VILLAGE PRESIDENT
Seth Speiser

VILLAGE CLERK
Jerry Menard

VILLAGE TRUSTEES
Ray Matchett, Jr.
Mike Blaies
Denise Albers
Dean Pruett
Mathew Trout
Lisa Meehling

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
Michael J. Schutzenhofer

VILLAGE ATTORNEY
Weilmuenster & Keck, P.C.

April 23, 2018

NOTICE

MEETING OF LEGAL AND ORDINANCE COMMITTEE
Annexation; Building; Zoning; Subdivision
(Pruett/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, April 25, 2018, at 5:30 p.m.**

LEGAL AND ORDINANCE COMMITTEE MEETING AGENDA

I. Items to be Discussed:

A. Old Business

1. Approval of March 28, 2018 Minutes
2. Zoning Report/Nuisance Properties

B. New Business

1. Liquor License Class for Limited Wine Manufacturer

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)].

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Legal and Ordinance Committee Meeting
(Annexation; Building; Zoning; Subdivision)
(Pruett/Albers/Matchett/Meehling)
Wednesday, March 28, 2018 at 5:30 p.m.

The meeting of the Legal and Ordinance Committee was called to order at 5:30 p.m. by Chairman Dean Pruett on Wednesday, March 28, 2018, in the Freeburg Municipal Center. Members attending were Chairman Dean Pruett, Trustee Denise Albers, Trustee Ray Matchett, Trustee Lisa Meehling, Mayor Seth Speiser, Village Clerk Jerry Menard, Trustee Mike Blaies, Trustee Matt Trout, Village Attorney Fred Keck, Zoning Administrator Gary Henning, Public Works Director John Tolan, Village Administrator Tony Funderburg and Office Manager Julie Polson, Police Chief Mike Schutzenhofer. Guest present: Janet Baechle.

A. OLD BUSINESS:

1. Approval of February 28, 2018 Minutes: *Trustee Lisa Meehling motioned to approve the February 28, 2018 minutes and Trustee Ray Matchett seconded the motion.* All voting yea, the motion carried.

2. Zoning Report/Nuisance Properties: Zoning Administrator Gary Henning advised the property on Railroad Street has been cleaned up. He said Village Administrator Tony Funderburg will send out the spreadsheet that will provide an update on the other properties. Attorney Keck does not have any new information on Moerchen.

B. NEW BUSINESS:

1. Letter to F.X. Heiligenstein Regarding Combination of Homeowner's Properties: Tony advised he was contacted by a resident that was trying to sell her property, and found out her had been combined without her knowledge or consent. He talked to the County who advised we have the ability to do that, but further said we would work with the homeowner if we ever wanted to do anything like that. Attorney Keck stated this should only be done with the written consent of the homeowner. Frank signed the paperwork as the owner of the property. Tony has issues with him representing the Village. Attorney Keck further stated the Recorder's Office should not have accepted it. Attorney Keck agreed the letter needs to go out to Frank.

C. GENERAL CONCERNS: None.

D. PUBLIC PARTICIPATION: None.

E. ADJOURN: *Trustee Lisa Meehling motioned to adjourn at 5:40 p.m. and Trustee Denise Albers seconded the motion.* All voting yea, the motion carried.

Julie Polson
Office Manager

LEGAL/ORDINANCE MEETING
April 25th, 2018

Gary Henning Zoning Administrator

8 Occupancy Permits issued to date in April 2018:

7 Building Permits issued to date in April 2018:
- 1-New Addition Memory Care Center
- 1-New Deck
- 1-New Sink Addition
- 2-Electric
- 2-Fence

Nuisances Corrected to date in April 2018 -- 9

Tony will email the board members the updated spreadsheet (April 13, 2018) on current nuisances.

Julie Polson

From: Wayne Harris
Sent: Wednesday, April 18, 2018 12:40 PM
To: Julie Polson
Subject: Re: wine license requirement

Hi Julie, I am curious what you might have found out about the question I asked.
Wayne Harris

On Thu, Mar 29, 2018 at 12:51 PM, Wayne Harris <woodwork1983@gmail.com> wrote:
Hi Julie,
Attached is the info I mentioned on the phone (class 8).

My idea would be not to have a retail outlet per se at my home but to manufacture and self deliver to qualified customers.
There would be no alcohol sold on the premises for consumption on the premises.

My question is - does the village adress this situation and what registration or licensing is required, if any.

Thank
Wayne Harris

Illinois Liquor Control Commission

Bruce Rauner
Governor

100 W. RANDOLPH ST., SUITE 7-801
CHICAGO, ILLINOIS 60601
TELEPHONE: 312 814-2206
TDD: 312 814-1844

101 W. JEFFERSON ST., SUITE 3-525
SPRINGFIELD, ILLINOIS 62702
TELEPHONE: 217 782-2136
WEBSITE: ILCC.Illinois.gov

APPLICATION FOR STATE OF ILLINOIS MANUFACTURER'S LIQUOR LICENSE

DEFINITIONS: A manufacturer is every brewer, fermenter, distiller, rectifier, wine maker, blender, processor, bottler or person who fills or refills an original package, whether for himself or for another, and others engaged in brewing, fermenting, distilling, rectifying or bottling alcoholic liquors as above defined. To manufacture means to distill, rectify, ferment, brew, make, mix, concoct, process, blend, bottle or fill an original package with an alcoholic liquor, whether for oneself or for another, and includes blending but does not include the mixing or other preparation of drinks for serving by those persons authorized and permitted in this Act to serve drinks for consumption on the premises where sold. All containers or packages of blended alcoholic liquors shall have affixed thereto a label setting forth and stating clearly the names of all ingredients which the blended alcoholic liquors offered for sale shall contain.

For ALL of the following license classes, please provide the REQUIRED supporting documentation with this applicaiton:

- Registration Statement
- Copy of federal label approval(s). Visit **www.ttb.gov** to download the F 5100.31 application form
- Tax bond acquired by one of the following ENCLOSED forms:
  a) REG-4-A, Financial Responsibilitiy Bond, or
  b) REG-4-D, Financial Institution Irrevocable Letter of Credit Bond

If applicable, enclose IL 567-0054, Statement of Representation Registration of Manufacturer's Agent.

If applicable, enclose IL 567-0053, Application for Registration Manufacturer's Registered Agent.

SEE SECTION 8 FOR DEFINITIONS

☐ CLASS 1: DISTILLER — FEE: $5,000.00

A distiller is a person who distills, ferments, brews, makes, mixes, concocts, processes, blends, bottles or fills an original package with any alcoholic liquor. A distiller may make sales and deliveries of alcoholic liquor to distillers, rectifiers, importing distributors, distributors, and non-beverage users and to no other licensees. This includes a manufacturer of wine, but does not include a manufacturer of beer or bottler of wine.

☐ CLASS 2: RECTIFIER — FEE: $5,000.00

A rectifier is any person who rectifies, ferments, brews, makes, mixes, concocts, processes, blends, bottles or fills an original package with any alcoholic liquor, other than by original or continuous distillation.

☐ CLASS 3: BREWER — FEE: $1,500.00

A brewer is any person who is engaged in the manufacture of beer. A brewer may make sales and deliveries of beer to importing distributors and distributors, in accordance with the provisions of the Illinois Liquor Control Act.

☐ CLASS 4: FIRST-CLASS WINE MANUFACTURER — FEE: $900.00

A wine-manufacturer means a person who is engaged in the manufacture of wine. A first-class wine-manufacturer may make sales and deliveries of up to 50,000 gallons of wine to manufacturers, importing distributors and distributors, and to no other licensees.

For ALL of the following license classes, please provide the REQUIRED supporting documentation with this applicaiton:

- Registration Statement
- Copy of federal label approval(s). Visit **www.ttb.gov** to download the F 5100.31 application form
- Tax bond acquired by one of the following ENCLOSED forms:
  a) REG-4-A, Financial Responsibilitiy Bond, or
  b) REG-4-D, Financial Institution Irrevocable Letter of Credit Bond

If applicable, enclose IL 567-0054, Statement of Representation Registration of Manufacturer's Agent.

If applicable, enclose IL 567-0053, Application for Registration Manufacturer's Registered Agent.

SEE SECTION 8 FOR DEFINITIONS

☐ CLASS 5: SECOND-CLASS WINE MANUFACTURER — FEE: $1,750.00

A wine-manufacturer means a person who is engaged in the manufacture of wine. A second-class wine-manufacturer may make sales and deliveries of more than 50,000 gallons of wine to manufacturers, importing distributors and distributors and to no other licensees.

☐ CLASS 6: FIRST-CLASS WINE MAKER — FEE: $900.00

A first-class wine-maker's license shall allow the manufacturer of up to **50,000** gallons of wine per year, and the storage and sale of such wine to distributors and retailers in the state and to persons without the State, as may be permitted by law.

☐ CLASS 7: SECOND CLASS WINE MAKER — FEE: $1,750.00

A wine-maker is a person engaged in the making of between 50,000 and 150,000 gallons of wine annually. A second-class wine-maker's license shall allow the manufacture of **between 50,000 and 150,000** gallons of wine per year, and the storage and sale of such wine to distributors in this State and to persons without the State, as may be permitted by law.

☐ CLASS 8: LIMITED WINE MANUFACTURER — FEE: $350.00

A limited wine-manufacturer may make sales and deliveries **not to exceed 40,000** gallons of wine per year to distributors and to non-licensees in accordance with the provisions of the Illinois Liquor Control Act. A limited wine manufacturer uses only grapes, berries, other fruits, fruit products, honey and vegetables produced or grown in Illinois, except as defined in the Illinois Liquor Control Act, Section 5/1-3.31.

☐ CLASS 9: CRAFT DISTILLER — FEE: $2,500.00

A craft distiller license shall allow the manufacture of up to 100,000 gallons of spirits by distillation per year and the storage of such spirits. If a craft distiller licensee is not affiliated with any other manufacturer, then the craft distiller licensee may sell such spirits to distributors in this State and up to 2,500 gallons of such spirits to non-licensees to the extent permitted by any exemption approved by the Commission pursuant to Section 6-4 of this Act. Any craft distiller licensed under this Act who on the effective date of this amendatory Act of the 96th General Assembly was licensed as a distiller and manufactured no more spirits than permitted by this Section shall not be required to pay the initial licensing fee.

IMPORTANT NOTICE: THE ILLINOIS LIQUOR CONTROL COMMISSION IS REQUESTING DISCLOSURE OF INFORMATION THAT IS NECESSARY UNDER THE ILLINOIS LIQUOR CONTROL ACT *(235 ILCS 5/1 ET SEQ)*. DISCLOSURE OF THIS INFORMATION IS MANDATORY. FAILURE TO PROVIDE ANY INFORMATION WILL RESULT IN THE NON-ISSUANCE OF YOUR LICENSE.

Julie Polson

From: Long, Stacey C. <Stacey.C.Long@Illinois.gov>
Sent: Thursday, April 19, 2018 3:30 PM
To: Julie Polson
Subject: RE: Class 8 Limited Win Manufacturer

There are no Class 8 licenses registered in St. Clair co at this time. We do have a couple of municipalities that have Class 8's. East Moline and Hanover.

From: Julie Polson [mailto:JPolson@freeburg.com]
Sent: Thursday, April 19, 2018 2:37 PM
To: Illinois Liquor Commission <ILCC@Illinois.gov>
Subject: [External] Class 8 Limited Win Manufacturer

Good afternoon. We have a resident that is interested in applying for a Class 8 license for wine manufacturing. We don't have that as an option with our current classes of liquor licenses. Would you be able to tell me if there are any of these Class 8 licenses registered in St. Clair County? I was hoping to look at the codes of other municipalities where they have this class available in their code. I don't need the person's name, just the city/village where they reside. Thank you.

State of Illinois - CONFIDENTIALITY NOTICE: The information contained in this communication is confidential, may be attorney-client privileged or attorney work product, may constitute inside information or internal deliberative staff communication, and is intended only for the use of the addressee. Unauthorized use, disclosure or copying of this communication or any part thereof is strictly prohibited and may be unlawful. If you have received this communication in error, please notify the sender immediately by return e-mail and destroy this communication and all copies thereof, including all attachments. Receipt by an unintended recipient does not waive attorney-client privilege, attorney work product privilege, or any other exemption from disclosure.

East Moline
non home-rule
Hanover
home rule
None