

VILLAGE PRESIDENT
Seth Speiser

VILLAGE CLERK
Jerry Menard

VILLAGE TRUSTEES
Mathew Trout
Dean Pruett
Lisa Meehling
Ray Matchett, Jr.
Mike Blaies
Denise Albers

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

VILLAGE TREASURER
Bryan A. Vogel

PUBLIC WORKS DIRECTOR
John Tolan

POLICE CHIEF
Stanley Donald

VILLAGE ATTORNEY
Weilmuenster & Keck, P.C.

November 28, 2016

NOTICE

MEETING OF LEGAL AND ORDINANCE COMMITTEES

Annexation; Building; Zoning; Subdivision

(Meehling/Blaies/Pruett/Trout)

A Legal and Ordinance Committee Meeting of the Village of Freeburg will be held at the Municipal Center, Executive Board Room, **Wednesday, November 30, 2016, at 5:30 p.m.**

LEGAL AND ORDINANCE COMMITTEE MEETING AGENDA

I. Items to be Discussed:

A. Old Business

1. Approval of October 26, 2016 Minutes
2. Zoning Report/Nuisance Properties
3. Combination of Plan Commission and Board of Appeals

B. New Business

1. Ordinance #1610: An Ordinance Abating the Taxes Levied for the Electric System Bonds
2. Ordinance #1611: An Ordinance Abating the Taxes Levied for the TIF Bonds

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)] or discussion of executive session minutes, [5 ILCS-120/2-(c)(21)

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

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Legal and Ordinance Committee Meeting
(Annexation; Building; Zoning; Subdivision)
(Meehling/Blaies/Pruett/Trout)

Wednesday, October 26, 2016 at 5:30 p.m.

VILLAGE ADMINISTRATOR
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The meeting of the Legal and Ordinance Committee was called to order at 5:30 p.m. by Chairperson Lisa Meehling on Wednesday, October 26, 2016, in the Freeburg Municipal Center. Members attending were Chairperson Lisa Meehling, Trustee Mike Blaies, Trustee Dean Pruett (5:40 p.m.), Trustee Matt Trout, Mayor Seth Speiser, Village Clerk Jerry Menard, Trustee Denise Albers, Trustee Ray Matchett, Zoning Administrator Gary Henning, Public Works Director John Tolan, Village Attorney Brian Manion, Village Administrator Tony Funderburg and Office Manager Julie Polson.

A. OLD BUSINESS:

1. Approval of September 28, 2016 Minutes: Trustee Matt Trout motioned to approve the September 28, 2016 minutes and Trustee Mike Blaies seconded the motion. All voting yea, the motion carried.
2. Zoning Report/Nuisance Properties: Zoning Administrator Henning advised we have a Board of Appeals hearing tomorrow night for Lot 3 on Sunset Drive. Village Administrator Tony Funderburg advised we have a resident who has started to replace the fence that has been on his property for 40 years. Tony said the road is 50 feet wide and there is approximately 17-18 feet from the edge of the road to the property line. The replacement fence is not in the same spot as the old one, and the permit was received after the work started and sits on approximately six feet of Village property. Zoning Administrator had the homeowner stop the work on the fence until a decision is made. Trustee Meehling is concerned about the liability of a fence on Village property. Administrator Funderburg suggested either vacating a section or make him move the fence. Public Works Director John Tolan will take a look at it to see if there are any utilities affected.
3. Combination of Plan Commission and Board of Appeals: Administrator Funderburg advised we will get the public hearing scheduled as soon as possible.

B. NEW BUSINESS:

1. Illinois Codification Invoice: Administrator Funderburg advised we received this invoice from Illinois Codification for recodification of chapters 4, 34 and 40. Attorney Manion advised he drafted changes to the code and gave them to Tony and this committee to review. Frank contacted Tony with concerns and a meeting was held to review the proposed changes. Frank wanted to make his own revisions, and Attorney Manion told him to mark up his revisions. There was never any discussion to pay him to do anything.

C. GENERAL CONCERNS: None.

D. PUBLIC PARTICIPATION: None.

Legal and Ordinance Committee Meeting
Wednesday, October 26, 2016

E. ADJOURN: *Trustee Matt Trout motioned to adjourn at 5:56 p.m. and Trustee Mike Blaies seconded the motion. All voting yea, the motion carried.*



Julie Polson
Office Manager

LEGAL-ORDINANCE MEETING

November 30, 2016

Gary Henning Zoning Administrator

10-Occupancy Permits issued in November 2016

6-Building Permit issued in November 2016

- 1-Electric
- 1-Exterior - Dollar Tree
- 1-Interior Design - Dollar Tree
- 1-Sign
- 1-New Home
- 1-Fence

Nuisances Corrected in November 2016-11

The Court case against Bobby Pearson has been continued until Thursday January 19, 2017.

I gave the Yarbers a list of things needed to be done before January 1st to prevent starting of fines--also told them if they applied for a building permit before the end of the year to build a pole barn to store much of the materials by their road frontage--I would extend their deadline 3 months until April 1st. I will check again the first week of December to see what progress has been made and what needs to be done by the end of the year.

The boys and girls Cross Country teams and coaches will be honored at the December 5th Village Board Meeting.

VILLAGE OF FREEBURG

ORDINANCE NO. 1610

AN ORDINANCE ABATING THE TAX HERETO LEVIED FOR THE
YEAR 2016 TO PAY THE PRINCIPAL OF AND INTEREST ON
\$4,780,000 GENERAL OBLIGATION BONDS (ELECTRIC SYSTEM
ALTERNATE REVENUE SOURCE), SERIES 2012, OF THE VILLAGE OF
FREEBURG, ST. CLAIR COUNTY, ILLINOIS

ADOPTED BY THE
VILLAGE PRESIDENT AND BOARD OF TRUSTEES
OF THE
VILLAGE OF FREEBURG
THIS 5th DAY OF DECEMBER, 2016

ORDINANCE NO. 1610

AN ORDINANCE ABATING THE TAX HERETO LEVIED FOR THE YEAR 2016 TO PAY THE PRINCIPAL OF AND INTEREST ON \$4,780,000 GENERAL OBLIGATION BONDS (ELECTRIC SYSTEM ALTERNATE REVENUE SOURCE), SERIES 2012, OF THE VILLAGE OF FREEBURG, ST. CLAIR COUNTY, ILLINOIS

WHEREAS, the President and Board of Trustees of the Village (the "Corporate Authorities") of the Village of Freeburg, St. Clair County, Illinois (the "Village"), by Ordinance No. 1432 adopted on the 20th of August, 2012 and a Notification of Sale of Bonds, dated August 30, 2012 (together, the "Ordinance"), did provide for the issue of not to exceed \$4,800,000 General Obligation Bonds (Electric System Alternate Revenue Source), Series 2012 (the "Bonds"), and the levy of a direct annual tax sufficient to pay the principal of and interest on the Bonds; and

WHEREAS, the Pledged Revenues (as defined in the Ordinance) have been determined by the Village Treasurer to provide an amount not less than 1.00 times debt service of all Outstanding Bonds (as defined in the Ordinance) in the next succeeding bond year (June 1st and December 1st); and

WHEREAS, the Revenues have been deposited in the Village of Freeburg 2012 Bond Fund (as created in the Ordinance) in an amount sufficient to pay debt service on all Outstanding Bonds in the next succeeding bond year; and

WHEREAS, it is necessary and in the best interests of the Village that the tax heretofore levied for the year 2016 to pay the principal of and interest on the Bonds be abated.

NOW, THEREFORE BE IT ORDAINED BY THE CORPORATE AUTHORITIES OF THE VILLAGE OF FREEBURG, ST. CLAIR COUNTY, ILLINOIS, AS FOLLOWS:

SECTION 1. Abatement of Tax. The Tax heretofore levied for the year 2015 in the Ordinance is hereby abated in its entirety.

SECTION 2. Filing of Ordinance. Forthwith upon the adoption of this Ordinance, the Village Clerk shall file a certified copy hereof with the County of St. Clair, Illinois, and it shall be the duty of said County Clerk to abate said tax levied for the year 2016 in accordance with the provisions hereof.

SECTION 3. Effective Date. This Ordinance shall be in full force and effect forthwith upon its passage by the Corporate Authorities and signing and approval by the Village President.

PASSED BY THE CORPORATE AUTHORITIES OF THE VILLAGE OF FREEBURG, ILLINOIS, ST. CLAIR COUNTY, AND APPROVED BY THE VILLAGE PRESIDENT THIS 5th DAY OF DECEMBER, 2016.

Vote Recorded:

AYES _____	NAYS _____
ABSENT _____	ABSTAIN _____
ABSENT _____	ABSTAIN _____

Seth E. Speiser, Village President

ATTEST:

Jerry L. Menard, Village Clerk

Approval as to Legal Form: _____
Village Attorney

CERTIFICATION

I, Jerry Lynn Menard, the duly elected Clerk of the Village of Freeburg certify that the foregoing Ordinance is a true and correct copy of the Ordinance adopted by the Board of Trustees of the Village of Freeburg on December 5, 2016.

Jerry Lynn Menard,
Village Clerk

STATE OF ILLINOIS)
)
COUNTY OF ST. CLAIR) SS

Filing certificate

I, THE UNDERSIGNED, DO HEREBY CERTIFY THAT I AM THE DULY QUALIFIED AND ACTING County Clerk of the County of St. Clair, Illinois, and as such official I do further certify that on the _____ day of _____, 2016, there was filed in my office a duly certified copy of Ordinance No. 1610 entitled:

AN ORDINANCE ABATING THE TAX HERETO LEVIED FOR THE YEAR 2015 TO PAY THE PRINCIPAL OF AND INTEREST ON \$4,780,000 GENERAL OBLIGATION BONDS (ELECTRIC SYSTEM ALTERNATE REVENUE SOURCE), SERIES 2012, OF THE VILLAGE OF FREEBURG, ST. CLAIR COUNTY, ILLINOIS.

(the "Ordinance") duly adopted by the Village Board of Trustees of the Village of Freeburg, St. Clair County, Illinois (the "Village"), on the 5th day of December, 2016, and that the same has been deposited in the official files and records of my office.

I do further certify that the taxes heretofore levied for the year 2016 for the payment of the Village's \$4,800,000 General Obligation Bonds (Electric System Alternate Revenue Source), Series 2012, as described in the Ordinance will be abated in their entirety as provided in the Ordinance.

IN WITNESS WHEREOF I hereunto affix my official signature and the seal of said County this _____ day of _____, 2016.

Thomas Holbrook
County Clerk

(SEAL)

ORDINANCE NO. 1611

AN ORDINANCE OF THE BOARD OF TRUSTEES OF THE VILLAGE OF FREEBURG, ILLINOIS, ABATING THE TAXES HERETOFORE LEVIED FOR THE YEAR 2016 TO PAY DEBT SERVICE ON GENERAL OBLIGATION REFUNDING BONDS (TAX INCREMENT ALTERNATE REVENUE SOURCE), SERIES 2014 OF THE VILLAGE OF FREEBURG, ST. CLAIR COUNTY, ILLINOIS

ADOPTED BY THE
VILLAGE PRESIDENT AND BOARD OF TRUSTEES
OF THE
VILLAGE OF FREEBURG
THIS 5th DAY OF DECEMBER, 2016

Published in pamphlet form by authority of the Village President and Board of Trustees of the Village of Freeburg, St. Clair County, this 5th day of December, 2016.

Return To:

**Village of Freeburg
14 Southgate Center
Freeburg, IL 62243**

WHEREAS, the Board of Trustees (the “*Board of Trustees*”) of the Village of Freeburg, St. Clair County, Illinois (the “*Village*”), by ordinance adopted on the 7th day of April, 2014 (the “*Ordinance*”), did provide for the issue of not to exceed \$2,200,000 General Obligation Refunding Bonds (Tax Increment Alternate Revenue Source), Series 2014, and the levy of a direct annual tax sufficient to pay the principal of and interest on said bonds; and

WHEREAS, pursuant to the Ordinance, the Village has heretofore issued \$1,950,000 General Obligation Refunding Bonds (Tax Increment Alternate Revenue Source), Series 2014, dated April 30, 2014 (the “*Bonds*”), and has filed in the office of the County Clerk of the County of St. Clair, Illinois (the “*County Clerk*”), a Notification of Bond Order for the levy of taxes to pay the Bonds; and

WHEREAS, the Village has Pledged Revenues (as defined in the Ordinance) on deposit in the Debt Service Fund available for the purpose of paying debt service on the Bonds heretofore imposed by the 2016 levy; and

WHEREAS, such Pledged Revenues are hereby directed to be used for the purpose of paying debt service on the Bonds; and

WHEREAS, it is necessary and in the best interests of the Village that the taxes heretofore levied for the year 2016 to pay the Bonds be abated:

NOW, THEREFORE, Be It and It is Hereby Resolved by the Board of Trustees of the Village of Freeburg, St. Clair County, Illinois, as follows:

Section 1. Abatement of Taxes. The taxes heretofore levied for the year 2016 in the Ordinance are hereby abated in their entirety in the amount of \$186,347.

Section 2. Filing of Ordinance. Forthwith upon the adoption of this ordinance, the Village Clerk of the Board of Trustees shall file a certified copy hereof with the County Clerk and

it shall be the duty of the County Clerk to abate said taxes levied for the year 2016 in accordance with the provisions hereof.

Section 3. That all ordinances or parts of ordinances in conflict herewith are repealed, and that Ordinance No. 1611 adopting the November 2016 levy, above described, except as to this abatement, shall in all other things remain in full force and effect.

Section 4. Effective Date. This ordinance shall be in full force and effect forthwith upon its adoption.

PASSED by the Board of Trustees and approved by the Mayor this 5th day of December, 2016.

AYES _____	NAYS _____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

ABSENT _____	ABSTAIN _____
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Jerry Menard, Village Clerk

Approved this 5th day of December, 2016.

VILLAGE OF FREEBURG, ILLINOIS

Seth Speiser, Village President

ATTEST:

Jerry Menard, Village Clerk

Approval as to Legal Form:

Village Attorney

STATE OF ILLINOIS)
) SS
COUNTY OF ST. CLAIR)

CERTIFICATION

I, the undersigned, do hereby certify that I am the duly qualified and acting Village Clerk of the Village of Freeburg, St. Clair County, Illinois (the "*Village*"), and as such official I am the keeper of the records and files of the Village and the Board of Trustees.

I do further certify that at a regular meeting of the President and Board of Trustees of the Village of Freeburg, Illinois held on the 5th day of December, 2016, the foregoing ordinance entitled:

ORDINANCE #1611 abating the taxes heretofore levied for the year 2016 to pay debt service on General Obligation Refunding Bonds (Tax Increment Alternate Revenue Source), Series 2014 of the Village of Freeburg, St. Clair County, Illinois.

was duly passed by the President and Board of Trustees of the Village of Freeburg, Illinois.

I do further certify that the deliberations of the Board of Trustees on the adoption of said ordinance were conducted openly, that the vote on the adoption of said ordinance was taken openly, that said meeting was called and held at a specified time and place convenient to the public, that notice of said meeting was duly given to all of the news media requesting such notice, that an agenda for said meeting was posted at the location where said meeting was held and at the principal office of the Board of Trustees at least 48 hours in advance of the holding of said meeting, that said meeting was called and held in strict compliance with the provisions of the Open Meetings Act of the State of Illinois, as amended, and that the Board of Trustees has complied with all of the provisions of said Act and with all of the procedural rules of the Board of Trustees in the passage of said ordinance.

IN WITNESS WHEREOF, I hereunto affix my official signature, this 5th day of December, 2016.

Jerry Menard
Village Clerk

STATE OF ILLINOIS)
) SS
COUNTY OF ST. CLAIR)

FILING CERTIFICATE

I, the undersigned, do hereby certify that I am the duly qualified and acting County Clerk of the County of St. Clair, Illinois, and as such official I do further certify that on the ____ day of _____, 2016, there was filed in my office a duly certified copy of an ordinance entitled:

ORDINANCE #1611 abating the taxes heretofore levied for the year 2016 to pay debt service on General Obligation Refunding Bonds (Tax Increment Alternate Revenue Source), Series 2014 of the Village of Freeburg, St. Clair County, Illinois.

duly adopted by the Board of Trustees of the Village of Freeburg, Illinois, on the 5th day of December, 2016, and that the same has been deposited in the official files and records of my office.

I do further certify that the taxes heretofore levied for the year 2016 for the payment of General Obligation Refunding Bonds (Tax Increment Alternate Revenue Source), Series 2014 as described in said ordinance will be abated in their entirety as provided in said ordinance.

In Witness Whereunto, I hereunto affix my official signature and the seal of said County, this ____ day of _____, 2016.

County Clerk of St. Clair County, Illinois

(SEAL)