

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

July 29, 2013

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, July 31, 2013, at 4:45 p.m.**

LEGAL AND ORDINANCE COMMITTEE MEETING AGENDA

I. Items to be Discussed:

A. Old Business

1. Approval of June 26, 2013 Minutes
2. Status of Public Hazard Homes
3. Update Code Book
4. Nuisance Abatement Code
5. 101 E. Hill
6. Complaints regarding Pickers on Wheels
7. Website
8. Furtak – 113 E. Apple
9. Increase in fees
10. Zoning Reports for July 9th and July 15th

B. New Business

1. Swimming pool regulations

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, July 31, 2013 at 4:45 p.m.

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The meeting of the Legal and Ordinance Committee was called to order at 4:47 p.m. by Chairman Matt Trout on Wednesday, July 31, 2013, in the Freeburg Municipal Center. Members attending were Chairman Matt Trout, Trustee Ray Matchett, Trustee Dean Pruett, Mayor Seth Speiser, Village Administrator Tony Funderburg, Zoning Administrator Gary Henning, Trustee Elizabeth Niebruegge Village Clerk Jerry Menard and Office Manager Julie Polson. Guest present: Janet Baechle.

A. OLD BUSINESS:

1. Approval of June 26, 2013 Minutes: Trustee Ray Matchett motioned to approve the June 26, 2013 minutes and Trustee Dean Pruett seconded the motion. All voting aye, the motion carried.
2. Status of Public Hazard Homes: Gary advised the owners sold 111 S. Walnut and the new owner will tear down the home and erect a new building. On Vine Street, there is a barn in bad shape. The owner is going to tear down two-thirds of that building, keep the remaining third and have it done by the end of August.
3. Update Code Book: We have not received anything from Frank. Administrator Funderburg said there is a new storm water code which is regulated by the federal government and Frank will be adding it to our revision.
4. Nuisance Abatement Code: Zoning Administrator Henning said Pickers should be out of Sanders' building and if that is accomplished by the deadline, Gary will have the court date withdrawn. Tony advised the committee that Ken Stumpf came into Village Hall asking if he could have more than one lawnmower at his home. Tony will advise him by letter we have to follow the court order which states only one lawnmower may be kept on the premise.
5. 101 E. Hill: Gary talked to the realtor of this property and she advised if the property does not sell, she will have it torn down.
6. Complaints regarding Pickers on Wheels: Gary is concerned that Pickers is not going to follow the rules but he will monitor their new location. They have several repairs that need to be done to the building before they can open their business. Some work has been done. We will also monitor the auctions to make sure the parking doesn't become an issue.
7. Website: We can take this item off the agenda. It has been moved to the Finance committee.

Legal and Ordinance Committee Meeting
Wednesday, July 31, 2013

8. Furtak – 113 E. Apple: We received the request from Leon to rezone the property. A discussion was held on whether or not we should rezone the property or allow Leon to obtain a special use permit to have a multi-family unit as an allowable use in the SR-1 district. Some of the committee members plan on attending the Plan Commission hearing tonight to talk to them.
9. Increase in fees: Tony said we are trying to monitor our fees to insure we are charging a reasonable amount to cover our costs.
10. Zoning reports for July 9th, July 15th and July 30th: Gary reviewed his most recent zoning report dated July 30, 2013. He stated the resident on Tall Maple is obtaining bids on her sidewalks and if that costs too much, she is going to request a variance. He asked the committee's opinion on whether or not McDonald's should have to apply for a sign permit to change the menu boards. The committee said since the boards are already in place, a new permit was not necessary.

B. NEW BUSINESS:

1. Swimming pool regulations: Gary said our swimming pool code matches the State of Illinois' code exactly. He said there are going to be changes made to the code in the near future. We have around 20 – 25 homes with swimming pools that do not comply with our current code. The committee agreed to send a letter out to all of those homeowners that have a pool and give them 30 days to comply with our code. Next year when pool season approaches, we will advise our residents of the new regulations.

EXECUTIVE SESSION

5:14 P.M.

Trustee Dean Pruett motioned to enter into Executive Session at 5:14 p.m. citing personnel, 5 ILCS, 120/2-(c)(1) and litigation, 5 ILCS 120/2-(c)(11), and Trustee Ray Matchett seconded the motion. All voting aye, the motion carried.

EXECUTIVE SESSION ENDED

5:17 P.M.

Trustee Matt Trout reconvened the regular session of the Legal/Ordinance Committee meeting at 5:17 p.m.

Trustee Matchett questioned the auctions that are going to be held at Pickers new location and how the parking is going to be handled. Trustee Trout stated it is their responsibility to handle the parking, and if we start receiving complaints, then we will have to deal with it.

C. GENERAL CONCERNS: Trustee Niebruegge asked if we have a checklist when a new business owner comes into Village Hall on everything that is needed. Julie said we don't have a checklist but said that is a great idea. She stated the staff advises the business owner of the appropriate permits needed for their specific business.

D. **PUBLIC PARTICIPATION:** None.

E. **ADJOURN:** *Trustee Dean Pruett motioned to adjourn at 5:21 p.m. and Trustee Ray Matchett seconded the motion. All voting aye, the motion carried.*

A handwritten signature in black ink that reads "Julie Polson". The signature is written in a cursive, flowing style.

Julie Polson
Office Manager

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Legal and Ordinance Committee Meeting

(Annexation; Building; Zoning; Subdivision)

(Trout/Matchett/Pruett)

Wednesday, June 26, 2013 at 4:45 p.m.

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

The meeting of the Legal and Ordinance Committee was called to order at 4:50 p.m. by Chairman Matt Trout on Wednesday, June 26, 2013, in the Freeburg Municipal Center. Members attending were Chairman Matt Trout, Trustee Ray Matchett, Trustee Dean Pruett, Mayor Seth Speiser, Village Administrator Tony Funderburg, Zoning Administrator Gary Henning, Trustee Elizabeth Niebruegge and Office Manager Julie Polson. Guests present: Gary Mordis, Ann Mordis and Janet Baechle.

A. OLD BUSINESS:

1. Approval of June 5, 2013 Minutes: Trustee Dean Pruett motioned to approve the June 5, 2013 minutes and Trustee Ray Matchett seconded the motion. All voting aye, the motion carried.
2. Status of Public Hazard Homes: Gary advised the owners of the property located at 111 S. Walnut are having the work bid out to level the home. They plan on selling the property. At the present time, they plan to keep the basement in case someone wants to build on that lot. The demolition should be done within the next couple weeks. Gary has left a message with the person handling the sale of 101 E. Hill to see if that property can be demolished. He has not heard back from her.
3. Update Code Book: We have a Committee as a Whole meeting set for Monday, July 1st at 6:30 p.m. Julie advised Frank is not feeling well at the moment and that portion of the meeting could be delayed.
4. Nuisance Abatement Code: Julie checked the court records after the last committee meeting and Stumpf had not paid his fine. Julie said he has until the court date in September to do that.
5. 101 E. Hill: See above.
6. Complaints regarding Pickers on Wheels: Gary and Ann Mordis were present to discuss their purchase of 707 N. State Street for the new location of Pickers on Wheels. The committee voiced their concerns over not having enough room to store the recycling dumpsters and also whether the truck would have enough room to go back behind the business to empty the dumpsters. They also don't want to have a bunch of stuff sitting outside along the highway. Gary said he will use smaller storage bins for the recyclable materials. Zoning Administrator Henning said that storage area must be screened from the adjoining neighbors. He agreed to go out and talk to them to see who owns the fence in between the properties. Gary said that material will not be seen. He will have the bins spread out along the back of his property. Zoning Administrator Henning also brought up the issues that the previous owner, Village Bank, was supposed to take care of. Julie will get a copy of that

Legal and Ordinance Committee Meeting

Wednesday, June 26, 2013

Page 1 of 2

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

letter so we can pass those along to Gary Mordis. Administrator Funderburg brought up the parking concerns from the surrounding businesses. Mr. Mordis said he is willing to work with the businesses to make sure there are no problems. Mr. Mordis has requested to have auctions every Wednesday and Gary Henning said as long as they are held inside. Mayor Speiser said as long as they follow the rules, he doesn't see a problem.

7. Website: Julie said it is on our list of things to do but haven't had a chance to work on it.

B. NEW BUSINESS:

1. Furtak – 113 E. Apple: Seth gave the history of this property and Furtak's attempts to have it rezoned and when those were unsuccessful, he tried to obtain a special use permit to operate a multi-family dwelling in an SR-1 district which was also unsuccessful. The committee agreed to have Leon go back to the Plan Commission to see if we can rezone the property to allow multi-family use for that lot.
2. Increase in fees: Administrator Funderburg brought up some fees that he would like to see adjusted. Currently our police report fee is \$5, he would like that increased to \$10; the tow release fee is \$0.00 and he would like to start charging \$25 and the business registration fee is \$10 and we would like to increase that to \$25. Julie said it states in the code that she has to prorate the business registration fee and would like to have that language deleted and the committee agreed. Julie said we don't charge for the video gaming machines and she is going to check the state website to see if that is something we should be doing. We currently charge \$20 per machine annually for other coin operated machines.

Trustee Dean Pruett motioned to recommend to the full Board the police report fee be increased from \$5 to \$10; the tow release fee be increased from \$0.00 to \$25; the business registration fee be increased from \$10 to \$25 and Trustee Ray Matchett seconded the motion. All voting aye, the motion carried.

C. GENERAL CONCERNS: Zoning Administrator Henning would like some direction on whether or not he can charge a flat fee for asphalt since it's an improvement. We have not charged a fee to asphalt a driveway in the past. Gary would also like to see a flat fee for commercial remodels. The committee agreed not to charge the current requests but that we would look at a flat fee for that in the upcoming committee meeting with Frank.

D. PUBLIC PARTICIPATION: Janet voiced her displeasure over a request to have the food co-op obtain a business registration. She said they are a not-for-profit organization and shouldn't have to get one. The committee discussed whether the distributor should obtain a license for the event.

E. ADJOURN: *Trustee Dean Pruett motioned to adjourn at 5:40 p.m. and Trustee Ray Matchett seconded the motion. All voting aye, the motion carried.*

Julie Polson
Office Manager



ZONING REPORT FOR JULY 9TH, 2013

Gary Henning Zoning Administrator

Last two weeks in June, met with St. Clair County Zoning Department; St. Clair County Assessor and Office Manager; City of Belleville Director of Economic Development and Planning; Smithton Mayor and Zoning Administrator; City of Fairview Heights Director of Land Use, Planning, & Community Development; and F.X. Heiligenstein.

- A. Friday July 5th—meet with Ann Barnum, C.I.A.O. office manager for St. Clair County Assessor. Went over new forms need to submit with each permit we issue. I will submit forms electronically.
- B. Have call into Ron Yeager—Mascoutah Zoning Administrator talk to about website—will set up meeting in next week or so.

Occupancy Permits issued in July—4

Building Permits issued in July:

- 1. New Home
- 2. Addition to Existing home
- 3. 6 ft tall privacy fence
- 4. adding patio overhang & sidewalk
- 5. building pole barn

Nuisance Complaints and action taken to correct:

- 1. Meeting with Rich Sanders Wednesday 5 June 2013—resolved problem with Pickers on Wheels—voided two year contract and will be off property and all dumpsters removed by July 31, 2013. **DONE—wait until July 31st to withdraw court date in Sept.**
- 2. Sections along with weeds and grass very back. 707 N. State Street—received call from St. Libory bank from Kathy Cook—Tony and I checked the property on May 20th and I called her morning of May 21st and went over the earlier letter and what had to be completed to be in compliance. Gave the bank until July 20th to have repairs completed. As of Monday June 3rd have begun with nailing up front and side gutters, cutting grass and weeds from front & side---remaining work put up screen in

front-and in back-clear of broken glass and fix window and need 3 need gutters fixed. Bank called Friday June 14th and sold property--new owner knows what needs to be completed--- **SOLD TO PICKERS ON WHEELS! WORKING ON NEW BUSINESS PERMIT AND GETTING PROPERTY IN COMPLIANCE BEFORE BUSINESS CAN OPEN.**

3. Weeds-Grass Compliant by neighbors-212 S. Walnut Carole-I tried to contact by calling-phone disconnected-go to home-no answer-Dora Becker (neighbor) gave me her cell phone number-talked to her-she said just got out of school (teacher at Mascoutah) and her lawn mower was being repaired. She would now have time to get yard in shape. I told her I would check back in two weeks-Friday June 14th-she said OK yard would be looking good by then. Learned from Chief that she is being evicted in three weeks. Was evicted-house is empty waiting on sign of who has property to send letter concerning removing large pile of garbage and cutting the grass and weeds.
4. 6 Potter Street-set notice to cut grass first day on job-cut the grass next day-unacceptable-terrible job some places grass close 3 feet tall. Sent 3 emails Friday the 31st being the last sent. No action-Friday 14 June turned over to Police for Court Date and fine-signed and mailed Friday 14th, 2013. **SOLD and has been cut! DONE**

Nuisance Complaints with action to be taken to correct:

1. Meet with Maggie Nahass June 8th-she will bring up subdivision covenants concerning 2 sidewalks to my office soon-Called left message to call me ASAP-July 1-she brought in Covenants for Estates at Woods Edge-will review and meet with her soon.
2. Violation @ 306 N Monroe-Back behind house next to alley been dump for all types waste-talked to owner his brother and relation are dumping work they have been doing--they will bring in a dump truck and have removed with in two weeks-Recheck on Friday June 14th for compliance. Checked Friday has removed some of limbs etc-has others covered and blocked from alley view by using his boat, trucks and car. Two more complaints yesterday-went by checked out-tried to call-Terry Ross-number disconnected. Will try to catch at home or

- send out 5 day notice at end of week to cleanup the mess and also get water out of swim pool--
3. Complaint on 111 S Walnut--hard to see but old broken down home and garage hide by trees next to trailer park. Wilmer & Annette Hoffman owns--they HAVE SENT BIDS TO 4 CONTRACTORS TO TEAR DOWN--GOING TO SELL--still waiting on bids to come in
 4. Bills Auto Service visited May 16th, talked with Bill and asked about the trailer he has parked along side building. He said he had stripped off sides and now is working on bottom to clear so he can sell for tractor body. I talked with him for about ½ hour and he said he was going to finish it and sell or put up a fence to hide it. I asked how long he needs to comply. He said around 65-70 days--I gave him 90 days to get it completed--August 15th, 2013. We shook hands he said it would be done by then--checked in Friday at business--he has made some progress and reminded him of due date--Visited again last Wednesday June 19th and he again assured me he would have it done by August 15, 2013. Visited yesterday July 8th--cut grass in front of business and said he will have the other completed by August 15th.
 5. 10 Edgewood Court--Chris Biver--Concrete Driveway in front of house to park box trailer. Checked it out June 12, and instructed him on where is could build the new driveway legally. Will apply for permit soon.
 6. Sent Letter to 11 South Richland--High weeds--grass. Saw in Freeburg Tribune that Terry Dye is having property at 11 South Richland Street in FORECLOSURE by Bank of America, N.A. Checked Monday June 17th--Side of house has been cut--still back yard needs work--will contact in next couple of days and find out status. Mr. Dye was in office yesterday and told Jane he would have grass cut by tomorrow.
 7. Checked out complaint on 924 Promatory Pines New Residence building permit issued 3-6-05 and has been extended--people were living in home, no house numbers, mailbox, or completion permit. Upon visiting found owners family (William Coughlin) working on house--checked out still completing flooring etc. spend most of holidays working around the clock and intend to be finished in eight weeks. Reminded them need get in compliance

- before occupying. Will check end of July. St. Clair County Assessors office called and wanted to know status—I will contact them when he moves in.
8. Complaint on Broken down Barn on S. Vine Street
Called owner of lot Charlie Newlen (539-3424) and left phone message to contact me. Contacted over weekend—Charlie will tear down portions and repair other portions by end of August.
 9. Talked with manager at Moto-Mart and the company that mows vacant lot will remove downed tree and grown up weeds etc. in next two weeks. Said city would take care and I informed him he was wrong and needed to take care of it himself. He is currently working on bids.
 10. RW Ernest Building behind Gary's. Called Tammy Mitchell Realty they gave me person who has property Carrie Middendorf—phone 618-977-8499—left a message on her phone to contact me ASAP concerning demolition of building. Talked with Carrie has been on vacation—have until August 30 for Realty Company to sell to someone to Demolish for ground. She will demolish it after August 30th.
 11. Leon Furtak did not show up at meeting last Wednesday to try to get the zoning for 113 East Apple Street changed.
 12. Contacted 7 South Edison—Scott Bittle—will have backyard cleaned up in next two weeks. Has till Friday to comply.
 13. 227 Alamosa—Jennifer Luechtefeld—wanted to pay for culvert to solve water drainage problem—John is working with her.
 14. 100 Forest Ridge—High grass and weeds cut Sunday—unsatisfactory—called yesterday and gave 48 hours notice to cut again to be in compliance by 3:00 pm tomorrow afternoon.
 15. Lot next to 506 Shady Wood Court—weeds, grass—Called Kyle Hawkins again he will have cut by end of this week.
 16. Gary Kuklinski applying for variance to operate new Sports Repair Business—Julie is mailing out notices to zoning board and neighbors.
 17. Problems with temp above ground pools—type buy at K-Mart, Wal-Mart—not conforming to local, state, and national law—Charge one time flat fee of \$25. Talked with Problems with temp above ground pools with Springfield Zoning Administrator -- they

simply go out and right citations immediately without warning. Must have proper fence around pool-Ladder being removed from above ground pool does not meet standard.

18. Visited Reifschneider's with Hans Mueller Freeburg Fire Dept to discuss butane tank problem-needs to lock up tanks, needs to secure to wall with chain, needs to put up obstruction (concrete poles or parking blocks to protect tanks from collisions. Will have done in next few weeks.

New Businesses Working:

McDonald's--\$500,000 major interior and exterior improvements (2 lane drive-up). Done--will be in to pick up permit and pay.

O'Reilly Auto Parts--everything is up to code except free standing sign requirement--O'Reilly Sign is 12'6" long our code says max can be only 12 foot long--Tony is in contact with them to work out solution.

Pickers on Wheels--purchased property on State Street and talked to us about getting business permit as same as when he was in Sander's building. He was at meeting last Wednesday and gave us brief outline of his business. Since Wednesday I have talked with Mick's, Jim's, Kathy Wilcoxson, Betty Wright, and Marc Derwort. Main Concern was how Village can get to power lines in emergency; Mick's & Jim's concerned about parking on their property, along with where to put cars that are towed in after hours? What about open containers and mosquitoes? Attached letter today I received from Mr. Mordis. He still needs to apply for business license and needs more detailed plan of action. I am still concerned about granting business license. I did sign off on permit with conditions attached.

Power Sports Vehicle Repair Shop--Gary Kuklinski--3756 Route 15--He has applied for zoning variance to operate business.

ZONING REPORT FOR JULY 15TH, 2013

Gary Henning Zoning Administrator

Last two weeks in June, met with St. Clair County Zoning Department; St. Clair County Assessor and Office Manager; City of Belleville Director of Economic Development and Planning; Smithton Mayor and Zoning Administrator; City of Fairview Heights Director of Land Use, Planning, & Community Development; and F.X. Heiligenstein.

- A. Friday July 5th—meet with Ann Barnum, C.I.A.O. office manager for St. Clair County Assessor. Went over new forms need to submit with each permit we issue. I will submit forms electronically.
- B. Have an appointment with Ron Yeager Mascoutah Zoning Administrator, and Kari Haas, Village Clerk in charge of website, at Mascoutah City Hall 9:15 am Wednesday July 17 to discuss Zoning fees and website—

Occupancy Permits issued in July—2

Building Permits issued in July (see attached):

1. New Home
2. Addition to Existing home
3. 6 ft tall privacy fence
4. adding patio overhang & sidewalk
5. building pole barn

Nuisance Complaints and action taken to correct:

1. Met with Rich Sanders Wednesday 5 June 2013—resolved problem with Pickers on Wheels—voided two year contract and will be off property and all dumpsters removed by July 31, 2013. **DONE—wait until July 31st to withdraw court date in Sept.**
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Friday June 14th and sold property—new owner knows what needs to be completed--- **SOLD TO PICKERS ON WHEELS! WORKING ON NEW BUSINESS PERMIT AND GETTING PROPERTY IN COMPLIANCE BEFORE BUSINESS CAN OPEN.**

3. Weeds—Grass Compliant by neighbors—212 S. Walnut Carole Smith. Learned from Chief that she is being evicted in three weeks. Was evicted—house is empty waiting on sign of who has property to send letter concerning removing large pile of garbage and cutting the grass and weeds.
4. Nuisance complaint about construction materials—wood piled up behind home on 3 N. Richland—Called and left message on 5 July was cleaned up by July 10th. **DONE**

Nuisance Complaints with action to be taken to correct:

1. Met with Maggie Nahass July 10th at her home—printed off Freeburg Code and explained why she had to put in sidewalk on both adjoining properties—she agreed but asked if she could first have her lawyer look over our Code. I said OK-- she will get back with me ASAP.
2. Violation @ 306 N Monroe—Back behind house next to alley been dump for all types waste—talked to owner his brother and relation are dumping work they have been doing--they will bring in a dump truck and have removed with in two weeks—Recheck on Friday June 14th for compliance. Checked Friday has removed some of limbs etc—has others covered and blocked from alley view by using his boat, trucks and car. Two more complaints yesterday—went by checked out—tried to call—Terry Ross—number disconnected. Tried twice knocking on door—no one answers--Will try to catch him at home by this Wednesday—will send out 5 day notice to clean up the mess and also get water out of swim pool.
3. Complaint on 111 S Walnut--hard to see but old broken down home and garage hide by trees next to trailer park. Wilmer & Annette Hoffman owns—they HAVE SENT BIDS TO 4 CONTRACTORS TO TEAR DOWN—GOING TO SELL—still waiting on a couple bids.
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sides and now is working on bottom to clear so he can sell for tractor body. I talked with him for about ½ hour and he said he was going to finish it and sell or put up a fence to hide it. I asked how long he needs to comply. He said around 65-70 days—I gave him 90 days to get it completed—August 15th, 2013. We shook hands he said it would be done by then—checked in Friday at business—he has made some progress and reminded him of due date—Visited again last Wednesday June 19th and he again assured me he would have it done by August 15, 2013. Visited yesterday July 8th—cut grass in front of business and said he will have the other completed by August 15th.

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9. Talked with manager (David) at Moto-Mart and the company that mows vacant lot will remove downed tree and grown up weeds etc. in next two weeks. David said Village of Freeburg would take care and I informed him he was wrong and needed to take care of it himself. He is currently working on bids.
10. RW Ernest Building behind Gary's. Called Tammy Mitchell Reality they gave me person who has property Carrie Middendorf—phone 618-977-8499—left a message on her phone to contact me ASAP concerning demolition of building. Talked with Carrie has been on vacation—have until August 30 for Reality Company to sell to someone to Demolish for ground. She will demolish it after August 30th.
11. Leon Furtak did not show up at last legal-ordnance meeting on Wednesday to try to get the zoning for 113 East Apple Street changed. Called and he is picking up Special Usage Permit to change zoning for his property from SR-1 to MR-1.
12. Contacted 7 South Edison—Scott Bittle—will have backyard cleaned up in next two weeks. Has till Friday to comply.
13. 227 Alamosa—Jennifer Luechtefeld—wanted to pay for culvert to solve water drainage problem—John is working with her.
14. 100 Forest Ridge—High grass and weeds cut Sunday—unsatisfactory—called yesterday and gave 48 hours notice to cut again to be in compliance by 3:00 pm tomorrow afternoon. Was cut barely meeting compliance—call and said as soon as over 8 inches they will be cited.
15. Lot next to 506 Shady Wood Court—weeds, grass—Called Kyle Hawkins again he will have cut as soon as dry enough. Hopefully done by tonight.
16. Gary Kuklinski applying for Special Usage Permit to operate new Sports Repair Business—Julie is mailing out notices to Zoning Board of Appeals and neighbors.
17. Problems with temp above ground pools—type bought at K-Mart, Wal-Mart—not conforming to local, state, and national laws—Freeburg charges one time flat fee of \$25. Talked about Problems with temp above ground pools with Springfield Zoning Administrator--they simply go out and wright citations immediately without warning. Must have

- proper fence around pool—Ladder being removed from above ground pool does not meet standard.
18. Visited Reifschneider's with Hans Mueller Freeburg Fire Dept to discuss butane tank problem—needs to lock up both tanks; needs to secure to wall with chain; needs to put up obstruction (concrete poles or parking blocks to protect tanks from collisions.) Will have done in next few weeks.
 19. Received written complaint about 600 N. Main—zoned SR-1—where Wilhelm Fischer has parked the trailer portion of a tractor/trailor rig located in south back yard. Will pay Mr. Fischer a visit this week.

New Businesses Working:

McDonald's--\$500,000 major interior and exterior improvements (2 lane drive-up). Done—will be in to pick up permit and pay.

O'Reilly Auto Parts—everything is up to code except free standing sign requirement—O'Reilly Sign is 12'6" long our code says max can be only 12 foot long—Tony is in contact with them to work out solution.

Pickers on Wheels--purchased property on State Street and talked to us about getting business permit as same as when he was in Sander's building. He was at meeting last Wednesday and gave us brief outline of his business. Since Wednesday I have talked with Mick's, Jim's, Kathy Wilcoxson, Betty Wright, and Marc Derwort. Main Concern was how Village can get to power lines in emergency; Mick's & Jim's concerned about parking on their property, along with where to put cars that are towed in after hours? What about open containers and mosquitoes? Attached letter today I received from Mr. Mordis. He still needs to apply for business license and needs more detailed plan of action. I am still concerned about granting business license. I did sign off on permit with conditions attached.

Power Sports Vehicle Repair Shop—Gary Kuklinski—3756 Route 15—He has applied for a Special Use Permit to allow him to operate the business.

REFLECTIONS ABOUT SWIMMING POOL REGULATIONS

Gary Henning, Freeburg Zoning Administrator

Hopefully everyone is having an enjoyable summer. With a number of above ground swimming pools in Freeburg is it important that everyone is aware of and understands the Swimming Pool Codes of the State, County, and Village of Freeburg. Freeburg's Code reads exactly as the State Code concerning swimming pools. These codes were created to insure the safety and protection of children from possible injury or drowning. It is also there to protect pool home owners from liability issues.

Please be advised that the following Freeburg Zoning Code 155.308 for Swimming Pools reads:

- A. No private swimming pool shall be located in any front yard or closer than ten feet to any side or rear lot line.
- B. Every swimming pool that is more than two feet deep shall be enclosed by a wall or fence at least four feet in height. The passage through such wall or fence shall be equipped with a gate.
- C. All lights used to illuminate any swimming pool shall be arranged or shielded so as to confine direct light rays within the lot lines to the greatest extent possible.

The Penalty Code 155.999 reads:

- A. Any person who is convicted of a violation of this chapter shall be fined not less than \$50.00, nor more than \$750.00, plus costs. Each day on which a violation continues shall be considered a separate offense.
- B. Nothing contained in this section shall prevent the village from taking any other lawful action that may be necessary to secure compliance with this chapter.

If you have a swimming pool more than two feet deep it must be enclosed by a wall or fence at least four feet high. The passage through such wall or fence shall be equipped with a gate. This code will be enforced beginning Monday August 12th, 2013

I wish everyone an enjoyable and safe summer season. If you have any questions please call Gary Henning, Zoning Administrator at 618-539-5545.

ZONING REPORT FOR JULY 30TH, 2013

Gary Henning Zoning Administrator

Last Wednesday July 24th met with Mascoutah's Zoning Administrator (Ron Yeager) and Village Clerk (Kari Haas) went over zoning fees, received copy of their ordinances, permission to use their Website and download info. Very informative and educational meeting. Suggested that go to Annual IML Convention held October 17-19th at the Chicago Hilton for education and latest updates in zoning. Talked with Tony and asked that I be considered in budgeting for the 2014 October meeting. Met with Pat Smoker at 120 S. Alton Street-good talk about Zoning and his time as Zoning Administrator here is Freeburg over 8 years ago.

Occupancy Permits issued in July-16

Building Permits issued in July--19

1. New Home
2. Addition to Existing home
3. 6 ft tall privacy fence
4. Adding patio overhang & sidewalk
5. Building pole barn
6. New Garage
7. 3--Electrical updates (higher amperage)
8. 4--Service upgrades
9. 4--New Mobile Homes permits in Deerfield Court
10. Machine Shed with partial basement
11. 150 feet fence

Nuisances Corrected:

22--High Weeds-Grass Problems are now in compliance.

8--Trash, limbs, wood, building materials, etc. complaints have been removed and now are in compliance.

Pickers on Wheels moving business out of Sanders per agreement--will wait until August 1st to withdraw court date in Sept.

Property on 707 North State Street was sold to Pickers on Wheels! The owner has applied for a new business permit. I recommend he must get property in compliance before business can open. Has not applied for sign permit as of 29 July 2013.

Nuisance Complaints with action to be taken to correct:

1. Met with resident of 147 Tall Maple Court on July 10th concerning sidewalks. She is having lawyer look over Village Ordinance. Left message Monday afternoon, July 29th, 3:15 pm for her to give me a call.
2. Violation @ 306 N Monroe--Trash behind house water in above ground pool which is not being used. Talked to second time and small amount of cleanup occurred will send 5 day notice on August 1st if not completed.
3. Complaint on 111 S Walnut--3 bidders--Tear down house-garage and clean up underbrush. Lot and building tentative sold--pending this week getting papers drawn up should be final end of week.
(Dean Gauch)
4. Bills Auto Service August 15th to meet compliance deadline. Checked with him Friday July 26th--will have completed by August 15th.
5. Checked out complaint on 924 Promatory Pines New Residence building permit issued 3-6-05 and has been extended--work should be completed first part of August will check back this Friday and report to St. Clair County Assessors office when family moves in.
6. Complaint on Broken down Barn on S. Vine Street Called owner--he will tear down portions and repair other portions by end of August.
7. Moto-Mart has removed fallen tree and will trim high weeds next mowing this week.
8. RW Ernest Building behind Gary's. If owner cannot sell property by August 30, 2013, she will have building torn down.
9. Leon Furtak picked up Special Usage Permit to change zoning for his property on 113 East Apple Street from SR-1 to MR-1.
10. ***Problems with temporary above ground pools--discussed with Zoning Board of Appeals and will enforce code starting Monday August 12--after Legal/Ordinance meeting this Wednesday.
11. Reifschneider's in process of correcting butane tank problems--needs to lock up both tanks; needs to secure to wall with chain; needs to put up obstruction (concrete poles or parking blocks to protect tanks from collisions.) Will have done in next few weeks.
12. Received written complaint about 600 N. Main--zoned SR-1--where Tractor-Trailer Bed is parked in back-

side yard for storage—talked with owner storing brothers pawn shop materials—he was shot couple of weeks ago—and trying to sell. Looking for a place out of Freeburg to park trailer bed until can sell merchandise. The have until August 16 to move trailer.

13. Received letter wanting myself and zoning board to do something about shortage of parking spaces at Reifschnieders. Zoning Board decided that at time of approval everything was in code. Will work with them to help find solution if problem continues.

New Businesses Working:

McDonald's--\$500,000 major interior and exterior improvements (2 lane drive-up). Done--will be in to pick up permit and pay.

O'Reilly Auto Parts--everything is up to code except free standing sign requirement--O'Reilly Sign is 12'6" long our code says max can be only 12 foot long. Hearing before Freeburg Plan Commission will be held Wednesday, July 31, 2013 at 7:00 p.m., in the Municipal Center to review a proposed amendment to the Zoning Code of the Village of Freeburg which will amend the length or width of any freestanding sign from 12 feet to 13 feet. **I support this request.**

Pickers on Wheels--purchased property on State Street and talked to us about getting business permit the same as one he had for Sander's building. I am still concerned about granting business license (it has been granted)--I did sign off on permit **with conditions attached.** No Signs permits applied for yet.

Power Sports Vehicle Repair Shop--Gary Kuklinski--3756 Route 15--He has applied for a Special Use Permit to allow him to operate the business. Hearing before the Zoning Board of Appeals was held last Thursday July 25, 2013, at 7:00 pm in the Freeburg Municipal Center. Applicant received a special use permit to allow a home business in the SR-1 Zoning District.