VILLAGE PRESIDENT
Ray Danford

VILLAGE CLERK
Jerry Menard

VILLAGE TRUSTEES
Rita Baker
Charlie Mattern
Kevin Groth
Corby Valentine
Steve Smith
Tony Miller

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

January 12, 2009

NOTICE

MEETING OF THE PUBLIC PROPERTY COMMITTEE (Streets/Municipal Center/Pool/Parks & Recreation) (Miller/Baker/Valentine)

A Public Property Committee Meeting of the Village of Freeburg will be held at the Municipal Center, Executive Board Room, on **Wednesday, January 14, 2009 at 6:30 p.m.**

PUBLIC PROPERTY COMMITTEE MEETING AGENDA

SWIMMING POOL:

A. Old Business
   1. Pool feasibility study/referendum

B. New Business
   2. Co-Manager Applications

****

A. Old Business
   1. Approval of December 30, 2008 minutes
   2. Streetscape – N. Main Street
   3. Swipe Card Access
   4. Culvert on Cemetery Road and also West Street
   5. Rogers home

B. New Business
   1. Documentation for utility deposits

C. General Concerns

D. Public Participation

E. Adjourn

At said Public Property Committee Meeting, the Village Trustees may vote on whether or not to hold an Executive Session to discuss potential litigation [5 ILCS, 120/2 - (c)(11)]; the selection of a person to fill a public office [5 ILCS, 120/2 – (c) (3)]; personnel [5 ILCS, 120/2 – (c) (1) a.]; or real estate transactions [5 ILCS, 120/2-(c)(5)].

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Public Property Committee Meeting
Streets/Municipal Center/Pool/Parks & Recreation
(Miller/Baker/Valentine)
Wednesday, January 14, 2009 at 6:30 p.m.

The meeting of the Public Property Committee was called to order at 6:31 p.m. on Wednesday, January 14, 2009, in the Municipal Center. Those in attendance were Trustee Tony Miller, Trustee Rita Baker, Trustee Corby Valentine, Trustee Charlie Mattern, Mayor Ray Danford, Village Clerk Jerry Menard, Village Administrator Dennis Herzing, Public Works Director Ron Dintelmann, Assistant Public Works Director John Tolan and Office Manager Julie Polson. Guests present: Pool Manager Scott Schulz, Pool Manager Renee Greenlee, and Janet Baechle.

POOL:
A. OLD BUSINESS:

2. Co-Manager Applications: Two applications have been received for the co-manager position, Darren Pierce and Marc Derwort. Both applicants will be invited to interview for the job at the next Streets meeting on February 18th. Any future applications received will also be invited to interview at that meeting. Tony would like to hire the pool managers tonight but said he is not ready to talk salary right now. The managers received $3,080 last year and $10 per hour for the pool parties. Rita asked if we can hire them at last year's salary and proceed from there. Dennis said you could always give them an increase at a later date.

Trustee Rita Baker motioned to recommend to the full Board the pool co-managers be hired at last year's salary ($3,080) plus $10 per hour for parties and Trustee Corby Valentine seconded the motion. All voting aye, the motion carried.

Renee questioned if we want to set a minimum number of swimmers needed to keep the pool open in order to save money where we can. Ray remembers previous discussions on closing early if attendance is low. He feels we need to stay open regardless of how many kids are there. Dennis told the managers we appreciate everything they do to minimize costs. The committee talked about changing the hours from 12 - 8 to 11 - 7. Our current hourly rates are $5 for kids and $6 for adults. After 6:00, it is $3. Tony said out of the the pools in Mascoutah, O'Fallon and Belleville, we are one of the highest pools in the area. Dennis pointed out they have a lot more residents. Julie will check the attendance at the pool from 6:00 - 8:00 p.m. and also pull the numbers from the weekend attendance. The committee agreed to leave the operating hours 12 - 8:00 p.m. Renee asked if storms come along, what do we do with the guards. Ray said to keep them there, even if it is for 3 - 4 hours. If the weather report says it will storm the rest of the

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

day, then we would close down. A new procedure Renee and Scott thought might be more cost effective would be to use lifeguards in the concession stand as one of their rotations. We would give the concession stand workers from last year an opportunity to apply and train as a lifeguard if they want to. Dennis asked if the training costs will be the same as last year as it cost more last year than the previous year. Scott advised the instructor charged mileage last year. Renee said the kids that attend from other areas should contribute to the cost of the mileage and Dennis asked if they paid for the class directly or were we billed. Julie will review the bill to see if it was for Freeburg only or included all attendees. Julie said another issue is some lifeguards will be hired back on a probationary period. Renee said they were talked to last year and they are aware of the changes they need to make. This letter will let them know we have some concerns. She also said one year of experience can make a difference. Renee and Scott would like to see how they do and the committee agreed to leave it to the managers to either keep a guard or let them go. Rita said we hire other employees on a probationary status and the committee agreed to a probationary period of five working days. John asked if 18 kids are enough and Renee and thought that was too many. Julie will put in the letter asking the kids how many hours they want to work. The committee talked about staying open on the weekends after homecoming and Julie will pull the attendance numbers. The committee talked about staying open during homecoming weekend.

1. Pool study/referendum: Dennis prepared two ordinances with referendum questions that are included in the packet, one is for the bond issue and the other is for the Village to continue to operate the pool or other aquatic facility. Tony said he is not sure he likes either one. With the economy the way it is, he is not sure either one will pass. Corby questioned why the ballot did not include language on how the bond was going to be funded and Dennis advised the question was pulled from our state statute. Ray said we need to check with Steve on that and Dennis advised Steve was not available while he was preparing the ordinances. Ray thinks there is a large percentage of citizens that have a distrust of government that if they say yes, we will take it as far as we can and thinks they will say no to the referendum for that fear. Just because the referendum passes, does not mean we are going ahead with the project, it just authorizes the project. Ray thinks we will need at least a year to go through the process of educating the community to get true support. Dennis said the second question about maintaining the pool is just an advisory question, it does not have any legal effect or raise taxes. Tony doesn't think the second question will give us any guidance on what the public wants. Corby said what do when do when the majority of the people say no? He said we need to be able to handle either answer. John said what if you put in the second question to operate the *existing* pool. Tony said to run the pool, we have to do some renovations to it which will cost a lot more money, so instead of losing $20,000 a year, we will lose more money by putting some capital into it. Ray said he sees that project working if we do it in a step phase fashion. Ray said he would like to see a longer-phase project for an aquatic center, say 10 years, which would justify spending the money to keep our existing pool operational. Ron asked should the question be, "Should the Village continue to own and operate a municipal pool." If you get a yes, that pretty much tells you that you would need to repair the pool.

Julie said we just did the training with the new emergency system that gives us the capability to conduct a telephone survey which would reach almost all of the residents. The survey could be sent out anytime of the day or evening. Ron asked when can a referendum be put on a ballot after this election. The next election will be in November of 2010. A special election could also be held to put a referendum on a ballot. A bond issue could also be brought up when the trustees are elected which would be April of 2011.

Charlie asked if we think we are ready for anything more than what the second question asks. The information provided by Councilman-Hunsaker was general concept studies. Ron agreed and said we need a true design specific to the site it will be constructed to give a better picture of the costs involved. The drawback to that is that is going to cost more money. Charlie thinks we need to be better prepared before asking people to vote on the project. Charlie said the feasibility study numbers were industry standards. Corby said we might have to spend $50,000 in order to spend the $5,800,000 on a pool. Charlie thinks we are trying to rush it in order to get a referendum on this election's ballot. The committee decided not to put any referendums on the ballot due to the current economy and also that we want to be better prepared before it is submitted for public decision. The committee asked Dennis to talk to EWR and Councilman-Hunsaker and ask them if they could create a more detailed model and presentation with more input from us on the options and tighter costs. The phone system is ready whenever the committee decides to pursue it. Corby said we need to come up with a strategic plan which includes the pool and new sewer plant.

B. NEW BUSINESS: None.

STREET:
A. OLD BUSINESS:

1. Approval of December 30, 2008 minutes: *Trustee Rita Baker motioned to approve the December 30, 2008 minutes and Trustee Corby Valentine seconded the motion.* All voting aye, the motion carried.

2. Streetscape – N. Main Street: Nothing new.

3. Swipe Card Access: Hackett Security came out and performed an evaluation of each building. He has not gotten back to Ron yet with any numbers on the cost to install a swipe card access system.

4. Culvert on Cemetery Road and also West Street: Dennis and Ron looked at the budget for this year. In this year's budget, there was $68,000 taken out of reserves for this project. If you decide to go forward with this project, that $68,000 is about half. You would have to take another $68,000 or so to put into next year's budget for this. Dennis thinks we have about $200,000 in MFT reserve. If we start the project in March, it would be spread over two budgets. With revenues down, we normally get $120,000 and Dennis thinks that will drop to about $110,000. Corby asked if we could do the West Street culvert ourselves and

Ron advised we could but it would take more time and doesn't know how much money we would save by doing that one. Ron said the two culverts were bid as one project. Dennis doesn't think it would be easy to split and thinks the pricing is probably as good as it is going to get. Corby asked if there is any other project out there that we would need reserves for and Ron replied no. The committee agreed that is what we use reserves for and this project needs to be done. Dennis said Rhutasel asked him if we want to use them for the construction observation of this project. We would save around $7,000 - $8,000 by not using them. Ron thinks he and Dennis can do most of it but would like to hire Rhutasel on an hourly basis if we feel they are needed.

Trustee Corby Valentine motioned to recommend to the full Board we accept Baxmeyer's bid for the Cemetery Road and West Street culverts at a price of 129,125.97 and Trustee Corby Valentine seconded the motion. All voting aye, the motion carried.

Trustee Corby Valentine motioned to recommend to the full Board we take $68,000 out of the 2009 MFT budget and the remaining cost out of the 2010 MFT budget for the Cemetery Road and West Street culvert project and Trustee Rita Baker seconded the motion. All voting aye, the motion carried.

5. Rogers home: Mayor Danford is working on this.

Corby thanked Ron and John for taking care of the problem on Westview Drive.

B. NEW BUSINESS:

1. Documentation for utility deposits: Dennis said we have been talking about requiring some type of documentation when someone comes in to put utility deposits down. We had a resident that came in and put down owner deposits and we just found out they rent the property. Renter deposits are $150 and owner deposits are $50. We have already started with the identity theft ordinance by asking for identification when someone comes into apply for utilities. We would like a deed, lease, closing statement, etc., to be provided at the time of utility application process. With the rental request, we could call the landlord to verify the request. We have not worked out the exact details but are looking for any suggestions. Rita said to do whatever protects us and the owners.

Julie received a request from F.X. to help contribute to the cost of the girl's volleyball team. With previous requests, we have had the public works department put up the signs but we don't contribute to the cost.

Ray said Shelia Gallagher approached the Village with a request to put up flags along the highway and down the road to the park when the Vietnam Wall comes to Freeburg on August 6 - 10. Ron said Shelia talked to him and asked if we could put the flag holders up as well as the flags. The committee was fine with the request.

Tony wants to start on MFT and wants it ready at next month's meeting so it can be voted on at the 3/2/09 board meeting. Dennis and Ron will work on it.

Tony wants Dennis to look into the 25 acres that Riess Ford and find out how much they are asking (across from Dollar General) for either a business park or potential pool site.

Tony asked to look at the sidewalk program and problem areas. He will drive around and look for some areas that need to be fixed. The committee held a discussion about Dambacher parking his trucks and trailers in the triangle. Ray asked about installing a guardrail to prohibit easy access and Ray asked if we needed an access point to get in there to mow grass. It is state right-of-way but the state won't ticket them. Ray doesn't think the state will ticket them without IDOT requesting it. John suggested we landscape it. Dennis passed out information from our code on this issue and when Dennis has talked to Mel, he said we run into the problem of the parking not being on the street. With the Village having jurisdictional authority, we probably don't have any legal authority over the property. Tony asked Dennis to talk to Steve on this issue to find out what our legal options are.

Corby commented even though we decided not do to something with the referendum, he does not want to see the pool issue die. Rita asked if anyone is going to fix Ms. Nash's fence and Ron replied yes, they are.

C. GENERAL CONCERNS: None.

D. PUBLIC PARTICIPATION: See above.

E. ADJOURN: *Trustee Rita Baker motioned to adjourn the meeting at 8:38 p.m. and Trustee Corby Valentine seconded the motion.* All voting aye, the motion carried.

Julie Polson

Julie Polson
Office Manager

VILLAGE PRESIDENT
Ray Danford

VILLAGE CLERK
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Public Property Committee Meeting
Streets/Municipal Center/Pool/Parks & Recreation
(Miller/Baker/Valentine)
Tuesday, December 30, 2008 at 4:00 p.m.

The meeting of the Public Property Committee was called to order at 4:41 p.m. on Tuesday, December 30, 2008, in the Municipal Center. Those in attendance were Trustee Tony Miller, Trustee Rita Baker, Trustee Corby Valentine, Village Administrator Dennis Herzing, Public Works Director Ron Dintelmann, Assistant Public Works Director John Tolan and Office Manager Julie Polson. Guests present: Gale Hake and Janet Baechle.

POOL:
A. OLD BUSINESS:

1. Pool feasibility study: Tony and Rita advised co-manager Dori Krauss will not be returning this year. Tony asked that the pool managers be invited to next committee meeting. Ron will be able to get another year out of the pool. The biggest concern we have is the wall between the shower and the pump room. He is confident in being able to make it through another season. Dennis thought it might be a good idea to have a couple of contractors out to get a price to fix the wall. Dennis said the other issue that has come up is the intake drain on the main pool and advised we will get done whatever we need to in order to be in compliance. Ron said it will take approximately $5,000 to get the pool up and running which is normally what is spent. He will look into purchasing some additional umbrellas for shade.

Tony said the next thing to look at is getting the referendum ready for the ballot. We have 65 days prior to the election, it needs to be submitted by 2/5/09 and we have to pass an ordinance by the second meeting in January. Dennis asked the committee what they want the referendum to say. Ron said it asks something like yes or no to a bond issue for the Village of Freeburg to build a municipal pool at a cost of $5,000,000. Between now and the election, you need to promote it stating how much it will cost the taxpayer. Dennis said you will need to figure out how much it will cost per $100 assessed valuation. Dennis talked to Ray about the referendum and said Ray's feeling is he is in support of the pool project but is not in favor of a referendum to raise taxes at this time because of the state of the economy. Tony said he is not in favor of spending $1,000,000 to upgrade exactly what is sitting there, it just continues the cycle of wasting good money. Dennis thinks Ray is trying to express that it is terrible timing to ask people for a tax increase when the economy is in such a bad state right now. Corby said our risk is losing the $177,000 grant. Dennis thinks we might have lost it already because it

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

needs to be done by the end of 2009. Once you get a grant and don't use it, you are not eligible for 2 years. Tony asked us to get the number from EWR and John said we need to let them sell it to the public. Corby said everyone is concerned about the economy but we also have to remember we have to pay for a sewer plant within the next couple of year. By doing this by referendum, the people are telling us what they want done with the pool.

B. NEW BUSINESS: None.

STREET:
A. OLD BUSINESS:

1. Approval of November 19, 2008 minutes: *Trustee Rita Baker motioned to approve the November 19, 2008 minutes and Trustee Corby Valentine seconded the motion.* All voting aye, the motion carried.

2. Streetscape – N. Main Street: Nothing new.

3. Swipe Card Access: Hackett Security came out and performed an evaluation of each building. He has not gotten back to Ron yet with any numbers on the cost to install a swipe card access system.

4. Culvert on Cemetery Road and also West Street: The project was estimated at $113,404 and the top three bids came in very close - Baxmeyer at $129,125.97; DMS Contracting at $129,406.00 and Illinois Excavators at $129.881.00. We are more than 10% over the engineer's estimate so a letter will have to be forwarded to IDOT. Ron asked how we are going to fund this. He does not want to take it all out of reserve. He said neither culvert is optional. We could fund half out of this year's MFT and then use the reserve fund for the rest. He also said we are not going over on this year's MFT budget and thinks we have about $30,000 to put into reserve from this year. Ron said he and Dennis need to look at the numbers. He does not want to award the bid until all the figures are reviewed.

5. Rogers home: Mayor Danford is working on this.

6. Harbor Pointe at Westview Lake: Gale Hake was present to review the proposed changes to the entrance to Westview Drive for the Harbor Pointe subdivision. Gale provided a copy and stated the intersection was moved north to just about where the curve starts. He believes this to be the better option. It makes Lot 20 basically useless and John Meise is okay with doing away with that lot. They will have to renumber the lots on the plat. It does put it in the neighborhood of some of the drives but it gives a better turn radius for trucks and the school buses and also makes it a much safer intersection. Corby thinks the 3-way stop is the best option as it helps reduce the speed. He said as soon as the next subdivision is developed, he would like to see Kessler Road become a dead-end street and help eliminate some of the traffic. Ron said he would like to see Silverthorne extended. Dennis said he would like to go through with this subdivision but then immediately start looking at extending Silverthorne. Gale will

get the layout provided to the Board prior to Monday night's meeting. Dennis said there are still items that need to be addressed on the improvement plan, i.e. fire flows with the water line possibly being built all at once and connected through into Vollmer's subdivision or built in stages.

Trustee Rita Baker motioned to recommend to the full Board approval of the Harbor Pointe at Westview Lake Preliminary Plat with the proposed changes and Trustee Corby Valentine seconded the motion. All voting aye, the motion carried.

7. Ordinance for Stop Signs on S. Monroe and also High Street: *Trustee Rita Baker motioned to recommend this Ordinance to the full Board for approval and Trustee Corby Valentine seconded the motion.* All voting aye, the motion carried.

B. NEW BUSINESS:

1. Press Road Railroad Crossing: Press Road is the next crossing available to receive crossing gates. A request was received from Dale Recker for a letter from the Village of Freeburg in order to get the process started. Our approximate cost for this project is $2,000 - $3,000.

C. GENERAL CONCERNS: We received a request from Ron Lanterman to clean out the clogged drain behind his home at 704 - 706 Kristie Lynn. The committee agreed to send him a letter advising it is not the Village of Freeburg's responsibility to maintain storm drains in easements.

D. PUBLIC PARTICIPATION: See above.

E. ADJOURN: *Trustee Corby Valentine motioned to adjourn the meeting at 5:34 p.m. and Trustee Rita Baker seconded the motion.* All voting aye, the motion carried.

Julie Polson

Julie Polson
Office Manager

ORDINANCE NO. _____

AN ORDINANCE INITIATING THE SUBMISSION OF A PUBLIC QUESTION FOR MUNICIPAL CAPITAL IMPROVEMENT BONDS TO THE VOTERS OF THE VILLAGE OF FREEBURG, ILLINOIS AT THE CONSOLIDATED ELECTION TO BE HELD ON APRIL 7, 2009

WHEREAS, The Village of Freeburg, St. Clair County, Illinois does now own and operate a municipal swimming pool; and

WHEREAS, the Board of Trustees deems it advisable, necessary, and in the best interest of the inhabitants of the Village of Freeburg that a capital improvement project be undertaken to renovate, improve and expand the municipal swimming pool; and

WHEREAS, it is necessary that the funds for such capital improvement project be raised through the issuance of tax-secured bonds of said village; and

WHEREAS, before bonds may be issued for said purpose, the question of their authorization must be submitted to the electors of said Village and approved by a majority of such electors voting upon the question:

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF FREEBURG, ILLINOIS, AS FOLLOWS:

Section 1. Findings and Determinations. Subject to the approval of the voters of the Village of Freeburg, Illinois, the President and Board of Trustees of the Village hereby finds and determines that the Village should undertake the municipal capital improvement program set forth in the proposition approved by this ordinance for submission to the voters of the Village.

Section 2. Submission of Proposition. The following proposition shall be submitted to the voters of the Village in accordance with the general election law at the consolidated election to be held on Tuesday, April 7, 2009 (the "Election"), with notice of the Election, the precincts and polling places for the Election, the opening and closing of the polls at the Election, the canvassing of the Election and such other requirements of the Election conducted pursuant to the Election Code of the State of Illinois (the "Election Code") and other applicable law:

Shall bonds to the amount of $5,850,000 be issued by the Village of Freeburg, Illinois for the purpose of renovation, improvement, and expansion of the municipal pool, bearing interest at a rate not to exceed the maximum rate authorized by statute?

Section 3. Form of Election Notice. Any notice of the Election given pursuant to Sections 12-4 and 12-5 of the Election Code shall be in substantially the following form:

NOTICE OF ELECTION

VILLAGE OF FREEBURG, ILLINOIS

NOTICE IS HEREBY GIVEN that at the consolidated election to be held on Tuesday, April 7, 2009, a public question will be submitted to the voters of the Village of Freeburg, Illinois, in substantially the following form:

Shall bonds to the amount of $5,850,000 be issued by the Village of Freeburg, Illinois for the purpose of renovation, improvement, and expansion of the municipal pool, bearing interest at a rate not to exceed the maximum rate authorized by statute?

The polls at said election will be opened at 6:00 a.m. and continue open until 7:00 p.m. of that day.

DATED this _____ day of _____, 2009.

_____
County Clerk,
County of St. Clair, Illinois

Section 4. Local Newspaper. It is hereby found and determined that the "*Freeburg Tribune*" is a local, community newspaper having a general circulation in the Village.

Section 5. Form of Ballot. The ballot to be used at the Election shall be in substantially the following form, with such alterations, changes, deletions and insertions as required by the Election Code if an Electronic Voting System is used at the Election:

(Face of Ballot)

OFFICIAL BALLOT

PROPOSITION FOR THE VILLAGE OF FREEBURG, ILLINOIS, TO UNDERTAKE A CAPITAL IMPROVEMENT PROGRAM AND ISSUE GENERAL OBLIGATION BONDS OF THE VILLAGE IN AN AMOUNT NOT TO EXCEED ~~$3,400,000~~.

INSTRUCTIONS TO VOTERS: Mark a cross (X) in the space opposite the word indicating the way you desire to vote:

Shall bonds to the amount of $5,850,000 be issued by the Village of Freeburg, Illinois for the purpose of renovation, improvement, and expansion of the municipal pool, bearing interest at a rate not to exceed the maximum rate authorized by statute?	Yes	
	No	

(Back of Paper Ballot)

OFFICIAL BALLOT

CONSOLIDATED ELECTION - TUESDAY, APRIL 7, 2009

VILLAGE OF FREEBURG, ILLINOIS

Official ballot for voting at the general consolidated election to be held on April 7, 2009, on the proposition to issue general obligation bonds of the Village, in an amount not to exceed $5,850,000 for the purpose of renovation, improvement, and expansion of the municipal pool.

Precinct
No._____

Polling
Place_____

(Facsimile Signature)_____.
County Clerk
County of St. Clair, Illinois

Section 6. Certification of Public Question. The Village Clerk is hereby designated as the "local election official" and shall cause a Certificate of Public Question, certifying the public question to be submitted to the voters of the Village at the Election, to be filed with the County Clerk of St. Clair, Illinois. Said Certificate of Public Question shall be filed with the County Clerk not less than 61 days prior to the Election.

Section 7. Effective Date. This Ordinance shall take effect immediately upon its passage.

ADOPTED this 20th day of January, 2009.

AYES	NAYS	ABSENT

Vote Recorded by:

Jerry Lynn Menard
Village Clerk

APPROVED THIS 20th DAY OF January, 2009.

Raymond Danford, Village President

ATTEST:

Jerry Lynn Menard
Village Clerk

(SEAL)

Approved as to form:

Stephen R. Wigginton, Village Attorney

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

CERTIFICATION OF PUBLIC QUESTION
VILLAGE OF FREEBURG

TO: COUNTY CLERK
ST. CLAIR COUNTY, ILLINOIS

I, Jerry Lynn Menard the duly qualified and acting Village Clerk and local election official of the Village of Freeburg, Illinois, pursuant to the applicable provisions of the Election Code of the State of Illinois, do hereby certify the following public question to be submitted at the consolidated election scheduled for April 7, 2009:

> **Shall bonds to the amount of $5,850,000 be issued by the Village of Freeburg, Illinois for the purpose of renovation, improvement, and expansion of the municipal pool, bearing interest at a rate not to exceed the maximum rate authorized by statute?**

I do further certify that attached hereto is a true and correct copy of the ordinance entitled:

> "ORDINANCE INITIATING THE SUBMISSION OF A PUBLIC QUESTION FOR MUNICIPAL CAPITAL IMPROVEMENT BONDS TO THE VOTERS OF THE VILLAGE OF FREEBURG, ILLINOIS AT THE CONSOLIDATED ELECTION TO BE HELD ON APRIL 7, 2009"

which ordinance was duly adopted by the President and Board of Trustees at a meeting held on January 20, 2009, at which meeting quorum was present, and which ordinance requires the submission to the voters of said Village of the public question set forth above.

I do further certify that that the ordinance includes the form of a public question to be placed on the ballot for the regularly scheduled consolidated election to be held on April 7, 2009, and that the public question was initiated by the President and Board of Trustees of the Village of Freeburg, Illinois, by the adoption of the ordinance on January 20, 2009.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Village, this 20th day of January, 2009.

_____
Jerry Lynn Menard
Village Clerk

CERTIFICATE

I, Jerry Lynn Menard, Village Clerk of the Village of Freeburg, Illinois, hereby certify that the foregoing ordinance entitled: "Ordinance Initiating the Submission of a Public Question for Municipal Capital Improvement Bonds to the Voters of the Village of Freeburg, Illinois at the Consolidated Election to be held on April 7, 2009" is a true copy of the original ordinance that was duly adopted by the recorded affirmative votes of a majority of the members of the President and Board of Trustees of the Village at a meeting thereof that was duly called and held at 7:30 p.m. on January 20, 2009, at the Village Hall, 14 Southgate Center in the Village, and at which a quorum was present and acting throughout, and that said copy has been compared by me with the original ordinance signed by the Village President on January 20, 2009, and recorded in the records of the Village and that it is a correct transcript thereof and of the whole of said ordinance, and that said ordinance has not been altered, amended, repealed or revoked, but is in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Village, this 20th day of January, 2009.

_____

Jerry Lynn Menard
Village Clerk

(SEAL)

ORDINANCE NO. _____

AN ORDINANCE INITIATING THE SUBMISSION OF AN ADVISORY QUESTION OF PUBLIC POLICY TO THE VOTERS OF THE VILLAGE OF FREEBURG, ILLINOIS AT THE CONSOLIDATED ELECTION TO BE HELD ON APRIL 7, 2009

WHEREAS, The Village of Freeburg, St. Clair County, Illinois does now own and operate a municipal swimming pool; and

WHEREAS, the Board of Trustees has determined that the current pool is in serious disrepair and, if it is to continue to serve the needs of the community, will require either significant repairs or complete replacement; and

WHEREAS, the Board of Trustees deems it advisable, necessary, and in the best interest of the inhabitants of the Village of Freeburg that an advisory question of public policy be put to the electors of the Village on whether a capital improvement project should be undertaken to renovate, improve and expand the municipal swimming pool:

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF FREEBURG, ILLINOIS, AS FOLLOWS:

Section 1. Submission of Proposition. The following proposition shall be submitted to the voters of the Village in accordance with the general election law at the consolidated election to be held on Tuesday, April 7, 2009 (the "Election"), with notice of the Election, the precincts and polling places for the Election, the opening and closing of the polls at the Election, the canvassing of the Election and such other requirements of the Election conducted pursuant to the Election Code of the State of Illinois (the "Election Code") and other applicable law:

> **Shall the Village of Freeburg, Illinois continue to own, operate, maintain and improve a municipal swimming pool or other aquatic facility within the village?**

Section 2. Form of Election Notice. Any notice of the Election given pursuant to Sections 12-4 and 12-5 of the Election Code shall be in substantially the following form:

NOTICE OF ELECTION

VILLAGE OF FREEBURG, ILLINOIS

NOTICE IS HEREBY GIVEN that at the consolidated election to be held on Tuesday, April 7, 2009, an advisory question of public policy will be submitted to the voters of the Village of Freeburg, Illinois, in substantially the following form:

> **Shall the Village of Freeburg, Illinois continue to own, operate, maintain and improve a municipal swimming pool or other aquatic facility within the village?**

The polls at said election will be opened at 6:00 a.m. and continue open until 7:00 p.m. of that day.

DATED this _____ day of _____, 2009.

_____
County Clerk,
County of St. Clair, Illinois

Section 3. Local Newspaper. It is hereby found and determined that the "*Freeburg Tribune*" is a local, community newspaper having a general circulation in the Village.

Section 4. Form of Ballot. The ballot to be used at the Election shall be in substantially the following form, with such alterations, changes, deletions and insertions as required by the Election Code if an Electronic Voting System is used at the Election:

(Face of Ballot)

OFFICIAL BALLOT

ADVISORY QUESTION OF PUBLIC POLICY IN THE VILLAGE OF FREEBURG, ILLINOIS, CONCERNING WHETHER THE VILLAGE SHALL CONTINUE TO OWN, OPERATE, MAINTAIN AND IMPROVE A MUNICIPAL SWIMMING POOL OR OTHR AQUATIC FACILITY WITHIN THE VILLAGE.

INSTRUCTIONS TO VOTERS: Mark a cross (X) in the space opposite the word indicating the way you desire to vote:

Shall the Village of Freeburg, Illinois continue to own, operate, maintain and improve a municipal swimming pool or other aquatic facility within the village?	Yes	
	No	

(Back of Paper Ballot)

OFFICIAL BALLOT

CONSOLIDATED ELECTION - TUESDAY, APRIL 7, 2009

VILLAGE OF FREEBURG, ILLINOIS

Official ballot for voting at the general consolidated election to be held on April 7, 2009, on the advisory question of public policy concerning whether to continue to own, operate, maintain and improve a municipal swimming pool or other aquatic facility within the village.

Precinct
No._____

Polling
Place_____

(Facsimile Signature)_____.
County Clerk
County of St. Clair, Illinois

Section 5. Certification of Public Question. The Village Clerk is hereby designated as the "local election official" and shall cause a Certificate of Public Question, certifying the public question to be submitted to the voters of the Village at the Election, to be filed with the County Clerk of St. Clair, Illinois. Said Certificate of Public Question shall be filed with the County Clerk not less than 61 days prior to the Election.

Section 6. Effective Date. This Ordinance shall take effect immediately upon its passage.

ADOPTED this 20th day of January, 2009.

AYES	NAYS	ABSENT

Vote Recorded by:

Jerry Lynn Menard
Village Clerk

APPROVED THIS 20th DAY OF January, 2009.

Raymond Danford, Village President

ATTEST:

Jerry Lynn Menard
Village Clerk

(SEAL)

Approved as to form:

Stephen R. Wigginton, Village Attorney

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

CERTIFICATION OF PUBLIC QUESTION
VILLAGE OF FREEBURG

TO: COUNTY CLERK
ST. CLAIR COUNTY, ILLINOIS

I, Jerry Lynn Menard the duly qualified and acting Village Clerk and local election official of the Village of Freeburg, Illinois, pursuant to the applicable provisions of the Election Code of the State of Illinois, do hereby certify the following public question to be submitted at the consolidated election scheduled for April 7, 2009:

> **Shall the Village of Freeburg, Illinois continue to own, operate, maintain and improve a municipal swimming pool or other aquatic facility within the village?**

I do further certify that attached hereto is a true and correct copy of the ordinance entitled:

"AN ORDINANCE INITIATING THE SUBMISSION OF AN ADVISORY QUESTION OF PUBLIC POLICY TO THE VOTERS OF THE VILLAGE OF FREEBURG, ILLINOIS AT THE CONSOLIDATED ELECTION TO BE HELD ON APRIL 7, 2009"

which ordinance was duly adopted by the President and Board of Trustees at a meeting held on January 20, 2009, at which meeting quorum was present, and which ordinance requires the submission to the voters of said Village of the public question set forth above.

I do further certify that that the ordinance includes the form of a public question to be placed on the ballot for the regularly scheduled consolidated election to be held on April 7, 2009, and that the public question was initiated by the President and Board of Trustees of the Village of Freeburg, Illinois, by the adoption of the ordinance on January 20, 2009.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Village, this 20th day of January, 2009.

_____
Jerry Lynn Menard
Village Clerk

CERTIFICATE

I, Jerry Lynn Menard, Village Clerk of the Village of Freeburg, Illinois, hereby certify that the foregoing ordinance entitled: "An Ordinance Initiating the Submission of an Advisory Question of Public Policy to the Voters of the Village of Freeburg, Illinois at the Consolidated Election to be held on April 7, 2009" is a true copy of the original ordinance that was duly adopted by the recorded affirmative votes of a majority of the members of the President and Board of Trustees of the Village at a meeting thereof that was duly called and held at 7:30 p.m. on January 20, 2009, at the Village Hall, 14 Southgate Center in the Village, and at which a quorum was present and acting throughout, and that said copy has been compared by me with the original ordinance signed by the Village President on January 20, 2009, and recorded in the records of the Village and that it is a correct transcript thereof and of the whole of said ordinance, and that said ordinance has not been altered, amended, repealed or revoked, but is in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Village, this 20th day of January, 2009.

_____

Jerry Lynn Menard
Village Clerk

(SEAL)

as may be necessary for the work. The obstruction shall not extend to more than one-half of the width of the sidewalk, street, or alley adjacent to such improvement, and the gutter shall always be left free and unobstructed. Such person shall, at night, keep a red light on such materials.
(Former Code, § 33-2-15)

§ 95.30 SIGNS ON POLES.

No person shall nail, tack, paste, paint, or fasten, or caused to be nailed, tacked, painted, or fastened, any sign or any other foreign substance or material onto any telephone, telegraph, electric light, police and fire alarm pole or post, or any street or traffic sign located on any sidewalk, street, alley, or public grounds or injure or deface any such pole or post.
(Former Code, § 33-2-16) Penalty, see § 95.99

§ 95.31 MERCHANDISE ON PUBLIC STREETS.

It shall be unlawful for any person, firm, or corporation to use any street, sidewalk, or other public place as space for the display of goods or merchandise for sale; or to write or make any signs or advertisements on any such pavements.
(Former Code, § 33-2-17) Penalty, see § 95.99

§ 95.32 ENCROACHMENTS.

(A) It shall be unlawful to erect or maintain any building or structure which encroaches upon any public street or property. (Former Code, § 33-2-18)

(B) (1) It shall be unlawful for any person, firm, or corporation to erect or cause to be erected or to retain or cause to be retained any encroachment within the limits of the project right-of-way or roadway right-of-way where no project right-of-way lines have been established.

(2) Project right-of-way lines have been established as being one foot behind the curb where exists and at the right-of-way lines where no curb exists.
(Ord. 855, passed 2-20-95)
Penalty, see § 95.99

§ 95.33 INJURY TO NEW PAVEMENTS.

It shall be unlawful to walk upon or drive any vehicle or animal upon or destroy any newly laid sidewalk pavement while the same is guarded by a warning sign or barricade or to knowingly injure any soft, newly-laid pavement.
(Former Code, § 33-2-19) Penalty, see § 95.99

(C) No person shall park diagonally with the rear wheels against the curb, except for loading and unloading purposes.

(D) No person shall park or leave standing on any street or portion thereof in a residence district as defined by the zoning ordinance of the village any commercial vehicle having a manufacturer's gross vehicle weight rating of 10,000 pounds or more. The prohibition hereby imposed shall not apply to the parking or standing of such a vehicle for the purpose of making pickups or deliveries from or to any building or structure located within such residence district or for the purpose of delivering materials to be used in the repair, alteration, remodeling, or construction of any such building or structure for which a building permit has been obtained.
(Former Code, § 24-5-3) Penalty, see § 72.99

§ 72.04 ALLEYS.

No person shall park a vehicle within an alley in such a manner or under such conditions as to leave available less than ten feet of the width of the roadway for the free movement of vehicular traffic, and no person shall stop, stand, or park a vehicle within an alley in such a position as to block the driveway entrance to any abutting property.
(Former Code, § 24-5-8) Penalty, see § 72.99

§ 72.05 PRIVATE PROPERTY.

It shall be unlawful for any person to park a motor vehicle on private property without the consent of the owner of the private property.
(Former Code, § 24-5-9) Penalty, see § 72.99

§ 72.06 MOTOR TRANSPORT ENGINES.

It shall be unlawful to operate motor transport engines in the nighttime between the hours of 8:00 p.m. and 6:00 a.m. in any place in which a majority of the buildings within a radius of 400 feet are zoned for residential purposes, excluding state and federal highways.
(Former Code, § 24-5-10) Penalty, see § 72.99

§ 72.07 TOWING CARS AWAY.

(A) The Police Department and all members thereof assigned to traffic duty are authorized to remove and tow away, or have removed and towed away by commercial towing service, any car, boat, trailer, or other vehicle illegally parked in any place where such parked vehicle creates or constitutes a traffic hazard, blocks the use of a fire hydrant or obstructs or may obstruct the movement of any emergency vehicle; or any vehicle which has been parked in any public street or other public place for a period of 24 consecutive hours.