

VILLAGE PRESIDENT
Seth Speiser

VILLAGE CLERK
Jerry Menard

VILLAGE TRUSTEES
Ray Matchett, Jr.
Steve Smith
Mike Blaies
Mathew Trout
Dean Pruett
Elizabeth Niebruegge

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 Tolan

POLICE CHIEF
Stanley Donald

VILLAGE ATTORNEY
Weilmuenster Law Group, P.C

October 27, 2014

NOTICE

MEETING OF LEGAL AND ORDINANCE COMMITTEES Annexation; Building; Zoning; Subdivision (Trout/Matchett/Pruett)

A Legal and Ordinance Committee Meeting of the Village of Freeburg will be held at the Municipal Center, Executive Board Room, **Wednesday, October 29, 2014, at 5:00 p.m.**

LEGAL AND ORDINANCE COMMITTEE MEETING AGENDA

I. Items to be Discussed:

A. Old Business

1. Approval of September 24, 2014 Minutes
2. Zoning Report/Nuisance Properties
3. Update Code Book
4. Occupancy Permit Inspections
5. Change in Code for Meetings – Committee as a Whole twice a month
6. Time limits on donation collection requests
7. Video gaming fee change

B. New Business

1. Park District Deed of Property for Pool

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)]; 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)
(Trout/Matchett/Pruett)
Wednesday, October 29, 2014 at 5:00 p.m.

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The meeting of the Legal and Ordinance Committee was called to order at 5:00 p.m. by Chairman Matt Trout on Wednesday, October 29, 2014, in the Freeburg Municipal Center. Members attending were Chairman Matt Trout, Trustee Ray Matchett, Trustee Dean Pruett, Mayor Seth Speiser, Treasurer Bryan Vogel (5:20 p.m.), Village Clerk Jerry Menard, Trustee Elizabeth Niebruegge, Trustee Steve Smith, Zoning Administrator Gary Henning, Public Works Director John Tolan, Head Lineman Shane Krauss (5:20 p.m.), Village Administrator Tony Funderburg and Office Manager Julie Polson. Guest present: Janet Baechle (5:20 p.m.).

A. OLD BUSINESS:

1. Approval of September 24, 2014 Minutes: Trustee Ray Matchett motioned to approve the September 24, 2014 minutes and Trustee Matt Trout seconded the motion. All voting yea, the motion carried.
2. Zoning Report/Nuisance Properties: Nothing new to report.
3. Update code book: Tony stated our suggested changes have been made. We will review the pages sent by Frank to make sure all of the changes were made. He revised the bill from \$4,000 down to \$2772. Tony feels this is a legitimate bill. There will be one more additional fee to index the code which will be done after the Plan Commission hearing. Tony said this bill was not budgeted but we do have it in appropriations.

Trustee Dean Pruett motioned to approve payment of Illinois Codification Services Invoice #14-1711 in the amount of \$2,772.00 for extra pages of the code update and Trustee Ray Matchett seconded the motion. All voting yea, the motion carried.
4. Occupancy permits inspections: Nothing new at this time.
5. Change in Code for Meetings: Tony said we are working towards two Committee as a Whole meetings a month that would cover 3 committee meetings in each meeting. Tony said at the IML Conference, he learned that we shouldn't have committees comprised of three members. Rather, we should hold Committee as a Whole meetings so we don't get into any situations that would violate the Open Meetings Act. The problem is the trustee's reimbursement and how we can get that changed to coincide with the meeting format change. Tony asked if we want to go to the 15-minute meeting and the committee decided not to at this time. He will continue to work on a way to get the code revised so that we can change to the new meeting format.

Legal and Ordinance Committee Meeting
Wednesday, October 29, 2014

6. Time Limits on Donation Collection Requests: Trustee Trout and Trustee Niebruegge are working on this.
7. Video Gaming Fee Change: Julie said this was discussed at the last meeting but no decision was made on whether or not we are going to change our fees. The committee would like Gary to see what other local municipalities are charging for their machines.

B. NEW BUSINESS:

1. Park District Deed of Property for Pool: Tony advised Attorney Manion is working on an Intergovernmental Agreement for the pool to grant us some land for the pool pavilion.

Tony advised we have a local resident that would like to open a teen center with games and food business in the Sanders' building. Due to the number of coin-operated machines he plans to install, he is asking for a break on the \$20 per machine per year fee. Tony suggested we change the language in our code to place a limit of \$250 per year. The committee was fine with the request and an ordinance will be prepared for Monday night's board meeting. Tony said there is an auto body shop that is interested in moving into the old Pickers location on N. State Street. Tony walked the area with the business owner who has very detailed plans on how he is going to improve the building and lot. Due to the amount of money the potential business owner is going to be putting into the property, he is asking for a letter from the Mayor stating the business will be approved. John was concerned about the fumes that could be emitted from the auto body shop that is directly across the street from a restaurant with outdoor seating. Tony does not believe this will be an issue because of how the business owner has the shop set up. The committee was in agreement to have the Mayor write the letter.

Lastly, Tony advised there is a business that would like to operate a data processing center in the old doctor's building. There would be no customer traffic, only the employees that would there. Since that building is located in an SR-1 district, we have two options. The first option would be to hold a Plan Commission hearing to allow a data processing center with zero public traffic as a special use in the SR-1 District. The second option would be to rezone the parcel to a B-2 district since it is in close proximity to other B-2 areas. This option would open that parcel up to a lot of uses in the future. Trustee Niebruegge said rather than limiting it to a data processing center with no commerce traffic, she suggested we allow a business with no commerce traffic as a special use. The committee agreed and we will have an ordinance ready at Monday night's board meeting.

C. GENERAL CONCERNS: None.

D. PUBLIC PARTICIPATION: None.

E. ADJOURN: Trustee Dean Pruett motioned to adjourn at 5:23 p.m. and Trustee Matt Trout seconded the motion. All voting yea, the motion carried.



Julie Polson
Office Manager

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Legal and Ordinance Committee Meeting
(Annexation; Building; Zoning; Subdivision)
(Trout/Matchett/Pruett)

Wednesday, September 24, 2014 at 5:00 p.m.

VILLAGE ADMINISTRATOR
Tony Funderburg

VILLAGE TREASURER
Bryan A. Vogel

PUBLIC WORKS DIRECTOR
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POLICE CHIEF
Stanley Donald

VILLAGE ATTORNEY
Weilmuenster Law Group, P.C

The meeting of the Legal and Ordinance Committee was called to order at 5:00 p.m. by Chairman Matt Trout on Wednesday, September 24, 2014, in the Freeburg Municipal Center. Members attending were Chairman Matt Trout, Trustee Ray Matchett (absent), Trustee Dean Pruett, Mayor Seth Speiser, Village Clerk Jerry Menard, Trustee Elizabeth Niebruegge, Trustee Steve Smith (5:20 p.m.), Zoning Administrator Gary Henning, Village Administrator Tony Funderburg and Office Manager Julie Polson.

A. OLD BUSINESS:

1. Approval of August 27, 2014 Minutes: Trustee Dean Pruett motioned to approve the August 27, 2014 minutes and Trustee Matt Trout seconded the motion. All voting yea, the motion carried.
2. Status of Public Hazard Homes: Zoning Administrator Henning advised O'Reillys is working towards opening by the end of October. M's Nail Salon is moving from High Street to N. State St.
3. Update code book: Tony advised the changes to the proposed code book have been made. Tony said some of our requested changes have not been made. The committee agreed to schedule a Committee as a Whole meeting so everyone can review the code book to make sure we have all our proposed changes in there. The committee agreed to meet Wednesday, October 1st at 5:30 p.m.
4. Occupancy permits inspections: Trustee Trout stated we need to review the information that was previously passed out. He talked to Marissa and they love the program. They said it was hard at first but everyone is used to it now.

B. NEW BUSINESS:

1. IML Recap: Trustee Niebruegge asked Julie to place this item on all committee agendas. Tony said one topic discussed was paperless agendas. Since Julie is copying everyone on all packets, we will probably go over on our allotment per the terms of the copier contract and could owe over \$2,000. He would rather put that money towards the purchase of tablets so everyone could access their packets during the meetings. We will look into the costs to purchase some.

Tony said another topic that was discussed was having Committee as a Whole meetings instead of the smaller 3-member committee meetings we currently have. It is very easy to violate the rules of the Open Meetings Act and by conducting our business under the Committee as a Whole setting, we would eliminate that exposure. Elizabeth said our time would be better utilized under the Committee as a Whole setting. If we finished up on one topic more quickly, we could move onto the next one. Tony will talk to Brian Manion about the logistics of moving to the two

Legal and Ordinance Committee Meeting
Wednesday, September 24, 2014



Committee as a Whole meetings per month, and have him look into the pay aspect and revision to the codebook. Tony also said we are working towards getting everyone a village-issued email address so no personal emails will need to be used. Matt said a topic that was an eye opener to him was fraud. It covered several areas of fraud and what would be considered fraud. For example, we can't have a salaried employee earning comp time.

Gary found a grant opportunity for \$35,000 to use towards demolition of buildings, grass/weeds, and tree removal. Lastly, Tony brought up the topic of becoming NIMS compliant. He said Investigator Schutzenhofer is working with Brian Vielweber to help Freeburg attain this designation. Everyone working for the Village would need to get certified.

2. Time limits on donation collection requests: With the recent request from an organization to collect two full days, we need to get the times designated in our code book on when and how long an organization can collect donations. Tony will ask the Chief for his input on this. The Chief has expressed his concern over collection donations during peak hours, for example, when school lets out or at the end of a work day. Elizabeth suggested 4-hour blocks excluding early in the morning and late afternoon/early evening. Julie said the Knights of Columbus ignored the time limits set for collection last weekend.
3. Ordinance establishing rules for tattoo parlors: Tony advised we need to have a policy in our code book that addresses tattoo parlors. The proposed ordinance was adopted by Fairview Heights, and Tony stated they did a lot of research to ensure it was a complete policy.

Trustee Dean Pruett motioned to recommend to the full Board we approve Ordinance 1515, An Ordinance Establishing Chapter 112 of the Village of Freeburg Code of Ordinances and Establishing Definitions, Regulations and Restrictions for Tattoo or Body Piercing Establishments in the Village of Freeburg and Trustee Matt Trout seconded the motion. All voting yea, the motion carried.

Gary brought up video gaming and said it is getting out of hand. At IML, he found out from other municipalities that many companies are trying to come in and have the video gaming machines installed at quick marts/convenience stores that have a liquor license. Those municipalities have instituted a rule that the company has to be in business one year before they can apply for a video gaming license. Mayor Speiser said some of the cities charge \$6,000 for each video machine being brought into their town.

C. GENERAL CONCERNS: None.

D. PUBLIC PARTICIPATION: None.

E. ADJOURN: *Trustee Dean Pruett motioned to adjourn at 5:23 p.m. and Trustee Matt Trout seconded the motion. All voting yea, the motion carried.*

Julie Polson
Office Manager



LEGAL AND ORDINANCE COMMITTEE MEETING ZONING REPORT OCTOBER 29, 2014

Gary Henning Zoning Administrator

Last weeks Tribune article was on Halloween--Trick or Treat! Next week's article will be Building Permits issued in October.

4-Courtesy calls concerning high grass in October

8--Occupancy Permits issued in October

6--Building Permits issued in October:

- 1-Fence
- 1-Billboard
- 1-New Garage
- 1-Wrecking - Tear down old home
- 2-Service Upgrades

Nuisances Corrected in October: 4

Nuisance Complaints with action to be taken:

1. The old G&S Foundry which has been vacant since 1998 is for sale-on hold at present due to owner's legal lawsuits.
2. Two homes on Lake View Drive were reported as needed much repair--have talked to both owners and both said the repairs will be done in near future. Will check this week on progress.

New Businesses Working:

O'REILLY AUTO PARTS--Ground-breaking ceremony was held Monday August 4th at 9:00 am. Work should be completed in a month or so.

POSSIBLE AUTO REPAIR AND PAINT SHOP: Jerry Kessler who runs and owns Kessler's Auto Body in St. Libory is presently in negotiations with Picker's to buy their building on North State Street. Mr. Kessler plans on state-of-art building and equipment to include 6 glass door bays for his business. Tony and I have met with him and he needs letter from Village stating he will be able to obtain a Body Shop Business Permit.



RHUTASEL and ASSOCIATES, INC.

CONSULTING ENGINEERS • LAND SURVEYORS
4 Industrial Drive/P. O. Box 97, Freeburg, IL 62243
(618) 539-3178 / FAX (618) 539-3174
e-mail: raai.freeburg@rhutasel.net

LETTER OF TRANSMITTAL

To Village of Freeburg
14 Southgate Center
Freeburg, IL 62243

DATE	Oct. 13, 2014	Job No.	30214-303
ATTENTION:	Tony Funderburg		
RE:	Additions to Swimming Pool Tract		
	Part of E. 1/2 of N.W. 1/4 of Sec.29 T1S, R7W		
	Parts of Parcels 14-29.0-106-027 & 028		
	St. Clair County, Illinois		

WE ARE SENDING YOU Attached Under separate cover via _____ the following items:
MyIars Prints Specifications Shop Drawings Calculations
Other: Legal Descriptions

COPIES	DATE	NO.	DESCRIPTION
3	10/8/14		Tract 1 - Proposed Addition at Southeast Corner of Pool Property -0.91 Ac.
3	10/8/14		Tract 2 - Proposed Addition on West side of Pool Property - 1.09 Ac.
5	10/13/14		Property Sketch Showing Additional Tracts 1 and 2

THESE ARE TRANSMITTED as checked below:

- For approval
- For your use
- As requested
- For review and comment
- Approved as submitted
- Approved as noted
- Returned for corrections
- Prints returned after loan to us
- Resubmit _____ copies for approval
- Submit _____ copies for distribution
- Return _____ corrected prints
- _____

REMARKS Tony,

Attached please find copies of the legal descriptions and the revised Property Sketch we prepared for the proposed additions to the swimming pool property at the recreation park. We have set the iron pins shown on the sketch so that you show them to the Park Board members at the site.

If you have any questions or need electronic copies of the descriptions, please give me a call.

Thank you,

COPY TO

Sincerely,

SIGNED:

Gale E. Hake, P.L.S.

VILLAGE OF FREEBURG
Proposed Addition at Southeast corner of Freeburg Pool Property
October 8, 2014

TRACT 1

Part of the east half of the northwest quarter of Section 29, Township 1 South, Range 7 West of the Third Principal Meridian, St. Clair County, Illinois, more particularly described as follows:

Commencing at a stone at the southeast corner of the northeast quarter of the northwest quarter of said Section 29; thence on an assumed bearing of North 88 degrees 52 minutes 20 seconds West on the south line of said quarter-quarter section, a distance of 388.18 feet to a concrete monument at the northwest corner of Lot 7 of FIRST SUBDIVISION OF LUCASH ADDITION, reference being had to the plat thereof recorded in the Recorder's Office of said St. Clair County in Plat Book 61 on page 39; thence North 88 degrees 50 minutes 33 seconds West on the south line of the above referenced quarter-quarter section, a distance of 113.40 feet to an iron pin; thence South 01 degree 08 minutes 42 seconds West, a distance of 22.00 feet to an iron pin, the point of beginning of the tract of land herein described; thence North 88 degrees 50 minutes 33 seconds West, a distance of 173.00 feet to an iron pin; thence South 01 degree 09 minutes 27 seconds West, a distance of 221.76 feet to an iron pin on the northerly right-of-way line of Old Fayetteville Road; thence South 63 degrees 58 minutes 52 seconds East on said northerly right-of-way line, a distance of 32.82 feet to an iron pin; thence North 86 degrees 47 minutes 58 seconds East on said northerly right-of-way line, a distance of 143.68 feet to an iron pin; thence North 01 degree 08 minutes 42 seconds East, a distance of 224.64 feet to the point of beginning, containing 0.91 acre, more or less.

VILLAGE OF FREEBURG
Proposed Addition on West side of Freeburg Pool Property
October 8, 2014

TRACT 2

Part of the east half of the northwest quarter of Section 29, Township 1 South, Range 7 West of the Third Principal Meridian, St. Clair County, Illinois, more particularly described as follows:

Commencing at a stone at the southeast corner of the northeast quarter of the northwest quarter of said Section 29; thence on an assumed bearing of North 88 degrees 52 minutes 20 seconds West on the south line of said quarter-quarter section, a distance of 388.18 feet to a concrete monument at the northwest corner of Lot 7 of FIRST SUBDIVISION OF LUCASH ADDITION, reference being had to the plat thereof recorded in the Recorder's Office of said St. Clair County in Plat Book 61 on page 39; thence North 88 degrees 50 minutes 33 seconds West on the south line of the above referenced quarter-quarter section, a distance of 113.40 feet to an iron pin; thence South 01 degree 08 minutes 42 seconds West, a distance of 22.00 feet to an iron pin; thence North 88 degrees 50 minutes 33 seconds West, a distance of 173.00 feet to an iron pin; thence South 01 degree 09 minutes 27 seconds West, a distance of 221.76 feet to an iron pin on the northerly right-of-way line of Old Fayetteville Road; thence North 63 degrees 58 minutes 52 seconds West on said northerly right-of-way line, a distance of 55.11 feet to an iron pin, the point of beginning of the tract of land herein described; thence North 01 degree 09 minutes 27 seconds East, a distance of 198.59 feet to an iron pin; thence North 88 degrees 50 minutes 33 seconds West, a distance of 48.00 feet to an iron pin; thence North 01 degree 09 minutes 27 seconds East, a distance of 88.00 feet to an iron pin; thence North 45 degrees 54 minutes 18 seconds East, a distance of 68.18 feet to an iron pin; thence North 01 degree 09 minutes 27 seconds East, a distance of 132.00 feet to a point; thence North 67 degrees 47 minutes 33 seconds West, a distance of 84.00 feet to an iron pin; thence South 06 degrees 42 minutes 00 seconds West, a distance of 261.00 feet to an iron pin; thence South 36 degrees 23 minutes 00 seconds West, a distance of 64.00 feet to an iron pin; thence South 23 degrees 44 minutes 36 seconds West, a distance of 108.98 feet to an iron pin on the northerly right-of-way line of Old Fayetteville Road; thence South 63 degrees 58 minutes 52 seconds East on said northerly right-of-way line, a distance of 201.00 feet to the point of beginning, containing 1.09 acres, more or less.

