

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

May 23, 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, May 28, 2014, at 5:00 p.m.**

LEGAL AND ORDINANCE COMMITTEE MEETING AGENDA

I. Items to be Discussed:

A. Old Business

1. Approval of April 30, 2014 Minutes
2. Zoning Report/Nuisance Properties
3. Update Code Book – Chapter 23
4. Occupancy Permit Inspections

B. New Business

1. Ordinance #1499 – Jessica Pollock Annexation

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)].

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)
(Trout/Matchett/Pruett)
Wednesday, May 28, 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, May 28, 2014, in the Freeburg Municipal Center. Members attending were Chairman Matt Trout, Trustee Ray Matchett, Trustee Dean Pruett, Trustee Elizabeth Niebruegge, Mayor Seth Speiser, Village Administrator Tony Funderburg, Zoning Administrator Gary Henning (5:10 p.m.), Public Works Director John Tolan and Office Manager Julie Polson. Guest present: Janet Baechle.

A. OLD BUSINESS:

1. Approval of April 30, 2014 Minutes: Trustee Dean Pruett motioned to approve the April 30, 2014 minutes with correction and Trustee Ray Matchett seconded the motion. All voting aye, the motion carried.
2. Status of Public Hazard Homes: Julie advised the owner of 924 Promontory Pines Drive has obtained the final inspection stickers from St. Clair County and an Occupancy Permit was issued today. Chairman Trout asked about the property at 109 S. Edison. Administrator Funderburg advised Zoning Administrator Henning has sent a couple of letters asking for the property to be taken care of. We will get the name of the bank and contact them to get the property in shape.
3. Update Code Book: Tony will meet with John and Julie and come up with a plan on what is going to be discussed at each utility committee meeting.
4. Occupancy permits inspections: Mayor Speiser said he is still working on this.

B. NEW BUSINESS:

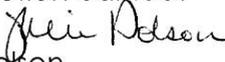
1. Ordinance #1499 – Jessica Pollock Annexation: Mayor Speiser stated her driveway is on the neighbor's property. Tony will talk to the neighbor to see if that is an issue prior to the annexation. We may have him sign a simple agreement stating there isn't an issue with this.

Tony advised there is property for sale on Peabody Road for \$20,000 per acre and passed around that information for the committee to review. It could possibly be used for a bike trail. The committee did not want to move forward on this.

C. **GENERAL CONCERNS:** None.

D. **PUBLIC PARTICIPATION:** None.

E. **ADJOURN:** Trustee Dean Pruett motioned to adjourn at 5:26 p.m. and Trustee Ray Matchett seconded the motion. All voting aye, the motion carried.


Julie Polson
Office Manager

Legal and Ordinance Committee Meeting
Wednesday, May 28, 2014

VILLAGE PRESIDENT
Seth Speiser

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

Wednesday, April 30, 2014 at 5:00 p.m.

VILLAGE ADMINISTRATOR
Tony Funderburg

VILLAGE TREASURER
Bryan A. Vogel

PUBLIC WORKS DIRECTOR
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A. OLD BUSINESS:

1. Approval of March 26, 2014 Minutes: Trustee Dean Pruett motioned to approve the March 26, 2014 minutes and Trustee Ray Matchett seconded the motion. All voting aye, the motion carried.
2. Status of Public Hazard Homes: Zoning Administrator Henning stated Tony is still working with the owners of the Ernst property. Tony said he needs a letter from the Mayor asking for help on this and he will get that done as soon as possible.
3. Update Code Book: Tony will meet with John and Julie and come up with a plan on what is going to be discussed at each utility committee meeting.
4. Nuisance Abatement Code: Gary said the owners of the home on Promontory Pines should be finished in the next couple of weeks. The G&S Foundry building is up for sale but there are legal problems with the owners. He sent a letter to the owner of 519 N. State regarding the roof and has not had any response. He will give send another letter. The work will be done at 11 E. Washington. Progress has been made at the 109 S. Vine property. He is giving the owner of 107 S Pitts another month.
5. Zoning reports: Gary advised Kessler's Auto is looking for a location in Freeburg, preferably along the highway or on the north end of town. He has called on several reports of high grass/weeds and will continue to follow up on them.
6. Occupancy permits to be performed by County: Mayor Speiser said he will have something by next month's meeting.

Tony reported that Fred Helms' attorney called him today.

B. NEW BUSINESS:

1. ICC Training: Tony would like to see Gary attend this training session. There are many topics that will be discussed and provide Gary with some valuable information. The committee agreed with the request.

Legal and Ordinance Committee Meeting
Wednesday, April 30, 2014

Page 1 of 2

2. Operate a Home Business: Tony said we received an anonymous complaint about someone operating a business out of their home. Our code states a business being operated out of a home needs a special use permit. Tony felt we should act once a complaint is received and the committee agreed.

Tony advised we have a business that has not registered as such for two years. Gary talked to the owner of the business and he promised to come in within a few days and pay. He has not done so and Tony asked if the next step should be a visit by the police. The committee discussed this and agreed for Gary to go out and give him a deadline to come in and pay. If he does not pay by the deadline, they the police can serve him a citation. Gary reported the work being done at the old Burgards has been cleared by the County, and only an electrical permit is needed.

C. GENERAL CONCERNS: None.

D. PUBLIC PARTICIPATION: Janet felt we should handle our situations consistently.

E. ADJOURN: *Trustee Dean Pruett motioned to adjourn at 5:26 p.m. and Trustee Ray Matchett seconded the motion. All voting aye, the motion carried.*



Julie Polson
Office Manager

VILLAGE OF FREEBURG

ORDINANCE NO. 1499

**AN ORDINANCE ANNEXING CERTAIN TERRITORY TO THE
VILLAGE OF FREEBURG, ST. CLAIR COUNTY, ILLINOIS
(JESSICA POLLOCK PROPERTY)**

June 2, 2014

Return To:

**Village of Freeburg
14 Southgate Center
Freeburg, IL 62243**

ORDINANCE NO. 1499

**AN ORDINANCE ANNEXING
CERTAIN TERRITORY TO THE VILLAGE
OF FREEBURG, ST. CLAIR COUNTY, ILLINOIS
(JESSICA POLLOCK PROPERTY)**

WHEREAS, a written petition, signed by the legal owner of record of all land within the territory hereinafter described, has been filed with the Village Clerk of the Village of Freeburg, St. Clair County, Illinois, requesting that said territory be annexed to the Village of Freeburg, and,

WHEREAS, petitioner is the sole elector residing within the said territory; and,

WHEREAS, the said territory is not within the corporate limits of any municipality but is contiguous to the Village of Freeburg; and

WHEREAS, legal notices regarding the intention of the Village to annex said territory have been sent to all public bodies required to receive such notice by state statute; and,

WHEREAS copies of such notices required to be recorded, if any, have been recorded in the Office of the Recorder of St. Clair County; and,

WHEREAS, all petitions, documents, and other necessary legal requirements are in full compliance with the statutes of the State of Illinois, specifically Section 7-1-8 of the Illinois Municipal Code; and,

WHEREAS, it is in the best interest of the Village of Freeburg that the territory be annexed thereto.

NOW, therefore, be it ordained by the President and Board of Trustees of the Village of Freeburg, St. Clair County, Illinois, as follows:

Section 1: THAT the following described territory: A tract of land in the Northwest Quarter of the Northwest Quarter of Section 33, Township 1 South, Range 7 West of the Third Principal Meridian lying South of U.S. Highway 460 as now located and more particularly described follows:

Beginning at a corner stone marking the intersection of the East line of the Northwest Quarter of the Northwest Quarter of said Section 33 and the South right of way line of said U.S. Highway 460; thence Southerly along the Quarter Quarter section line a distance of 743 feet; thence Westerly a distance of 160 feet; thence Northerly a distance of 743 feet; thence Easterly along the south right of way line of said U.S. Highway 460 a distance of 160 feet, back to the point of beginning.

PIN: 14-33.0-101-015TR

ORDINANCE NO. 1499 cont.

being indicated on an accurate map of the annexed territory (which is appended to and made part of this Ordinance) is hereby annexed to the Village of Freeburg, St. Clair County, Illinois, with a zoning classification of SR-1 (Single Family Residence).

Section 2: THAT the Village Clerk is hereby directed to record with the Recorder and to file with the County Clerk a certified copy of this Ordinance, together with the accurate map of the territory annexed appended to the Ordinance.

Section 3: THAT this Ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form as provided by law.

AYES _____ NAYS _____ ABSENT _____

Vote recorded by:

Jerry Menard, Village Clerk

Approved by the Village President of the Village of Freeburg, St. Clair County, Illinois, this 2nd day of June, 2014.

Seth E. Speiser, Village President

ATTEST:

Jerry Menard, Village Clerk

Approved as to Legal Form: _____
J. Brian Manion, Village Attorney

**PETITION FOR THE ANNEXATION
OF THE POLLOCK PROPERTY
TO THE VILLAGE OF FREEBURG, ILLINOIS**

NOTICE

TO WHOM IT MAY CONCERN:

NOTICE IS HEREBY GIVEN that the sole owner of record and at least fifty-one percent (51%) of the electors of the following described territory have filed a Petition for Annexation (pursuant to 65 ILCS 5/7-1-1 et seq.) with the Village Clerk of the Village of Freeburg, requesting the annexation of the territory described as follows:

A tract of land in the Northwest Quarter of the Northwest Quarter of Section 33, Township 1 South, Range 7 West of the third Principal Meridian lying South of U.S. Highway 460 as now located and more particularly described as follows:

Beginning at a corner stone marking the intersection of the East line of the Northwest Quarter of the Northwest Quarter of said Section 33 and the South right of way line of said U.S. Highway 460; thence Southerly along the Quarter Quarter section line a distance of 743 feet; thence Westerly a distance of 160 feet; thence Northerly a distance of 743 feet; thence Easterly along the south right of way line of said U.S. Highway 460 a distance of 160 feet, back to the point of beginning.

PIN: . 14-33.0-101-015TR

The property is commonly known as 3735 State Route 15, Freeburg, IL.

Said Petition has been filed in the Village Clerk's Office on April 25, 2014.

An ordinance to annex said property will be presented to the corporate authorities of the Village of Freeburg, St. Clair County, Illinois at the regular Village Board meeting on Monday, June 2, 2014 at 7:30 p.m. at the Freeburg Municipal Center, 14 Southgate Center, Freeburg, Illinois.

Dated: May 13, 2014

VILLAGE OF FREEBURG, ILLINOIS

By: 

Brian Manion
Village Attorney

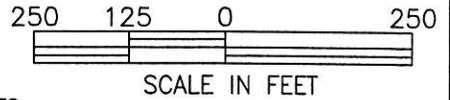
VILLAGE OF FREEBURG, ILLINOIS
14 Southgate Center
Freeburg, Illinois
Telephone: 618/539-5545

ANNEXATION PLAT

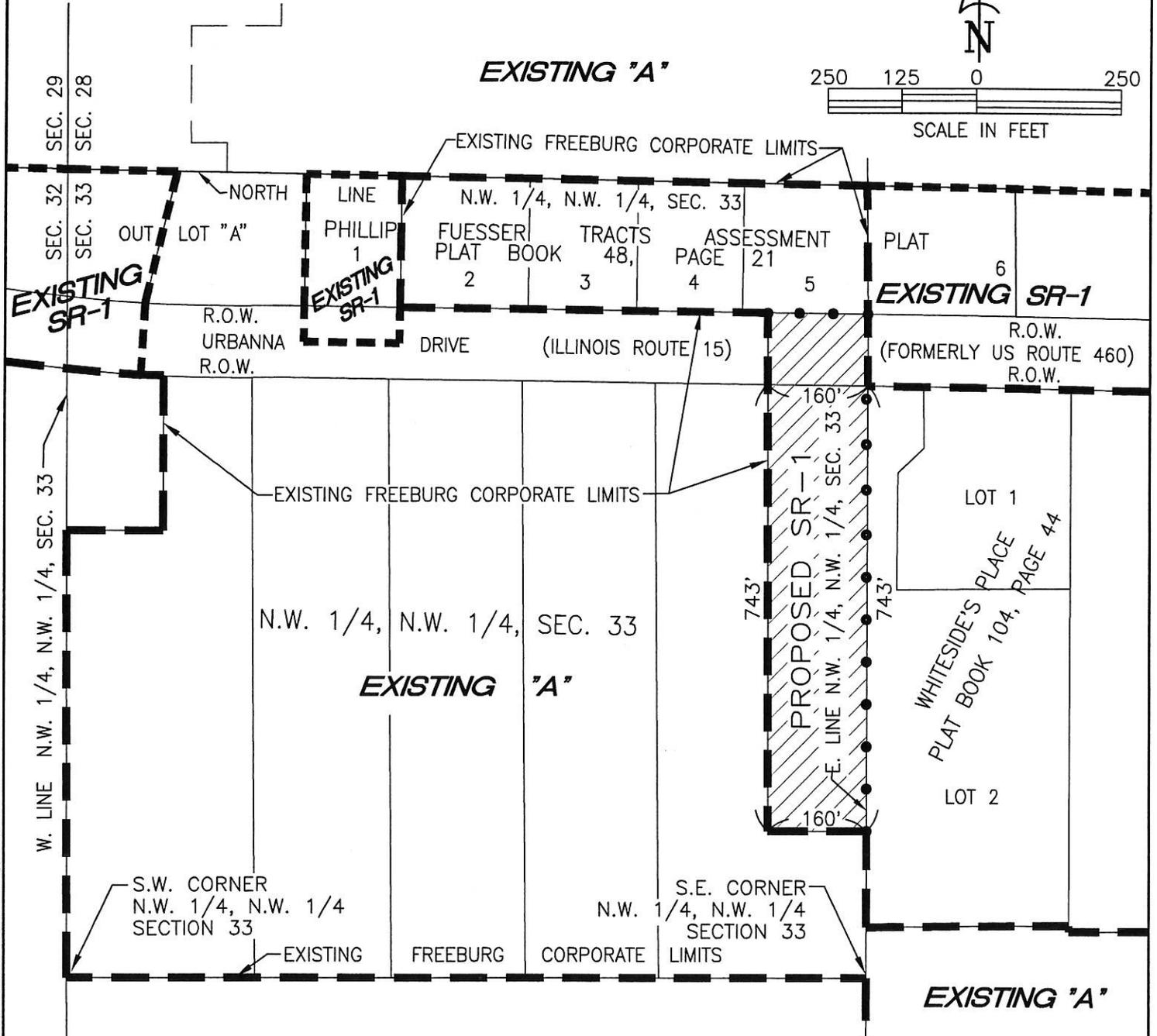
ORDINANCE NO. 1499

FREEBURG, ILLINOIS

PART OF THE N.W. 1/4 OF THE N.W. 1/4 OF SECTION 33
T. 1 S., R. 7 W. OF THE 3RD P.M.
ST. CLAIR COUNTY, ILLINOIS



EXISTING "A"



LEGEND

- EXISTING CORPORATE LIMITS OF FREEBURG
- EXISTING ZONE DISTRICT BOUNDARY
- PROPOSED CORPORATE LIMITS OF FREEBURG
- PROPOSED ANNEXATION

I DO HEREBY CERTIFY THAT THIS ANNEXATION PLAT HAS BEEN PREPARED UNDER MY DIRECT SUPERVISION



Gale E Hake 5/2/14
GALE E. HAKE, I.P.L.S. NO. 2579 DATE
DATE OF LICENSE RENEWAL: 11/30/2014



RHUTASEL and ASSOCIATES, INC.
CONSULTING ENGINEERS • LAND SURVEYORS
FREEBURG, ILLINOIS CENTRALIA, ILLINOIS
(618) 539-3178 (618) 532-1992
IL. LICENSE NO. 184-000287

PETITION FOR ANNEXATION)
OF TERRITORY KNOWN AS THE)
RHUTASEL PROPERTY)
3735 STATE ROUTE 15)
TO THE VILLAGE) ORDINANCE NO. 1499
OF FREEBURG, ILLINOIS)

AFFIDAVIT

STATE OF ILLINOIS)
) ss.
COUNTY OF ST. CLAIR)

Affiant, JULIE POLSON, being first duly sworn on her oath, states:

1. That she is the Office Manager for the Village of Freeburg, Illinois.
2. That the territory sought to be annexed and fully described in Exhibit "A" lies within the following fire protection district: Freeburg Fire Protection District.
3. That on May 14, 2014, Affiant sent notices in writing by certified mail to the following Freeburg Board of Township Trustees:

Roger Rubemeyer, 32 Lakeview Drive, Freeburg, IL 62243
Marianne E. Recker, 8960 Jacks Run Road, Freeburg, IL 62243
Tony Miller, 722 Meadow Brook Drive, Freeburg, IL 62243
Kenneth Bald, 568 Cemetery Road, Freeburg, IL 62243
4. That on May 14, 2014, Affiant sent a notice in writing by certified mail to the Township Supervisor: Charles H. Hill, 405 N. Edison, Freeburg, IL 62243;
5. That on May 14, 2014, Affiant sent a notice in writing by certified mail to the Township Clerk: Herbert J. Vollmer, 301 E. Mill Street, Freeburg, IL 62243;
6. That on May 14, 2014, Affiant sent a notice in writing by certified mail to the Township Highway Commissioner: Dale A. Recker, 8942 Jacks Run Road, Freeburg, IL 62243;
7. That on May 14, 2014, Affiant sent a notice in writing by certified mail to the St.

Clair County Highway Department: 1415 N. Belt West, Belleville, IL 62226;

8. That on May 14, 2014, Affiant sent a notice in writing by certified mail to the Freeburg Area Library: 407 S. Belleville, Freeburg, IL 62243;

9. That on May 14, 2014, Affiant sent a notice in writing by certified mail to the Freeburg Fire Protection District: 410 W. High Street, Freeburg, IL 62243;

10. That receipts were returned to Affiant showing delivery of notices to Charles Hill, Dale Recker, Roger Rubemeyer, Marianne Recker, Tony Miller and Freeburg Area Library on May 15, 2014.

8. That a receipt was returned to Affiant showing delivery of notice to Herbert Vollmer on May 16, 2014.

9. That a receipt was returned to Affiant showing delivery of notice to Freeburg Fire Protection District on May 20, 2014.

10. That a receipt was returned to Affiant showing delivery of notice to St. Clair County Highway Department with no date annotated.

11. That no receipt was returned to Affiant showing delivery of notice to Kenneth Bald.

Further Affiant sayeth naught.

Julie Polson
Office Manager

Subscribed and sworn to before me this 28th day of May, 2014.

Notary Public

LEGAL-ORDNANCE MEETING
ZONING REPORT
MAY 28, 2014

Gary Henning Zoning Administrator

I attended Code Enforcement Officials of Southern Illinois-ICC Permit Technician Training last Friday held at The Gateway Conference Center in Collinsville. Class was worth 6 credit hours and the seminar ran from 7:45 am until 3:30 pm. The instructor was Richard Truitt, Deputy Code Official for Hartford County Government. Excellent class.

I have been writing a zoning article for Freeburg Tribune weekly.

23--Courtesy calls concerning high grass this Month

Occupancy Permits issued in May-15

Building Permits issued in May-5

- 1-New Home
- 1-Electrical Upgrade
- 1-New Front Porch
- 2-Fence

Nuisances Corrected in May: 16

Nuisance Complaints with action to be taken to correct:

1. Met with owner of 924 Promatory Pines, he retired as of January 1, 2014. Owner called for final inspection last Friday, May 23rd.
2. Received some complaints about old G&S Foundry. It has been vacant since 1998. It is now listed for sale on internet by owner. I believe asking price is \$102,000 as is. Possible buyer! Owners in legal lawsuit.

3. Complaint about 107 S. Pitts-talked with owner-rental property and people living there were evicted last month after a year in court. Outside is a mess. His wife passed away and her funeral was first part of May. Will check with him first part of June.

New Businesses Working:

O'REILLY AUTO PARTS—Issued Building Permit BZOP-14-17 on Monday April 28th. Waiting on call back from Jeremy Bass at O'Reilly Headquarters in Springfield MO with date for ground-breaking-ceremony.

POSSIBLE AUTO REPAIR AND PAINT SHOP: Contact concerning purchase of Pickers and converting into an auto repair-paint facility. Plans to redo complete front of building with 6 glass doors and 6 bays for work—all be quipped with state-of-art equipment—Jerry Kessler who runs and owns Kessler's Auto Body in St. Libory. Presently in negotiations for various properties located within the Village.