

VILLAGE PRESIDENT
Ray Danford

VILLAGE CLERK
Jerry Menard

VILLAGE TRUSTEES
Corby Valentine
Steve Smith
Tony Miller
Rita Baker
Seth Speiser
Charlie Mattern

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
Dennis Herzing

VILLAGE TREASURER
Bryan A. Vogel

PUBLIC WORKS DIRECTOR
Ronald Dintelmann

POLICE CHIEF
Melvin E. Woodruff, Jr.

VILLAGE ATTORNEY
Stephen R. Wigginton

May 3, 2010

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, May 5, 2010, at 4:30 p.m.**

LEGAL AND ORDINANCE COMMITTEE MEETING AGENDA

I. Items to be Discussed:

A. Old Business

1. Approval of April 6, 2010 Minutes
2. Community Improvement Board/Material Requirements on Commercial Buildings/Nuisance Abatement Code/Building Code application
3. Status of Public Hazard Homes
4. TIF Litigation
5. New class of business license
6. Compensation of Officials
7. Residency requirement ordinance

B. New Business

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.]; 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, May 5, 2010 at 4:30 p.m.

The meeting of the Legal and Ordinance Committee was called to order at 4:33 p.m. by Chairman Seth Speiser on Wednesday, May 5, 2010, in the Freeburg Municipal Center. Members attending were Chairman Seth Speiser, Trustee Rita Baker, Trustee Charlie Mattern and Office Manager Julie Polson.

A. OLD BUSINESS:

1. Approval of April 6, 2010 Minutes: Trustee Rita Baker motioned to approve the April 6, 2010 minutes and Trustee Charlie Mattern seconded the motion. All voting aye, motion carried.

2. Community Improvement Board/Material Requirements on Commercial Buildings/Nuisance Abatement Code: Seth said the Economic Development Committee agreed with adopting the proposed nuisance abatement code and also requiring permits on commercial upgrades. The Economic Development Committee felt only the side of the building facing the street should be full masonry. This committee agreed and an ordinance will be written to require full masonry on any side that faces the street or side street in the B-1, B-2 and I-1 districts.

3. Status of Public Hazard Homes: Nothing new.

4. TIF litigation: Nothing new.

5. New class of business license: The committee decided to ask IML if we can mandate a business to report sales tax to us. They also discussed raising the business license fee from \$10.00 to \$25.00 with a \$10 late fee. Julie will check with other municipalities to see if they require a business license, how much they charge and how they treat a temporary business.

6. Compensation of Officials: Seth said this was taken care of at the board meeting on Monday night. It was agreed that the officials will receive compensation for meetings attended. Julie will advise Dennis and have him prepare an ordinance for next month's meeting.

B. NEW BUSINESS: None.

C. GENERAL CONCERNS: Trustee Mattern was curious to know if anyone else had more information on the public works employees wanting to unionize and both Rita

Legal and Ordinance Committee Meeting

Wednesday, May 5, 2010

Page 1 of 2

and Seth said no. Seth said Smithton public works employees tried to unionize but were unsuccessful. Julie will check to see if the police are automatically in a union or not.

D. PUBLIC PARTICIPATION: None.

E. ADJOURN: *Trustee Rita Baker motioned to adjourn the meeting at 4:56 p.m. and Trustee Charlie Mattern seconded the motion. All voting aye, the motion carried.*



Julie Polson
Office Manager

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Legal and Ordinance Committee Meeting
(Annexation; Building; Zoning; Subdivision)
(Speiser/Baker/Mattern)
Tuesday, April 6, 2010 at 4:30 p.m.

The meeting of the Legal and Ordinance Committee was called to order at 4:35 p.m. by Chairman Seth Speiser on Tuesday, April 6, 2010, in the Freeburg Municipal Center. Members attending were Chairman Seth Speiser, Trustee Rita Baker, Trustee Charlie Mattern, Village Administrator Dennis Herzing and Office Manager Julie Polson.

D. PUBLIC PARTICIPATION: John and Barbara Olack were present to request the committee consider letting them raise chickens. They live on N. Walnut Street in an SR-1 zoning district. They explained the main reason they want to have chickens is they don't like purchasing their eggs from chickens raised in questionable conditions. They have already purchased the chickens and currently have them in their home. they said they thought it would be a great project for their grandchildren to enjoy. The chickens would be penned in and they would not have any roosters. They commented they were very surprised to see the Village of Freeburg didn't allow chickens and said a lot of towns are revising their ordinances to include chickens like St. Louis and Madison, Wisconsin did. They provided a handout listing the reasons why they wanted the chickens as well as information from Cary, North Carolina explaining the pros of letting residents raise chickens. The Olacks do have land out by Sugar Creek that is zoned agricultural. Trustee Baker said the committee would have to go to the board for a decision on this. The Olacks were invited to the next board meeting on Monday, April 19th for further discussion and board decision regarding this request.

A. OLD BUSINESS:

1. Approval of March 3, 2010 Minutes: Trustee Rita Baker motioned to approve the March 3, 2010 minutes and Trustee Charlie Mattern seconded the motion. All voting aye, motion carried.
2. Community Improvement Board/Material Requirements on Commercial Buildings/Nuisance Abatement Code: Seth said the Economic Development Committee is reviewing the information and will have their comments for the next Legal/Ordinance committee meeting.
3. Status of Public Hazard Homes: Phil is monitoring the Sheets' property on N. State Street.

Legal and Ordinance Committee Meeting
Tuesday, April 6, 2010
Page 1 of 2

4. TIF litigation: Dennis said we are still waiting for Attorney Wigginton to finalize the agreement.

5. New class of business license: Dennis didn't have a chance to talk to Attorney Wigginton about this. He did look through Maryville's code but they don't have anything like this in their code. The committee discussed the difference between a commercial stand and a stand out in a resident's yard and the sales tax is the issue. Keller's is a corporation and should be paying tax. Trustee Baker said we should require the company selling the product to report the sales tax to Freeburg.

6. Compensation of Officials: Dennis needs to prepare an ordinance. He will check with Attorney Wigginton to make sure we are okay with statutory provisions and will have the ordinance ready for next month's meeting. When compensation changes are made, it becomes effective at the renewal of the trustee's term.

B. NEW BUSINESS:

1. Beer gardens: Dennis said Rod Kapp of Burgards wants a beer garden. He advised Mr. Kapp that we've never allowed beer gardens and Mr. Kapp brought up Tequilas. Dennis told him Tequilas has a liquor license as a restaurant not a tavern of which more than 50% of their income comes from the restaurant. Burgards would not qualify. The committee agreed and Dennis will inform Mr. Kapp of their decision.

2. 6893 Blacksmith Shop Road: We received notice from St. Clair County of the request to put a farm residence at this address. It was included in the packet for informational purposes.

Dennis provided a draft ordinance revising the previous bonfire ordinance that was passed in January of this year. Under number 7 in the current ordinance, it states bonfires are not allowed between 12:00 a.m. and 6:00 p.m., so technically anyone could have a recreational fire anytime of the day or night. The draft ordinance revises number 7 to say, "Open burning fires, recreational or bonfires shall not be permitted between the hours of 12:00 AM and 6:00 AM.

Trustee Rita Baker motioned to recommend to the full Board the Ordinance amending the Bonfire Code for approval and Trustee Charlie Mattern seconded the motion. All voting aye, the motion carried.

C. GENERAL CONCERNS: None.

D. PUBLIC PARTICIPATION: None.

E. ADJOURN: *Trustee Rita Baker motioned to adjourn the meeting at 5:13 p.m. and Trustee Charlie Mattern seconded the motion. All voting aye, the motion carried.*



Julie Polson
Office Manager

ORDINANCE NO. _____

AN ORDINANCE AMENDING TITLE III, CHAPTER 32 OF THE REVISED
CODE OF THE VILLAGE OF FREEBURG, ST. CLAIR
COUNTY, ILLINOIS (Personnel Policies)

BE IT ORDAINED BY THE VILLAGE PRESIDENT AND VILLAGE BOARD OF
TRUSTEES OF THE VILLAGE OF FREEBURG, ST. CLAIR COUNTY, ILLINOIS, THAT:

TITLE III, CHAPTER 32, Section 32.13, LIMITATION ON LOCATION OF
RESIDENCE, First Paragraph is hereby amended to read as follows:

Effective June 1, 2010, all full-time village employees shall maintain their place of residence within six (6) miles of the boundaries of the Freeburg High School Unit #77 School District or within the boundaries of the village, whichever is greater, consistent with the provisions set forth as follows.

PASSED BY THE VILLAGE BOARD OF THE VILLAGE OF FREEBURG,
ILLINOIS, ST. CLAIR COUNTY, AND APPROVED BY THE VILLAGE PRESIDENT THIS

_____ DAY OF MAY, 2010.

AYES _____

NAYS _____

ABSENT _____

ABSTAIN _____

Jerry Menard, Village Clerk

Approved this _____ day of _____, 2010

Raymond S. Danford, Village President

ATTEST:

Jerry Menard, Village Clerk

Approval as to Legal Form:

Stephen R. Wigginton, Village Attorney
