

VILLAGE PRESIDENT
Ray Danford

VILLAGE CLERK
Jerry Menard

VILLAGE TRUSTEES
Corby Valentine
Steve Smith
Tony Miller
Rita Baker
Seth Speiser
Charlie Mattern

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
Stephen R. Wigginton

October 9, 2010

NOTICE

MEETING OF LEGAL AND ORDINANCE COMMITTEES (Annexation; Building; Zoning; Subdivision) Speiser/Baker/Mattern

A Legal and Ordinance Committee Meeting of the Village of Freeburg will be held at the Municipal Center, Executive Board Room, **Wednesday, October 13, 2010, at 4:30 p.m.**

LEGAL AND ORDINANCE COMMITTEE MEETING AGENDA

I. Items to be Discussed:

- A. Old Business
 - 1. Approval of September 1, 2010 Minutes
 - 2. Status of Public Hazard Homes
 - 3. New class of business license
 - 4. Unionization
 - 5. Material Requirements on Commercial Buildings
- B. New Business
 - 1. Ordinance Violation
- C. General Concerns
- D. Public Participation
- E. Adjourn

At said Legal and Ordinance 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 office [5 ILCS, 120/2 - (c)(3)], litigation [5 ILCS, 120/2 - (c)(11)] personnel [5 ILCS, 120/2 - (c) (1) a.]; collective negotiating matters between the public body and its employees or their representatives [5 ILCS 120/2 (C)(2). or real estate transactions [5 ILCS, 120/2 - (c)(5)].

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Legal and Ordinance Committee Meeting
(Annexation; Building; Zoning; Subdivision)
(Speiser/Baker/Mattern)
Wednesday, October 13, 2010 at 4:30 p.m.

The meeting of the Legal and Ordinance Committee was called to order at 4:34 p.m. by Chairman Seth Speiser on Wednesday, October 13, 2010, in the Freeburg Municipal Center. Members attending were Chairman Seth Speiser, Trustee Rita Baker, Trustee Charlie Mattern and Village Administrator Dennis Herzing. Guests present: Dale Klohr and Frank Heiligenstein.

A. OLD BUSINESS:

1. Approval of September 1, 2010 Minutes: Trustee Rita Baker motioned to approve the September 1, 2010 minutes and Trustee Charlie Mattern seconded the motion. All voting aye, the motion carried.

Chairman Seth Speiser asked to hear the guests present at the committee meeting. Frank addressed the committee regarding the updates that our code needs. He had a two-page listing of areas that are outdated and need updating. The following is a brief listing of items he mentioned: the amount of our penalty needs to be increased; vacancy provisions in appointed positions; bond amounts are not correct; investment policy is incomplete; contradictions in zoning code referenced in the administrative section; returned check fee should be increased; subdivision guarantee needs to be reviewed; signage in zoning needs to be addressed; wants to add a B3 district. Frank also said he would like to see something done about a property maintenance code. He continued by saying we have a lot of violations going on in Freeburg that need to be addressed. He will get a proposal for us to consider the recodification of our code.

2. Status of Public Hazard Homes: Julie advised the committee that Mary Kinzinger sent Phil a letter stating the home at 502 N. Main Street will be demolished by the end of the year.

3. New class of business license: Dennis and Julie will review the ordinance to see what language is in there with respect to business registrations not received on a timely basis and whether we can charge a penalty fee. Dennis did say we could issue them a citation for an ordinance violation.

4. Unionization:

EXECUTIVE SESSION 5:12 P.M.

Trustee Rita Baker motioned to enter into Executive Session at 5:12 p.m. citing collective negotiating matters, 5 ILCS, 120/2-(c)(2) and Trustee Charlie Mattern seconded the motion. All voting aye, the motion carried.

EXECUTIVE SESSION ENDED
5:25 P.M.

Trustee Rita Baker reconvened the regular session of the Legal/Ordinance Committee meeting at 5:26 p.m.

5. Material Requirements on Commercial Buildings: Dale Klohr was present to give his opinion about the proposed material requirements on commercial buildings. He believes we are being too restrictive. With the proposed ordinance, we will only allow masonry, glass or stone fronts and he thinks there are other materials that would be suitable if used correctly. He looked at the buildings in the Industrial Park and was very impressed with them. He thinks if we are too restrictive, prospective businesses will look elsewhere when looking at where to locate. He mentioned the Gateway Connector and thinks it will be at least 20 years before that project gets underway. He thinks that area could possible develop into one like the huge industrial park around Glen Carbon on I-255 North. If it does, he thinks we may restrict ourselves out of industrial buildings. Dale also questioned if an existing business needed to remodel, would you hold them to the new code? Trustee Mattern said we need to review the ordinance and the committee agreed.

B. NEW BUSINESS:

1. Ordinance Violation: Julie advised this was put in the packet for informational purposes.

C. GENERAL CONCERNS: None.

D. PUBLIC PARTICIPATION: None.

E. ADJOURN: *Trustee Rita Baker motioned to adjourn the meeting at 5:27 p.m. and Trustee Charlie Mattern seconded the motion. All voting aye, the motion carried.*



Julie Polson
Office Manager

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Legal and Ordinance Committee Meeting
(Annexation; Building; Zoning; Subdivision)
(Speiser/Baker/Mattern)

Wednesday, September 1, 2010 at 4:30 p.m.

The meeting of the Legal and Ordinance Committee was called to order at 4:37 p.m. by Chairman Seth Speiser on Wednesday, September 1, 2010, in the Freeburg Municipal Center. Members attending were Chairman Seth Speiser, Trustee Rita Baker, Trustee Charlie Mattern and Village Administrator Dennis Herzing. Guests present: Steve Woodward and Janet Baechle.

A. OLD BUSINESS:

1. Approval of August 4, 2010 Minutes: *Trustee Rita Baker motioned to approve the August 4, 2010 minutes and Trustee Charlie Mattern seconded the motion. All voting aye, the motion carried.*

2. Status of Public Hazard Homes: Dennis advised the committee that Sheets filed an appeal which will take the case back to the appeals court. There shouldn't be any question now as to the appeals court having jurisdiction in this matter. Dennis said with respect to 606 W. Phillips, Phil has been over there several times. Dennis said there is a platted alley through there that is not improved as an alley and has a camper sitting on it. Charlie said how do you sort out one person's treasure from another one's trash? Steve Woodward thought the nuisance abatement code would take care of these situations. Dennis agreed and said he needs to check that newly adopted code to see how it applies to this situation. He will get with Phil on that.

3. New class of business license: Seth said the ordinance was passed at the board meeting but vetoed by the mayor. Dennis said the veto was only with respect to the increased fee and said Ray did receive a large number of complaints. Charlie said as a matter of record, since the mayor wasn't at any of the meeting where this was discussed, we need to not charge an initial fee and if the business fails to register, we charge them a \$1,000 fine. Jerry said a time limit should be added. Discussion was held on whether or not to charge a penalty fee if the business registration fee is not paid within 30 days. Dennis needs to review the ordinance to see language was included to address this.

4. Unionization: Dennis said we had a meeting with the police union attorney and said Brian will be at the next meeting to discuss it. Dennis also said we had the initial meeting with the public works union attorney. They will put together a proposed contract and get to us before our next meeting. Dennis did advise the employees any future meeting will be scheduled after work hours.

5. Material Requirements on Commercial Buildings: Julie did talk to Dale Klohr who would like to present his thoughts but could not attend tonight's meeting. Dennis said we could take Steve's input tonight and then more input at another meeting. Steve said Dale believed the proposed change in material requirements was

Legal and Ordinance Committee Meeting
Wednesday, September 1, 2010
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too restrictive. Dennis said Dale was afraid we were restricting the industrial zoning area north of town. Seth said we were more concerned about the main road in town. Steve said some of the members were concerned about chasing prospective buyers away because you are requiring them to spend more money than perhaps another town would. Steve said he has driven around Belleville and with all the strip malls that have recently been built, decorative brick is used on the front so obviously they have some requirements. Steve said the Community Improvement Board wanted to establish a policy that would not allow someone to come in and put up anything they wanted. Dennis said from the discussions held by the Plan Commission, they thought it might be too restrictive in applying it to all business and light industrial areas throughout Freeburg. In discussions regarding the comprehensive plan, the zoning along the highway north of town is B-2 with residential behind that on the east side of the highway and I-1 behind the B-2 zoning district on the west side of the highway. Seth suggested Julie check with some surrounding municipalities to see what they require. Charlie said we need to keep in mind what kind of image as a community we want to project when new buildings are being put up in town. Steve said his personal opinion was we need something in writing to stop someone from coming in and putting in anything they want but also said he had a problem with buildings that had more than one side facing a street and how to address that. Charlie thanked Steve for coming in and thinks we need to re-work the ordinance. Both Charlie and Steve agreed that if you are going to make the investment to build a building in Freeburg, the extra costs incurred to comply with the material requirements would not change that decision. Dennis will relay the discussion to Dale.

6. Noise Ordinance: Seth asked if we are making any changes to it and the committee said we are leaving it as is for now. Seth requested the item to be taken off the agenda.

B. NEW BUSINESS: None.

C. GENERAL CONCERNS: Rita said she is concerned about all the time we have taken to talk about the material requirements on commercial buildings and business license registration requirements and fees.

D. PUBLIC PARTICIPATION: Steve has a concern. He has lived in Freeburg for 30 years and grew up in New Athens. He watched new Athens almost die because no-one did anything to keep it alive. He does not want to see that happen in Freeburg. He said one of the reasons you live in the city is for the services they provide. He thinks Freeburg is stagnant and said if you are standing still, you are moving backwards. He said he'll vote for the track and the pool because he does not want to see his property values go down.

E. ADJOURN: *Trustee Rita Baker motioned to adjourn the meeting at 5:33 p.m. and Trustee Charlie Mattern seconded the motion. All voting aye, the motion carried.*



Transcribed from tape by
Julie Polson, Office Manager