

**VILLAGE PRESIDENT**  
Ray Danford

**VILLAGE CLERK**  
Jerry Menard

**VILLAGE TRUSTEES**  
Rita Baker  
Seth Speiser  
Charlie Mattern  
Ray Matchett, Jr.  
Steve Smith  
Mike Blaies

# **VILLAGE OF FREEBURG**

**FREEBURG MUNICIPAL CENTER**  
14 SOUTHGATE CENTER, FREEBURG, IL 62243  
PHONE: (618) 539-5545 • FAX: (618) 539-5590  
Web Site: www.freeburg.com

**VILLAGE ADMINISTRATOR**  
Dennis Herzing

**VILLAGE TREASURER**  
Bryan A. Vogel

**PUBLIC WORKS DIRECTOR**  
Ronald Dintelmann

**POLICE CHIEF**  
Melvin E. Woodruff, Jr.

**VILLAGE ATTORNEY**  
Weilmuenster Law Group, P.C

August 6, 2012

## **NOTICE**

### **MEETING OF THE PUBLIC WORKS COMMITTEE Trash/Water/Sewer (Mattern/Speiser/Matchett)**

A Public Works Committee Meeting of the Village of Freeburg will be held at the Municipal Center, Executive Board Room, on **Wednesday, August 8, 2012, at 2:00 p.m.**

#### **PUBLIC WORKS COMMITTEE MEETING AGENDA**

- I. Items To Be Reviewed
  - A. Old Business
    1. Sewer Project
  - B. New Business
  - C. General Concerns
  - D. Public Participation
  - E. Adjourn

At said Committee Meeting, the Village Board of 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)].

# 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

### PUBLIC WORKS COMMITTEE MEETING

Trash/Water/Sewer

(Mattern/Speiser/Matchett)

Wednesday, August 8, 2012 at 2:00 p.m.

The Public Works Committee Meeting was called to order at 2:00 p.m. on Wednesday, August 8, 2012, by Chairman Charlie Mattern. Members present were Chairman Charlie Mattern, Trustee Seth Speiser, Trustee Ray Matchett, Jr., (absent), Public Works Director Ron Dintelmann, Assistant Public Works Director John Tolan, Village Administrator Dennis Herzing (via telephone), and Office Manager Julie Polson. Guests present: Tony Erwin – TWM, Mark Ehret, Sr., Mark Ehret, Jr., and Janet Baechle.

**A. OLD BUSINESS:** None.

**B. NEW BUSINESS:**

Water main extension: Mark Ehret, Sr., presented to the committee his request to extend a water main east from the SAVE Site following Jefferson Road, then along Rentschler Road to his property which is located at 2960 Rentschler Road. He told the committee he has talked to the residents that live along Rentschler Road and believes 19 of the 20 want the water main extended. He said Covered Bridge has 58 homes but does not think he could get a majority of those homeowners to agree to go in on the project. All of the people he talked to are aware they would have to sign a pre-annexation agreement with the Village and also know that the Village would like the water main on an easement. Mark also explained to the homeowners that the installation of a water main would increase their property value and also provide them better fire protection. One of his main concerns is how to handle the residents that don't come in at the beginning of the process. He would like to put a recapture agreement in place. Administrator Herzing advised the committee that is not possible with our current ordinance. We would need to revise our code in order to allow recapture agreements. Mark stated Illinois American Water has a recapture agreement with a 10-year limit. Dennis said we may not be able to have a recapture agreement because we are a municipality and not a business. Dennis said we would need our attorney to review it to insure we would legally be able to do that. Chairman Mattern agreed and said that would be our first place to start the process. Dennis also said we need to keep in mind this would be setting a precedence. Future developers might also want to take advantage of a recapture agreement. Tony Erwin stated you could look at it as offering recapture agreements in rural water situations as compared to a major subdivision development. Tony stated this is an opportunity for the Village of Freeburg to increase its boundary to the east and gain utility customers.

Mark said the water main extension is approximately 8,000 feet and depending on the number of residents that enter into the project, it will cost them approximately \$7,000 - \$10,000. Mark also said he does not plan on making any money on this project. His goal is to get water to that area and wants every resident to pay his fair share. Tony stated they would like to see if the Village would consider working with them on this project and share the engineering costs. Dennis said that also goes against our ordinance. Mayor Danford believes an important step in the process is to hold a meeting and invite all the residents to

Water/Sewer Committee Meeting

Wednesday, August 8, 2012

Page 1 of 2

discuss the benefits of annexing into the Village, and he also said there are some legal issues we need to look at.

The committee asked Mark to get prices on different sizes of pipe to run the main. Dennis said we would prefer to have a 20' easement because that gives the Village flexibility in the future. Mark said the ultimate goal would be to construct the water main extension this fall. The EPA permit could take up to 90 days to secure. Charlie asked Dennis to contact our attorney regarding the legality of the recapture agreement and see if it can be done as a one-time deal. Charlie also asked if it could be based on a rural water line extension rather than a subdivision. With respect to the property owners annexing into the Village, Dennis explained they have to annex in as SR-1 and can then be rezoned to agricultural if they wish to do so.

Dennis will also try to get a rough draft of an annexation agreement to Tony and Tony will get us prices by the next committee meeting.

*Trustee Charlie Mattern motioned to authorize Dennis Herzing to contact the Village attorney regarding the recapture agreement and precedence for future water line extensions and Trustee Seth Speiser seconded the motion. All voting aye, the motion carried.*

**C. GENERAL CONCERNS:** None.

**D. PUBLIC PARTICIPATION:** None other than what was discussed above.

**E. ADJOURN:** *Trustee Seth Speiser motioned to adjourn at 3:12 p.m. and Trustee Charlie Mattern seconded the motion. All voting aye, the motion carried.*



Julie Polson,  
Office Manager

**WATER MAIN EXTENSIONS**

**52.40 APPLICATION.** Any person within the service areas of the utility systems and desiring the extensions of the mains to the premises shall make application therefor to the Water Department and in making the application, shall present a plat showing the area to be served by the main extension. (Former Code, § 38-3-26)

**52.41 PLAT OF PROPOSED EXTENSION.**  
(A) The plat shall be submitted by the Village Clerk to the Engineer and the Mayor of the Village Board for determination of the size and lengths of the utilities installations, location of fire hydrants, water service valves, and other appurtenances to be installed, based upon the following provisions.

- (1) All water mains shall have lines that are **eight (8) inches** in diameter or greater. All water mains in all zoning districts except A (Agriculture) within the corporate limits of the Village or in any unincorporated area served by the Village water system shall have a water supply, under normal operating conditions, of not less than **one thousand (1,000) gallons** per minute with available residual pressure of at least **twenty (20) pounds** per square inch from fire hydrants installed on the Village water supply system. The method and/or equipment employed to meet this requirement shall be subject to the approval of Village. A certification of a Registered Professional Engineer shall be submitted with each proposed water main extension certifying that the proposed water main extension will meet or exceed the flow and residual pressure requirements of this Section. (Ord. No. 1266; 10-15-07)
- (2) Fire hydrants shall be so located so that no premises will be more than **three hundred (300) feet** from a fire hydrant except that, in the event of large lot sizes, the maximum spacing between fire hydrants shall be **eight hundred (800) feet. (Ord. No. 1266; 10-15-07)**
- (3) In determining the length of pipe lines to be installed to serve a main extension, the main shall be extended to fully cover the front of the property, and if the last lot to be served is a corner lot or a lot immediately adjacent to a corner lot, the terminal point of the extension made hereunder shall be located so that the main laid hereunder ties with the existing main located in the intersecting street; and further provided that if there is no main located on the intersecting street, or no intersecting street, the terminal point of the extension made hereunder shall be located at the nearest street line of the intersecting street, or extend to the furthest end of the development.
- (4) The Village may require the proposed main to be connected to its distribution system at a point which, in its judgment, is necessary to adequately furnish water to premises to be served and nothing herein shall require the village to allow connection to the closest point of existing service, if such service is inadequate for the extension proposed. Main trunk lines may be installed by the village at no cost to the developer, however, lots or properties fronting directly thereon which may be served by a service connection to the main will be charged the average amount per connection as found in subdivisions currently being constructed.
- (5) The village reserves the right to further extend its water mains from and beyond the terminus of each water main extension made under this chapter. The applicant or the applicant's agent paying for an extension shall not be entitled to any refund for the attaching of customers to any further extension or branch mains so involved. (Extensions made under this rule shall be and remain the property of the village.)

- (6) Before the village mains will be laid hereunder in any new subdivision, it is understood and agreed that the road surface will be brought to the extended sub-grade, and the applicant/developer of such new subdivision shall furnish the village with a right-of-way agreement in suitable form to the village, unless the streets of the new subdivision have been dedicated to public use.
- (7) (a) When a pipe line is to be installed in a paved or unpaved street, a service line of ¾-inch Type 'K' Copper is to be provided to the center line of each lot for a one-family dwelling. The service line is to terminate at a point three to five feet inside the property line in a meter box.
- (b) When a business or an apartment house is to be served, the applicant shall contact the Utilities Department to obtain the proper size for the service.

(B) All planned water main extensions in the Village or served by the Village shall be submitted to the Fire Protection District for review and recommendation. The District shall have **ten (10) days** from receipt of such plans to issue its recommendation to the Village. Failure of the District to issue its recommendation within this time limit shall be considered a positive recommendation of the plan as submitted.

**(Ord. No. 1266; 10-15-07)**

(Former Code, § 38-3-27)

**52.42      ENGINEER TO PREPARE PLANS.** After approval of design, plans and specifications shall be prepared in accordance with the foregoing and with specifications for utility main extensions from time to time adopted by the Village Board. The plans and specifications shall be prepared by the Village Engineer or a Civil Engineer acceptable to the Village Board. (Former Code, § 38-3-28)

**52.43      SEALED BIDS; LARGER PIPE REQUIRED.** Sealed bids shall be received by the Village Board after advertisement, not less than ten days prior to the date of the receiving of the bids, and after receipt thereof, the applicant shall deposit with the Village Clerk the entire cost, based upon the lowest responsible bid; the cost to include the entire cost of the proposed extension, including pipes, valves, fittings, fire hydrants, all other material, and all costs of engineering and inspection. Excepting that if the village should require the installation of a size of pipe larger than is found by the village engineering standard to be necessary for the subdivision, then the deposit shall be based upon the cost of installing the size determined to be necessary for the subdivision with the village standing the additional cost for a larger line. (Former Code, § 38-3-29)

**52.44      CONTRACT.** Upon a deposit of the moneys by the applicant as hereinbefore required, a contract shall be entered into between the applicant and the village, as outlined in Appendix A. (Former Code, § 38-3-30)

APPENDIX A: WATER MAIN EXTENSION CONTRACT

AGREEMENT made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, by and between the Utility System of the Village of \_\_\_\_\_, Illinois, hereinafter called the Utility Department and hereinafter called the Depositor.

FIRST: That the Utility Department contracts and agrees to have installed by contract in accordance with its rules, utility mains as shown on the plat thereof, and the specifications are attached hereto and made a part hereof.

SECOND: Bids having been taken and the lowest responsible bid having been in the amount of \$ \_\_\_\_\_, the Depositor agrees to deposit and does deposit herewith the cost thereof.

(A) The lowest responsible bid: \_\_\_\_\_

(B) Engineering and Inspection Charge: \_\_\_\_\_

(C) Total: \_\_\_\_\_

THIRD: Final costs to be adjusted up or down according to completed job cost.

FOURTH: The ownership of the utility mains laid herein shall be at all times in the Utility Department, its successors and assigns.

FIFTH: This Agreement shall be valid and binding on the Utility Department only when signed by the President and Village Clerk of the Village of \_\_\_\_\_.

SIXTH: This Agreement shall be binding upon the heirs, executors, administrators, successors or assigns of the respective parties.

EXECUTED in duplicate by the parties hereto on the date first above written.

UTILITY DEPARTMENT

VILLAGE OF: \_\_\_\_\_

BY: \_\_\_\_\_  
PRESIDENT

\_\_\_\_\_  
DEPOSITOR

ATTEST:

\_\_\_\_\_  
VILLAGE CLERK

\_\_\_\_\_  
(WITNESSES)  
(SEAL)