

VILLAGE PRESIDENT
Seth Speiser

VILLAGE CLERK
Jerry Menard

VILLAGE TRUSTEES
Ray Matchett, Jr.
Mike Blaies
Denise Albers
Dean Pruett
Michael Heap
Lisa Meehling

VILLAGE TREASURER
Bryan A. Vogel

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

PUBLIC WORKS DIRECTOR
John Tolan

POLICE CHIEF
Michael J. Schutzenhofer

ESDA COORDINATOR
Eugene Kramer

ZONING ADMINISTRATOR
Matt Trout

VILLAGE ATTORNEY
Weilmuenster & Keck, P.C.

November 26, 2018

NOTICE

MEETING OF LEGAL AND ORDINANCE COMMITTEE Annexation; Building; Zoning; Subdivision (Heap/Albers/Matchett/Meehling)

A Legal and Ordinance Committee Meeting of the Village of Freeburg will be held at the Municipal Center, Executive Board Room, **Wednesday, November 28, 2018, at 5:30 p.m.**

LEGAL AND ORDINANCE COMMITTEE MEETING AGENDA

I. Items to be Discussed:

A. Old Business

1. Approval of October 24, 2018 Minutes
2. Zoning Report/Nuisance Properties
3. Meadow Pines Subdivision
4. Code Revisions/Legal Review

B. New Business

1. Resolution #18-10: A Resolution Regarding the Release of Closed Session Minutes of the Village of Freeburg
2. St. Clair County Zoning Board of Appeals Hearing for Heberer Bros Inc., 3047 Old Freeburg Road, Special Use Permit to Allow Two 2.48 MW Solar Energy Systems

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), real estate transactions [5 ILCS, 120/2 - (c)(5)]; discussion of executive session minutes, [5 ILCS-120/2-(c)(21)]; discussion of purchase or lease of real property for the use of the public body, [5 ILCS-120/2-(c)(5)]; or discussion of the setting of a price for sale or lease of property owned by the public body, [5 ILCS-120/2-(c)(6)].

VILLAGE BOARD OF TRUSTEES MEETINGS ARE HELD ON THE FIRST AND THIRD MONDAY OF EVERY MONTH

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Legal and Ordinance Committee Meeting
(Annexation; Building; Zoning; Subdivision)
(Heap/Albers/Matchett/Meehling)
Wednesday, October 24, 2018 at 5:30 p.m.

VILLAGE ADMINISTRATOR
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The meeting of the Legal and Ordinance Committee was called to order at 5:32 p.m. by Chairman Mike Heap on Wednesday, September 26, 2018, in the Freeburg Municipal Center. Members attending were Chairman Mike Heap, Trustee Denise Albers (absent), Trustee Ray Matchett, Trustee Lisa Meehling (via phone), Mayor Seth Speiser, Village Clerk Jerry Menard, Trustee Mike Blaies, Trustee Dean Pruett, Zoning Administrator Matt Trout, Village Attorney Fred Keck, Police Chief Mike Schutzenhofer, Public Works Director John Tolan, Water/Sewer Department Leader Gregg Blomenkamp, Village Administrator Tony Funderburg and Office Manager Julie Polson. Guest present: Janet Baechle.

A. OLD BUSINESS:

1. Approval of September 26, 2018 Minutes: Trustee Ray Matchett motioned to approve the September 26, 2018 minutes and Trustee Lisa Meehling seconded the motion. All voting yea, the motion carried.
2. Zoning Report/Nuisance Properties: Zoning Administrator Matt Trout issued 4 building permits, 1 electric permit, 1 wrecking permit and 11 occupancy permits. He has sent letters out to Mr. Stout, Mr. Groh, and Ms. Duffy on nuisance and pool issues.
3. Meadow Pines Subdivision: Matt stated the road was poured yesterday. The developer is interested in taking the overhead electric in front of subdivision underground and offered to pay for it. Matt said Shane estimated the cost to be in the \$14,000 range. Public Works Director John Tolan said that is not as high a priority as installing the electric in the subdivision.
4. Code Revisions/Legal Review: Village Administrator Tony Funderburg stated everyone received the proposed code revisions. He would like to send that onto the Combined Planning and Zoning Board. Matt has added his suggestions, and only received some suggestions from Steve Woodward. He said the Combined Board wants to look at changing the standards for variance. Attorney Keck advised the Combined Board must determine the findings of fact so the court can review them if needed. He also said there is no statutory framework regarding them. Matt questioned when the legal review would be done, and Tony stated after the Combined Board has made all of their changes.

B. NEW BUSINESS:

1. PSEBA Ordinance: Attorney Keck advised this proposed ordinance from IML establishes a statutory framework to determine whether or not an officer is injured in line of duty and if it is catastrophic. The ordinance would set out the process and procedures involved for this type of situation. Fred advised the hearing officer should be an attorney, but he could not be chosen because it would be a conflict of interest. He can recommend an attorney to be the hearing officer.

Legal and Ordinance Committee Meeting
Wednesday, October 24, 2018

Trustee Ray Matchett motioned to recommend to the full Board Ordinance #1669, An Ordinance Establishing an Administrative Procedure for Assessing and Determining Claims under PSEBA and Trustee Lisa Meehling seconded the motion. All voting yea, the motion carried.

2. St. Clair County Building & Zoning Dept. Agreement for Building and Inspection Program: Matt attended a meeting 2 weeks ago regarding the building permit packet that has been updated. They added a sprinkler system waiver for new homes, and instead of just the summary and certification for Res checks, they want the entire package. The fee structure has been changed and rounded to the nearest dollar amount. Matt updated our rates in the packet as well. It is an automatic yearly renewal.

Trustee Ray Matchett motioned to recommend to the full Board St. Clair County Building & Zoning Department's Agreement for Building and Inspection Program for approval and Trustee Lisa Meehling seconded the motion. All voting yea, the motion carried.

IML has updated their policy regarding sexual harassment, and Attorney Keck did not have any objection to adopting the policy.

Trustee Ray Matchett motioned to recommend to the full Board Ordinance No. 1670, An Ordinance Adopting IML's Policy Prohibiting Sexual Harassment and Trustee Lisa Meehling seconded the motion. All voting yea, the motion carried.

C. GENERAL CONCERNS: None.

D. PUBLIC PARTICIPATION: Janet wanted to know why the couple's request to raise rabbits and chickens was denied at the last board meeting. Tony said they live in a single-family district and those animals are not allowed. They could be considered a nuisance to the neighbors. The surrounding properties are zoned single-family residential also.

E. ADJOURN: *Trustee Ray Matchett motioned to adjourn at 5:55 p.m. and Trustee Ray Matchett seconded the motion. All voting yea, the motion carried.*



Julie Polson
Office Manager

RESOLUTION 18-10

**A RESOLUTION REGARDING THE RELEASE OF CLOSED SESSION MINUTES
OF THE VILLAGE BOARD OF TRUSTEES OF THE
VILLAGE OF FREEBURG, ILLINOIS**

WHEREAS, the Mayor and Village Board of Trustees of the Village of Freeburg have met from time to time in closed session for purposes authorized by the Illinois Open Meetings Act; and

WHEREAS, said minutes have been approved for content by the Village Board of Trustees of the Village of Freeburg, and

WHEREAS, pursuant to the requirements of Public Act 95-1355, the Mayor and Village Board of Trustees have determined a need for confidentiality still exists as to the closed session minutes from the meetings set forth on Schedule "A" attached hereto; and

WHEREAS, the Mayor and Village Board of Trustees have further determined that the minutes of the meetings listed on Schedule "B" attached hereto no longer require confidential treatment and should be made available for public inspection.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF FREEBURG:

SECTION ONE: The Closed Session minutes from those meetings set forth on Schedule "B" attached hereto are hereby released; and

SECTION TWO: That the Village Clerk is hereby authorized and directed to make said minutes available for inspection and copying in accordance with the standing procedures of the Clerk's Office; and

SECTION THREE: This resolution shall be in full force and effect from and after its passage.

Passed and approved by the Village of Freeburg Mayor and Board of Trustees this _____ day of December, 2018.

RESOLUTION 18-10 cont.

Vote Recorded:

AYES: _____

NAYS: _____

ABSENT: _____

Mayor
ATTEST:

Village Clerk
(SEAL)

RESOLUTION 18-10 cont.

SCHEDULE "A"

To declare minutes for the closed sessions to remain closed because confidentiality still exists, for the following:

Electric Committee Minutes:

April 13, 2016	Personnel – 5 ILCS 120/2-(c)(1)
June 15, 2016	Personnel – 5 ILCS 120/2-(c)(1)
July 18, 2016	Personnel – 5 ILCS 120/2-(c)(1)
June 14, 2017	Litigation – 5 ILCS 120/2-(c)(11)

Finance Committee Minutes:

August 30, 2017	Litigation – 5 ILCS 120/2-(c)(11)
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Legal/Ordinance Committee Minutes:

June 24, 2015	Personnel – 5 ILCS 120/2-(c)(1)
July 29, 2015	Personnel – 5 ILCS 120/2-(c)(1)
October 28, 2015	Litigation – 5 ILCS 120/2-(c)(11)
June 29, 2016	Litigation – 5 ILCS 120/2-(c)(11)
July 27, 2016	Litigation – 5 ILCS 120/2-(c)(11)
April 26, 2017	Litigation – 5 ILCS 120/2-(c)(11)
May 24, 2017	Litigation – 5 ILCS 120/2-(c)(11)

Personnel Committee Minutes:

January 29, 2014 #1	Personnel – 5 ILCS 120/2-(c)(1)
January 29, 2014 #2	Personnel – 5 ILCS 120/2-(c)(11)
February 26, 2014	Personnel – 5 ILCS 120/2-(c)(1) and Collective Negotiating Matters 5 ILCS 120/2-(c)(2)
March 26, 2014	Personnel – 5 ILCS 120/2-(c)(1) and Litigation – 5 ILCS 120/2-(c)(11)
April 30, 2014	Personnel – 5 ILCS 120/2-(c)(1) and Collective Negotiating Matters 5 ILCS 120/2-(c)(2)
May 28, 2014 #1	Personnel – 5 ILCS 120/2-(c)(1)
May 28, 2014 #2	Personnel – 5 ILCS 120/2-(c)(1) and Collective Negotiating Matters 5 ILCS 120/2-(c)(2)
March 25, 2015	Litigation – 5 ILCS 120/2-(c)(11)
May 27, 2015	Personnel – 5 ILCS 120/2-(c)(1)
June 24, 2015	Personnel – 5 ILCS 120/2-(c)(1)

RESOLUTION 18-10 cont.

Public Property (Streets) Committee Minutes:

March 12, 2014	Personnel – 5 ILCS 120/2-(c)(1)
April 16, 2014	Personnel – 5 ILCS 120/2-(c)(1)
April 15, 2015	Personnel – 5 ILCS 120/2-(c)(1) and Real Estate Matters 5 ILCS 120/2-(c)(5)
November 4, 2015	Personnel – 5 ILCS 120/2-(c)(1)
December 16, 2015	Personnel – 5 ILCS 120/2-(c)(1) and Litigation 5 ILCS 120/2-(c)(11)

Public Works (Water/Sewer) Committee Minutes:

May 14, 2014	Personnel – 5 ILCS 120/2-(c)(1)
February 11, 2015	Litigation – 5 ILCS 120/2-(c)(11)
July 15, 2015	Litigation – 5 ILCS 120/2-(c)(11)
September 14, 2016	Litigation – 5 ILCS 120/2-(c)(11)
February 15, 2017	Litigation – 5 ILCS 120/2-(c)(11)
March 15, 2017	Litigation – 5 ILCS 120/2-(c)(11)
April 12, 2017	Litigation – 5 ILCS 120/2-(c)(11)

Village Clerk
(SEAL)

RESOLUTION 18-10 cont.

SCHEDULE "B"

To declare for the closed minutes to be opened for the public to inspect:

Electric Committee Minutes:

May 13, 2015 Personnel – 5 ILCS 120/2-(c)(1)

Finance Committee Minutes:

February 26, 2014 Litigation – 5 ILCS 120/2-(c)(11)
May 28, 2014 Real Estate – 5 ILCS 120/2-(c)(5)
January 28, 2015 Executive Session Minutes – 5 ILCS 120/2-(c)(21)
January 27, 2016 Real Estate – 5 ILCS 120/2-(c)(5)

Legal/Ordinance Committee Minutes:

January 28, 2015 Litigation – 5 ILCS 120/2-(c)(11)
January 27, 2016 Litigation – 5 ILCS 120/2-(c)(11)
December 28, 2016 Real Estate – 5 ILCS 120/2-(c)(5)
January 25, 2017 Personnel – 5 ILCS 120/2-(c)(1)

Personnel Committee Minutes:

January 28, 2015 Personnel – 5 ILCS 120/2-(c)(1)

Public Property (Streets) Committee Minutes:

May 14 2014 Personnel – 5 ILCS 120/2-(c)(1)
June 11, 2014 Personnel – 5 ILCS 120/2-(c)(1)
February 11, 2015 Personnel – 5 ILCS 120/2-(c)(1)
February 10, 2016 Personnel – 5 ILCS 120/2-(c)(1)

Public Works (Water/Sewer) Committee Minutes:

None

Village Clerk
(SEAL)



COUNTY OF ST. CLAIR
DEPARTMENT OF BUILDING & ZONING

RECEIVED

NOV 23 2018

PHONE (618) 825-2715
FAX (618) 277-0482



10 PUBLIC SQUARE
BELLEVILLE, ILLINOIS 62220-1623
www.co.st-clair.il.us

November 15, 2018

Verlan Heberer TR
Kent & Kristine Heberer TR
Maxwell Price & Megan Fritz
Dale Helms
JJA Ventures Inc.

Jill Connors
Lester & Florence Helms
City of Belleville
Village of Freeburg
Village of Smithton

RE: 2018-22-SP -- Heberer Bros Inc., Owners
StraightUp Solar, Applicant
3047 Old Freeburg Road, Belleville, Illinois

DEAR SURROUNDING PROPERTY OWNERS:

Enclosed please find a copy of a "Notice of Public Hearing" which will appear in the November 16, 2018 issue of the Belleville News Democrat.

Please read this notice since the subject property is in the vicinity of property owned by you. We cannot contact everyone by mail, so feel free to discuss this with your neighbors. You are welcome to attend the public hearing and voice your opinions on this particular case.

This public hearing before the Zoning Board of Appeals will be held in the St. Clair County Building, County Board Room – 5th Floor, #10 Public Square, Belleville, Illinois, on Monday, December 3, 2018 at 7:30 P.M.

If you have any questions, please feel free to call.

Sincerely,

ANNE MARKEZICH, Director
Building & Zoning Department

AM:plc

Ad Order Information

Ad Number **Ad Type** **Production Method** **Production Notes**
0003958163-01 BLV-Legal Liner AdBooker

External Ad Number **Ad Attributes** **Ad Released** **Pick Up**
No

Ad Size **Color**
1 X 48 li

Product **Placement** **Times Run** **Schedule Cost**
BLV- Belleville News-Democrat 0300 - Legals Classified 1 \$142.08

Run Schedule Invoice Text **Position**
PUBLICNOTICE NOTICE OF PUBLIC HEARING BI 0301 - Legals & Public Notices

Run Dates
11/16/2018

**PUBLICNOTICE
NOTICE OF PUBLIC HEARING
BEFORE THE
ST. CLAIR COUNTY ZONING BOARD
OF APPEALS**

RE: 2018-22- SP

Notice is hereby given that a public hearing will be held before the Zoning Board of Appeals of St. Clair County, Illinois, on Monday, December 3, 2018 at 7: 30 P. M., in the County Board Room, 5th Floor, St. Clair County Building, #10 Public Square, Belleville, Illinois, at which time and place the Board will consider the proposed variation to the County Zoning Ordinance as follows:

To consider a request for a Special Use Permit to allow 2 - 2. 48 MW (DC)/ 2 MW (AC) Solar Farm Energy Systems on 25.5- acres in an "A" Agricultural Industry Zone District, on the following described property: Pt of Lots 3 thru 6 of Jacob Kurtz Sub located in the fractional S 1/ 2 of Section 2, T. 1 S., R. 8 W., of the 3rd P. M., St. Clair County, Illinois containing 25.5- acres more or less.

Which is known as 3047 Old Freeburg Road, Belleville, Illinois, in Smithton Township.

Said request was made by Heberer Bros Inc., 3055 Old Freeburg Road, Belleville, Illinois, Owners and StraightUp Solar on behalf of Shine Development Partners, 10330 Page Industrial Blvd, St. Louis, Missouri, Applicant.

All persons desiring to appear for or against said petition may appear at said hearing and be heard thereon.
Dated this 16th day of November, 2018.

ZONING BOARD OF APPEALS
ST. CLAIR COUNTY, ILLINOIS
BY: Anne Markezich, Secretary
L-3958163 (Nov. 16)