

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

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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 & Keck, P.C.

Committee as a Whole Meeting
Monday, April 25, 2016
5:30 p.m.

The Committee as a Whole meeting was called to order at 5:37 p.m. on April 25, 2016 by Mayor Seth Speiser. Members present were Mayor Seth Speiser, Trustee Denise Albers (5:46 p.m.), Trustee Mike Blaies, Trustee Ray Matchett (absent), Trustee Lisa Meehling, Trustee Dean Pruett, Trustee Matt Trout, Public Works Director John Tolan (5:46 p.m.), Village Clerk Jerry Menard, Village Administrator Tony Funderburg, Village Attorney Brian Manion (6:02 p.m.) and Office Manager Julie Polson. Guest present: Tim Pruett of Rhutasel & Associates.

I. Items to be Reviewed

A. Old Business:

1. Approval of March 2, 2016 minutes: *Trustee Matt Trout motioned to approve the March 2, 2016 minutes and Trustee Dean Pruett seconded the motion. All voting yea, the motion carried.*

B. New Business

1. Sewer Project – Executive Session to Discuss Real Estate Transactions, 5 ILCS 120/2-(c)(5):
Prior to Attorney Manion arriving at this committee meeting, Administrator Funderburg advised as of this morning, we thought we had 3 easements across the field. Tony has had several meetings with Fred Helms. At this point, Fred wants a road put in but it is not on our property. Tony emailed two maps showing what it looks like now and what it would look like in the future. Tony advised there is still the issue of are we willing to put in a road to make this thing work, and also the cost of the road. Tony expressed his frustration about Fred Helms talking about what he wants, but we never get the document from his attorney. We can't negotiate anything until we see the document. Fred Helms also told Tony it's the road or nothing. Tony advised Fred pulled all the stakes out of the field, so he could farm it. Public Works Director John Tolan confirmed Fred farmed into the permanent easement. Tim Pruett advised Fred Helms took out the stakes and utility locates as well. Tony advised Terry Swyear said he would improve the current road to make it easier for Helms to get his equipment through. Tony confirmed the main issue is we can't move forward with the project now because of this. Helms' attorney is back in town, and Tony feels Attorney Manion should try to work with Helms' attorney and see if we can get the situation resolved.

Committee as a Whole Meeting
Monday, April 25, 2016
Page 1 of 2

EXECUTIVE SESSION

6:03 P.M.

Trustee Matt Trout motioned to enter Executive Session to discuss real estate transactions, 5 ILCS 120/2-(c)(5) and litigation, 5 ILCS 120/2(c)(11) and Trustee Dean Pruett seconded the motion. All voting yea, the motion carried.

EXECUTIVE SESSION ENDED

6:41 P.M.

Trustee Matt Trout motioned to end Executive Session at 6:41 p.m. and Trustee Dean Pruett seconded the motion. All voting aye, the motion carried.

Trustee Matt Trout motioned to reconvene the regular session of the Committee as a Whole meeting and Trustee Dean Pruett seconded the motion. All voting yea, the motion carried.

2. Combination of Plan Commission and Board of Appeals: Tony stated that Frank Heiligenstein advised the Bethalto attorney says what we had been looking at is not legal. Frank believes the best way to do this is to remove the Plan Commission and all references to them from the code, and only have the Board of Appeals. Tony reminded the committee the Board of Appeals' decision is final, and the Village board does not have any say in the decision. Tony will have Attorney Manion check to see if we keep the Plan Commission and Board of Appeals, could we appoint the same people to each board. Attorney Manion stated the Board of Appeals findings and decisions should be formalized. If any decision is appealed, you need to have the documentation to support the Board's decision. Tony said we are not protected right now. Attorney Manion will check with Frank to discuss his opinion.
 3. Local Debt Recovery Program: Tony advised with the institution of this program, we have to create a second hearing for our resident to have the option to go to regarding the unpaid bill. The committee agreed the first hearing will be held before Administrator Funderburg and the second hearing will be heard by the Mayor. If the Mayor is not available, then it will be heard before the Legal/Ordinance Committee.
- C. **General Concerns:** None.
- D. **Public Participation:** None.
- E. **Adjourn:** Trustee Matt Trout motioned to adjourn the meeting at 6:48 p.m. and Trustee Dean Pruett seconded the motion. All voting yea, the motion carried.



Julie Polson
Office Manager