerk is hereby directed to record with the Recorder and to file with the County Clerk a certified copy of this Ordinance, together with the accurate map of the territory annexed appended to the Ordinance.

Section 3: THAT this Ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form as provided by law.

PASSED by the Board of Trustees and approved by the Mayor this 5<sup>th</sup> day of August, 2019.

AYES \_\_\_\_\_ NAYS \_\_\_\_\_ ABSENT \_\_\_\_\_

Vote recorded by:

\_\_\_\_\_  
Jerry Lynn Menard  
Village Clerk

**ORDINANCE #1687 cont.**

Approved by the Village President of the Village of Freeburg, St. Clair County, Illinois, this \_\_\_ day of August, 2019.

\_\_\_\_\_  
Seth E. Speiser  
Village President

ATTEST:

Approval as to Legal Form:

\_\_\_\_\_  
Jerry Lynn Menard  
Village Clerk

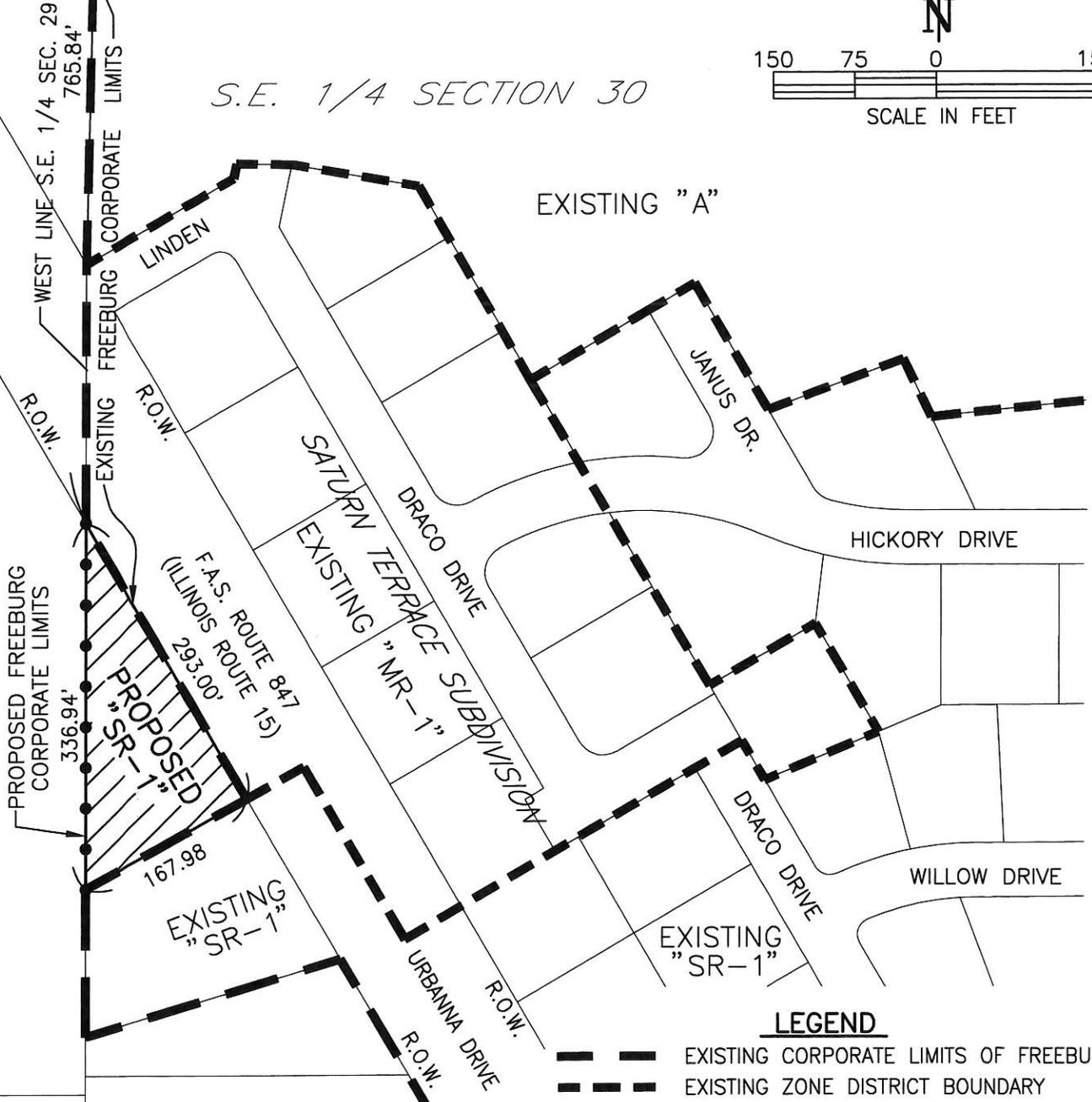
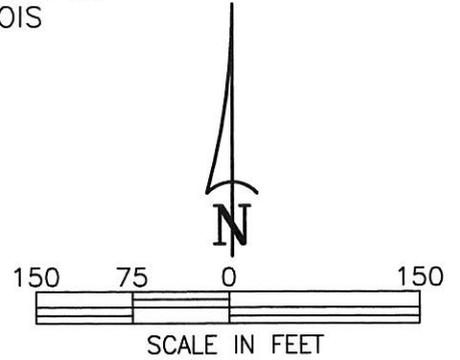
\_\_\_\_\_  
Fred Keck  
Village Attorney

ANNEXATION PLAT  
ORDINANCE NO. \_\_\_\_\_  
FREEBURG, ILLINOIS

PART OF THE S.E. 1/4 OF SECTION 29  
T. 1 S., R. 7 W. OF THE 3RD P.M.  
ST. CLAIR COUNTY, ILLINOIS

N.W. CORNER  
S.E. 1/4  
SEC. 29

S.E. 1/4 SECTION 30



**LEGEND**

- EXISTING CORPORATE LIMITS OF FREEBURG
- EXISTING ZONE DISTRICT BOUNDARY
- PROPOSED CORPORATE LIMITS OF FREEBURG
- PROPOSED ANNEXATION

I DO HEREBY CERTIFY THAT THIS ANNEXATION PLAT HAS BEEN PREPARED UNDER MY DIRECT SUPERVISION

*Gale E. Hake* 7/10/19  
GALE E. HAKE, I.P.L.S. NO. 2579 DATE  
LICENSE EXPIRATION DATE: 11/30/2020



**RHUTASEL and ASSOCIATES, INC.**  
CONSULTING ENGINEERS • LAND SURVEYORS  
FREEBURG, ILLINOIS SALEM, ILLINOIS  
(618) 539-3178 (618) 532-1992  
IL. LICENSE NO. 184-000287

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