

VILLAGE PRESIDENT  
Seth Speiser

VILLAGE CLERK  
Jerry Menard

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

# 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 & Keck, P.C.

December 22, 2016

## NOTICE

### MEETING OF LEGAL AND ORDINANCE COMMITTEES Annexation; Building; Zoning; Subdivision (Meehling/Blaies/Pruett/Trout)

A Legal and Ordinance Committee Meeting of the Village of Freeburg will be held at the Municipal Center, Executive Board Room, **Wednesday, December 28, 2016, at 5:30 p.m.**

### LEGAL AND ORDINANCE COMMITTEE MEETING AGENDA

#### I. Items to be Discussed:

- A. Old Business
  - 1. Approval of November 30, 2016 Minutes
  - 2. Zoning Report/Nuisance Properties
  - 3. Combination of Plan Commission and Board of Appeals
  - 4. New Class of Liquor License
- B. New Business
  - 1. Executive Session to Discuss Real Estate Transactions, 5 ILCS 120/2-(c)(5)
- 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)] or discussion of executive session minutes, [5 ILCS-120/2-(c)(21)

VILLAGE PRESIDENT  
Seth Speiser

VILLAGE CLERK  
Jerry Menard

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

# 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

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

Wednesday, November 30, 2016 at 5:30 p.m.

VILLAGE ADMINISTRATOR  
Tony Funderburg

VILLAGE TREASURER  
Bryan A. Vogel

PUBLIC WORKS DIRECTOR  
John Tolan

POLICE CHIEF  
Stanley Donald

VILLAGE ATTORNEY  
Weilmuenster & Keck, P.C.

The meeting of the Legal and Ordinance Committee was called to order at 5:30 p.m. by Chairperson Lisa Meehling on Wednesday, November 30, 2016, in the Freeburg Municipal Center. Members attending were Chairperson Lisa Meehling, Trustee Mike Blaies, Trustee Dean Pruett, Trustee Matt Trout, Mayor Seth Speiser, Village Clerk Jerry Menard, Trustee Denise Albers, Trustee Ray Matchett, Zoning Administrator Gary Henning, Public Works Director John Tolan, Village Administrator Tony Funderburg and Office Manager Julie Polson.

### A. OLD BUSINESS:

1. Approval of October 26, 2016 Minutes: Trustee Matt Trout motioned to approve the October 26, 2016 minutes and Trustee Dean Pruett seconded the motion. All voting yea, the motion carried.
2. Zoning Report/Nuisance Properties: Zoning Administrator Gary Henning said he has the final inspection of the Yarber's property on Monday. They have made a lot of progress and have moved away about 22 tons of stuff. The Pearson court case has been continued to January 19<sup>th</sup>. This house and yard is in disrepair. Administrator Funderburg advised Mr. Pearson either needs to fix the house or knock it down.
3. Combination of Plan Commission and Board of Appeals: Administrator Funderburg stated the hearing is set for December 7<sup>th</sup> at 6:30 p.m. Attorney Manion is unavailable so Attorney Keck will be here. Tony confirmed the Plan Commission has to vote at that meeting, and Fred will be there to answer questions. Tony said if anyone from the board can be there, it would be appreciated.

### B. NEW BUSINESS:

1. Ordinance #1610: An Ordinance Abating the Taxes Levied for the Electric System Bonds: Tony stated this is the annual ordinance to abate the taxes for the electric bonds.

Trustee Matt Trout motioned to recommend to the full Board Ordinance 1610, An Ordinance Abating the Taxes Levied for the Electric System Bonds for approval and Trustee Mike Blaies seconded the motion. All voting yea, the motion carried.

2. Ordinance #1611: An Ordinance Abating the Taxes Levied for the TIF Bonds: Tony advised this ordinance is also done annually to abate the taxes since they are paid by the property taxes.

Trustee Matt Trout motioned to recommend to the full Board Ordinance 1611, An Ordinance Abating the Taxes Levied for the TIF Bonds for approval and Trustee Dean Pruett seconded the motion. All voting yea, the motion carried.

Legal and Ordinance Committee Meeting  
Wednesday, November 30, 2016

Tony stated he is going to present two ordinances in the next Electric committee meeting. The first ordinance will update the net metering policy. He said IMEA and Attorney Manion agree it is very well written. The second ordinance is the revenue neutral electric rate ordinance. We will have another ordinance presented at the Water/Sewer committee meeting. With the sewer project, we need to raise the rates for the EPA loan. Tony said what Rhutasel is proposing only fixes the short-term and not the long-term. He is going to email it out tomorrow so everyone has a chance to review them so we can discuss them in committee.

Tony commented Freeburg Liquor wants to put in video gaming which requires an on and off premise license. Other places have that type of license but we do not. The State is okay with it, but Tony is not sure if this is a license we want to have available in Freeburg. He is going to email out the information on it for the trustees to review and will be discussed at the next committee meeting.

**C. GENERAL CONCERNS:** Trustee Mike Blaies asked if the businesses have had happy hours and Tony said we don't know.

**D. PUBLIC PARTICIPATION:** None.

**E. ADJOURN:** Trustee Matt Trout motioned to adjourn at 5:46 p.m. and Trustee Mike Blaies seconded the motion. All voting yea, the motion carried.



Julie Polson  
Office Manager

# LEGAL & ORDINANCE MEETING

December 28<sup>th</sup>, 2016

Gary Henning Zoning Administrator

10-Occupancy Permits issued to date in December

6-Building Permits issued to date in December

2-Electrical

1-New Home

1-New 8 Family Unit Townhouse

1-Fence

1-Bedroom-Bath Addition

Nuisances Corrected to date in December--11

The Court case against Bobby Pearson has been continued until Thursday January 19, 2017. As of December 15<sup>th</sup>, 2016 nothing has been done to correct the problems.

The Yarber hearing for a special-use-permit to operate a limo-bus business on their property zoned Agriculture has been canceled.

### **3-3-6: CLASSIFICATION OF LICENSES, CLOSING HOURS:**

**CLASS A LICENSE; Taverns And Lounges Only, Two O'Clock A.M. Closing:** Shall authorize the retail sale on the specified premises of alcoholic liquors for consumption on said premises and the retail sale of alcoholic liquors in the original package, not for consumption on the premises where sold. A class A license shall allow the sale of sandwiches only, but no kitchen facilities are permitted. No alcoholic liquor shall be sold, given away or offered for sale in, upon or about the specified premises so licensed between the hours of two o'clock (2:00) A.M. and seven o'clock (7:00) A.M. on weekdays and two o'clock (2:00) A.M. and eleven o'clock (11:00) A.M. on Sunday. No live entertainment shall be allowed on the premises. Video gaming as defined under the Illinois video gaming act, 230 Illinois Compiled Statutes 40/1 et seq., shall not be allowed in a class A licensed premises.

**CLASS AV LICENSE; Taverns And Lounges Only, Two O'Clock A.M. Closing:** Shall authorize the retail sale on the specified premises of alcoholic liquors for consumption on said premises and the retail sale of alcoholic liquors in the original package, not for consumption on the premises where sold. A class AV license shall allow the sale of sandwiches only, but no kitchen facilities are permitted. No alcoholic liquor shall be sold, given away or offered for sale in, upon or about the specified premises so licensed between the hours of two o'clock (2:00) A.M. and seven o'clock (7:00) A.M. on weekdays and two o'clock (2:00) A.M. and eleven o'clock (11:00) A.M. on Sunday. No live entertainment shall be allowed on the premises. Video gaming as defined under the Illinois video gaming act, 230 Illinois Compiled Statutes 40/1 et seq., shall be authorized so long as the licensee also has a video gaming license issued by the Illinois gaming board in accordance with the provisions of the Illinois video gaming act and all rules, regulations, and restrictions imposed by the Illinois gaming board; and the operation of video gaming terminals shall not be permitted during the hours alcoholic liquor sales are prohibited.

**CLASS B LICENSE; Package Liquor Store And Drugstores Only:** Shall authorize the retail sale of all alcoholic liquor in its original package only, not for consumption on the premises where sold. No alcoholic liquor shall be sold, given away or offered for sale in, upon or about the specified premises so licensed between the hours of two o'clock (2:00) A.M. and seven o'clock (7:00) A.M. on weekdays and two o'clock (2:00) A.M. and nine o'clock (9:00) A.M. on Sundays.

**CLASS BV LICENSE; Package Liquor Store Only:** Shall authorize the retail sale of all alcoholic liquor in its original package, not for consumption on the premises where sold, and shall authorize the retail sale of beer and wine only for consumption on the premises. No alcoholic liquor shall be sold, given away or offered for sale in, upon or about the specified premises so licensed between the hours of two o'clock (2:00) A.M. and seven o'clock (7:00) A.M. on weekdays and two o'clock (2:00) A.M. and eleven o'clock (11:00) A.M. on Sundays. Video gaming as defined under the Illinois video gaming act, 230 Illinois Compiled Statutes 40/1 et seq., shall be authorized so long as the licensee also has a video gaming license issued by the Illinois gaming board in accordance with the provisions of the Illinois video gaming act and all rules, regulations, and restrictions imposed by the Illinois gaming board; and the operation of video gaming terminals shall not be permitted during the hours alcoholic liquor sales are prohibited.

**CLASS C LICENSE; Special Events Only:** Shall authorize the sale or giving away of alcoholic liquor for consumption on the premises where sold or given away at any specific event sponsored by any club, organization or individual. No alcoholic liquor shall be sold, given away or offered for sale in, upon or about the specified premises so licensed between the hours of two o'clock (2:00) A.M. and seven o'clock (7:00) A.M. on weekdays and two o'clock (2:00) A.M. and eleven o'clock (11:00) A.M. on Sundays. All class C licenses shall expire ten (10) days after the date of issue. Applications for class C licenses shall be made as in the case of any other class of license, and said licensee shall be governed by all of the provisions of this chapter. Video gaming as defined under the Illinois video gaming act, 230 Illinois Compiled Statutes 40/1 et seq., shall not be allowed for a class C licensed

### 3-3-7: LICENSE FEES:

A. The schedule of liquor license fees, effective January 12, 2016, shall be as follows:

<u>Class Of License</u>	<u>Initial License Fee For Issuance Of A New License</u>	<u>Subsequent Renewal License Annual Fee</u>
A and AV	\$6,250 .00	\$2,437 .00
B and BV	6,250 .00	2,062 .50
C - no fee required	n/a	n/a
D	6,250 .00	1,687 .50
E and EV	6,250 .00	2,812 .50
(License which also allows live entertainment)		187 .50 additional
F and FV	6,250 .00	1,687 .50
G and GV	6,250 .00	3,187 .50
H and HV	6,250 .00	2,437 .50
I and IV	6,250 .00	2,812 .50
(License which also allows live entertainment)		187 .50 additional
J and JV	6,250 .00	1,500 .00
K and KV - annual fee of \$187.50	n/a	n/a
L and LV	6,250 .00	2,625 .00
M and MV	6,250 .00	2,812 .50
N	375 .00	187 .50
Temporary N	62 .50	n/a
O	6,250 .00	1,687 .50
P	625 .00	625 .00
Q and QV	6,250 .00	2,437 .50
R and RV	6,250 .00	2,437 .50
S	6,250 .00	2,437 .50