

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

FREEBURG MUNICIPAL CENTER
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Legal and Ordinance Committee Meeting
(Annexation; Building; Zoning; Subdivision)
(Heap/Albers/Matchett/Meehling)
Wednesday, September 25, 2019 at 5:30 p.m.

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, P.C.

The meeting of the Legal and Ordinance Committee was called to order at 5:30 p.m. by Chairperson Mike Heap on Wednesday, September 25, 2019, in the Freeburg Municipal Center. 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, Village Administrator Tony Funderburg, Village Attorney Fred Keck and Office Manager Julie Polson (absent). Guest present: Janet Baechle.

A. OLD BUSINESS:

1. Approval of August 28, 2019 Minutes: Trustee Denise Albers motioned to approve the August 28, 2019 minutes with corrections and Trustee Lisa Meehling seconded the motion. All voting yea, the motion carried.
2. Zoning Report/Nuisance Properties: Zoning Administrator Matt Trout issued 9 occupancy permits; 5 building permits which included 2 mobile homes, 2 new homes and 1 shed. Matt has sent out the nuisance property report.
3. Meadow Pines/Edison Estates Subdivisions: Regarding Meadow Pines, there is one person living out there, and one spec home is almost done. They are talking about starting the next couple of phases and putting 5 spec homes out there. Matt advised they are trying to figure out how everything is going to work within the elevations at Edison Estates. Matt spoke with Tim Pruett today regarding the fiber line and confirmed it is within the easement.
4. Code Revisions/Legal Review: Nothing new to report.
5. Bill's Auto Service: Chairperson Heap advised he and Matt recently visited Bill. He has shown some really good improvement, and Chairperson Heap believes we have gotten our message across that this needs to continue. We will continue to monitor this situation.
6. Purchase of 310 W. Washington: Village Administrator Tony Funderburg confirmed the property has been purchased. We are waiting for the deed to finalize that part of the process. We will then bid the demolition of the home.

B. NEW BUSINESS:

1. IML Municipal Cannabis Business Prohibition and Zoning Ordinances: Attorney Keck said there is only one lounge in the state of Colorado that is functioning. He found out the National Institute of Business does not provide dram shop insurance for marijuana coverage. He believes this will regulate this itself. With the new law, we will be the most regulated state with regard to the disbursement of the actual marijuana itself. There won't be any open shop areas to purchase the cannabis, it will be kept in an evidence locker. As a board, we need to make a decision on whether or not we are going to authorize a recreational dispensary to be allowed as a permitted use in Freeburg. If we do want to move forward with this, we would pass the retail occupational tax up to 3%. It can be zoned however we want, and there is a

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limit of 3 of them in Freeburg. Maryville, Collinsville and Sauget have said yes. Edwardsville and O'Fallon have said no. Attorney Keck believes the general consensus is for these dispensaries to be placed near interstates and easily accessible locations since there are only going to be 50 licenses issued initially. Attorney Keck advised the state is estimating between \$11,000,000 - \$19,000,000 sales at each location. With a 3% sales tax on \$10,000,000 that is \$300,000 in sales tax revenue. The committee discussed our zero tolerance policy regarding drug use and the new law won't allow it. Tony said the law state a person can't be impaired. We don't have any specific level that states when they are impaired. Attorney Keck thinks we can make our collective bargaining agreements supersede that. Naperville Police are on a test pilot for saliva testing but there has not been any adopted, approved test. If allowed, this would bring an increase in traffic to Freeburg. Attorney Keck said the most repetitive question asked is the next step recreational use everywhere? He believes in the years to come, many of the regulations will be relaxed, and those decisions will be made on a state level. Tony stated the federal law as it is currently written, still says it is illegal. He will email everyone the frequently asked question booklet provided by IML.

The park board would like to use Village Hall for their meeting place. Tony will keep us informed.

C. GENERAL CONCERNS: None.

D. PUBLIC PARTICIPATION: Janet asked what time they can start construction in the morning and Mayor Speiser advised 6:00 a.m.

E. ADJOURN: *Trustee Lisa Meehling motioned to adjourn at 6:08 p.m. and Trustee Denise Albers seconded the motion. All voting yea, the motion carried.*



Julie Polson
Office Manager