

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
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

August 1, 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, August 3, 2011, at 4:30 p.m.**

LEGAL AND ORDINANCE COMMITTEE MEETING AGENDA

I. Items to be Discussed:

A. Old Business

1. Approval of July 6, 2011 Minutes and Executive Session Minutes
2. Status of Public Hazard Homes
3. Unionization
4. Update Code Book
5. Nuisance Abatement Code

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, August 3, 2011 at 4:30 p.m.

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The meeting of the Legal and Ordinance Committee was called to order at 4:34 p.m. by Chairman Seth Speiser on Wednesday, August 3, 2011, in the Freeburg Municipal Center. Members attending were Chairman Seth Speiser, Trustee Rita Baker, Trustee Charlie Mattern (absent), Village Administrator Dennis Herzing and Office Manager Julie Polson.

A. OLD BUSINESS:

1. Approval of July 6, 2011 and Executive Session Minutes: Trustee Rita Baker motioned to approve the July 6, 2011 minutes and Trustee Seth Speiser seconded the motion. All voting aye, the motion carried. Trustee Rita Baker motioned to approve the October 13, 2010 Executive Session Minutes and Trustee Seth Speiser seconded the motion. All voting aye, the motion carried.

2. Status of Public Hazard Homes: Dennis said Attorney Manion sent a demand letter to Sheets' attorney regarding the fees owed to us. If the demand is ignored, Dennis said we could start foreclosure proceedings on the lot by the Village Park. Phil told Dennis in his recent conversation with Mrs. Kinzinger, they seem to be making progress on the sale of the home on N. Main St. Dennis would like to wait a little longer before we start any type of legal proceedings on that.

3. Unionization: Ongoing. Dennis said we will discuss this in the Committee as a Whole meeting on Monday, August 8th.

4. Update Code Book: Ray would like the committee to review Frank's code revision recommendations.

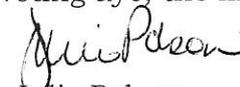
5. Nuisance Abatement Code: Julie needs to check with Phil on the checklist.

B. NEW BUSINESS: Seth asked if we heard anymore from Leon on 113 E. Apple and Dennis said no. He assumes Leon will be renovating the building into a single family residence. Rita asked about the pole leaning on the lot in Deerfield and Dennis said he needs to talk to Dave Self about that.

C. GENERAL CONCERNS: None.

D. PUBLIC PARTICIPATION: See New Business.

E. ADJOURN: Trustee Rita Baker motioned to adjourn the meeting at 4:39 p.m. and Trustee Seth Speiser seconded the motion. All voting aye, the motion carried.


Julie Polson
Office Manager

Legal and Ordinance Committee Meeting

Wednesday, August 3, 2011

VILLAGE BOARD OF TRUSTEES MEETINGS ARE HELD ON THE FIRST AND THIRD MONDAY OF EVERY MONTH

VILLAGE PRESIDENT
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Legal and Ordinance Committee Meeting
(Annexation; Building; Zoning; Subdivision)
(Speiser/Baker/Mattern)
Wednesday, July 6, 2011 at 4:30 p.m.

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

The meeting of the Legal and Ordinance Committee was called to order at 4:33 p.m. by Chairman Seth Speiser on Wednesday, July 6, 2011, in the Freeburg Municipal Center. Members attending were Chairman Seth Speiser, Trustee Rita Baker, Trustee Charlie Mattern (4:45 p.m.), Village Administrator Dennis Herzing and Office Manager Julie Polson. Guest present: Elaine Wild and Stan Koerber (late).

A. OLD BUSINESS:

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

2. Status of Public Hazard Homes: Dennis said he sent a copy of the article recently published in the Tribune regarding Sheets to Attorney Manion. Brian advised Dennis that it was of no concern to him and said the Appeals Court ruling is final. The only other option Sheets would have would be to take the case to the Supreme Court but Brian feels they will not hear the case. Dennis said we have the option to go to the lower court to try to recoup some of the latest fees we have incurred fighting this last appeal. Dennis said if Sheets has any validity to the argument, that could affect these additional court fees but not the ones we've already been awarded. With respect to the Kinzinger home, Dennis advised Phil has been in contact with Kinzinger. We will wait a little longer and then turn it over to the attorneys to handle.

3. Unionization: Ongoing. Dennis said we had another meeting with them and have resolved some of the smaller issues. He said the police contract is very close to being agreed upon.

4. Update Code Book: The proposal from Frank to redo the code and implement the several pages of suggestions was \$9300. This will be reviewed prior to next month's meeting.

The revised ordinance correcting the section number for the building requirements on commercial buildings was provided for the committee's review.

Trustee Rita Baker motioned to recommend to the full Board the Ordinance Amending Title XV, Chapter 155 of the Revised Code adding Section 155.312 Exterior Building Material and Design: Business, Commercial and Industrial Districts and Trustee Seth Speiser seconded the motion. All voting aye, the motion carried.

5. Nuisance Abatement Code: Julie needs to check with Phil on the checklist.

Legal and Ordinance Committee Meeting
Wednesday, July 6, 2011
Page 1 of 3

B. NEW BUSINESS: Seth brought up the Berger situation and Dennis said he has no problem with them living in a mobile home until their home is repaired from the fire. The committee agreed to a 45-day time limit. Trustee Mattern entered the meeting and also agreed with it. A temporary electric service will be installed and Mrs. Berger was fine with paying the fee for it. Rita said there is a lot at Deerfield with a pole leaning against the trailer. Dennis will have the guys check it out.

Rezoning of 113 E. Apple Street - Seth asked the committee for any comments. Charlie said he would have liked to see some more people here and Elaine Wild said Stan Koerber had a previous commitment. Dennis was present at the Plan Commission hearing and said Sam Nold summed it up the best. It was a mess created years ago that we have to deal with now. He wasn't in favor of the multi-family because it could then become a 4-, 5-, 6- or 7-family apartment building. The MR-1 limits the building to two families and Sam felt it was a good compromise between MR-2 and SR-1. Elaine commented on the high traffic in the area and the fact that there wouldn't be much land for children to play. Seth commented there aren't a lot of 3000 square foot homes in that area. Charlie said he doesn't see this as spot zoning because the structure was in place prior to zoning being instituted in Freeburg. He said we have to try to make the best of what we have been handed. Dennis said since he has been here, we have rezoned one property at 409 W. Washington. Dennis said our attorney at the time commented our village board needs the ability to spot zone if it is the most beneficial use of the property. Elaine asked for any paperwork that she could give to Stan from this meeting. Rita told Elaine the next board meeting will be Monday, July 18th. Charlie asked what the next closest non-SR-1 property is and Dennis said the properties along the highway are probably the closest. Dennis checked the zoning map and said everything along the highway one lot deep is B-2 and when it gets to around Valentines and Sanders it goes back a little deeper. Other than that, in that area, it is SR-1. Dennis said Leon Furtak talked about how busy Apple Street is and assumes his point was that the duplex wouldn't have a negative impact on that traffic. Elaine commented it is really busy during ball season. Dennis said it would probably cost less to convert the building into a single-family dwelling and thinks Leon would feel it might be a poorer investment because it would be difficult to sell or rent it out as a single family dwelling. Seth said if there was another duplex in the area, it might be an easier decision. Dennis said there could be some duplexes in the area but thinks it is unlikely.

Trustee Rita Baker motioned to recommend to the full Board the rezoning of 113 E. Apple Street from SR-1 to MR-1 and the motion died for a lack of second.

Dennis said since the Plan Commission recommended the zoning change, it would need a 2/3's majority vote at the board meeting for it not to pass. Dennis said if we are going to allow anything, a 2-family is better than an 8-family. Charlie asked if a single-family is a viable alternative for the next 30 years of the property and Dennis said he is not sure if anyone can answer that. Physically, it is possible but you would need a real estate expert to give you that information. Charlie said it may not be the long-term investment that Leon wanted and he can't rule out a single-family solution. Seth said he wouldn't have a problem with the request if there hadn't been any objections to it. No recommendation was brought by this committee.

C. GENERAL CONCERNS: None.

D. PUBLIC PARTICIPATION: See New Business.

E. ADJOURN: *Trustee Rita Baker motioned to adjourn the meeting at 5:28 p.m. and Trustee Charlie Mattern seconded the motion. All voting aye, the motion carried.*



Julie Polson
Office Manager