

VILLAGE PRESIDENT  
Seth Speiser

VILLAGE CLERK  
Jerry Menard

VILLAGE TRUSTEES  
Ray Matchett, Jr.  
Steve Smith  
Mike Blaies  
Mathew Trout  
Dean Pruett  
Elizabeth Niebruegge

# VILLAGE OF FREEBURG

FREEBURG MUNICIPAL CENTER  
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VILLAGE ADMINISTRATOR  
Tony Funderburg

VILLAGE TREASURER  
Bryan A. Vogel

PUBLIC WORKS DIRECTOR  
John Tolan

POLICE CHIEF  
Stanley Donald

VILLAGE ATTORNEY  
Weilmuenster Law Group, P.C

## FREEBURG REGULAR BOARD MEETING Monday, September 16, 2013 at 7:30 P.M. Regular Board Meeting Minutes

**CALL TO ORDER:** Mayor Seth Speiser called the Regular Board Meeting to order at 7:31 p.m., on Monday, September 16, 2013 in the Freeburg Municipal Board Room.

**PLEDGE OF ALLEGIANCE:** Those present and the Board Members recited the Pledge of Allegiance.

**ROLL CALL:** Trustee Mike Blaies – here; Trustee Steve Smith - here; Trustee Elizabeth Niebruegge - here; Trustee Dean Pruett – here; Trustee Raymond Matchett, Jr. – here; Trustee Matt Trout – here; Mayor Seth Speiser - here; (7 present, 0 absent ). Mayor Seth Speiser announced there is a quorum.

### EXHIBIT A:

Mayor Speiser stated we have the minutes for approval from the Regular Board meeting Tuesday, September 3, 2013.

*Trustee Elizabeth Niebruegge motioned to approve the minutes of Tuesday, September 3, 2013 with corrections and Trustee Matt Trout seconded the motion. All voting aye, the motion carried.*

**FINANCE:** None.

**TREASURER'S REPORT:** None.

**ATTORNEY'S REPORT:** None.

**ESDA REPORT:** Coordinator Gene Kramer gave an updated on his report he passed out for the Board to review.

1. Gene said he knows he is a little late getting the Proclamation ready. He would like to proclaim the week of September 22<sup>nd</sup> to 28<sup>th</sup>, 2013 Citizen Preparedness Week.
2. Gene said the Freeburg ESDA EOP is now on disc and he has it completed, less the Table of Contents rework. He will have it ready to give to the Freeburg Fire Department and Public Works Department.
3. Gene announced they are still working on the Freeburg ESDA "Open House" early in October with it possibly being the first Sunday afternoon.

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4. Gene said the NWS in St. Louis has provided all EMA/ESDA Coordinators with "education site" for use with students and results.

5. Gene said the ARES/RACES communications training exercise is being worked on via the IEMA RACES Director for October 5, 2013. When he receives more information on it, he will update the Mayor.

**PUBLIC PARTICIPATION:** Mayor Speiser called for public participation.

Janet said she looked at the agenda and noticed that the issue with Silverthorne was not on it. When should she bring this issue up? Trustee Niebruegge answered her question. Trustee Niebruegge told Janet to attend the Streets Committee meeting and they will discuss it then along with the Chief of Police who will be attending the meeting on this issue.

Stan Koerber said he is here regarding the September 11<sup>th</sup> Plan Commission Hearing. He would like to know if the board will be voting on this issue tonight or will the board be sending this issue back to the committee again? Mayor Speiser said he doesn't know we haven't gotten to Exhibit B yet. Mayor Speiser said it is coming up next on the agenda. Please wait until then to speak on the issue. Mayor Speiser said there will be a ruling on it tonight one way or another, but he can't say if it will be a yes or no. Attorney Manion said regardless if it is voted down, it will be referred back to the Plan Commission.

Leon Furtak said he is here to talk about his property located at 113 E. Apple Street. Leon said he explained to the Plan Commission how he would like to utilize the property he owns at 113 E. Apple Street. Leon said the structure was built in 1969 and was originally designed for commercial use. Leon said the building was used for commercial purposes for over 40 years. Leon said he is requesting permission to convert the 3,000 square feet building into a three unit apartment. Leon said there is 1,200 square feet on the second floor and he would like to divide the vacant level into two 900 square feet one bedroom apartment units. Leon said he has owned the property for three years and he has been trying to get this issue resolved.

Stan Koerber said he doesn't really disagree on what Leon wants to do with the property. Stan said that he has no big problem with the basic plan to convert the property into three-unit apartment as long as Leon owns the building. Stan stated that he favors the Village granting Leon a special use to allow the apartment in this case. But he would like the special use permit only to allow the apartments as long as Leon owned the property. Attorney Manion commented on Stan's remarks.

Leon said this building was constructed way before his time and will most likely be here way after his time. Leon said this building was not cheaply made. This building was built to last. Leon said structures like this last a long time and this will not be a short term fix. We see structures and we ask does that fit in a residential area? We say no. Does it fit in multi-family use area, yes?

Leon said he wants to get the best use out of the former commercial building that he can. He does not believe converting the large structure into single residents is the best usage of the building. Leon said that most of the homes around the area are less than 2,000 sq. ft.

Pete Matusak stood up to voice his concerns. Pete said that he is afraid of the slippery slope spot zoning brings with it. Once the zoning is changed from a SR-1 to MR-2 it is permanent and there is no way to know what type landlord will own the property in the future. Pete said that Leon has twice previously tried to auction the property off. Pete said the problem is if we rezone, we might start having big investors coming down from Chicago buying up rental property and they don't care what is in there and what the property looks like. They are just interested in getting back their investment. Pete said he is all for Leon in doing something with the property like he said before. He would like to see the board approve the use of a special use permit as long as Leon owns the property. Pete said Leon lives across the street and he is going to want it to be nice and have decent renters in there. Pete said his concern is if Leon sells his property and moves on, what is going to become of that property? Pete said that is what he and some of the neighbors are concerned about.

Village Zoning Administrator Gary Henning said he sat down with Leon and had a long talk with him. Gary said this should probably be noted in the minutes. If this is granted, in order for Leon to make it a tri-complex he is going to have to put thousands of dollars into having a certified architect to seal it and do all the work inside. Leon cannot rebuild it himself without the architect is seal and that cost will run him into thousands of dollars. Gary said Leon knew that and he explained all of that to him beforehand and Leon said will expect that responsibility.

Stan said that is beside the point, which is after the fact. Once it is rezoned, he does not have to do anything with it. Stan said he could sell it after it becomes MR-2. Stan said Leon will not have to do anything to that property or he can just let it sit there empty if he wants.

Janet asked Leon when you came before the board with this issue before didn't you want to put three apartments in there? Weren't you going to put one upstairs and two downstairs? Leon said yes. Janet asked is there any reason why you couldn't put one upstairs and one downstairs and be finished with it. Leon said the reason why he is trying to make it a two family downstairs and one family upstairs is to be able to limit how many people live there.

After more discussion on the Leon Furtak property at 113 E. Apple Street; Mayor Speiser said we will be moving on to Exhibit B.

**REPORTS AND CORRESPONDENCE:** None.

**EXHIBIT B:**

**RECOMMENDATIONS OF BOARDS AND COMMISSIONS:** Mayor Speiser read the Memorandum from the Plan Commission Hearing. Before voting upon the motion there was a small discussion.

*Trustee Matt Trout motioned to reject the Plan Commission's recommendation for rezoning of the property at 113 E. Apple Street in Freeburg, Illinois from SR-1 to Mr-2 and referred it back to the Plan Commission to reconsider changing it to a special use permit to include allowing two or three family use in the SR-1 districts and Trustee Dean Pruett seconded the motion. ROLL CALL: Trustee Matt Trout - aye; Trustee Dean Pruett - aye; Trustee Raymond Matchett, Jr.- aye; Trustee Mike Blaies – aye; Trustee Steve Smith – aye; Trustee Elizabeth Niebruegge - aye; (6 ayes, 0 nays, 0 absent). All voting aye, motion carried.*

**CONTRACTS, RELEASE, AGREEMENTS and ANNEXATIONS:** None.

**BIDS:** None.

**RESOLUTIONS:** None.

**ORDINANCES:** None

**OLD BUSINESS:** None

**NEW BUSINESS:**

Mayor Speiser said under new business we have a request to collect donations for Lights in the Park on October 5, 2013 from 9:00 a.m. to 11:00 a.m. at the intersection of Apple Street and Route 15.

*Trustee Smith motioned to approve the EDC request to collect donations on October 5, 2013 from 9:00 a.m. to 11:00 a.m. at the intersection of Apple Street and Route 15 and Trustee Raymond Matchett, Jr. seconded the motion. All voting aye, motion carried.*

**APPOINTMENTS:** None.

**COMMITTEE MEETING REPORTS:**

**EXHIBIT C:**

**Legal/Ordinance Committee Meeting:** Trustee Trout said he gave his report last meeting without the minutes being available. Everyone should have received the minutes in their packet for tonight's meeting. Are there any questions?

**OLD BUSINESS:**

1. Increase in fees: Trustee Smith asked what kind of fees we are thinking about increasing. Tony said we are looking at all the fees in the village just making sure were not charging less than the cost to actually use something. Mayor Speiser said that Frank is just in the early stage of looking at this.

**New Business:**

1. Sample Responsible Bidder Ordinance: Trustee Smith asked if he could have a copy of this, since he was out of town at the time.

**EXHIBIT D:**

**Finance Committee Meeting:** Trustee Smith called the Finance Committee meeting to order on Wednesday, August 28, 2013 at 5:30 p.m.

**INCOME STATEMENT:** Trustee Smith said we talked about the income statement. Trustee Smith stated the state is two months behind again.

**OLD BUSINESS:**

1. Sign at Industrial Park: Trustee Smith said we need to pick out a design for this project and then go out for bid.
2. Local Debt Recovery Program: Trustee Smith said Julie is waiting for Brian to get her some additional information. Attorney Manion said we are going to have to rewrite a portion of the code.
3. TIF: Trustee Smith said we are researching into refinancing the first TIF. Trustee Smith said there are three separate agreements with respect to the TIF. Trustee Smith stated there is the original TIF, a secondary agreement for the relocation of the homes and the third agreement for the traffic light.
4. Video gaming: Trustee Smith said we received a payment roughly almost \$1,000 for last month.
5. Website: Trustee Smith said we are waiting until next year on this issue.

**NEW BUSINESS:**

1. Economic Development: Trustee Smith said we are going to start the EDC again and the first meeting will be October 7<sup>th</sup> at 6:30 p.m. right before our board meeting.
2. Health Insurance Renewal: Trustee Smith said we received our renewal quote for our health insurance with an 8.7% increase. Trustee Smith stated we have to do something about the Health Insurance before the end of this year.

**EXHIBIT E:**

**Committee As A Whole Meeting:** Mayor Speiser said the Committee As A Whole meeting was held on Wednesday, August 28, 2013 at 6:00 p.m.

Mayor Speiser said we discussed the IML Conference, disciplinary action and Davinroy Mechanical's final pay request.

**EXHIBIT F:**

**Electric Committee Meeting:** Trustee Blaies called the Electric Committee meeting to Order on Wednesday, September 11, 2013 at 5:30 p.m.

## **OLD BUSINESS:**

1. Acquiring Ameren customers: Trustee Blaies said we are still gathering information on possibly acquiring some more Ameren customers.
2. Portable Generator Replacement Trustee Blaies said the portable generator is running. We will put a load on it and see how it runs. Trustee Blaies said John would like to leave the generator portable.
3. Safety Training: Trustee Blaies said IMUA will be here at the end of the month for safety training.
4. Wiegmann's project: Trustee Blaies said we are done with the most recent part of the work and Wiegmann's wants to wait until October to shut down to do their work.
5. Shed: Trustee Blaies said the floor has been put in at the shed and we talked about pouring a concrete pad out in front of the shed.
6. Spreadsheet of agreements: Trustee Blaies said we revised the dates on the Charter franchise agreement, CellNet contract goes year to year and we need to go out for bid on the audit contract.
7. LED Lighting: Trustee Blaies stated we are getting a grant for this. We talked about how much grant money Professional Metals will receive.
8. Maintenance of electric service at park: Trustee Blaies said we talked about some of the maintenance work we do out at the park and we will meet with the Park District to discuss this issue further.

## **NEW BUSINESS:**

1. Resident electric bill: Trustee Blaies said we had a resident whose meter on his storage shed has not been read for several years. Trustee Blaies said we read the meter for three months and there was very minimal usage. Trustee Blaies said Mr. Vogel did pay the minimum amount every month. We had Jane recalculate the amount owed using 5 kwh and came up with \$64.89 for the 6-year period. Trustee Blaies stated we owe Mr. Vogel a refund of \$662.05.

*Trustee Mike Blaies motioned to issue a refund to Mr. Vogel in the amount \$662.05 and Trustee Elizabeth Niebruegge seconded the motion. All voting aye, motion carried.*

Trustee Blaies said we have a situation where we had two residents paying for each other's electric bill and this will be discussed at next month meeting.

Trustee Blaies said we discussed performing maintenance on each of the Caterpillar engines.

## **EXHIBIT G:**

**Personnel/Police Committee Meeting:** Trustee Matchett called the Personnel/Police Committee meeting to order on Wednesday, September 11, 2013 at 6:30 p.m.

### **POLICE: OLD BUSINESS:**

1. Police car maintenance and fuel log: Trustee Matchett said we reviewed the copy of the maintenance and fuel logs. Trustee Matchett said we had previously discussed purchasing a patrol car but decided to wait until further into the budget year. Now we need to replace the Ford Expedition. Trustee Matchett said Chief Donald said we could purchase a used patrol car from the Missouri Highway Patrol. Trustee Matchett stated at this point he would like to make a motion.

*Trustee Raymond Matchett, Jr. motioned to purchase a used patrol car not to exceed \$12,000 and Trustee Mike Blaies seconded the motion. ROLL CALL:* Trustee Raymond Matchett, Jr. - aye; Trustee Mike Blaies – aye; Trustee Matt Trout - aye; Trustee Steve Smith - aye; Trustee Elizabeth Niebruegge – aye; Trustee Dean Pruett - aye; 6 ayes, 0 nays, 0 absent). All voting aye, motion carried.

### **NEW BUSINESS:**

Trustee Matchett said under new business we talked about police officer applications and at this time he would like to table that until we can discuss it some more with the committee.

*Trustee Raymond Matchett, Jr. motioned to table the hiring of part-time police officer until the committee can discuss the issue further and Trustee Matt Trout seconded the motion. All voting aye, motion carried.*

### **PERSONNEL:**

#### **OLD BUSINESS:**

1. Time Clock Policy: Trustee Matchett said all time clocks are in place.
2. Office Cleaning: Trustee Matchett said the committee agreed to revisit the issue at a later date.

#### **NEW BUSINESS:**

1. Health Insurance Renewal: Trustee Matchett said we need a motion to sign the health insurance renewal form to lock us in at 8.7%. Trustee Matchett said this does not limit us from being able to go out for bid from other agents/companies.

*Trustee Raymond Matchett, Jr. motioned to sign the Health Insurance Renewal form at 8.7% just to lock us in and Trustee Matt Trout seconded the motion. ROLL CALL:* Trustee Raymond Matchett, Jr. - aye; Trustee Matt Trout - aye; Trustee Mike Blaies – aye; Trustee Dean Pruett - aye; Trustee Elizabeth Niebruegge – aye; Trustee Steve Smith - aye; (6 ayes, 0 nays, 0 absent). All voting aye, motion carried.

## **UPCOMING MEETINGS**

Water/Sewer Committee Meeting – Wednesday, September 18, 2013 – 5:30 p.m.  
Street Committee Meeting – Wednesday, September 18, 2013 - 6:30 p.m.  
Board of Appeals Meeting – Thursday, September 26, 2013 – 7:00 p.m.  
Legal/Ordinance Committee Meeting – Wednesday, October 2, 2013 – 4:45 p.m.  
Finance Committee Meeting – Wednesday, October 2, 2013 – 5:30 p.m.  
Economic Development Committee Meeting – Monday, October 7, 2013 – 6:30 p.m.  
Board Meeting - Monday, October 7, 2013 – 7:30 p.m.

## **VILLAGE BOARD AND STAFF COMMENTS:**

**Trustee Elizabeth Niebrugge:** She would like to thank everyone that showed up to attend the Economic Development committee.

**Trustee Steve Smith:** He said please let him know if anyone is interested in collecting for the Christmas lights. Just a reminder we are starting up the Economic Development Committee again October 7, at 6:30 p.m. anyone who would like to attend is more than welcome.

**Trustee Matt Trout:** No thank you.

**Village Clerk Jerry Menard:** She told Trustee Niebrugge she thought her meeting this evening was a great turn out and she feels that you are heading down the right road with that committee.

**Trustee Mike Blaies:** No thank you.

**Trustee Raymond Matchett:** No thank you.

**Trustee Dean Pruett:** No thank you.

**Village Administrator Tony Funderburg:** Thank you all

**Village Attorney Brian Manion:** No thank you.

**Village Zoning Administrator Gary Henning:** No thank you.

**Village Public Works John Tolan:** – No thank you.

**Mayor Speiser:** He would like to thank everyone for coming.

**ADJOURN:** *Trustee Matt Trout motioned to adjourn the meeting at 8:17 p.m. and Trustee Elizabeth Niebrugge Smith seconded the motion. All voting aye, the motion carried.*

  
Jerry Lynn Menard  
Village Clerk