

**VILLAGE PRESIDENT**  
Ray Danford

**VILLAGE CLERK**  
Jerry Menard

**VILLAGE TRUSTEES**  
Rita Baker  
Charlie Mattern  
Kevin Groth  
Corby Valentine  
Steve Smith  
Tony Miller

# 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 5, 2008

## NOTICE

### MEETING OF LEGAL AND ORDINANCE COMMITTEES (Annexation; Building; Zoning; Subdivision) Groth/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 7, 2008, at 5:00 p.m.**

### LEGAL AND ORDINANCE COMMITTEE MEETING AGENDA

#### I. Items To Be Discussed

- A. Old Business
  - 1. Approval of 4/2/08 Minutes
  - 2. Material Requirements on Commercial Buildings
  - 3. Status of Public Hazard Homes
  - 4. Nuisance Abatement Code
  - 5. Countryside Lane annexations
  - 6. TIF Litigation
  - 7. Stumpf lawnmower repair business
  - 8. Community Improvement Board
  - 9. Training - Sexual Harassment
  - 10. Swyears' fence
- 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)  
(Groth/Baker/Mattern)

Wednesday, May 7, 2008 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 Kevin Groth on Wednesday, May 7, 2008, in the Freeburg Municipal Center. Members attending were Chairman Kevin Groth, Trustee Charlie Mattern, Trustee Rita Baker, Mayor Ray Danford, Village Clerk Jerry Menard, Administrator Dennis Herzing and Office Manager Julie Polson.

## A. OLD BUSINESS:

1. Approval of 4/2/08 Minutes: *Trustee Charlie Mattern motioned to approve the April 2, 2008 minutes and Trustee Rita Baker seconded the motion. All voting aye, motion carried.*
2. Material Requirements on Commercial Buildings: Dennis will work up an ordinance for the Community Improvement Board to use as a starting point. This line item will be combined with Community Improvement Board.
3. Status of Public Hazard Homes: This item was discussed by the Board on 5/5/08. Dennis said the next decision to be made will be if Sheets files an appeal, do we want to respond? Dennis feels based on the Motion to Reconsider filed by Sheets, he will probably file an appeal.
4. Nuisance Abatement Code: Nothing new. This will be combined with Community Improvement Board.
5. Countryside Lane Annexations: Dennis is meeting with Gass and Luechtefeld tonight. Gass had some questions about his business in an agricultural district and Charlie said he should be grandfathered in. Dennis believes Luechtefeld might have some questions regarding the number of homes that can be allowed on the water line as he has 140 acres and might want to build on that land. Dennis said the EPA won't allow 2 services off one private line. Dennis reminded the committee the agreement states the water line will be built within a year after the parties annex.
6. TIF Litigation: Nothing new other than what was covered at Monday's board meeting.
7. Stumpf lawnmower repair: No-one has received any complaints. Dennis did not find anything in the ordinance that would address this problem other than disturbing the peace. You could possibly pursue this under a business operating in a residential district but an argument might be made that it is not operating at a financial gain.
8. Community Improvement Board: Mayor Danford said he has made a few contacts and is working on contacting the remaining individuals.

Legal and Ordinance Committee Meeting  
Wednesday, May 7, 2008  
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9. Training - Sexual Harassment: Julie checked with IML and they do not offer any such training. She then emailed Attorney Wigginton who confirmed it could be handled as a group training session and is waiting to hear back on the approximate cost. The committee discussed having the employees attend a brief session and follow up with the managers and department heads.

10. Swyyears' fence: Dennis reported the fence that is up is complete, nothing will be added to it. He said Zoning Administrator Phil Borger required Swyyear to purchase a fence permit,

**B. NEW BUSINESS:**

Chairperson Groth stated Attorney Wigginton had provided Steelville's ordinance regarding recordings of the meetings and the length of time they should be kept. Dennis will put together an ordinance specifying the time requirements for the various meetings. He will research the Plan Commission and Board of Appeal requirements.

**C. GENERAL CONCERNS:** Charlie asked about running a test for the emergency email notification system and Julie advised she and Jean are in the process of setting one up. The committee agreed this should be done on a monthly basis.

**D. PUBLIC PARTICIPATION:** None.

**E. ADJOURN:** *Trustee Rita Baker motioned to adjourn the meeting at 5:32 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)  
(Groth/Baker/Mattern)

Wednesday, April 2, 2008 at 5:00 p.m.

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

The meeting of the Legal and Ordinance Committee was called to order at 5:03 p.m. by Chairman Kevin Groth on Wednesday, April 2, 2008, in the Freeburg Municipal Center. Members attending were Chairman Kevin Groth, Trustee Charlie Mattern, Trustee Rita Baker, Administrator Dennis Herzing and Office Manager Julie Polson. Guest present: Dave Favre.

## A. OLD BUSINESS:

1. Approval of 3/5/08 Minutes: *Trustee Rita Baker motioned to approve the March 5, 2008 minutes and Trustee Charlie Mattern seconded the motion. All voting aye, motion carried.*
2. Material Requirements on Commercial Buildings: Will be addressed under new business #1.
3. Status of Public Hazard Homes: Dennis advised the committee Phil Sheets is continuing to fight our suits on recouping the costs. Kevin asked if it was worth the fight or will we be spending more money trying to recover a smaller amount. He wants a clearer report on where we stand legally and financially. Dennis will check on that and also find out if we have to pay Sheets' fees if we lose the cases.
4. Nuisance Abatement Code: Discussed in new business #1.
5. Countryside Lane Annexations: Dennis sent pre-annexation agreements to both David Gass and Mark Luechtefeld. He talked to Mark today who advised him he is fine with everything. Mark told Dennis that David took his to his attorney for review.
6. TIF Litigation: Nothing new.
7. Stumpf lawnmower repair: See general concerns.
8. Emergency system notification: Julie advised Jean has the new website ready and this includes the email notification system. The form requires an email address but leaves the name and address as optional information. Dennis said we need to address the offsite storage of the backup tapes. Kevin suggested a server at the new power plant and keeping the backups stored out there. Charlie suggested a lockbox at the bank.

## B. NEW BUSINESS:

1. Community Improvement Board: Dennis said Attorney Wigginton suggested the idea of a community improvement board and said he has seen it work in other municipalities. The board addresses the areas of occupancy code, residency, material requirements, nuisances, etc., and is a

Legal and Ordinance Committee Meeting

Wednesday, April 2, 2008

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separate advisory board where they meet, exchange ideas, get input from the public. Dennis has talked about this a little with Kevin, Ron and Ray and it was agreed the board needs to be made up of persons representing different interests, i.e., landlord, tenant, business owner, etc. Dave Favre stated he appreciated having the opportunity to have input on issues such as this and was very happy to see Freeburg talking about this. He said he sees positive progress here in Freeburg but when you create hurdles, you slow the process. He said occupancy permits are a nuisance and made the comment if it becomes too much of a hassle to rent, he would just quit the rental business. Dave Favre brought up the idea of addressing rehab plans in stages because you might not be able to afford to do the whole project at one time. Dave also said the Village of Freeburg should take over some of the inspections. Dennis said we had looked at doing all of the inspections in house but after looking into it more closely, it was not economically feasible to do that. Another issue would be to create an ordinance that allows for inspections on a complaint basis. Kevin asked Dave if he had any thoughts about making the area around Village Park a historical district and Dave said it didn't matter to him unless there were a lot of restrictions. Kevin said that John Davinroy approached him about inspections for rehabs. He also said Chief Smith would be interested in having one of the trustees or assistant chief on the board. Kevin further said he would like to see a member of the Board of Appeals on the community board. Dennis said it takes the burden off this committee and takes the political aspect out of the picture. It would be set up as an advisory board so the village trustees would still have control over any decisions made. The committee felt 7 members would be appropriate. Dennis will take it to the next step and talk to Ray. A list of names will be provided at the next meeting.

2. Sexual harassment training: Attorney Wigginton brought this up to Dennis advising him this is something the Village should consider. The Village would be better equipped to handle a lawsuit if they have had the training. Steve is conducting training sessions. The trustees want Julie and Dennis to find out if IML offers any seminars on this.

**C. GENERAL CONCERNS:** Rita said she wanted to talk about the Stumpf lawnmower issue. She felt something needed to be done if Mr. Stumpf continues to run the lawnmowers and power washers all day long. Carol Gentry told her she can't even talk on the phone when he is working on the lawnmowers and power washers. The committee discussed whether or not Mr. Stumpf was running a business out of his home. Dennis will look through the code to see if there is anything on noise nuisances.

Charlie brought up the fence put up by the Swyers. Dennis will check and see if they applied for a fence permit.

**D. PUBLIC PARTICIPATION:** None.

**E. ADJOURN:** *Trustee Rita Baker motioned to adjourn the meeting at 6:03 p.m. and Trustee Charlie Mattern seconded the motion. All voting aye, the motion carried.*



Julie Polson  
Office Manager