

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 Tolian

POLICE CHIEF
Stanley Donald

VILLAGE ATTORNEY
Weilmuenster & Keck, P.C.

December 8, 2016

NOTICE

COMMITTEE AS A WHOLE MEETING VILLAGE OF FREEBURG

A Committee as a Whole Meeting of the Village of Freeburg will be held at the Municipal Center, Executive Board Room, **Wednesday, December 14, 2016, at 6:15 p.m.**

COMMITTEE AS A WHOLE MEETING AGENDA

I. Items to be Reviewed

- A. Old Business
 - 1. Approval of April 25, 2016 Minutes
- B. New Business
 - 1. Combination of Plan Commission and Board of Appeals
- C. General Concerns
- D. Public Participation
- E. Adjourn

At said Committee 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 position [5 ILCS, 120/2 - (c)(3)]; litigation [5 ILCS, 120/2 - (c)(11)] personnel [5 ILCS, 120/2 - (c) (1)]; real estate transactions [5 ILCS, 120/2 - (c)(5)]; or collective negotiating matters between the public body and its employees or their representatives [5 ILCS 120/2 (C)(2); discussion of executive session minutes, 5 ILCS, 120/2 - (C)(21)]

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Committee as a Whole Meeting
Wednesday, December 14, 2016
6:15 p.m.

The Committee as a Whole meeting was called to order at 7:10 p.m. on December 14, 2016 by Mayor Seth Speiser. Members present were Mayor Seth Speiser, Trustee Denise Albers, Trustee Mike Blaies, Trustee Ray Matchett, Trustee Lisa Meehling, Trustee Dean Pruett, Trustee Matt Trout, Public Works Director John Tolan, Village Clerk Jerry Menard (absent), Village Administrator Tony Funderburg, Village Attorney Brian Manion and Office Manager Julie Polson.

A. OLD BUSINESS:

1. Approval of April 25, 2016 minutes: Trustee Matt Trout motioned to approve the April 25, 2016 minutes and Trustee Lisa Meehling seconded the motion. All voting yea, the motion carried.

B. NEW BUSINESS:

1. Combination of Zoning Board of Appeals and Plan Commission: Attorney Manion stated at the recent hearing, people were questioning the reason why the Village wanted to combine the boards, and were not happy about it. Attorney Manion also stated Attorney Fred Keck was not in a position to respond well to their questions or concerns. Attorney Manion asked the board if anyone has questions or concerns. Trustee Albers asked why everyone was so ticked off, and wanted to know who was behind this and wanted the combination. Administrator Funderburg said at the beginning, he went to a Board of Appeals meeting and felt it wasn't handled the way it should be. He further said the Board of Appeals has the responsibility to answer 5 questions when making a decision. He said the board members are not following the requirements properly. Attorney Manion clarified the Board of Appeals looks at variances and special use permits and make findings of fact based on 5 criteria. They are supposed to make a written decision. The proposed combination of boards doesn't take that away, but gives it to a combined board that handles both the Board of Appeals and Plan Commission. The Plan Commission decisions will remain recommendations and are not final. The only real substantive change is with planned development. Attorney Manion said other communities treat a planned development like a rezoning. It would give the final say back to the Village Board instead of just the Board of Appeals. Everything else flows through the board like it used to before. The combined board would hear the variances and special uses and they would render a final decision. Trustee Blaies asked why are we doing this. Tony said we are doing this to protect the village from a lawsuit. Tony would recommend sending everyone a letter and interview anyone who would still be interested in continuing on.

Attorney Manion said you can either accept, reject or refer the Plan Commission's recommendation back to them at the next board meeting. Tony affirmed this is a way to streamline for future development and to clean up an area to keep us out of a lawsuit. Brian said this is a trend across the state. The committee discussed either having a hearing officer in charge of the requests or appoint a board to hear them.

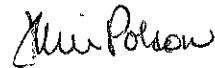
Ordinance #1614 is presented for the committee's review. This ordinance will allow an employee to opt out of the health insurance coverage through the Village of Freeburg. Attorney Manion reviewed the timelines and Affordable Care Act regarding the opt-out provision.

Trustee Dean Pruett motioned to recommend Ordinance #1614 to the full Board for approval and Trustee Ray Matchett seconded the motion. All voting yea, the motion carried.

C. GENERAL CONCERNS: None.

D. PUBLIC PARTICIPATION: None.

E. ADJOURN: *Trustee Matt Trout motioned to adjourn the meeting at 7:57 p.m. and Trustee Lisa Meehling seconded the motion. All voting yea, the motion carried.*



Julie Polson
Office Manager

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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

ORDINANCE NO. 1614

**AN ORDINANCE AMENDING CHAPTER 11 OF THE REVISED
CODE OF THE VILLAGE OF FREEBURG, ST. CLAIR
COUNTY, ILLINOIS (Employee Provisions)**

WHEREAS, the Corporate Authorities of the Village find it to be in the best interest of the Village and its residents to decrease the cost to the Village of the eligible employee healthcare benefits; and

WHEREAS, the Corporate Authorities find it to be in the best interest of the Village and its effective operation and delivery of services by providing an incentive for eligible employees to secure healthcare benefits other than those offered by the Village;

BE IT ORDAINED BY THE VILLAGE PRESIDENT AND VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF FREEBURG, ST. CLAIR COUNTY, ILLINOIS, THAT:

SECTION 1. That CHAPTER 11, Section 11-1-8, INSURANCE, is amended to read as follows:

Add: Section (A) to be Titled: Opt-Out Option of Healthcare Benefits for Eligible Village Employees:

Effective January 1, 2017, all current eligible Village employees who elect to opt-out of coverage under the Village group healthcare plan shall receive an incentive payment in the amount of \$4,000 annually payable via payroll on a bi-weekly pro rata basis. All new employees will be eligible to select this option during the enrollment period for the Village group healthcare plan. The opt-out incentive payments are taxable and subject to all normal payroll withholdings and deductions. The opt-out payments and related withholdings and deductions will be reflected on the employee's W-2.

(B) To qualify for the opt-out option and payments, the employee must:

1. Complete and execute the waiver form provided by the Village, along with evidence of employee healthcare coverage through another provider in effect on the first day of the Village's group healthcare plan year, during the annual open enrollment period for the Village's group healthcare plan;
2. Make all required payments and contributions to the Village healthcare plan until healthcare benefits are transferred to the employee's new plan.

(C) Any employee who demonstrates a loss of coverage from the alternate source may return to the Village's group healthcare plan, so long as the Village's plan allows for enrollment. If the Village's group healthcare plan does not allow the employee to enroll during the policy year, the employee must wait to enroll in the Village's group healthcare plan until the next open enrollment period.

(D) Employees are responsible for notifying the Village of their election of the opt-out option, during the annual open enrollment period of the Village's group healthcare plan, to join this program or discontinue participation in this program.

(E) This program will be reviewed on a year to year basis. The Village reserves the right to discontinue or modify this program at any time.

SECTION 2. That the Waiver form attached hereto is approved and must be fully completed and executed by any employee participating in the Opt-Out incentive program.

SECTION 3. That this Ordinance shall take effect upon its passage, approval, recording and publication in pamphlet form in accordance with law.

PASSED BY THE VILLAGE BOARD OF THE VILLAGE OF FREEBURG, ILLINOIS, ST. CLAIR COUNTY, AND APPROVED BY THE VILLAGE PRESIDENT THIS ___ DAY OF December, 2016.

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

ABSENT _____ ABSTAIN _____

Approved this _____ day of December, 2016.

Seth E. Speiser
Village President

ATTEST:

Approval as to Legal Form:

Jerry Lynn Menard
Village Clerk

Village Attorney

VILLAGE OF FREEBURG

**REQUEST TO WAIVE INDIVIDUAL AND DEPENDENT HEALTH INSURANCE
2017 PLAN YEAR
OPT-OUT INCENTIVE - \$153.85 PER BI-WEEKLY PAY PERIOD/\$4,000 PER YEAR**

The Health Insurance Benefits provided by the Village of Freeburg have been thoroughly explained to me. **I ELECT NOT TO COVER MYSELF AND MY ELIGIBLE DEPENDENTS THROUGH THE VILLAGE'S GROUP HEALTHCARE PLAN.**

I understand that by electing to opt-out of health insurance for myself and my eligible dependents, I along with any of my eligible dependent(s) currently covered by the health insurance provided by the Village of Freeburg **WILL NOT** be entitled to health insurance benefits provided by any health insurance plan the Village provides effective January 1, 2017.

I understand that if I wish to renew coverage for myself and my eligible dependents at a later date, I may do so only during the Village's annual open enrollment period, unless I have experienced a qualifying event, such as the loss of my other insurance coverage. I understand that if this is the case, I must enroll myself and any of my eligible dependents within 31 days of the loss of coverage or other qualifying event, provided I have not voluntarily relinquished my alternative health insurance during the plan year.

I have attached documents showing that I am covered by health insurance under some other policy (e.g., my spouse's employer). I understand and agree that approval to discontinue coverage and provide an opt-out incentive is at the discretion of the Village of Freeburg. I understand that I must promptly report changes that impact my eligibility (e.g., loss of alternative coverage). I understand that this election is for only one plan year.

I have read and fully understand the contents of this Form and the Policy which accompanied it:

PRINT NAME: _____ DATE: _____

SIGNATURE: _____

Description of Attached Alternative Insurance Documentation (Plan Document; ID Card, etc.)