

**VILLAGE PRESIDENT**

Ray Danford

**VILLAGE CLERK**

Jerry Menard

**VILLAGE TRUSTEES**

Rita Baker

Seth Speiser

Charlie Mattern

Ray Matchett, Jr.

Steve Smith

Mike Blaies

# 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](http://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**

Weilmuenster Law Group, P.C

October 31, 2011

### 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, November 2, 2011, at 4:30 p.m.**

#### LEGAL AND ORDINANCE COMMITTEE MEETING AGENDA

I. Items to be Discussed:

A. Old Business

1. Approval of October 5, 2011 Minutes
2. Status of Public Hazard Homes
3. Unionization
4. Update Code Book
5. Nuisance Abatement Code

B. New Business

1. Resident complaint about dust from high school parking lot

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, November 2, 2011 at 4:30 p.m.

The meeting of the Legal and Ordinance Committee was called to order at 4:30 p.m. by Chairman Seth Speiser on Wednesday, November 2, 2011, in the Freeburg Municipal Center. Members attending were Chairman Seth Speiser, Trustee Rita Baker, Trustee Charlie Mattern, Village Clerk Jerry Menard, Village Administrator Dennis Herzing and Office Manager Julie Polson.

## A. OLD BUSINESS:

1. Approval of October 5, 2011 Minutes: Trustee Rita Baker motioned to approve the October 5, 2011 minutes and Trustee Charlie Mattern seconded the motion. All voting aye, the motion carried.

2. Status of Public Hazard Homes: Dennis said Phil is going around with Sheets on the old Claussen property on W. Washington Street. Sheets entered into a contract to have repair work done on the home but only if his insurance company will pay for it. Dennis hasn't heard anything new on the Kinzinger home but believes Furtak is still in the process of trying to buy it.

3. Unionization: Dennis said after we passed the ordinance at the last board meeting to authorize the Mayor to sign the Memorandum of Understanding regarding the health insurance benefits, the public works union representative said the guys have changed their mind. They want additional language added to the ordinance that states if someone is added or deleted from the plan after the first of the year, it will not affect the annual average cost to the employee. Dennis said it was never our intention to make the employee responsible to pay these additional costs.

*Trustee Rita Baker motioned to recommend the proposed Ordinance Repealing Ordinance No. 1402 and Authorizing the Village to Enter Into and the Mayor to Execute a Modified Memorandum of Understanding between the Village of Freeburg and the International Union of Operating Engineers, AFL-CIO Local 148 for the Purpose of Implementing Changes to the Current Health Benefit Program to the full Board for approval and Trustee Charlie Mattern seconded the motion. All voting aye, the motion carried.*

4. Update Code Book: This is on old for now. Dennis needs to review Frank's proposed sample chapter.

5. Nuisance Abatement Code: Nothing new.

Legal and Ordinance Committee Meeting  
Wednesday, November 2, 2011

**B. NEW BUSINESS:**

1. Resident complaint about dust from high school parking lot: Dennis said he doesn't know the history about whether the parking lot is supposed to be paved. Dennis will talk to Phil and have him check into it.

**C. GENERAL CONCERNS:** None.

**D. PUBLIC PARTICIPATION:** None.

**E. ADJOURN:** *Trustee Charlie Mattern motioned to adjourn at 4:41 p.m. and Trustee Rita Baker seconded the motion. All voting aye, the motion carried.*



Julie Polson  
Office Manager

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Ray Danford

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Legal and Ordinance Committee Meeting  
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(Speiser/Baker/Mattern)  
Wednesday, October 5, 2011 at 4:30 p.m.

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## A. OLD BUSINESS:

1. Approval of September 7, 2011 Minutes: Trustee Rita Baker motioned to approve the September 7, 2011 minutes and Trustee Charlie Mattern seconded the motion. All voting aye, the motion carried.

2. Status of Public Hazard Homes: Dennis advised Phil gave him an update on the Kinzinger home. Mrs. Kinzinger has finally received a court order to proceed with the house on N. Main St. Dennis thinks Leon Furtak is interested in buying it. With regard to the Furtak rezoning, Dennis passed out the memo received from Frank Heiligenstein regarding Leon's attempts to have the property at 113 E. Apple rezoned. Leon has had two Plan Commission hearings, the first was to rezone the property from SR-1 to MR-2 and the second hearing was to rezone it from SR-1 to MR-1. The Plan Commission only recommended the second request to the Board. The Village Board denied both requests. The options he has available are to ask for a zoning amendment to change the zoning (which has been done twice) or ask for an amendment to the zoning code which would make a duplex an allowable special use in the SR-1 district. If the Plan Commission and the Village Board agreed to that change, he would then have to go before the Board of Appeals to request a special use permit for that. Dennis said with the second option, the Village Board is taken out of the decision making process on future requests since the Board of Appeals is a ruling body. Each case requesting a duplex in a SR-1 zoned property would have to go before the Board of Appeals for a decision.

3. Unionization: Dennis said we met with the public works union on Monday. Attorney Manion prepared the ordinance revising the section in the code addressing health insurance. Dennis explained the last page of the ordinance is the current policy in effect. The public works union representatives seem to be pretty much in agreement with the proposed ordinance.

Trustee Charlie Mattern motioned to recommend the proposed Ordinance Enacting Section 33.70-33 and Amending Section 32.08 of the Code of Ordinances of the Village Freeburg to the full Board for approval and Trustee Rita Baker seconded the motion. All voting aye, the motion carried.

Legal and Ordinance Committee Meeting  
Wednesday, October 5, 2011

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

4. Update Code Book: This is on old for now. Dennis needs to review Frank's proposed sample chapter.

5. Nuisance Abatement Code: Nothing new.

**B. NEW BUSINESS:** Dennis advised the committee that our contract with our auditing firm, C. J. Schlosser & Company, has expired. He provided copies of their proposal to enter into a new 3-year contract at a cost of \$9,050; \$9,300 and \$9,550 for the years ending March 31, 2011, 2012 and 2013. It represents a 2.5% increase per year. This will be included in the October 17th board packet.

**C. GENERAL CONCERNS:** None.

**D. PUBLIC PARTICIPATION:** None.

**E. ADJOURN:** *Trustee Rita Baker motioned to adjourn at 4:46 p.m. and Trustee Charlie Mattern seconded the motion. All voting aye, the motion carried.*



Julie Polson  
Office Manager