VILLAGE PRESIDENT
Seth Speiser

VILLAGE CLERK
Jerry Menard

VILLAGE TRUSTEES
Mike Blaies
Ray Matchett, Jr.
Lisa Meehling
Denise Albers
Michael Heap
Bob Kaiser

VILLAGE TREASURER
Bryan A. Vogel

VILLAGE OF FREEBURG

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VILLAGE ADMINISTRATOR
Tony Funderburg

PUBLIC WORKS DIRECTOR
John Tolan

POLICE CHIEF
Michael J. Schutzenhofer

ESDA COORDINATOR
Eugene Kramer

ZONING ADMINISTRATOR
Matt Trout

VILLAGE ATTORNEY
Weilmuenster Keck Brown, P.C.

Legal and Ordinance Committee Meeting
(Annexation; Building; Zoning; Subdivision)
(Heap/Albers/Matchett/Meehling)
Wednesday, April 29, 2020 at 5:30 p.m.

The meeting of the Legal and Ordinance Committee was called to order at 5:51 p.m. by Chairperson Mike Heap on Wednesday, April 29, 2020, via the Zoom Application. Members attending were Chairperson Mike Heap, Trustee Denise Albers, Trustee Ray Matchett, Trustee Lisa Meehling, Mayor Seth Speiser, Village Clerk Jerry Menard, Trustee Mike Blaies, Trustee Bob Kaiser, Zoning Administrator Matt Trout, Chief Mike Schutzenhofer, Public Works Director John Tolan, ESDA Coordinator Gene Kramer, Village Administrator Tony Funderburg, Village Attorney Fred Keck and Office Manager Julie Polson. Guest present via Zoom: Janet Baechle. Village Hall was open to the public, and no guests were present during the meeting.

A. OLD BUSINESS:

1. Approval of March 25, 2020 Minutes: *Trustee Lisa Meehling motioned to approve the March 25, 2020 minutes and Trustee Denise Albers seconded the motion.* All voting yea, the motion carried.

2. Zoning Report/Nuisance Properties: Zoning Administrator Matt Trout issued 8 building permits: 1 building addition, 1 electric; 4 garages; 1 fence, and 1 pool. He also issued 7 occupancy permits. He has been on hold with the nuisance properties and asked for guidance on when we should start back up on them. Attorney Keck does not believe a judge will enforce any ordinance violation at this time. We will wait and see what the governor orders after May 31st.

3. Meadow Pines/Edison Estates Subdivisions – Edison Estates Preliminary Plat: Matt said we have 3 houses going in at Meadow Pines. Alex Klemme advised Matt today he sold a spec house, and he has 3 – 5 more deposits on homes. Alex talked about possibly starting phase 2 this fall. Regarding Edison Estates, Matt has scheduled the Combined Planning/Zoning Board meeting on May 5th to present the engineering plans for approval. Dirt and tree removal on the property is being done. IEPA approved the water construction permit. Public Works Director John Tolan advised Ehret conducted the flow test, and he was not happy with the way the test was done. Per John's request, Boyer Fire Protection ran the test yesterday and got very good numbers on the fire flow, well over 1,000 gallons per minute at 26 psi. We will get an official report from Boyer. John has also looked into purchasing the gauges and running the test ourselves. Tony said it is in our agreement with the Fire Dept., for them to do this test. If we do the test ourselves, we may need to address this in the code and Tony asked Matt to look at that. John further said Tim has answered all our questions, and he has no problem with the recommendation to go forward.

4. Code Revisions/Legal Review: Matt does not have anything new on this. He does not think the virtual meeting setup would go well for this type of meeting and Trustee Heap agreed. Tony thinks we need to get the zoning code done first if this is going to be a while.

5. Bill's Auto Service: Nothing new.

B. NEW BUSINESS:

1. Ordinance Amending Village of Freeburg Code of Ordinances to Provide that a Violation of the Executive Orders Issued by the Governor Related to COVID-19 be Declared a Public Nuisance: Attorney Keck prepared this ordinance for his communities so they would be prepared to deal with businesses that were not complying with the governor's executive order. Attorney Keck said in order to make it a local ordinance violation, you need an ordinance passed to be able to enforce it by being able to declare a public nuisance. Chief Schutzenhofer confirmed we haven't had any problems where we would need this. Attorney Keck also stated he doesn't know how many judges are going to enforce these kind of ordinance violations. He doesn't necessarily believe this is a great tool to help Chief Schutzenhofer.

   Attorney Keck also sent out IML's ordinance regarding face coverings. He does not believe we should be doing this and Chief Schutzenhofer agreed.

With the stay at home order in effect until May 31st, we need to move the pool opening back to June 1st. Tony would like to have the pool ready to go by that date. He thinks there will be some social distancing guidelines, but we will need to see what comes out. Tony said he would like to stay on track, and the committee agreed.

The recycling center is currently closed, and we have received numerous calls and complaints about it. Tony has confirmed with Waste Management that the virus lives on plastic and metal surfaces. Waste Management is willing to offer individual curbside recycling during this time. He is waiting to hear back from them on the pricing. They advised is will probably run between $10 - $12 a month in addition to their current bill. They also said it could be done on an as-needed basis every week or every other week. We do have the option of bringing in some open-air containers but that could get very messy. Trustee Meehling does not like the idea of the open-air container, and further said the residents can pay if they really want to recycle. Tony discussed with Charlie Hill today since the township is our partner in this, and is willing to help however we proceed. Tony asked Gene if sunlight kills the virus, and Gene said according to the Illinois Department of Public Health, it depends on the type of service. You would have to have someone spray everything with a sanitizer, and that would be very costly and time consuming. Our insurance company doesn't want us taking the risk. Attorney Keck doesn't recommend that we open the recycling center.

C. GENERAL CONCERNS: None.

D. PUBLIC PARTICIPATION: Janet asked about Homecoming, and Tony advised the Chamber is in charge of that event, and they have not made a decision at this time. Janet wanted to know if the pool dates will be extended, and Tony advised the pool always closes the weekend before homecoming because of staffing issues.

E. ADJOURN: *Trustee Denise Albers motioned to adjourn at 6:37 p.m. and Trustee Lisa Meehling seconded the motion.* All voting yea, the motion carried.

Julie Polson

Julie Polson
Office Manager