

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

August 3, 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, August 5, 2009, at 5:30 p.m.**

LEGAL AND ORDINANCE COMMITTEE MEETING AGENDA

I. Items to be Discussed

- A. Old Business
 - 1. Approval of July 1, 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. Bill's Autobody
- B. New Business
 - 1. Grassroots Advocacy Program
- 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, August 5, 2009 at 5:30 p.m.

The meeting of the Legal and Ordinance Committee was called to order at 5:30 p.m. by Chairman Seth Speiser on Wednesday, August 5, 2009, 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: Mike Blaies.

A. OLD BUSINESS:

1. Approval of July 1, 2009 Minutes: *Trustee Rita Baker motioned to approve the July 1, 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: Seth had a discussion with Frank Heiligenstein on this topic and Frank thinks if we do adopt inspections on commercial upgrades, it should include apartment buildings. Seth said Dave Favre is not in favor of that. Seth discussed the apartment building by the railroad with an electrical inspector who said that building is not considered commercial because they are not running the wire in conduit. The County differentiates residential and commercial by saying residential is residential. Dennis will contact the County to verify this.
3. Status of Public Hazard Homes: Dennis said Phil received a call from Kinzingers advising they are very busy right now and will get to it towards fall.
4. TIF litigation: Dennis talked to Koppeis who advised Dennis he has talked with the banks. He thinks the banks will go along with changing the waterfall date. Koppeis also going to request that they allow the excess property tax to go to pay himself. Dennis said he talked to Ray about that and doesn't know that we agree with that. Dennis' main concern is that it all doesn't go to pay bonds. Joe is to provide us with the letters first so we can review them prior to them going out. There will be two letters--one letter will address moving the waterfall date and the other letter will address the excess property tax.
5. Bill's Autobody: The committee agreed it looks like Bill has tried to clean up his area. There is still a problem with the drainage and Dennis said it will take a lot of fill to fix it and doesn't think Bill will do that. Seth asked Dennis to send him a

Legal and Ordinance Committee Meeting
Wednesday, August 5, 2009
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letter stating we appreciate what he has done. Phil will continue to monitor the situation.

Trustee Rita Baker motioned to amend the agenda to add Stumpf Lawnmower Business and Trustee Seth Speiser seconded the motion. All voting aye, the motion carried. Dennis said the police have been working with Phil and have at least one person who stated in a taped interview that he bought a lawnmower from Stumpf. Dennis thinks we have a pretty strong case that Stumpf is operating a business. He also said a couple of neighbors are willing to come in and sign a complaint that he is disturbing the peace. We will bundle all of those and have Attorney Manion take it back to court.

An ordinance was included in the packet to clean up our code. The section in our code that addresses massage parlors was outdated. The Massage Licensing Act governs massage parlors now. This ordinance will repeal that section of the code.

Trustee Rita Baker motioned to recommend the ordinance repealing Title XI, Chapter 112 of the Revised Code of the Village of Freeburg and Trustee Seth Speiser seconded the motion. All voting aye, the motion carried.

B. NEW BUSINESS:

1. Grassroots Advocacy Program: Dennis said IML is requesting that someone be designated as a contact person when they have information where our opinion is requested, i.e. upcoming legislation that needs to be voted on. Dennis said we don't have to respond if we don't agree with their position. Julie will be the designated contact person.

Julie asked if anyone was going to the IML Conference. Seth will check his calendar.

C. GENERAL CONCERNS: None.

D. PUBLIC PARTICIPATION: Mike asked about the area around 106 Phillips stating the yard is full of junk. Dennis will have Phil take a look at it.

E. ADJOURN: *Trustee Rita Baker motioned to adjourn the meeting at 5:55 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, July 1, 2009 at 4:30 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, July 1, 2009, in the Freeburg Municipal Center. Members attending were Chairman Seth Speiser, Trustee Rita Baker, Trustee Charlie Mattern, Mayor Ray Danford, Village Administrator and Office Manager Julie Polson. Guests present: Tom Gentry, Carol Gentry, Brenda Anderson, Angie Palmier and Helen Obernagel.

D. PUBLIC PARTICIPATION: Tom Gentry, Carol Gentry and Brenda Anderson were present to register their complaint over Ken Stumpf's continued operation of his lawn mowing business. They provided another set of pictures which were taken after the court date. Ray said he spoke to Ken a couple of times and told him the Village views his situation as operating a business. The Gentrys commented Mr. Stumpf is continuing the business on a daily basis. Brenda called the police the weekend before Memorial Day because she was going to take a picture and felt physically threatened by one of his customers. Stumpf told her husband he can do whatever he wants and they can't do anything about it. The Gentrys just want our help. The committee talked about citing Mr. Stumpf and directed Dennis to contact our attorney about the situation and let the Gentrys and Brenda Anderson know what direction the attorney wants us to go.

A. OLD BUSINESS:

1. Approval of June 3, 2009 Minutes: *Trustee Rita Baker motioned to approve the June 3, 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 reviewed the revised nuisance code and are recommending it to the Legal/Ordinance Committee for their action. Dennis asked the committee to review it and discuss at the next committee meeting. Ray asked if we still want to address the building code and Dennis said the Community Improvement Board didn't get into enough detail to write anything up. Dennis said we talked about changing our policy on enforcement of commercial building code but not residential building code. He said it may not require any change to our code. It is more of coming with a policy and guidelines to follow the policy. Our policy in the past has been not to require a permit or inspection on interior remodel for residential or commercial properties. Ray asked where do you draw the line on getting involved to start the inspection process and

Legal and Ordinance Committee Meeting
Wednesday, July 1, 2009
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Seth said anytime you do something to the structure of the building, the plumbing and electrical. Dennis said John Davinroy's opinion was anytime you open a wall, you need a permit. Dennis questioned how are we going to handle the enforcement aspect of this process? We need to define what we are going to inspect and not going to inspect and need to advertise the policy. Seth suggested a letter could be sent out to businesses advising them of the policy. Rita said when a new business comes into town, we can give them a copy of the policy. We can also send a copy of the policy when a business renews their business license. Seth suggested the policy should be applicable to any interior/exterior remodel of an existing commercial/industrial building. The fee schedule was discussed. The committee agreed to have everyone come in for a permit regardless of the project. The permit application will be broken out with the fee being based upon the value of the project for plumbing, electrical, structural changes. A nominal fee will be charged for those projects that do not require an inspection, i.e. painting, carpet. No decision will be made by the applicant, that will be done by Phil. The committee agreed to have Dennis sit down with Phil to get his opinion and also to start working on the policy.

3. Status of Public Hazard Homes: The committee received a copy of the letter sent to Mary Kinzinger and Julie advised the certified receipt came back showing she had signed for the letter.

4. TIF litigation: Ray said we are still trying to set up a meeting with Koppeis and his attorney.

5. Drainage easement grades: Seth requested this item be taken off the agenda.

6. Bill's Autobody: Seth requested Dennis to have Bill cited since he has not complied with any of the committee's requests to clean up the appearance of his business. Ron inspected the south area of the lot that does not drain well. Seth said if the parking lot was leveled off, it would drain correctly.

7. Huelsman drainage problem: Dennis advised we haven't heard anything from Penny Livingston. Seth said this can be taken off the agenda.

8. Resident lawn business parking complaint: Dennis said the literature Frank provided did not address the problem. Dennis said part of this situation is addressed in the nuisance code. Seth asked if it was illegal for someone to park a trailer on the street and Dennis advised no. Dennis asked if we want to change our ordinance to make it illegal everywhere in town. Ray said is there any difference between a trailer and an RV? Charlie thinks the complaint is based on aesthetics. This item will be left on the agenda.

9. Masseur's permit: Angela and Helen were present to discuss our ordinance requirements. Dennis included a copy of Attorney Wigginton's assessment of our ordinance. Steve feels our ordinance is outdated and the Village should delete the ordinance and follow state statute. We will require that a business license be

applied for, along with a copy of the state license and proof of malpractice insurance. Angela said she does sample ordinances should we want to keep something in our code about this.

B. NEW BUSINESS: Ray advised we are in the process of compiling the forms for the TIF in preparation for the public meeting.

C. GENERAL CONCERNS: None.

D. PUBLIC PARTICIPATION: See above.

E. ADJOURN: *Trustee Rita Baker motioned to adjourn the meeting at 5:35 p.m. and Trustee Charlie Mattern seconded the motion. All voting aye, the motion carried.*



Julie Polson
Office Manager

ORDINANCE NO. _____

AN ORDINANCE REPEALING TITLE XI, CHAPTER 112 OF THE REVISED
CODE OF THE VILLAGE OF FREEBURG, ST. CLAIR
COUNTY, ILLINOIS (Massage Parlors)

WHEREAS, the Illinois Massage Licensing Act (225ILCS57/1, et seq.) became effective August 12, 2003; and

WHEREAS, the Illinois Massage Licensing Act provides that the regulation and licensing of massage therapy is an exclusive power and function of the state.

NOW THEREFORE BE IT ORDAINED BY THE VILLAGE PRESIDENT AND VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF FREEBURG, ST. CLAIR COUNTY, ILLINOIS, THAT:

TITLE XI, CHAPTER 112 of the Revised Code of the Village of Freeburg, St. Clair County, IL is hereby repealed in its entirety.

PASSED BY THE VILLAGE BOARD OF THE VILLAGE OF FREEBURG, ILLINOIS, ST. CLAIR COUNTY, AND APPROVED BY THE VILLAGE PRESIDENT THIS

_____ DAY OF August, 2009.

AYES _____

ABSENT _____

NAYS _____

ABSTAIN _____

Jerry Menard, Village Clerk

Educate. Advocate. Empower.

July 1, 2009

RECEIVED

JUL 06 2009

Dear Manager/Administrator:

We write you to ask that your municipality participate in a new program to ensure that your voice is heard in Springfield on those issues most important to municipal governments.

The Illinois General Assembly considers hundreds of bills every year that affect municipal governments. Many of these bills will have limited impact on municipal governments. Some of these bills, however, are beneficial to municipal operations, while others can hinder municipal functions and budgets. Legislators need to hear from municipal leaders about the bills that will discernibly affect your budgets and operations.

The Illinois Municipal League (IML) and the Illinois City/County Management Association (ILCMA) are working together to build a Grassroots Advocacy Program (GAP). We are asking municipalities to make two commitments as part of this effort.

The first commitment is to identify someone on the management team as the designated contact person and forward their name and e-mail address to the IML. The second commitment is to empower this individual to coordinate and follow-up on any official requests for information and/or advocacy.

For example, if a bill is being considered that will impose an unfunded mandate, the IML will send information about the bill accompanied by a specific request for action to the contact person in each municipality. The designated contact person should be responsible for coordinating with appropriate staff to develop a cost estimate for the bill and any other information necessary to analyze the impact on your municipal operations. This information can then be forwarded to legislators and the IML. At times, the IML will need your municipality to simply send a prepared letter to your legislator. The IML will draft the letter and e-mail it to the municipal contact person, who can place it on official stationery for the signature of the mayor or manager and mail it to the legislator.

It is very important to gather critical information about how a bill may affect a municipality. It is also extremely important that a legislator not be able to say that they never heard from their municipalities on an important issue.

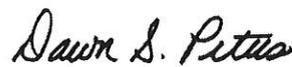
Please be assured that the IML will utilize this program only for select legislation deemed as particularly beneficial or burdensome for municipal governments.

We are looking for 100% participation in this new program from municipalities with a manager or administrator. Please complete the form attached to identify your official GAP program contact person and contact information. The form can be sent to Joe Schatteman, Research & Information Services Coordinator

Thank you for your consideration in this matter.



Executive Director
Illinois Municipal League



Executive Director
Illinois City/County Management Assoc.



Grassroots Advocacy Program (G.A.P.)

Contact Information Survey

Municipality: Village of Freeburg
Name of GAP contact: Talia Polson
Title of GAP contact: Office Manager

Contact Information:

Phone: 618/539-5705 Cell Phone: 618/806-1000
Email Address: jpolson@freeburg.com

Is the contact person able to receive text messages on their cell phone?

Yes: No:

Additional Information:

How familiar is the contact person with the Illinois Legislative Process?

Very Familiar
 Somewhat Familiar
 Not Familiar

Please list the state legislators that represent your municipality and indicate if there is a person working or representing your community that has a good working relationship with that legislator.

Senator <u>Dave Luechtefeld</u>	Good Working Relationship:	<input checked="" type="radio"/> Yes	<input type="radio"/> No
Senator _____	Good Working Relationship:	<input type="radio"/> Yes	<input type="radio"/> No
Representative <u>Dan Reitz</u>	Good Working Relationship:	<input checked="" type="radio"/> Yes	<input type="radio"/> No
Representative _____	Good Working Relationship:	<input type="radio"/> Yes	<input type="radio"/> No

Please return the completed form to:

Joe Schatteman
Illinois Municipal League
500 E. Capitol
P.O. Box 5180
Springfield Illinois 62705

Or Fax: (217) 525-7438
Or email: jschatteman@iml.org