

REGULAR BOARD MEETING AGENDA - MAY 21, 2012 - 7:30 P.M.

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Minutes of Previous Meeting
 - 4 - 1. April 16, 2012 Regular Board Meeting - **Exhibit A**
 - 4 - 2. May 7, 2012 - Regular Board Meeting - **Exhibit B**
5. Finance
 - 5 - 1. Financial Report - None.
 - 5 - 2. Balance Sheet - None.
6. Treasurer's Report -
7. Attorney's Report - None.
8. ESDA Report
9. Public Participation
10. Reports and Correspondence - None.
11. Recommendations of Boards and Commissions - None.
12. Contracts, Releases, Agreements and Annexations - None.
13. Bids - None.
14. Resolutions - None.
15. Ordinances -
 - 15 - 1. Ordinance #1421: An Ordinance Declaring Certain Personal Property to be Surplus Property - **Exhibit C**
 - 15 - 2. Ordinance #1422: An Ordinance Authorizing the Village to Enter into and the Mayor to Execute An Agreement with St. Clair County for Coordinated Communication Services - **Exhibit D**
 - 15 - 3. Ordinance #1423: An Ordinance Authorizing the Village to Enter into and the Mayor to Execute Agreements for the Safe Routes to School Project - **Exhibit E**
16. Old Business
17. New Business
18. Appointments - None.
19. Committee Meeting Minutes
 - 19 - 1. Electric Committee Meeting - Wednesday, May 9, 2012 - 6:30 p.m. - **Exhibit F**
 - 19 - 2. Personnel/Police Committee Meeting - Thursday, May 10, 2012 - 6:30 p.m. - **Exhibit G**
 - 19 - 3. Streets Committee Meeting - Wednesday, May 16, 2012 - 6:30 p.m. - **Exhibit H**
20. Upcoming Meetings
 - 20 - 1. Finance Committee Meeting - Wednesday, May 30, 2012 - 5:30 p.m.
 - 20 - 2. Economic Development Committee Meeting - Wednesday, May 30, 2012 - 6:15 p.m.
 - 20 - 3. Board Meeting - Monday, June 4, 2012 - 7:30 p.m.
21. Village President's and Trustees' Comments
22. Staff Comments
23. Adjournment

At said Board Meeting, the Village Board of 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)]; personnel [5 ILCS, 120/2 - (c)(1)a.]; litigation [5 ILCS, 120/2 - (c)(11)]; real estate transactions [5 ILCS, 120/2 - (c)(5)]; collective negotiating matters between the public body and its employees or their representatives [5 ILCS 120/2 - (c)(2)].

VILLAGE PRESIDENT
Ray Danford

VILLAGE CLERK
Jerry Menard

VILLAGE TRUSTEES
Rita Baker
Seth Speiser
Charlie Mattern
Ray Matchett, Jr.
Steve Smith
Mike Blaies

VILLAGE OF FREEBURG

FREEBURG MUNICIPAL CENTER

14 SOUTHGATE CENTER, FREEBURG, IL 62243

PHONE: (618) 530-5545 FAX: (618) 530-5500

Web Site: www.freeburg.com

FREEBURG REGULAR BOARD MEETING
Monday, April 16, 2012 at 7:30 P.M.

Board Meeting

EXHIBIT A
VILLAGE ADMINISTRATOR
Dennis Herzing

VILLAGE TREASURER
Bryan A. Vogel

PUBLIC WORKS DIRECTOR
Ronald Dintelmann

POLICE CHIEF
Melvin E. Woodruff, Jr.

VILLAGE ATTORNEY
Weilmuenster Law Group, P.C.

CALL TO ORDER: Mayor Ray Danford called the Regular Board Meeting to order at 7:30 p.m., on Monday, April 16, 2012 in the Freeburg Municipal Board Room.

PLEDGE OF ALLEGIANCE: Those present and the Board Members recited the Pledge of Allegiance.

ROLL CALL: Trustee Charlie Mattern - absent; Trustee Steve Smith - here; Trustee Rita Baker - here; Trustee Mike Blaies - here; Trustee Raymond Matchett, Jr. here; Trustee Seth Speiser - here; Mayor Ray Danford - here; (6 present, 1 absent). Mayor Ray Danford announced there is a quorum.

MINUTES OF PREVIOUS MEETING: Mayor Danford said the minutes for the April 2nd meeting are not available for this meeting for approval.

FINANCE: Trustee Smith said we need to schedule a Committee As A Whole to review the budget. Trustee Smith said the Committee As A Whole meeting will be May 2, 2012 at 7:00 p.m. Trustee Smith said we need to schedule a **Treasurer's Report:** None

Attorney's Report: None

ESDA Report: Mayor Danford said everyone should have an ESDA report in front from Gene. Mayor Danford asked is there any comments on it.

PUBLIC PARTICIPATION: Mayor Danford called for public participation;

1. Jerry Gauch stated that most of us here tonight are here about the ordinance of ball playing in the street. Jerry said he was given a piece of paper from a police officer stating the children can not play ball in the street any more, and am here to let the village board know that this is a bad rule. We live on a cul-de-sac and there is no though traffic, and he has contacted all of the neighbors but one and they said it is ok with them that the children play ball in the street. Mayor Danford called on Jim Yeager he stated the reason his kids play ball in the street it is easier for them to see a car coming down the street then playing in the drive way and the ball rolls down the driveway the kids are focus on the ball instead looking for a car coming. Mayor Danford asked is there anyone else who would like to speak on this subject. Denise Albers took the floor with this comment why didn't the police officer address the parents instead of the kids. Denise said it was Officer Cappello and he did explain why he talked to the kids instead of the parents and she understood his reason for talking to the kids first. Denise said her concern is why was this acted up on so quickly and wasn't brought back to the board to discuss this very out dated ordinance.

Village of Freeburg Board Meeting Minutes

Monday, April 16, 2012

Page 1 of 8

Mayor Danford said he does attend to address this issue if there aren't anymore comments on this. Jamie Blazier took the floor to say she doesn't like taking her kids to the park because she feels like it is not safe and she definitely can let her kids go by themselves you got these older kids asking if they want to smoke. So she feels her kids are safer at home and now you are telling us they can't play in the street in front of our homes. She thinks this warning should have been addressed better than it was. Mayor Danford called on Tony Miller to take the floor. Tony said he wants to know who brought this forward and why all of a sudden it is being enforced now and if that is the case then we need to pull out every ordinance in the book and enforce every word to its final letter. Tony asked is there any answer where this came from. Mayor Danford said he is going to ask the Chief of Police Mel Woodruff to step in and explain a lot of it. Mayor Danford said the complaint did start with a citizen. Chief Woodruff took the floor. Chief Woodruff told the concerned citizens how the enforcement effort came about and why his department has taken such a pro-active approach to this particular problem. Chief Woodruff explained that a second-hand complaint about some children playing basketball in the street was forwarded to his agency by St. Clair County Board member Frank Heiligenstein's office. Chief Woodruff stated that this is not the first time in the 12 years he has worked here that the Village has enforced the ordinances against playing basketball on the street. Chief Woodruff stated the Village has an ordinance that prohibits the placement of any item on streets or sidewalks. Chief Woodruff also said that he understood the residents' concerns, but it is the burden of the police department to enforce all sorts of nuisance ordinances that are already on the books. He said all towns have similar ordinances. Mayor Danford said he agreed that the Village Board may need to review these ordinances and consider some modifications. Mayor Danford said the ordinance against playing ball in the street as one of the older laws on the books and it appears to be too vague and the Board needs to clarify the intent of this ordinance or eliminate it. Mayor Danford said that it is unlikely the Board would eliminate this ordinance altogether because it is a safety issue. Mayor Danford said however, the Board is likely to address the vagueness of this ordinance and attempt to better define the issues involved, especially given the level of concern of the citizens. Mayor Danford said he sure the Village Board and his self will try to balance the needs of the entire community. Mayor Danford stated that the Board members who also live in town and they do share the same concerns those residents in attendance here tonight. Mayor Danford said but in the meantime this will put the police department in an uncomfortable position of enforcing these ordinances until a change can be acted upon. Mayor Danford said he would like to assure those here tonight that it is not the intention of the Village to cite anyone. Mayor Danford said the Board Legal and Ordinance Committee will begin the process of reviewing these ordinances at their next committee meeting which is scheduled for Wednesday, May 2nd at 5:00 p.m. and the public is welcome to attend.

2. Tony Miller took the floor on another subject. Tony asked about the pool. Mayor Danford said you may or may not beware it is a mess, but it is coming along. Tony asked is it going to be ready to open at some time this year. Mayor Danford said he doesn't know. Mayor Danford said Tony we do not know if you knew we had a minor jurisdictional labor issue which did delay the delivery of concrete and now this issue has been resolved and we are moving along.

Mayor Danford said yes we are looking at sometime late in May, but however the weather will play the largest roll in determining if the completion date can be met. Tony asked has the Village sold any passes. Administrator Herzing said people have been calling asking if the prices are going to change or they still going to be the same. Our answer hear in office that we have been telling people that no price increases are expected for season passes at this time. Administrator Herzing said there are some concerns how the Village will handle pricing if the pool does fail to open on schedule. Tony said he would like to make a subjection when we get to that point when we open the pool and if it doesn't open up until sometime in June just have a ever day price instead of a passes asking for a couple of bucks to get in just to get the people interested in attending and enjoying the new pool.

3. Tony still had the floor to ask another question. Tony asked are we getting tax dollars on the co-op that is town. Mayor Danford said yes, but not in the way you are thinking. Tony asked is it like a corn stand in Collinsville. Mayor Danford said no it is a little different from that. Mayor Danford said from what he has seen and they way that operation is it's an internet sale and the state of Illinois does monitor the licensing and reporting the tax on that and there is a use tax that Illinois charges for that. Mayor Danford said yes we are going to get tax money from the state of Illinois, but we will have to fight for what we think our share should be. Tony said he was concern because we have dealt with other issue like this before.

REPORTS AND CORRESPONDENCE: Exhibit B

1. EWR Architects Statement: Administrator Herzing stated we made a decision not to pay this company for a while depending on getting the permit and getting the project going and now everything is fine and moving along.

*Trustee Rita Baker motioned to pay EWR \$7,195 for a portion of the design work and for construction observation at the facility and Trustee Raymond Matchett seconded the motion. **ROLL CALL:** Trustee Rita Baker - aye; Trustee Raymond Matchett, Jr. - aye; Trustee Steve Smith - aye; Trustee Mike Blaies - aye; Trustee Seth Speiser - aye; Trustee Charlie Mattern - absent; (5 ayes, 0 nays, 1 absent). 5 voting aye, motion carried.*

Exhibit C:

2. Davinroy Mechanical Contractor's Pay Request #1:

*Trustee Raymond Matchett Jr. motioned to approve payment for Phase I of the pool construction to Dainroy Mechanical Contraction Company 199,342.71 and Trustee Rita Baker seconded the motion. **ROLL CALL:** Trustee Raymond Matchett, Jr. - aye; Trustee Rita Baker - aye; Trustee Mike Blaies - aye; Trustee Seth Speiser - aye; Trustee Steve Smith - aye; Trustee Charlie Mattern - absent; (5 ayes, 0 nays, 1 absent). 5 voting aye, motion carried.*

RECOMMENDATIONS OF BOARDS AND COMMISSIONS: None

CONTRACTS, RELEASE, AGREEMENTS, ANNEXATIONS: Exhibit D

1. Rhutasel and Associates Proposal for Safe Routes to School Project:

*Trustee Raymond Matchett Jr. motioned to hire Rhutasel and Associates to be the engineer for the Safe Routes to School project and Trustee Steve Smith seconded the motion. **ROLL CALL:** Trustee Raymond Matchett, Jr. - aye; Trustee Steve Smith - aye; Trustee Rita Baker - aye; Trustee Mike Blaies - aye; Trustee Seth Speiser - aye; Trustee Charlie Mattern - absent; (5 ayes, 0 nays, 1 absent). 5 voting aye, motion carried*

BIDS: Exhibit E: Mayor Danford stated this is the winning bid for the lawn mowing service contract for the Village.

*Trustee Rita Baker motioned to accept KMK Lawns bid to mow the Village's 14 properties for a cost of \$400 per mowing and Trustee Raymond Matchett seconded the motion. **ROLL CALL:** Trustee Rita Baker - aye; Trustee Steve Smith - aye; Trustee Mike Blaies - aye; Trustee Raymond Matchett, Jr. - aye; Trustee Seth Speiser - aye; Trustee Charlie Mattern - absent; (5 ayes, 0 nays, 1 absent). 5 voting aye, motion carried.*

RESOLUTIONS: None

ORDINANCES: None

OLD BUSINESS: None

NEW BUSINESS: Mayor Danford asked for a motion to go into Executive Session.

REGULAR BOARD MEETING EXECUTIVE SESSION 9:15 P.M.

*Trustee Rita Baker motioned to go into Executive Session to discuss personnel {5 ILCS, 120/2 (C) (1) a.} and collective negotiating matters between the public body and its employees or their representatives {5 ILCS, 120/2 - (c)(2) and Trustee Steve Smith seconded the motion. **ROLL CALL:** Trustee Rita Baker - aye; Trustee Steve Smith - aye; Trustee Seth Speiser - aye; Trustee Raymond Matchett, Jr. - aye; Trustee Mike Blaies - aye; Trustee Charlie Mattern - absent; (5 ayes, 0 nays, 1 absent). 5 voting aye, motion carried.*

EXECUTIVE SESSION ENDED 10:45 P.M.

Trustee Rita Baker motioned to reconvene the Regular Board Meeting at 10:45 p.m. and Trustee Steve Smith seconded the motion. All voting aye, the motion carried.

APPOINTMENTS: None

COMMITTEE MEETING REPORTS:

Legal and Ordinance Committee Meeting: Trustee Speiser called the Legal and Ordinance Committee meeting to order on Wednesday, April 4, 2012 at 4:30 p.m.

1. Nuisance Abatement: Trustee Speiser said there has been no clean up on Bill Herr property. Trustee Speiser said couple of residents is willing to sign a complaint against Mr. Stumpf.

2. Political Sign Ordinance: Trustee Speiser said Dennis is working this.

3. Class C Liquor License: Trustee Speiser said we discuss the Class C Liquor License and the language in it which needs to be changed. Trustee Smith asked are we going to allow Motto Mart and Casey's to sell liquor 24 hours. Trustee Speiser said no; the ordinance is too vague and we need to reword it.

Personnel/Police Committee Meeting: Trustee Baker called the Personnel/ Police Committee meeting to order on Monday, April 9, 2012 at 7:00 p.m. Trustee Baker said most of the meeting was spent in Executive Session.

1. Matt Moeckel accident: Trustee Baker said we did hear from Chief Woodruff on Officer Moeckel status and he had successful surgery and is now going through physical therapy, he thinks he should be back at the beginning of summer.

2. Employee Handbook: Trustee Baker said talked about the employee handbook; Public Works on call status nothing was finalized on that.

3. Non-union employee raises: Trustee Baker said we talked about the non-union employees' raises at this time she would like to make a motion.

*Trustee Rita Baker motioned the non-union employees receive a 2% raise retroactive from April 1, 2011 - March 31, 2012 and a 3% raise effective April 1, 2012 and Trustee Steve Smith seconded the motion. **ROLL CALL:** Trustee Rita Baker - aye; Trustee Steve Smith - aye; Trustee Mike Blaies - aye; Trustee Raymond Matchett, Jr. - aye; Trustee Seth Speiser - aye; Trustee Charlie Mattern - absent (5 ayes, 0 nays, 1 absent). 5 voting aye, motion carried.*

Trustee Baker said she would also like to take this opportunity to make another motion.

*Trustee Rita Baker motioned to terminate the employment of probationary police officer Kurt Schmalbach and Trustee Steve Smith seconded the motion. **ROLL CALL:** Trustee Rita Baker - aye; Trustee Steve Smith - aye; Trustee Mike Blaies - aye; Trustee Raymond Matchett, Jr. - aye; Trustee Seth Speiser - aye; Trustee Charlie Mattern - absent (5 ayes, 0 nays, 1 absent). 5 voting aye, motion carried.*

4. Lineman:

1. Trustee Baker said we talked about hiring another lineman. Dennis said we have a couple of resumes already here in the office; we will most likely start having some interviews.

2. Trustee Baker said we did denied Dennis a 1.5 day of vacation because he is short on his vacation this year, but we did agreed to grant 1.5 day of unpaid leave.

Electric Committee Meeting: Trustee Blaies called the Electric Committee meeting to order on Wednesday, April 17, 2012 at 5:30 p.m.

1. Fuel Cost Adjustment: Trustee Blaies said John has talked to Coy from HD Supply who has talked to several co-ops and put together spreadsheets of what the charges will be.

2. Arc Flash Study: Trustee Blaies said we are going to be able to rent the coveralls for safety issues without having to buy them. Trustee Blaies said he would like make a motion at this time.

*Trustee Mike Blaies motioned to approve an expenditure of \$92,000 to BHM&G Engineers, of Arnold to upgrade relays and perform testing on the Village's power system and Trustee Raymond Matchett, Jr. seconded the motion. **ROLL CALL:** Trustee Mike Blaies - aye; Trustee Raymond Matchett, Jr. - aye; Trustee Seth Speiser - aye; Trustee Rita Baker - aye; Trustee Steve Smith - aye; Trustee Charlie Mattern - absent (5 ayes, 0 nays, 1 absent). 5 voting aye, motion carried.*

3. Spill containment/Wiegmann: Trustee Blaies said we talked a little about Wiegmann expansion and they will come up with a work schedule for us.

4. Charter Agreement: Trustee Blaies said Dennis is working on finalizing the contract with this issue.

5. Shed: Trustee Blaies said Ron has drawn up a couple of different plans for the shed.

6. Electric lineman/Apprentice Lineman: Trustee Blaies said we discuss apprenticeship applications for the position of lineman.

7. Old Power Plant Roof: Trustee Blaies said we might have to have some work done on the old power plant roof we have a leak where the noon whistle sits and we will get some bids on this.

Public Property Committee Meeting: Trustee Matchett called the Public Property Committee meeting to order on Wednesday, April 11, 2012 at 6:30 p.m.

1. Pool: Trustee Matchett said Administrator Herzing provided the committee an update on the renovation of the pool. Trustee Matchett said we already took care of Davinroy Mechanical Contractor Inc. this evening.

2. **Safe Routes to School:** Trustee Matchett said we talked about safe routes to school and we hired Rhutasel & Associates as the engineering firm early on the agenda to do Safe Routes to School project.
3. **Welcome to Freeburg sign:** Trustee Matchett said we are looking at this project. Trustee Matchett said there are other organizations who are interested hanging their sign with our Welcome to Freeburg sign.
4. **New Fogger machine:** Trustee Matchett said we have a couple of quotes on new fogger machine.
5. **Spring Clean Up:** Trustee Matchett said that the Spring Clean Up in April is still scheduled for April 20th - 23rd.
6. **Lawn Bid:** Trustee Matchett said the lawn mowing bid went to KML Lawns.
7. **Lawn care for Village Hall property:** Trustee Matchett said we have received two quotes for the lawn care here at the Village Hall. Trustee Matchett said we are looking in to see if we can do this project ourselves to save the village some money.
8. **Senior Citizens request:** Trustee Matchett said; Senior Citizens have request to place their sign on the Village sign.
9. **FFA request to plant flowers:** Trustee Matchett said FFA would like to plant some flowers in the Village Park and the committee agreed to the request.

UP COMING MEETING:

Water/Sewer Committee Meeting - Wednesday, April 18, 2012 - 5:30 p.m.
Plan Commission Meeting - Thursday, April 19, 2012 - 7:00 p.m.
Personnel /Police Committee Meeting - Wednesday, April 23, 2012 - 7:00 p.m.
Legal/Ordinance Committee Meeting - Wednesday, May 2, 2012 - 5:00 p.m.
Finance Committee Meeting - Wednesday, May 2, 2012 - 6:00 p.m.
Committee As A Whole Meeting - Wednesday, May 2, 2012 - 7:00 p.m.
Economic Development Committee Meeting - Wednesday, May 9, 2012 - 7:30 p.m.
Board Meeting - Monday, May 7, 2012 - 7:30 p.m.

VILLAGE BOARD AND STAFF COMMENTS:

Trustee Charlie Mattern: absent

Trustee Steve Smith: No thank you

Trustee Rita Baker said she would like to thank for the corporations employees'.

Village Clerk Jerry Menard: No thank you

Trustee Mike Blaies: No thank you

Trustee Raymond Matchett: No thank you

Trustee Seth Speiser he would like for Tom to put something in the paper on the basketball issue letting the public know that this issue will be on our agenda at the May 2nd meeting and they are welcome to attend.

Staff Comments: None

ADJOURN: *Trustee Rita Baker motioned to adjourn the meeting at 11:01 p.m. and Trustee Steve Smith seconded the motion. All voting aye, the motion carried.*



Jerry Lynn Menard
Village Clerk

VILLAGE PRESIDENT
Ray Danford

VILLAGE CLERK
Jerry Menard

VILLAGE TRUSTEES
Rita Baker
Seth Speiser
Charlie Mattern
Ray Matchett, Jr.
Steve Smith
Mike Blaies

VILLAGE OF FREEBURG

FREEBURG MUNICIPAL CENTER

14 SOUTHGATE CENTER, FREEBURG, IL 62243

PHONE: (618) 539-5545 FAX: (618) 539-5590

FREEBURG REGULAR BOARD MEETING

Monday, May 7, 2012 at 7:30 P.M.

Board Meeting

EXHIBIT B
VILLAGE ADMINISTRATOR
Dennis Herzing

VILLAGE TREASURER
Bryan A. Vogel

PUBLIC WORKS DIRECTOR
Ronald Dintelmann

POLICE CHIEF
Melvin E. Woodruff, Jr.

VILLAGE ATTORNEY
Weilmuenster Law Group, P.C

CALL TO ORDER: Mayor Ray Danford called the Regular Board Meeting to order at 7:30 p.m., on Monday, May 7, 2012 in the Freeburg Municipal Board Room.

PLEDGE OF ALLEGIANCE: Those present and the Board Members recited the Pledge of Allegiance.

ROLL CALL: Trustee Charlie Mattern - here; Trustee Seth Speiser - here; Trustee Steve Smith - here; ; Trustee Raymond Matchett, Jr. here; Trustee Rita Baker - here; Trustee Mike Blaies - here Mayor Ray Danford - here; (7 present, 0 absent). Mayor Ray Danford announced there is a quorum.

MINUTES OF PREVIOUS MEETING: *Trustee Rita Baker motioned to approve the minutes of Monday, April 2, 2012 and Trustee Steve Smith seconded the motion. (6 ayes, 0 nays, 0 abstain, 0 absent) the motion carried.*

FINANCE: Trustee Smith said in the Finance meeting we talked about the Treasurer's report. Trustee Smith asked

Village Treasurer Bryan Vogel if he knew when the treasure's report would be read to publish. Bryan said he should have it ready sometime this week.

OLD BUSINESS:

1. Sign at Industrial Park: Trustee Smith said we discuss the sign at the Industrial Park.
2. 3 - to - 5 year plan: Trustee Smith said Dennis sent the updated to our attorney and we are waiting on him.
3. Electric Bond Financing: Trustee Smith said Bryan is getting the information from Bernardi's. Bryan said he should have something this week and he will get back to Steve with it.

Village of Freeburg Board Meeting Minutes

Monday, May 7, 2012

Page 1 of 12

4. FY2013 Budget: Trustee Smith stated we talked about the 2013 budget which is on the agenda for later.

Treasurer's Report: None

Attorney's Report: None

ESDA Report: Mayor Danford said everyone should have an ESDA report in front of them from Gene. Mayor Danford asked if there are any questions or comments on it.

PUBLIC PARTICIPATION: Mayor Danford called for public participation; Janet took the floor to tell Mayor Danford that the article in the paper about him was very nice.

REPORTS AND CORRESPONDENCE: Exhibit C

1. Lighthouse Learning Center request: Mayor Danford said we have a request from Lighthouse Learning Center to use the Village Park for their graduation ceremony for their preschool children.

Trustee Raymond Matchett, Jr. motioned to let the Lighthouse Learning Center use the Village Park on Friday, May 11 for their preschool graduation ceremony and Trustee Rita Baker seconded the motion. All voting aye, the motion carried.

Exhibit D:

2. Davinroy Mechanical Contractor's Pay Request #2:

*Trustee Raymond Matchett Jr. motioned to approve second payment for the pool project to Davinroy Mechanical Contracting, Inc. in the amount of \$189,333.36 and Trustee Rita Baker seconded the motion. **ROLL CALL:** Trustee Raymond Matchett, Jr. - aye; Trustee Rita Baker - aye; Trustee Charlie Mattern - aye; Trustee Steve Smith - aye; Trustee Mike Blaies - aye; Trustee Seth Speiser - aye; (6 ayes, 0 nays, 0 absent). All voting aye, motion carried.*

RECOMMENDATIONS OF BOARDS AND COMMISSIONS:

Exhibit E:

Village of Freeburg Board Meeting Minutes

Monday, Monday, May 7, 2012

Page 2 of 12

1. Plan Commission Memorandum Regarding April 19, 2012 Hearing: Mayor Danford said the Plan Commission met on Thursday, April 19, 2012, to consider another request from Leon Furtak to amend the Zoning Code to rezone the property at 113 E. Apple Street from SR-1 to MR-1. Mayor Danford said what we need to do here tonight is to recommend accepting or rejecting recommendation of the Plan Commission. Mayor Danford said he has seen some of the information and we have been in some discussion on how to handle this necessarily. Mayor Danford said we did have a recommendation from our attorney that the Board might consider sending a request back to the Plan Commission that they consider allowing as a "special use" in SR-1 zoning classification. The purpose for this is to avoid the changing the zoning of MR-1 permanently Administrator Herzing said "Special use permits" are granted for a specific property use and expires if the property use is ever changed, and the zoning would likely revert back to its original SR-1 designation at some point in the future. Dennis said the "special use" permit would only be use for this project as it is present to Zoning Board and anything change beyond that they have to come back to the zoning board. After more discussion on the issue and hearing from Mr. Furtak and a concern citizen Mayor Danford asked for a motion.

Trustee Rita Baker motioned to accept the Plan Commission's recommendation approval of the rezoning hearing. Mayor Danford said hearing no second the motion died.

Mayor Danford said he will take a new motion at this time.

*Trustee Rita Baker motioned that we denied the Plan Commission recommendation of approval of the rezoning and Trustee Steve Smith seconded the motion. **ROLL CALL:** Trustee Rita Baker - aye; Trustee Steve Smith - aye; Trustee Mike Blaies - aye; Trustee Raymond Matchett, Jr. - aye;*

Trustee Seth Speiser - aye; Trustee Charlie Mattern - aye (6 ayes, 0 nays, 0 absent). All voting aye, motion carried.

Trustee Rita Baker motioned the Village Board to request the Plan Commission to consider amended to the zoning code to allow 2 family units as a "special use" in the SR-1 zoning district and Trustee Charlie Mattern second the motion.

ROLL CALL: Trustee Rita Baker - aye; Trustee Charlie Mattern - aye; Trustee Steve Smith - aye; Trustee Mike Blaies - aye; Trustee Raymond Matchett, Jr. - aye; Trustee Seth Speiser - aye; (6 ayes, 0 nays, 0 absent). All voting aye, motion carried.

Mayor Danford asked Dennis to draft the letter back to Planning Commission for us.

CONTRACTS, RELEASE, AGREEMENTS, ANNEXATIONS: None

BIDS: None

RESOLUTIONS: Exhibit F ...Resolution #12-03 A Resolution Adopting the 2012 - 2013 Operating Budgets. Mayor Danford said he had some question that he asked Dennis work out to balancing some aspect to the budget since our last Committee As A Whole meeting and he thinks has done that. Village Administrator Herzing explained to the Village Board the changes in the budget to balance. A discussion was held despite concerns over cuts and potential shortfalls in the police department. Trustee Speiser asked are we going to need more money in the police department and if so is it possible to considered cuts to the department in order to pass a balanced budget. Trustee Speiser and Trustee Matchett said we need to discuss ways to minimize potential shortfalls in the department's budget caused by rising overtime costs and legal bills from union and personnel issues. A discussion between the Board, Village Administrator Herzing and Chief Woodruff on part-time officers and full-time officers on how we could keep the village cost down. Chief Woodruff said he has recently been forced to cover some patrol shift on nights and weekends due to vacations and other mitigating factors. Dennis stated that Chief Woodruff previously secured the Board's permission to receive overtime pay while covering these shifts.

The Board also discussed the purchase of a police car which is needed. Treasurer Bryn Vogel made a subjection how we might be able to purchase a new police car from the 2012 budget and 2013 budget. Mayor Danford said we can go ahead and pass the budget tonight with out any short falls without any other additional cuts. Mayor Danford asked for a motion to table the budget or motion to approve.

Trustee Rita Baker motioned to approve Resolution #12-03 by title only and Trustee Steve Smith seconded the motion.

ROLL CALL: Trustee Rita Baker - aye; Trustee Steve Smith - aye; Trustee Raymond Matchett, Jr. - aye; Trustee Mike Blaies - aye; Trustee Seth Speiser - aye; Trustee Charlie Mattern - aye (6 ayes, 0 nays, 0 absent). All voting aye, motion carried.

ORDINANCES: 1. Exhibit G Ordinances #1419 An Ordinance Amending Title XI, Chapter 115 of the Revised Code. Mayor Danford said this to allow those with a Class C license of which we are getting more and more of them so they can remain open 24 hours and yet clarify our position that after our legal hours no alcoholic can be sold after 1:00 a.m.

Trustee Rita Baker motioned to adopt Ordinance No. 1419 by title only and Trustee Steve Smith seconded the motion. ROLL CALL: Trustee Rita Baker - aye; Trustee Steve Smith - aye; Trustee Charlie Mattern - aye; Trustee Mike Blaies - aye; Trustee Raymond Matchett, Jr. - aye; Trustee Seth Speiser - aye; (6 ayes, 0 nays, 0 absent). All voting aye, motion carried.

ORDINANCES: 2. Exhibit H Ordinances #1420 An Ordinance Amending Title XII, Chapter 132, Section 132.13 of the Revised Code. Mayor Danford said this was a propose ordinance from the last meeting where citizens were concerned about playing basketball on the streets this was a subjection of compromises.

Trustee Rita Baker motioned to adopt Ordinance No. 1420 by title only and Trustee Seth Speiser seconded the motion. ROLL CALL: Trustee Rita Baker - aye; Trustee Seth Speiser - aye; Trustee Raymond Matchett, Jr. - aye; Trustee Steve Smith - aye; Trustee Mike Blaies - aye; Trustee Charlie Mattern - aye; (6 ayes, 0 nays, 0 absent). All voting aye, motion carried.

OLD BUSINESS: None

NEW BUSINESS: Trustee Baker asked do need to act on the increasing the salaries for the part-time police officers now or do we need to take it to the committee first. Dennis said the board could do it now or take back to the committee to be discussed some more. Before voting up on a discussion was held.

Trustee Rita Baker motioned to give the part-time police officers a salary increase to \$15.00 per hour and Trustee Steve Smith seconded the motion.

ROLL CALL: Trustee Rita Baker - aye; Trustee Steve Smith - aye; Trustee Charlie Mattern - aye; Trustee Mike Blaies - aye; Trustee Raymond Matchett, Jr. - nay; Trustee Seth Speiser - nay; (4 ayes, 2 nays, 0 absent) Motion carried.

APPOINTMENTS: Exhibit I, Mayor Danford said these are his Recommendations for Appointments for current year. Trustee Smith asked are we going to vote on these individually or as a group. Mayor Danford said it is who makes the motion how they see it fit.

Trustee Raymond Matchett, Jr. motioned to do them individually and Trustee Seth Speiser seconded the motion. ROLL CALL: Trustee Raymond Matchett, Jr. - aye; Trustee Seth Speiser - aye; Trustee Steve Smith - aye; Trustee Charlie Mattern - aye; Trustee Mike Blaies - aye; Trustee Rita Baker - nay; (5 ayes, 1 nay, 0 absent) Motion carried.

Trustee Steve Smith motioned to appoint Bryan Vogel as Treasurer and Trustee Rita Baker seconded the motion. ROLL CALL: Trustee Steve Smith - aye; Trustee Rita Baker - aye; Trustee Charlie Mattern - aye; Trustee Mike Blaies - aye; Trustee Raymond Matchett, Jr. - aye; Trustee Seth Speiser - aye; (6 ayes, 0 nays, 0 absent). All voting aye, motion carried.

Trustee Rita Baker motioned to appoint Dennis Herzing as Village Administrator and Trustee Steve Smith seconded the motion. ROLL CALL: Trustee Rita Baker - aye; Trustee Steve Smith - aye; Trustee Charlie Mattern - aye; Trustee Mike Blaies - aye; Trustee Raymond Matchett, Jr. - aye; Trustee Seth Speiser - aye; (6 ayes, 0 nays, 0 absent). All voting aye, motion carried.

Trustee Rita Baker motioned to appoint Ron Dintelman as Public Works Director and Trustee Steve Smith seconded the motion. ROLL CALL: Trustee Rita Baker - aye; Trustee Steve Smith - aye; Trustee Charlie Mattern - aye; Trustee Mike Blaies - aye; Trustee Raymond Matchett, Jr. - aye; Trustee Seth Speiser - aye; (6 ayes, 0 nays, 0 absent). All voting aye, motion carried.

Trustee Rita Baker motioned to appoint John Tolan as Assistant Public Works Director and Trustee Steve Smith

Village of Freeburg Board Meeting Minutes

Monday, Monday, May 7, 2012

Page 6 of 12

seconded the motion. **ROLL CALL:** Trustee Rita Baker - aye; Trustee Steve Smith - aye; Trustee Charlie Mattern - aye; Trustee Mike Blaies - aye; Trustee Raymond Matchett, Jr. - aye; Trustee Seth Speiser - aye; (6 ayes, 0 nays, 0 absent). All voting aye, motion carried.

(Trustee Matchett stated he would like to hold off on this appointment of Chief of Police position until all investigations have been completed.)

Trustee Rita Baker motioned to appoint Mel Woodruff as Chief of Police and Trustee Steve Smith seconded the motion. **ROLL CALL:** Trustee Rita Baker - aye; Trustee Steve Smith - aye; Trustee Charlie Mattern - aye; Trustee Mike Blaies - aye; Trustee Raymond Matchett, Jr. - nay; Trustee Seth Speiser - nay; (4 ayes, 2 nays, 0 absent). Motion carried.

Trustee Rita Baker motioned to appoint Eugene Kramer as ESDA Coordinator and Trustee Steve Smith seconded the motion. **ROLL CALL:** Trustee Rita Baker - aye; Trustee Steve Smith - aye; Trustee Charlie Mattern - aye; Trustee Mike Blaies - aye; Trustee Raymond Matchett, Jr. - aye; Trustee Seth Speiser - aye; (6 ayes, 0 nays, 0 absent). All voting aye, motion carried.

Trustee Rita Baker motioned to appoint Weilmuenster Law Group as the village attorney and Trustee Seth Speiser seconded the motion. **ROLL CALL:** Trustee Rita Baker - aye; Trustee Seth Speiser - nay; Trustee Charlie Mattern - aye; Trustee Steve Smith - nay; Trustee Mike Blaies - aye; Trustee Raymond Matchett, Jr. - nay; (3 ayes, 3 nays, 0 absent). Mayor Danford voted aye to break the 3 to 3 tie. Motion carried.

Trustee Baker asked are we appointing the whole Plan Commission including the vacant seat. Mayor Danford said yes. Trustee Baker asked the Mayor do you have anyone in mine at this time. Mayor Danford said he will have a name by next board meeting. Trustee Baker asked do you want to wait until then to vote. Mayor Danford said it does not make a difference to him.

Trustee Rita Baker motioned to appoint Dale Klohr, Sam Nold, Bill Schwartz and Steve Woodward to the Plan Commission and Trustee Steve Smith seconded the motion.

ROLL CALL: Trustee Rita Baker - aye; Trustee Steve Smith - aye; Trustee Charlie Mattern - aye; Trustee Mike Blaies - aye; Trustee Raymond Matchett, Jr. - aye; Trustee Seth Speiser - aye; (6 ayes, 0 nays, 0 absent). All voting aye, motion carried.

Trustee Baker said we will wait on the appointment for Board of Appeals.

COMMITTEE MEETING REPORTS:

Exhibit J:

Economic Development Committee Meeting: Trustee Steve Smith called the Economic Development Committee meeting to order on Monday, March 5, 2012 at 6:30 p.m.

- 1. Movie in the Park:** Trustee Smith said we talked about the movie in the park which will be May 19th and he has put articles in paper announce it.
- 2. Website:** Trustee Smith said we discuss the website on how we might try and improve it.
- 3. 222 ½ Program:** Trustee Smith said we talked about the 222 ½ program and the Chamber has donated \$1,500 toward the 222 ½ program.

John Tolan asked are we going to have concert in the park this year. Mayor Danford said yes they have already started asking for donations.

Exhibit K:

Economic Development Committee Meeting: Trustee Steve Smith called the Economic Development Committee meeting to order on Monday, March 26, 2012 at 6:30 p.m.

- 1. Movie in the Park:** Trustee Smith said the movie will be Hugo and it will start at 8:15 p.m.
- 2. Lights in the Park:** Trustee Smith said we talked about collecting donation n again this year in October.

3. Business of the Month: Trustee Smith said we are going to try to do the business of month again this will be tied to an ad that will be place in the Freeburg Tribune.

4. 222 1/2 Program: Trustee Smith said we are going to re-do the flier that we past out last year and we discuss some other obsessions.

Exhibit L:

Public Works Committee Meeting: Trustee Mattern called the Public Works Committee meeting to order on Wednesday, April 18, 2012 at 5:30 p.m.

- 1. Sewer Project:** Trustee Mattern said Phase 1B has been separated out from the sewer project and will go out for bid.
- 2. DCEO Grant for Water Towers/Shed:** Trustee to do the work on Mattern said the \$50,000 grant will be used for Elizabeth Drive repairs and \$100,000 for the shed.
- 3. Sewer at the pool:** Trustee Mattern said we won't need Davinroy to do the work on this project.
- 4. Water Bill:** Trustee Mattern said discuss the water bill of \$900 that a resident left when she moved out. Trustee Mattern said the committee agreed to offer to Dave that we will assess any late fees for the next couple of months while he tries to recover the amount owed by the resident that moved.

Exhibit M:

Personnel/Police Committee Meeting: Trustee Baker called the Personnel/ Police Committee meeting to order on Monday, April 23, 2012 at 7:00 p.m.

- 1. Matt Moeckel accident:** Trustee Baker said we had an up-date on Moeckels status and he will return to work on May 24, 2012.

2. Full-time police officer position: Trustee Baker said we have open up internally position of full-time police officer.

3. Non-union employee rises: Trustee Baker said talked about Zoning Administrator Borger who was not included in the raises just recently received and he will be included. Trustee Baker said that Gene Kramer ESDA Coordinator increases will come after his job description is revised to accurately reflect his job duties.

4. Zoning Administrator: Mayor Danford said some how we did not put Phil Borger on the appointment list.

Trustee Rita Baker motioned to appoint Phil Borger as Zoning Administrator and Trustee Steve Smith seconded the motion. ROLL CALL: Trustee Rita Baker - aye; Trustee Steve Smith - aye; Trustee Charlie Mattern - aye; Trustee Mike Blaies - aye; Trustee Raymond Matchett, Jr. - aye; Trustee Seth Speiser - aye; (6 ayes, 0 nays, 0 absent). All voting aye, motion carried.

Exhibit N:

Legal and Ordinance Committee Meeting: Trustee Speiser called the Legal and Ordinance Committee meeting to order on Wednesday, May 2, 2012 at 5:00 p.m.

1. Ordinance Revising Games in Streets: Trustee Speiser said Dennis provided a revision to the code which would allow games in the street on dead end streets, cul-de-sac and street stubs to be reviewed by the committee.

2. Illinois Video Gaming Act: Trustee Speiser said Jackie and Doug Watson attend the meeting to discuss the Video Gaming Act that was passed by the State of Illinois and they asked that the Village to change the local ordinance to allow video games.

3. Status of Public Hazard Home: Trustee Speiser said we talked about the status of public hazard homes.

4. Naissance Abatement Code: Trustee Speiser said we talked about Bill Herr property and he has done nothing to it to improve it.

5. Political sign ordinance: Trustee Speiser we as a committee agreed to have Dennis prepare the ordinance much like the previous one he presented. We agreed on sign limit of 32 square feet.

6. Class C Liquor License: Trustee Speiser said we discuss this issue and we took care of this early this evening on the agenda.

Exhibit O:

Committee As A Whole Meeting: Mayor Danford called the Committee As A Whole meeting to order on Wednesday, May 2, 2012 at 7:30 p.m.

1. FY2013 Budget: Mayor Danford said we primarily talked about the budget at this meeting.

2. Electric Bond Refinancing: Mayor Danford said no decision was made on the electric bond refinancing all information is not in yet.

UP COMING MEETING:

Personnel /Police Committee Meeting - Thursday, May 10, 2012 - 6:30 p.m
Electric Committee Meeting - Wednesday, May 9, 2012 - 6:30 p.m. at North Power Plant
Economic Development Committee Meeting - Wednesday, May 9, 2012 - 7:30 p.m.
Water/Sewer Committee Meeting - Wednesday May 16, 2012 - 5:30 p.m.
Streets Committee Meeting - Wednesday May 16, 2012 - 6:30 p.m.
Board Meeting - Monday, May 21, 2012 - 7:30 p.m.

VILLAGE BOARD AND STAFF COMMENTS:

Trustee Charlie Mattern: No thank you

Trustee Steve Smith: No thank you

Village of Freeburg Board Meeting Minutes

Monday, Monday, May 7, 2012

Page 11 of 12

Trustee Rita Baker: No thank you
Village Clerk Jerry Menard: No thank you
Trustee Mike Blaies: No thank you
Trustee Raymond Matchett: No thank you
Trustee Seth Speiser: No thank you
Staff Comments: None

ADJOURN: *Trustee Rita Baker motioned to adjourn the meeting at 11:01 p.m. and Trustee Steve Smith seconded the motion. All voting aye, the motion carried.*



Jerry Lynn Menard
Village Clerk

ORDINANCE NO. 1421

**AN ORDINANCE DECLARING CERTAIN PERSONAL PROPERTY
TO BE SURPLUS PROPERTY AND AUTHORIZING
THE SALE OR DISPOSITION THEREOF
(1968 FORD BUCKET TRUCK)**

WHEREAS, the Village owns certain personal property which it can no longer effectively use, or which is no longer needed.

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

SECTION 1. The following described vehicle is hereby declared to be surplus property:

- A. 1 – 1968 Ford Bucket Truck, Serial Number F50CKC44916.

SECTION 2. The Village Clerk is authorized to advertise for bids on the sale of the foregoing bucket truck.

PASSED THIS 21st DAY OF MAY, 2012, BY THE VILLAGE PRESIDENT AND THE VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF FREEBURG, ST. CLAIR COUNTY, ILLINOIS, AND DEPOSITED AND FILED IN THE OFFICE OF THE VILLAGE CLERK IN SAID VILLAGE ON THAT DATE.

AYE _____	NAY _____
ABSENT _____	ABSENT _____

Vote Recorded By:

Jerry Menard, Village Clerk

Approved by the Village President of the Village of Freeburg, St. Clair County, Illinois,
this 21st day of MAY, **2012**.

Raymond S. Danford, Village President

ATTEST:

Jerry Menard, Village Clerk

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

ORDINANCE NO. 1422**AN ORDINANCE OF THE BOARD OF TRUSTEES
OF THE VILLAGE OF FREEBURG, ILLINOIS,
AUTHORIZING THE VILLAGE TO ENTER INTO AND THE MAYOR TO EXECUTE
A CONTRACT BETWEEN THE VILLAGE OF FREEBURG, ILLINOIS POLICE
DEPARTMENT AND ST. CLAIR COUNTY, ILLINOIS FOR COORDINATED
COMMUNICATION SERVICES**

WHEREAS, St. Clair County holds a license from the Federal Communications Commission and thereunder operates radio stations and has offered to perform certain communication services for the Village of Freeburg Police Department, and;

WHEREAS, the Village of Freeburg wishes to avail itself of the 9-1-1 and various communications services offered by St. Clair County including telephone, radio, paging, and computerized criminal history services, and;

WHEREAS, the Village of Freeburg has on file with the St. Clair County Emergency Telephone System Board a valid inter-agency agreement for 9-1-1 services and intends to continue to maintain such agreement, and;

WHEREAS, the Board of Trustees of the Village of Freeburg, Illinois believes it is in the best interest of the Village to enter into a contract for 9-1-1 and various communications services offered by St. Clair County including telephone, radio, paging, and computerized criminal history services,

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

SECTION 1. The recitals set forth above are hereby adopted found true and correct and are incorporated by reference as if fully set forth herein.

SECTION 2. The Board of Trustees hereby determines that it is advisable, necessary and in the public interest that the Municipality enter into a contract for 9-1-1 and various communications services offered by St. Clair County.

SECTION 3. The Mayor of the Village of Freeburg, Illinois is hereby authorized and directed to execute the Contract attached hereto and made a part hereof, and to do all other things necessary and essential, including the execution of any documents and certificates necessary to carry out the provisions of said Contract.

SECTION 4. This Ordinance shall be in full force and effect after its passage and approval as provided by law.

PASSED by the Board of Trustees and approved by the Mayor this 21st day of May, 2012.

AYES _____

NAYS _____

ABSENT _____

ABSTAIN _____

Jerry Menard, Village Clerk

Approved this 21st day of May, 2012.

VILLAGE OF FREEBURG, ILLINOIS

Raymond S. Danford, Village President

ATTEST:

Jerry Menard, Village Clerk

Approval as to Legal Form:

Village Attorney

**ST. CLAIR COUNTY, ILLINOIS
COORDINATED COMMUNICATIONS SERVICES CONTRACT**

THIS AGREEMENT, made and entered into this **1st day of January 2012**, by and between ST. CLAIR COUNTY, ILLINOIS, hereinafter referred to as COUNTY, and **VILLAGE OF FREEBURG POLICE DEPT.**, located in St. Clair County, Illinois, hereinafter referred to as SERVICE RECIPIENT.

WHEREAS, COUNTY holds a license from the Federal Communications Commission and there under operates radio stations in the performance of its duties of law enforcement, and has offered to perform certain communications services for various cities, villages, municipalities, fire districts, fire departments, EMS departments, EMS districts, federal agencies, and county agencies;

WHEREAS, the SERVICE RECIPIENT wishes to avail itself of the 9-1-1 and various communications services offered by St. Clair County, including telephone, radio, paging, and computerized criminal history services (REJIS & LEADS) and other services. (REJIS & LEADS services will apply to law enforcement agencies only);

WHEREAS, the SERVICE RECIPIENT now owns certain communications equipment which it desires to use in connection therewith;

WHEREAS, the SERVICE RECIPIENT has on file with the St. Clair County Emergency Telephone System Board a valid inter-agency agreement for 9-1-1 services and will continue to maintain such agreement for the duration of this agreement;

NOW, THEREFORE, this Agreement has been entered into by the undersigned in order to accomplish the aforementioned purposes.

- 1) COUNTY shall provide 9-1-1 and non-emergency telephone call processing, radio dispatching, and paging services to and from the **SERVICE RECIPIENT'S** telephones, radios, and pagers.
- 2) COUNTY shall perform the services provided for in this Contract in compliance with the standards of St. Clair County Government, the Emergency Telephone System Act, ETSB Interagency Agreements, and all applicable laws.
- 3) The **SERVICE RECIPIENT** shall furnish to St. Clair County during the month of April, **2012** and more frequently if required by FCC regulations or by St. Clair County, the frequency measurements of all radio equipment owned or used by the **SERVICE RECIPIENT** in conjunction with this contract. Such measurements are to be made by an entity licensed to make such measurements.
- 4) The **SERVICE RECIPIENT** shall comply with all regulations set by the FCC and those rules and regulations set by the St. Clair County ETSB (pertaining to 9-1-1 services) and St. Clair County Government.

- 5) The **SERVICE RECIPIENT** shall pay St. Clair County the sum of **\$25,681.04** for communications services to be performed by St. Clair County as set forth in paragraph (1) a quarterly payment schedule has been established for 2011. The first payment is due **April 1, 2012** with subsequent payments due **June 1, 2012, September 1, 2012** and **December 1, 2012** may be established with St. Clair county government for payment of these fees.

Charges for law enforcement agencies will include each law enforcement agency's proportionate share of REJIS and LEADS charges.

- 6) The **SERVICE RECIPIENT** shall pay for all St. Clair County telephone system costs incurred by the **SERVICE RECIPIENT** in changing to and/or from COUNTY'S coordinated communications services.
- 7) The **SERVICE RECIPIENT** shall provide an errors and omissions insurance policy underwritten by an insurance company, and in a form acceptable to St. Clair County, in the amount of not less than \$1,000,000 per occurrence. St. Clair County Public Building Commission, St. Clair County Central Dispatch PSAP (CENCOM), and St. Clair County Emergency Telephone System Board (ETSB), and their employees, elected and appointed officials, contractors, consultants and volunteers, shall be included as "Additional Insured" in this policy. Coverage under this insurance policy shall extend to the negligence, wrongful act, error, omission, breach of duty, or other act committed by a Service Recipient employee, elected or appointed official, volunteer, service contractor, or consultant, which may give rise to any of the "Additional Insured" being named as a defendant in any legal action related to services performed under this Contact.

In the event a "deductible" is applied under said insurance policy to claim expense or damages against an "Additional Insured," Service Recipient shall pay the full amount of deductible applied, on behalf of the "Additional Insured."

In the event said insurance policy does not respond to any such legal action against an "Additional Insured," or should such legal action include a claim for "willful or wanton misconduct, or other uninsured claim", Service Recipient shall hold St. Clair County (and any of the Additional Insured) harmless, and shall, at its own expense, defend and protect them from any expense or loss not covered by Service Recipient's insurance policy.

- 8) This Coordinated Communications Services Contract may be terminated by either party hereto upon ninety (90) days written notice to the other party and upon approval of the St. Clair County ETSB in accordance with the St. Clair County 9-1-1 Plan.
- 9) This Coordinated Communications Services Contract may be terminated immediately upon written notice by the County if the premises, facilities,

and/or equipment used by the County in fulfillment of the Service provisions of this contract are substantially destroyed or damaged through no fault of the County. If the County elects to continue this agreement and re-construct or repair the damaged premises, facilities, or equipment, then the County is not required to provide such services that are the subject of the contract until the premises, facilities, or equipment are restored to the condition existing immediately prior to such damage or destruction.

- 10) Upon termination of this Contract for any reason, the **SERVICE RECIPIENT** shall within ten (10) days remove all radio crystals or programming from its radio equipment so that said equipment will no longer be capable of transmitting on any frequencies licensed to St. Clair County by the F.C.C. This shall not apply to those frequencies licensed by the F.C.C. to the **SERVICE RECIPIENT**.
- 11) This Contract shall take effect on the **1st day of January, 2012** and shall expire on the **31st day of December, 2012**. The **SERVICE RECIPIENT** shall give COUNTY ninety (90) days written notice prior to the expiration of this Contract if the **SERVICE RECIPIENT** will not execute a similar communications services contract for the succeeding year. If the **SERVICE RECIPIENT** fails to provide the required notice, St. Clair County will not be obligated to renew said contract for the succeeding year, but may choose to do so at the sole option of the County.

ACCEPTED:

Service Recipient

St. Clair County, Illinois

By _____

By _____

Title: Mayor/Board President

Title: County Board Chairman

Date _____

Date _____

ORDINANCE NO. 1423**AN ORDINANCE OF THE BOARD OF TRUSTEES
OF THE VILLAGE OF FREEBURG, ILLINOIS,
AUTHORIZING THE VILLAGE TO ENTER INTO AND THE MAYOR TO EXECUTE
AGREEMENTS BETWEEN THE VILLAGE OF FREEBURG, ILLINOIS AND
RHUTASEL AND ASSOCIATES, INC. ; AND BETWEEN THE VILLAGE OF
FREEBURG, ILLINOIS AND ILLINOIS DEPARTMENT OF TRANSPORTATION
RELATIVE TO SAFE ROUTES TO SCHOOL PROJECT SRTS-4009(149)**

WHEREAS, the Board of Trustees of the Village of Freeburg, Illinois believes it is in the best interest of the Village enter into a contract for professional services for Preliminary Engineering Services for the Safe Routes To School project SRTS-4009(149) as described in the attached Preliminary Services Agreement For Federal Participation and;

WHEREAS, the Board of Trustees of the Village of Freeburg, Illinois believes it is in the best interest of the Village enter into an Agreement with The Illinois Department of Transportation as described in the attached Local Agency Agreement for Federal Participation and;

WHEREAS, pursuant to the Illinois Municipal Code, the Village is authorized to enter into the Agreements attached hereto and made a part hereof.

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

SECTION 1. The recitals set forth above are hereby adopted found true and correct and are incorporated by reference as if fully set forth herein.

SECTION 2. The Board of Trustees hereby determines that it is advisable, necessary and in the public interest that the Municipality enter into the Agreements attached hereto and made a part hereof.

SECTION 3. The Mayor of the Village of Freeburg, Illinois is hereby authorized and directed to execute the Agreements attached hereto and made a part hereof, and to do all other things necessary and essential, including the execution of any documents and certificates necessary to carry out the provisions of said Agreements.

SECTION 4. This Ordinance shall be in full force and effect after its passage and approval as provided by law.

PASSED by the Board of Trustees and approved by the Mayor this 21st day of May, 2012.

AYES _____

NAYS _____

ABSENT _____

ABSTAIN _____

Jerry Menard, Village Clerk

Approved this _____ day of _____, 2012.

VILLAGE OF FREEBURG, ILLINOIS

Raymond S. Danford, Village President

ATTEST:

Jerry Menard, Village Clerk

Approval as to Legal Form:

Village Attorney



**Local Agency Agreement
for Federal Participation**

Local Agency	Village of Freeburg	XXX
Section	12-00024-00-SW	Fund Type SRTS
		ITEP Number

Construction		Engineering		Right-of-Way	
Job Number	Project Number	Job Number	Project Number	Job Number	Project Number
		P-98-311-12	SRTS-4009(149)		

This Agreement is made and entered into between the above local agency hereinafter referred to as the "LA" and the state of Illinois, acting by and through its Department of Transportation, hereinafter referred to as "STATE". The STATE and LA jointly propose to improve the designated location as described below. The improvement shall be constructed in accordance with plans approved by the STATE and the STATE's policies and procedures approved and/or required by the Federal Highway Administration hereinafter referred to as "FHWA".

Location

Local Name Urbanna Drive Route FAU 9369 Length 0.27 Mile
 Termini From South State Street (IL13/15) to Adele Street

Current Jurisdiction State Existing Structure No _____

Project Description

The proposed project is the construction of sidewalk, ADA ramps, curb and gutter, storm sewer, and all miscellaneous collateral work to complete this stage of the "safe routes to school" network as proposed.

Division of Cost

Type of Work	FHWA	%	STATE	%	LA	%	Total
Participating Construction	()	()	()	()	()	()	
Non-Participating Construction	()	()	()	()	()	()	
Preliminary Engineering	28000	(*)	()	()	()	()	28,000
Construction Engineering	()	()	()	()	()	()	
Right of Way	()	()	()	()	()	()	
Railroads	()	()	()	()	()	()	
Utilities	()	()	()	()	()	()	
Materials	()	()	()	()	()	()	
TOTAL	\$ 28,000		\$		\$		\$ 28,000

*100% SRTS Funds Not to Exceed \$28,000.

NOTE: The costs shown in the Division of Cost table are approximate and subject to change. The final LA share is dependent on the final Federal and State participation. The actual costs will be used in the final division of cost for billing and reimbursement.

If funding is not a percentage of the total, place an asterisk in the space provided for the percentage and explain above.

The Federal share of construction engineering may not exceed 15% of the Federal share of the final construction cost.

Local Agency Appropriation

By execution of this Agreement, the LA is indicating sufficient funds have been set aside to cover the local share of the project cost and additional funds will be appropriated, if required, to cover the LA's total cost.

Method of Financing (State Contract Work)

METHOD A---Lump Sum (80% of LA Obligation) _____
 METHOD B--- _____ Monthly Payments of _____
 METHOD C---LA's Share _____ divided by estimated total cost multiplied by actual progress payment.

(See page two for details of the above methods and the financing of Day Labor and Local Contracts)

Agreement Provisions

THE LA AGREES:

- (1) To acquire in its name, or in the name of the state if on the state highway system, all right-of-way necessary for this project in accordance with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, and established state policies and procedures. Prior to advertising for bids, the LA shall certify to the STATE that all requirements of Titles II and III of said Uniform Act have been satisfied. The disposition of encroachments, if any, will be cooperatively determined by representatives of the LA, and STATE and the FHWA, if required.
- (2) To provide for all utility adjustments, and to regulate the use of the right-of-way of this improvement by utilities, public and private, in accordance with the current Utility Accommodation Policy for Local Agency Highway and Street Systems.
- (3) To provide for surveys and the preparation of plans for the proposed improvement and engineering supervision during construction of the proposed improvement.
- (4) To retain jurisdiction of the completed improvement unless specified otherwise by addendum (addendum should be accompanied by a location map). If the improvement location is currently under road district jurisdiction, an addendum is required.
- (5) To maintain or cause to be maintained, in a manner satisfactory to the STATE and FHWA, the completed improvement, or that portion of the completed improvement within its jurisdiction as established by addendum referred to in item 4 above.
- (6) To comply with all applicable Executive Orders and Federal Highway Acts pursuant to the Equal Employment Opportunity and Nondiscrimination Regulations required by the U.S. Department of Transportation.
- (7) To maintain, for a minimum of 3 years after the completion of the contract, adequate books, records and supporting documents to verify the amounts, recipients and uses of all disbursements of funds passing in conjunction with the contract; the contract and all books, records and supporting documents related to the contract shall be available for review and audit by the Auditor General and the department; and the LA agrees to cooperate fully with any audit conducted by the Auditor General and the department; and to provide full access to all relevant materials. Failure to maintain the books, records and supporting documents required by this section shall establish a presumption in favor of the STATE for the recovery of any funds paid by the STATE under the contract for which adequate books, records and supporting documentation are not available to support their purported disbursement.
- (8) To provide if required, for the improvement of any railroad-highway grade crossing and rail crossing protection within the limits of the proposed improvement.
- (9) To comply with Federal requirements or possibly lose (partial or total) Federal participation as determined by the FHWA.
- (10) (State Contracts Only) That the method of payment designated on page one will be as follows:
 - Method A - Lump Sum Payment. Upon award of the contract for this improvement, the LA will pay to the STATE, in lump sum, an amount equal to 80% of the LA's estimated obligation incurred under this Agreement, and will pay to the STATE the remainder of the LA's obligation (including any nonparticipating costs) in a lump sum, upon completion of the project based upon final costs.
 - Method B - Monthly Payments. Upon award of the contract for this improvement, the LA will pay to the STATE, a specified amount each month for an estimated period of months, or until 80% of the LA's estimated obligation under the provisions of the Agreement has been paid, and will pay to the STATE the remainder of the LA's obligation (including any nonparticipating costs) in a lump sum, upon completion of the project based upon final costs.
 - Method C - Progress Payments. Upon receipt of the contractor's first and subsequent progressive bills for this improvement, the LA will pay to the STATE, an amount equal to the LA's share of the construction cost divided by the estimated total cost, multiplied by the actual payment (appropriately adjusted for nonparticipating costs) made to the contractor until the entire obligation incurred under this Agreement has been paid.
- (11) (Day Labor or Local Contracts) To provide or cause to be provided all of the initial funding, equipment, labor, material and services necessary to construct the complete project.
- (12) (Preliminary Engineering) In the event that right-of-way acquisition for, or actual construction of the project for which this preliminary engineering is undertaken with Federal participation is not started by the close of the tenth fiscal year following the fiscal year in which this agreement is executed, the LA will repay the STATE any Federal funds received under the terms of this Agreement.
- (13) (Right-of-Way Acquisition) In the event that the actual construction of the project on this right-of-way is not undertaken by the close of the twentieth fiscal year following the fiscal year in which this Agreement is executed, the LA will repay the STATE any Federal Funds received under the terms of this Agreement.

- (14) (Railroad Related Work Only) The estimates and general layout plans for at-grade crossing improvements should be forwarded to the Rail Safety and Project Engineer, Room 204, Illinois Department of Transportation, 2300 South Dirksen Parkway, Springfield, Illinois, 62764. Approval of the estimates and general layout plans should be obtained prior to the commencement of railroad related work. All railroad related work is also subject to approval by the Illinois Commerce Commission (ICC). Final inspection for railroad related work should be coordinated through appropriate IDOT District Bureau of Local Roads and Streets office.
- Plans and preemption times for signal related work that will be interconnected with traffic signals shall be submitted to the ICC for review and approval prior to the commencement of work. Signal related work involving interconnects with state maintained traffic signals should also be coordinated with the IDOT's District Bureau of Operations.
- The LA is responsible for the payment of the railroad related expenses in accordance with the LA/railroad agreement prior to requesting reimbursement from IDOT. Requests for reimbursement should be sent to the appropriate IDOT District Bureau of Local Roads and Streets office.
- Engineer's Payment Estimates in accordance with the Division of Cost on page one.
- (15) And certifies to the best of its knowledge and belief its officials:
- (a) are not presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from covered transactions by any Federal department or agency;
 - (b) have not within a three-year period preceding this Agreement been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements receiving stolen property;
 - (c) are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, local) with commission of any of the offenses enumerated in item (b) of this certification; and
 - (d) have not within a three-year period preceding the Agreement had one or more public transactions (Federal, State, local) terminated for cause or default.
- (16) To include the certifications, listed in item 15 above and all other certifications required by State statutes, in every contract, including procurement of materials and leases of equipment.
- (17) (State Contracts) That execution of this agreement constitutes the LA's concurrence in the award of the construction contract to the responsible low bidder as determined by the STATE.
- (18) That for agreements exceeding \$100,000 in federal funds, execution of this Agreement constitutes the LA's certification that:
- (a) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress or any employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any cooperative agreement, and the extension, continuation, renewal, amendment or modification of any Federal contract, grant, loan or cooperative agreement;
 - (b) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress or an employee of a Member of Congress, in connection with this Federal contract, grant, loan or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying", in accordance with its instructions;
 - (c) The LA shall require that the language of this certification be included in the award documents for all subawards at all ties (including subcontracts, subgrants and contracts under grants, loans and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.
- (19) To regulate parking and traffic in accordance with the approved project report.
- (20) To regulate encroachments on public right-of-way in accordance with current Illinois Compiled Statutes.
- (21) To regulate the discharge of sanitary sewage into any storm water drainage system constructed with this improvement in accordance with current Illinois Compiled Statutes.
- (22) That the LA may invoice the STATE monthly for the FHWA and/or STATE share of the costs incurred for this phase of the improvement. The LA will submit supporting documentation with each request for reimbursement from the STATE. Supporting documentation is defined as verification of payment, certified time sheets, vendor invoices, vendor receipts, and other documentation supporting the requested reimbursement amount.
- (23) To complete this phase of the project within three years from the date this agreement is approved by the STATE if this portion of the project described in the Project Description does not exceed \$1,000,000 (five years if the project costs exceed \$1,000,000).
- (24) Upon completion of this phase of the improvement, the LA will submit to the STATE a complete and detailed final invoice with all applicable supporting supporting documentation of all incurred costs, less previous payments, no later than one year from the date of completion of this phase of the improvement. If a final invoice is not received within one year of completion of this phase of the improvement, the most recent invoice may be considered the final invoice and the obligation of the funds closed.

- (25) (Single Audit Requirements) That if the LA receives \$500,000 or more a year in federal financial assistance they shall have an audit made in accordance with the Office of Management and Budget (OMB) Circular No. A-133. LA's that receive less than \$500,000 a year shall be exempt from compliance. A copy of the audit report must be submitted to the STATE with 30 days after the completion of the audit, but no later than one year after the end of the LA's fiscal year. The CFDA number for all highway planning and construction activities is 20.205.
- (26) That the LA is required to register with the Central Contractor Registration (CCR), which is a web-enabled government-wide application that collects, validates, stores, and disseminates business information about the federal government's trading partners in support of the contract award and the electronic payment processes. If you do not have a CCR number, you must register at <https://www.bpn.gov/ccr>. If the LA, as a sub-recipient of a federal funding, receives an amount equal to or greater than \$25,000 (or which equals or exceeds that amount by addition of subsequent funds), this agreement is subject to the following award terms: <http://edocket.access.gpo.gov/2010/pdf/2010-22705.pdf> and <http://edocket.access.gpo.gov/2010/pdf/2010-22706.pdf>.

THE STATE AGREES:

- (1) To provide such guidance, assistance and supervision and to monitor and perform audits to the extent necessary to assure validity of the LA's certification of compliance with Titles II and III requirements.
- (2) (State Contracts) To receive bids for the construction of the proposed improvement when the plans have been approved by the STATE (and FHWA, if required) and to award a contract for construction of the proposed improvement, after receipt of a satisfactory bid.
- (3) (Day Labor) To authorize the LA to proceed with the construction of the improvement when Agreed Unit Prices are approved and to reimburse the LA for that portion of the cost payable from Federal and/or State funds based on the Agreed Unit Prices and Engineer's Payment Estimates in accordance with the Division of Cost on page one.
- (4) (Local Contracts) That for agreements with Federal and/or State funds in engineering, right-of-way, utility work and/or construction work:
- (a) To reimburse the LA for the Federal and/or State share on the basis of periodic billings, provided said billings contain sufficient cost information and show evidence of payment by the LA;
- (b) To provide independent assurance sampling, to furnish off-site material inspection and testing at sources normally visited by STATE inspectors of steel, cement, aggregate, structural steel and other materials customarily tested by the STATE.

IT IS MUTUALLY AGREED:

- (1) Construction of the project will utilize domestic steel as required by Section 106.01 of the current edition of the Standard Specifications for Road and Bridge Construction.
- (2) That this Agreement and the covenants contained herein shall become null and void in the event that the FHWA does not approve the proposed improvement for Federal-aid participation or the contract covering the construction work contemplated herein is not awarded within three years of the date of execution of this Agreement.
- (3) This Agreement shall be binding upon the parties, their successors and assigns.
- (3) For contracts awarded by the LA, the LA shall not discriminate on the basis of race, color, national origin or sex in the award and performance of any USDOT – assisted contract or in the administration of its DBE program or the requirements of 49 CFR part 26. The LA shall take all necessary and reasonable steps under 49 CFR part 26 to ensure nondiscrimination in the award and administration of USDOT – assisted contracts. The LA's DBE program, as required by 49 CFR part 26 and as approved by USDOT, is incorporated by reference in this Agreement. Upon notification to the recipient of its failure to carry out its approved program, the department may impose sanctions as provided for under part 26 and may, in appropriate cases, refer the matter for enforcement under 18 U.S.C. 1001 and/or the Program Fraud Civil Remedies Act of 1986 (31 U.S.C. 3801 et seq.). In the absence of a USDOT – approved LA DBE Program or on State awarded contracts, this Agreement shall be administered under the provisions of the STATE's USDOT approved Disadvantaged Business Enterprise Program.
- (4) In cases where the STATE is reimbursing the LA, obligations of the STATE shall cease immediately without penalty or further payment being required if, in any fiscal year, the Illinois General Assembly or applicable Federal Funding source fails to appropriate or otherwise make available funds for the work contemplated herein.
- (5) All projects for the construction of fixed works which are financed in whole or in part with funds provided by this Agreement and/or amendment shall be subject to the Prevailing Wage Act (820 ILCS 130/0.01 et seq.) unless the provisions of that Act exempt its application

ADDENDA

Additional information and/or stipulations are hereby attached and identified below as being a part of this Agreement.

Number 1 Location Map

(Insert addendum numbers and titles as applicable)

The LA further agrees, as a condition of payment, that it accepts and will comply with the applicable provisions set forth in this Agreement and all exhibits indicated above.

APPROVED

Local Agency

Raymond Danford

Name of Official (Print or Type Name)

Village Board President

Title (County Board Chairperson/Mayor/Village President/Member)

(Signature)

Date

The above signature certifies the agency's TIN number is 37-6001961 conducting business as a Governmental Entity.

DUNS Number 033435272

APPROVED

State of Illinois
Department of Transportation

Gary Hannig, Secretary of Transportation

Date

By:

(Delegate's Signature)

(Delegate's Name - Printed)

Christine M. Reed, Director of Highways/Chief Engineer

Date

Ellen J. Schanzle-Haskins, Chief Counsel

Date

Matthew R. Hughes, Acting Director of Finance and Administration

Date

NOTE: If signature is by an APPOINTED official, a resolution authorizing said appointed official to execute this agreement is required.

Local Agency Village of Freeburg, Illinois	L O C A L A G E N C Y	 Illinois Department of Transportation Preliminary Engineering Services Agreement For Federal Participation	C O N S U L T A N T	Consultant Rhutasel and Associates, Inc.
County St. Clair				Address 4 Industrial Drive
Section 12-00024-00-SW				City Freeburg
Project No.				State Illinois
Job No.				Zip Code 62243
Contact Name/Phone/E-mail Address	Contact Name/Phone/E-mail Address Anthony Schenk, P.E. tony.schenk@rhutasel.net			

THIS AGREEMENT is made and entered into this _____ day of _____, 2012 between the above Local Agency (LA) and Consultant (ENGINEER) and covers certain professional engineering services in connection with the PROJECT. Federal-aid funds allotted to the LA by the state of Illinois under the general supervision of the Illinois Department of Transportation (STATE) will be used entirely or in part to finance engineering services as described under AGREEMENT PROVISIONS.

Project Description

Name 2012 Safe Routes to School Improvements Route FAP 103 Length 1,400'+/- Structure No. _____

Termini On Urbanna Drive (IL Route 15) From Adele Street to South State Street (IL Route 13).

Description: New sidewalk, ADA ramps, curb and gutter, storm sewer, and all the miscellaneous collateral work to complete this stage of the "safe routes to school" network as proposed.

Agreement Provisions

I. THE ENGINEER AGREES,

1. To perform or be responsible for the performance, in accordance with STATE approved design standards and policies, of engineering services for the LA for the proposed improvement herein described.
2. To attend any and all meetings and visit the site of the proposed improvement at any reasonable time when requested by representatives of the LA or STATE.
3. To complete the services herein described within 180 calendar days from the date of the Notice to Proceed from the LA, excluding from consideration periods of delay caused by circumstances beyond the control of the ENGINEER.
4. The classifications of the employees used in the work should be consistent with the employee classifications and estimated man-hours shown in EXHIBIT A. If higher-salaried personnel of the firm, including the Principal Engineer, perform services that are indicated in Exhibit A to be performed by lesser-salaried personnel, the wage rate billed for such services shall be commensurate with the payroll rate for the work performed.
5. That the ENGINEER is qualified technically and is entirely conversant with the design standards and policies applicable for the PROJECT; and that the ENGINEER has sufficient properly trained, organized and experienced personnel to perform the services enumerated herein.
6. That the ENGINEER shall be responsible for the accuracy of the work and shall promptly make necessary revisions or corrections resulting from the ENGINEER's errors, omissions or negligent acts without additional compensation. Acceptance of work by the STATE will not relieve the ENGINEER of the responsibility to make subsequent correction of any such errors or omissions or for clarification of any ambiguities.
7. That all plans and other documents furnished by the ENGINEER pursuant to this AGREEMENT will be endorsed by the ENGINEER and will affix the ENGINEER's professional seal when such seal is required by law. Plans for structures to be built as a part of the improvement will be prepared under the supervision of a registered structural engineer and will affix structural engineer seal when such seal is required by law. It will be the ENGINEER's responsibility to affix the proper seal as required by the Bureau of Local Roads and Streets manual published by the STATE.
8. That the ENGINEER will comply with applicable federal statutes, state of Illinois statutes, and local laws or ordinances of the LA.

9. The undersigned certifies neither the ENGINEER nor I have:
- a. employed or retained for commission, percentage, brokerage, contingent fee or other considerations, any firm or person (other than a bona fide employee working solely for me or the above ENGINEER) to solicit or secure this AGREEMENT,
 - b. agreed, as an express or implied condition for obtaining this AGREEMENT, to employ or retain the services of any firm or person in connection with carrying out the AGREEMENT or
 - c. paid, or agreed to pay any firm, organization or person (other than a bona fide employee working solely for me or the above ENGINEER) any fee, contribution, donation or consideration of any kind for, or in connection with, procuring or carrying out the AGREEMENT.
 - d. are not presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from covered transactions by any Federal department or agency,
 - e. have not within a three-year period preceding the AGREEMENT been convicted of or had a civil judgment rendered against them for commission of fraud or criminal offense in connection with obtaining, attempting to obtain or performing a public (Federal, State or local) transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements or receiving stolen property,
 - f. are not presently indicted for or otherwise criminally or civilly charged by a government entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph (e) and
 - g. have not within a three-year period preceding this AGREEMENT had one or more public transactions (Federal, State or local) terminated for cause or default.
10. To pay its subconsultants for satisfactory performance no later than 30 days from receipt of each payment from the LA.
11. To submit all invoices to the LA within one year of the completion of the work called for in this AGREEMENT or any subsequent Amendment or Supplement.
12. To submit BLR 05613, Engineering Payment Report, to the STATE upon completion of the project (Exhibit B).
13. Scope of Services to be provided by the ENGINEER:
- Make such detailed surveys as are necessary for the planning and design of the PROJECT.
 - Make stream and flood plain hydraulic surveys and gather both existing bridge upstream and downstream high water data and flood flow histories.
 - Prepare applications for U.S. Army Corps of Engineers Permit, Illinois Department of Natural Resources Office of Water Resources Permit and Illinois Environmental Protection Agency Section 404 Water Quality Certification.
 - Design and/or approve cofferdams and superstructure shop drawings.
 - Prepare Bridge Condition Report and Preliminary Bridge Design and Hydraulic Report, (including economic analysis of bridge or culvert types and high water effects on roadway overflows and bridge approaches).
 - Prepare the necessary environmental and planning documents including the Project Development Report, Environmental Class of Action Determination or Environmental Assessment, State Clearinghouse, Substate Clearinghouse and all necessary environmental clearances.
 - Make such soil surveys or subsurface investigations including borings and soil profiles as may be required to furnish sufficient data for the design of the proposed improvement. Such investigations to be made in accordance with the current Standard Specifications for Road and Bridge Construction, Bureau of Local Roads and Streets Administrative Policies, Federal-Aid Procedures for Local Highway Improvements or any other applicable requirements of the STATE.
 - Analyze and evaluate the soil surveys and structure borings to determine the roadway structural design and bridge foundation.
 - Prepare preliminary roadway and drainage structure plans and meet with representatives of the LA and STATE at the site of the improvement for review of plans prior to the establishment of final vertical and horizontal alignment, location and size of drainage structures, and compliance with applicable design requirements and policies.
 - Make or cause to be made such traffic studies and counts and special intersection studies as may be required to furnish sufficient data for the design of the proposed improvement.
 - Complete the general and detailed plans, special provisions and estimate of cost. Contract plans shall be prepared in accordance with the guidelines contained in the Bureau of Local Roads and Streets manual. The special provisions and detailed estimate of cost shall be furnished in quadruplicate.
 - Furnish the LA with survey and drafts in quadruplicate all necessary right-of-way dedications, construction easements and borrow pit and channel change agreements including prints of the corresponding plats and staking as required.

1. To furnish the ENGINEER all presently available survey data and information
2. To pay the ENGINEER as compensation for all services rendered in accordance with this AGREEMENT, on the basis of the following compensation formulas:

Cost Plus Fixed Fee CPFF = 14.5%[DL + R(DL) + OH(DL) + IHDC], or
 CPFF = 14.5%[DL + R(DL) + 1.4(DL) + IHDC], or
 CPFF = 14.5%[(2.3 + R)DL + IHDC]

Where: DL = Direct Labor
 IHDC = In House Direct Costs
 OH = Consultant Firm's Actual Overhead Factor
 R = Complexity Factor

Specific Rate (Pay per element)

Lump Sum _____

3. To pay the ENGINEER using one of the following methods as required by 49 CFR part 26 and 605 ILCS 5/5-409:

With Retainage

- a) **For the first 50% of completed work**, and upon receipt of monthly invoices from the ENGINEER and the approval thereof by the LA, monthly payments for the work performed shall be due and payable to the ENGINEER, such payments to be equal to 90% of the value of the partially completed work minus all previous partial payments made to the ENGINEER.
- b) **After 50% of the work is completed**, and upon receipt of monthly invoices from the ENGINEER and the approval thereof by the LA, monthly payments covering work performed shall be due and payable to the ENGINEER, such payments to be equal to 95% of the value of the partially completed work minus all previous partial payments made to the ENGINEER.
- c) **Final Payment** – Upon approval of the work by the LA but not later than 60 days after the work is completed and reports have been made and accepted by the LA and the STATE, a sum of money equal to the basic fee as determined in this AGREEMENT less the total of the amounts of partial payments previously paid to the ENGINEER shall be due and payable to the ENGINEER.

Without Retainage

- a) **For progressive payments** – Upon receipt of monthly invoices from the ENGINEER and the approval thereof by the LA, monthly payments for the work performed shall be due and payable to the ENGINEER, such payments to be equal to the value of the partially completed work minus all previous partial payments made to the ENGINEER.
- b) **Final Payment** – Upon approval of the work by the LA but not later than 60 days after the work is completed and reports have been made and accepted by the LA and STATE, a sum of money equal to the basic fee as determined in this AGREEMENT less the total of the amounts of partial payments previously paid to the ENGINEER shall be due and payable to the ENGINEER.

4. The recipient shall not discriminate on the basis on the basis of race, color, national origin or sex in the award and performance of any DOT-assisted contract or in the administration of its DBE program or the requirements of 49 CFR part 26. The recipient shall take all necessary and reasonable steps under 49 CFR part 26 to ensure nondiscrimination in the award and administration of DOT-assisted contracts. The recipient's DBE program, as required by 49 CFR part 26 and as approved by DOT, is incorporated by reference in this agreement. Implementation of this program is a legal obligation and failure to carry out its terms shall be treated as violation of this agreement. Upon notification to the recipient of its failure to carry out its approved program, the Department may impose sanctions as provided for under part 26 and may, in appropriate cases, refer the matter for enforcement under 18 U.S.C. 1001 and/or the Program Fraud Civil Remedies Act of 1986 (31U.S.C. 3801 et seq.).

III. IT IS MUTALLY AGREED,

1. That no work shall be commenced by the ENGINEER prior to issuance by the LA of a written Notice to Proceed.
2. That tracings, plans, specifications, estimates, maps and other documents prepared by the ENGINEER in accordance with this AGREEMENT shall be delivered to and become the property of the LA and that basic survey notes, sketches, charts and other data prepared or obtained in accordance with this AGREEMENT shall be made available, upon request, to the LA or to the STATE, without restriction or limitation as to their use.

Standard Specifications for Road and Bridge Construction, Bureau of Local Roads and Streets Administrative Policies, Federal-Aid Procedures for Local Highway Improvements or any other applicable requirements of the STATE, it being understood that all such furnished documents shall be approved by the LA and the STATE before final acceptance. During the performance of the engineering services herein provided for, the ENGINEER shall be responsible for any loss or damage to the documents herein enumerated while they are in the ENGINEER's possession and any such loss or damage shall be restored at the ENGINEER's expense.

4. That none of the services to be furnished by the ENGINEER shall be sublet, assigned or transferred to any other party or parties without written consent of the LA. The consent to sublet, assign or otherwise transfer any portion of the services to be furnished by the ENGINEER shall not be construed to relieve the ENGINEER of any responsibility for the fulfillment of this agreement.
5. To maintain, for a minimum of 3 years after the completion of the contract, adequate books, records and supporting documents to verify the amounts, recipients and uses of all disbursements of funds passing in conjunction with the contract; the contract and all books, records and supporting documents related to the contract shall be available for review and audit by the Auditor General and the STATE; and to provide full access to all relevant materials. Failure to maintain the books, records and supporting documents required by this section shall establish a presumption in favor of the STATE for the recovery of any funds paid by the STATE under the contract for which adequate books, records and supporting documentation are not available to support their purported disbursement.
6. The payment by the LA in accordance with numbered paragraph 3 of Section II will be considered payment in full for all services rendered in accordance with this AGREEMENT whether or not they be actually enumerated in this AGREEMENT.
7. ~~That the ENGINEER shall be responsible for any and all damages to property or persons arising out of an error, omission and/or negligent act in the prosecution of the ENGINEER's work and shall indemnify and save harmless the LA, the STATE, and their officers, agents and employees from all suits, claims, actions or damages of any nature whatsoever resulting therefrom. These indemnities shall not be limited by the listing of any insurance policy.~~ To the fullest extent permitted by law, the ENGINEER shall indemnify and hold harmless the LA, the STATE, and their officers, agents and employees from all suits, claims, actions or damages of any nature whatsoever resulting from the negligent acts or omissions of the ENGINEER or ENGINEER's officers, directors, partners, or employees in the performance and furnishing of ENGINEER's services under this Agreement, provided that such claim, cost, loss or damage is attributable to bodily injury, sickness, disease or death, or to injury or destruction of tangible property (other than the work itself) including loss of use resulting therefrom.
8. This AGREEMENT may be terminated by the LA upon giving notice in writing to the ENGINEER at the ENGINEER's last known post office address. Upon such termination, the ENGINEER shall cause to be delivered to the LA all drawings, plats, surveys, reports, permits, agreements, soils and foundation analysis, provisions, specifications, partial and completed estimates and data, if any from soil survey and subsurface investigation with the understanding that all such material becomes the property of the LA. The LA will be responsible for reimbursement of all eligible expenses to date of the written notice of termination.
9. This certification is required by the Drug Free Workplace Act (30ILCS 580). The Drug Free Workplace Act requires that no grantee or contractor shall receive a grant or be considered for the purpose of being awarded a contract for the procurement of any property or service from the State unless that grantee or contractor will provide a drug free workplace. False certification or violation of the certification may result in sanctions including, but not limited to, suspension of contract or grant payments, termination of a contract or grant and debarment of the contracting or grant opportunities with the State for at least one (1) year but no more than five (5) years.

For the purpose of this certification, "grantee" or "contractor" means a corporation, partnership or other entity with twenty-five (25) or more employees at the time of issuing the grant, or a department, division or other unit thereof, directly responsible for the specific performance under a contract or grant of \$5,000 or more from the State, as defined in the Act.

The contractor/grantee certifies and agrees that it will provide a drug free workplace by:

- a. Publishing a statement:
 - (1) Notifying employees that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance, including cannabis, is prohibited in the grantee's or contractor's workplace.
 - (2) Specifying the actions that will be taken against employees for violations of such prohibition.
 - (3) Notifying the employee that, as a condition of employment on such contract or grant, the employee will:
 - (a) abide by the terms of the statement; and
 - (b) notify the employer of any criminal drug statute conviction for a violation occurring in the workplace no later than five (5) days after such conviction.
- b. Establishing a drug free awareness program to inform employees about:
 - (1) The dangers of drug abuse in the workplace;
 - (2) The grantee's or contractor's policy of maintaining a drug free workplace;
 - (3) Any available drug counseling, rehabilitation and employee assistance program; and
 - (4) The penalties that may be imposed upon an employee for drug violations.
- c. Providing a copy of the statement required by subparagraph (a) to each employee engaged in the performance of the contract or grant and to post the statement in a prominent place in the workplace.

Exhibit A-1 - Preliminary Engineering

Route: Village of Freeburg 2012 SRTS Project
 Local Agency: Village of Freeburg 2012
 (Municipality/Township/County) 12-00024-00-SW
 Project: _____
 Job No.: _____

Method of Compensation: _____
 Cost Plus Fixed Fee 1 14.5%[DL + R(DL) + OH(DL) + IHDC]
 Cost Plus Fixed Fee 2 14.5%[DL + R(DL) + 1.4(DL) + IHDC]
 Cost Plus Fixed Fee 3 14.5%[(2.3 + R)DL + IHDC]
 Specific Rate _____
 Unit Sum _____

*Firm's approved rates on file with IDOT'S
 Bureau of Accounting and Auditing:
 Overhead Rate (OH) _____ 148.75%
 Complexity Factor (R) _____ 0
 Calendar Days _____ 180

Cost Estimate of Consultant's Services in Dollars									
Element of Work	Employee Classification (Item)	Man-Hours (Qty.)	Payroll Rate (Rate)	Payroll Costs (DL)	Overhead*	Services by Others	In-House Direct Costs (IHDC)	Profit	Total
Principal Road Plans	Principal Engineer	4	52.62	210.48	313.09			75.92	599.49
	SR Project Engineer	4	41.88	167.52	249.19			60.42	477.13
	Project Engineer	16	31.90	510.4	759.22			184.09	1453.71
	Technician V	16	27.92	446.72	664.50			161.13	1272.34
	Travel	10	0.485	4.85	7.21			2.45	19.37
	Photos	0	0.50	0	0.00			0.00	0.00
	Prints	20	2.75	0	0.00			55.00	62.98
	Photocopies	200	0.15	0	0.00			30.00	34.35
	Telephone & Postage	Estimate	Estimate		0.00			2.90	22.90
	Misc. Supplies	Estimate	Estimate		0.00			2.90	22.90
Provisions; Estimates:									
	Principal Engineer	2	52.62	105.24	156.54			37.96	299.74
	SR Project Engineer	4	41.88	167.52	249.19			60.42	477.13
	Project Engineer	14	31.90	446.6	664.32			161.08	1272.00
	Technician II	5	16.90	84.5	125.69			30.48	240.67
	Photocopies	480	0.15	0	0.00			10.44	82.44
	Telephone & Postage	Estimate	Estimate		0.00			2.90	22.90
	Misc. Supplies	Estimate	Estimate		0.00			2.90	22.90
Totals This Sheet - Exhibit A-1				2143.83	3188.95	0.00	241.85	808.32	6382.95
Totals All Sheets - Exhibit A and A-1				9613.32	14299.81	0.00	544.98	3542.08	28000.18



Prime Consultant

Name _____
Address _____
Telephone _____
TIN Number _____

Project Information

Local Agency _____
Section Number _____
Project Number _____
Job Number _____

This form is to verify the amount paid to the Sub-consultant on the above captioned contract. Under penalty of law for perjury or falsification, the undersigned certifies that work was executed by the Sub-consultant for the amount listed below.

Table with 3 columns: Sub-Consultant Name, TIN Number, Actual Payment from Prime. Includes summary rows for Sub-Consultant Total, Prime Consultant Total, and Total for all Work Completed.

Signature and title of Prime Consultant

Date

Note: The Department of Transportation is requesting disclosure of information that is necessary to accomplish the statutory purpose as outlined under state and federal law. Disclosure of this information is REQUIRED and shall be deemed as concurring with the payment amount specified above.

VILLAGE PRESIDENT
Ray Danford

VILLAGE CLERK
Jerry Menard

VILLAGE TRUSTEES
Rita Baker
Seth Speiser
Charlie Mattern
Ray Matchett, Jr.
Steve Smith
Mike Blaies

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

ELECTRIC COMMITTEE MEETING Wednesday, May 9, 2012 at 6:30 p.m.

EXHIBIT F
VILLAGE ADMINISTRATOR
Dennis Herzing

VILLAGE TREASURER
Bryan A. Vogel

PUBLIC WORKS DIRECTOR
Ronald Dintelmann

POLICE CHIEF
Melvin E. Woodruff, Jr.

VILLAGE ATTORNEY
Weilmuenster Law Group, P.C

The meeting of the Electric Committee was called to order at 6:30 p.m. on Wednesday, May 9, 2012 by Chairman Mike Blaies. Committee members present were Chairman Mike Blaies, Trustee Steve Smit, Trustee Ray Matchett, Trustee Rita Baker, Mayor Ray Danford, Public Works Director Ron Dintelmann, Assistant Public Works Director John Tolan, Village Administrator Dennis Herzing and Office Manager Julie Polson.

A. OLD BUSINESS:

1. Approval of April 11, 2012 Minutes: Trustee Ray Matchett motioned to approve the April 11, 2012 minutes and Trustee Mike Blaies seconded the motion. All voting aye, the motion carried.

2. Franchise Fee (Ameren): Nothing new.

3. Highway lighting: Nothing new.

4. HAPS: On hold until the testing is conducted.

5. Portable Generator Replacement: Ron checked with Althoffer and they don't have any used generators available. A new generator is going to cost around \$60,000. Ron suggested taking the old generator and permanently mounting it as an external tank at the east lagoon. This would free up the trailer for other use. We would have to get an air permit if we want to do this. Ron will get some prices on this.

6. Fuel Cost Adjustment: John and Dennis have the numbers and will get the ordinance prepared.

7. Arc Flash Study: John said the booklets have been received from BHM&G that will be placed in each electric truck. When our employees come upon a situation, they will be able to utilize the book and address the problem correctly. John is collecting prices on the suit and headgear. Mike asked if the upgrading of our relay switches has started and Dennis said we didn't want to start that until the budget was approved.

8. Spill containment/Wiegmann: John said he and Ron met with Dean Park. The Invitation to Quote that was prepared by BHM&G was provided to the committee. It was prepared so that the transformers could be bid individually. This quote also includes the transformer for the work that is going to be done at the grade school. We will send this out to our normal suppliers as well as publish in next week's edition of the Tribune.

Trustee Steve Smith motioned to go out for quotes on the transformers for the Wiegmann and Grade School projects and Trustee Ray Matchett seconded the motion. All voting aye, the motion carried.

9. Safety Training: John said we've known for a while OSHA can visit whenever. They have been to Smithton several times. We have been reviewing items that need to be completed such as the MSDS for the shops, plants, pool and also spill containment, lockout tags, confined

space, trenching and shoring, flagger training, etc. John said one thing we do need is fireproof cabinets for our gasoline.

10. Digger truck/demo: The truck has been ordered.
11. Charter Agreement: Dennis said we have received the \$23,000 check from Charter so we can start working on the franchise agreement. We need to decide whether or not we want to raise the fee. Currently we are charging 3% but we can raise it to the maximum of 5%. We also need to look at the pricing on our pole agreement and see if we want that amount raised.
12. Work on electric poles/transformers behind grade school: Ongoing.
13. Shed: Ron drew up a couple of different plans and Dennis has them at home and will get them set up in Autocad. Once we decide what we want, we can give that to whomever and have them prepare a detailed design and cost estimate. Dennis advised he sent the formal request on the \$100,000 grant for the shed and he is waiting on the response.
14. Security at North Power Plant: John said we haven't had anymore problems since the security has been updated at the plant. He still needs to look at the camera. Dennis asked that if anyone is going to be at the new plant to let the police department know so they don't respond to alarms.
15. Electric lineman/Apprentice Lineman: John needs to set up the interviews.
16. Lighting on Kessler Road: This project will be done over the summer.
17. Power plant roof repair: John said we were able to get our guys up on the roof and the siren and radio tower were taken down. The roof will be repaired in the next couple weeks and the siren and radio control will be mounted on a pole behind the plant.
18. Spreadsheet of agreements: Julie will get that in next month's packet.

John said the new insurance company is sending out a representative to inspect the pressure vessels. The capacitors at the old plant are not working properly. JF Electric had put new plates on them and they have cracked. We had BHM&G look at them and they believe JF didn't do a good job of cleaning the connections. We've reordered the equipment and are going to keep track of the hours and dollars spent replacing it. We also need to look at adding capacitor purchase to our 3-5 year plan.

B. NEW BUSINESS: Julie said the ordinance to surplus Tilly is in the packet to take to the next board meeting.

Trustee Ray Matchett motioned to recommend to the full Board the 1968 Ford Bucket Truck be declared surplus property and Trustee Steve Smith seconded the motion. All voting aye, the motion carried.

C. GENERAL CONCERNS: None.

D. PUBLIC PARTICIPATION: None.

E. ADJOURN: *Trustee Ray Matchett motioned to adjourn at 7:30 p.m. and Trustee Mike Blais seconded the motion. All voting aye, the motion carried.*

Julie Polson
Office Manager



VILLAGE PRESIDENT
Ray Danford

VILLAGE CLERK
Jerry Menard

VILLAGE TRUSTEES
Rita Baker
Seth Speiser
Charlie Mattern
Ray Matchett, Jr.
Steve Smith
Mike Blaies

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

EXHIBIT G
VILLAGE ADMINISTRATOR
Dennis Herzing

VILLAGE TREASURER
Bryan A. Vogel

PUBLIC WORKS DIRECTOR
Ronald Dintelmann

POLICE CHIEF
Melvin E. Woodruff, Jr.

VILLAGE ATTORNEY
Weilmuenster Law Group, P.C

PERSONNEL AND PUBLIC SAFETY COMMITTEE MEETING Thursday, May 10, 2012 at 6:30 p.m.

Chairperson Rita Baker called the meeting of the Personnel and Public Safety Committee to order on Thursday, May 10, 2011 at 6:31 p.m. Those present were Chairperson Rita Baker, Trustee Steve Smith, Trustee Charlie Mattern, Trustee Mike Blaies, Trustee Seth Speiser, Trustee Ray Matchett, Village Clerk Jerry Menard, Chief Mel Woodruff, Village Administrator Dennis Herzing and Assistant Public Works Director John Tolan. Guests present: Jackie and Doug Watson.

Trustee Steve Smith motioned to amend the agenda in order to hear Public Participation first and Trustee Charlie Mattern seconded the motion. All voting aye, the motion carried.

Rita advised the committee Jackie and Doug Watson were present at the Legal/Ordinance committee to discuss their request to allow video gaming machines at The Nut Sports Bar & Grill. That committee suggested it be passed along to this committee for their consideration. Jackie said The Nut can have up to 5 machines and that decision is made by the Illinois Gaming Board. Chief Woodruff stated he assumed the State regulates this. He hasn't done any research on it. He said there might be an issue with the occupancy limits and Jackie stated the machines have to be in a separate room and would put them on the other side. Dennis said with this particular statute, they give the municipality the right to say no. Jackie said the machines are going live September 1st and they would like to be closer to the top of the list rather than the bottom. They said they can't file an application until they know it's going to be legal in Freeburg and stated time is very important. Rita stated the committee would take the request under advisement and thanked the Watsons for coming in. Chief Woodruff stated he will check with some other municipalities to see what their police departments have done. He also said we will move as quickly on this as we can. Jackie and Doug Watson left the meeting at approximately 6:38 p.m.

POLICE:

A. OLD BUSINESS:

1. Police Contract: Rita stated this can be taken off the agenda.
2. Moeckel's status: Chief Woodruff said Matt should be released to return to work on May 24, 2012.
3. Full-time police officer: Rita said we received two responses on the full-time position, both from current part-time officers.

EXECUTIVE SESSION 6:40 P.M.

Trustee Steve Smith motioned to enter Executive Session citing personnel, 5 ILCS 120/2-(c)(1)a and Trustee Charlie Mattern seconded the motion. All voting aye, the motion carried.

EXECUTIVE SESSION ENDED at 6:48 P.M.

Personnel/Police Committee Meeting
Thursday, May 10, 2012
Page 1 of 3

Chairperson Baker reconvened the regular session of the Personnel/Police Committee meeting at 6:48 p.m.

Trustee Steve Smith motioned to open up applications for full-time police officer and Trustee Charlie Mattern seconded the motion. All voting aye, the motion carried.

Trustee Steve Smith motioned to open up applications for part-time police officer and Trustee Charlie Mattern seconded the motion.

Dennis asked if we had any objections to advertising in more than the Tribune. Mel said we could do the Post Dispatch as well. There is no residency requirement for part-time police officers.

B. NEW BUSINESS:

1. Request for vacation pay: The request from John Cappello stems from the change in the contract where he received the retroactive vacation. With the current scheduling, John will not have the opportunity to take it. Trustee Smith said he doesn't have a problem paying employees for their unused vacation time but thinks we really need to have our employees take their vacation days. Mel agreed and said this is an unusual situation because of the retroactive vacation given.

Trustee Smith motioned to pay John Cappello for 43 hours of unused vacation and Trustee Mattern seconded the motion. All voting aye, the motion carried.

PERSONNEL:

A. OLD BUSINESS:

1. Approval of April 23, 2012 Minutes: Trustee Steve Smith motioned to approve the April 23, 2012 Minutes and Trustee Charlie Mattern seconded the motion. All voting aye, the motion carried.

2. Employee Handbook: Nothing at this time.

a. Public Works On Call Status: Nothing at this time.

3. Job Descriptions: Nothing new. Steve asked if we are going to re-do Gene's description and Mike asked what we are changing on that. Rita said she doesn't think anything has been changed on that for several years and thinks this needs to be done.

4. Safety Policy: Nothing new.

5. Non-union employee raises: This is on hold until we get Gene's job description updated.

B. NEW BUSINESS: Dennis said this is the yearly Cencom contract for renewal.

Trustee Steve Smith motioned to recommend Ordinance 1422 - An Ordinance of the Board of Trustees Authorizing the Village to Enter into and the Mayor to Execute a Contract between the Village of Freeburg Police Department and St. Clair County, Illinois, for Coordinated Communication Services and Trustee Charlie Mattern seconded the motion. All voting aye, the motion carried.

EXECUTIVE SESSION 6:58 P.M.

Trustee Charlie Mattern motioned to enter into Executive Session citing personnel, 5 ILCS 120/2-(c)(1)a and Trustee Steve Smith seconded the motion. All voting aye, the motion carried.

EXECUTIVE SESSION ENDED at 6:58 P.M.

Chairperson Baker reconvened the regular session of the Personnel/Police Committee meeting at 6:59 p.m.

C. GENERAL CONCERNS:

EXECUTIVE SESSION 7:00 P.M.

Trustee Steve Smith motioned to enter into Executive Session citing personnel, 5 ILCS 120/2-(c)(1)a and Trustee Charlie Mattern seconded the motion. All voting aye, the motion carried.

EXECUTIVE SESSION ENDED at 7:34 P.M.

D. PUBLIC PARTICIPATION: None.

E. ADJOURN: *Trustee Steve Smith motioned to adjourn at 7:35 p.m. and Trustee Charlie Mattern seconded the motion. All voting aye, the motion carried.*



Transcribed from tape by
Julie Polson
Office Manager

VILLAGE PRESIDENT
Ray Danford

VILLAGE CLERK
Jerry Menard

VILLAGE TRUSTEES
Rita Baker
Seth Speiser
Charlie Mattern
Ray Matchett, Jr.
Steve Smith
Mike Blaies

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

EXHIBIT H
VILLAGE ADMINISTRATOR
Dennis Herzing

VILLAGE TREASURER
Bryan A. Vogel

PUBLIC WORKS DIRECTOR
Ronald Dintelmann

POLICE CHIEF
Melvin E. Woodruff, Jr.

VILLAGE ATTORNEY
Weilmuenster Law Group, P.C

Public Property Committee Meeting
Streets/Municipal Center/Pool/Parks & Recreation
(Matchett/Baker/Blaies)
Wednesday, May 16, 2012 at 6:30 p.m.

The meeting of the Public Property Committee was called to order at 6:30 p.m. on Wednesday, May 16, 2012, in the Municipal Center. Those in attendance were Chairman Ray Matchett, Trustee Mike Blaies, Trustee Rita Baker, Mayor Ray Danford, Public Works Director Ron Dintelmann, Assistant Public Works Director John Tolan, Village Administrator Dennis Herzing, Office Manager Julie Polson, Pool Managers Scott Schulz, Darren Pierce and Jill Rouse. Guests present: Members of the swim team.

POOL: A. OLD BUSINESS:

1. Pool: Administrator Herzing provided an update on the renovation of the pool. He stated we are making good progress and confirmed the main pool will not be done by the end of May. We are hoping to open by mid-June. The underground piping is in and the decks are being poured. The construction of the pump house will be done this week. The entire gutter system is done and the plastic liner will be installed closer to the end of the project. With respect to the bath house, we will start painting the interior next week. The Village is going to set the light poles. They have been ordered and Ron is going to work on getting them in as quickly as possible.

John said we need to discuss the bath house roof bids. Two quotes received were over \$20,000 and the third quote was just under \$20,000. DRS Construction has done work for us in the past at the east lagoon and we were happy with their work.

Trustee Rita Baker motioned to recommend to the full Board that DRS Construction's bid in the amount of \$19,860.60 for the bath house roof repair be accepted and Trustee Mike Blaies seconded the motion. All voting aye, the motion carried.

Since the opening is going to be delayed and we need to be able to staff it when it does open, the committee discussed paying the pool staff for the normal pool season. The committee also felt the pool passes should be pro-rated to the opening date of the pool.

Trustee Rita Baker motioned to recommend to the full Board the pool staff be paid per the regular pool schedule and Trustee Ray Matchett seconded the motion. All voting aye, the motion carried.

Trustee Rita Baker motioned to recommend to the full Board the 2012 pool prices remain the same and that pool passes will be prorated from the normal start date of 5/26/12 to the actual opening date of the pool and Trustee Mike Blaies seconded the motion. All voting aye, the motion carried.

B. NEW BUSINESS: None.

Street Committee Meeting Minutes
Wednesday, May 16, 2012

Page 1 of 3

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

STREETS: A. OLD BUSINESS:

1. Approval of April 11, 2012 minutes: *Trustee Rita Baker motioned to approve the April 11, 2012 minutes and Trustee Mike Blaies seconded the motion. All voting aye, the motion carried.*

2. Safe Routes to School: Dennis met with Larry Rhutasel and IDOT on this project. He passed around the Preliminary Engineering Services Agreement for Federal Participation and also the Local Agency Agreement for Federal Participation. If the committee believes the agreements are in order, he will prepare an ordinance to include them in Monday night's board meeting. Once they have been executed by both parties, it will take six months to one year to be approved.

Trustee Rita Baker motioned to recommend to the full Board the Preliminary Engineering Services Agreement for Federal Participation and the Local Agency Agreement for Federal Participation be approved and Trustee Mike Blaies seconded the motion. All voting aye, the motion carried.

3. 709 Saxony lane request for culvert: Nothing new.

4. Welcome to Freeburg sign: Mayor Danford took a picture of Mascoutah's welcome sign and Rita said this looks good. Since we can't put a brick sign on IDOT's right-of-way, Mike suggested we use some type of artificial brick façade. We will look into this and get some prices.

5. MFT: John set the oiling dates for Wednesday, August 8th and Friday, August 10th. The grade school has asked if we could oil and chip the two teachers' parking lots as well as the road that runs behind the primary center. Ron said we have done this in the past. We just ask for the project to be billed separately so it doesn't diminish our MFT materials. The committee agreed with the request.

6. Procedure to Request Flags to be Displayed: Nothing new.

7. Drainage Problem Areas: Dennis talked to Netemeyer who told him he was working on his report but we haven't received anything yet. Dennis will give him another call.

8. Shady Lane Dispute: Dennis provided the drawing prepared by Gale Hake showing where everything is located. The 30' strip back to the cemetery does not follow the actual road. Julia Wilkerson's house is actually on our property and Lockett has a shed on our property. Dennis told Lockett he needs to get his small shed off the cemetery property and he has agreed to do that. Both Dennis and Gale think we should swap property with Julia Wilkerson. We would ask her to deed us a 30' strip of property where the road really is and we give a 30' strip of property where her house currently sits. The committee agreed and Dennis will have Gale start drawing up the deeds to accomplish this.

9. Ditch behind home at 606 W. High: John said this will be done shortly.

10. Lobby painting: Julie said we will start working on this soon.

11. New fogger purchase: John is working on getting the best price between two dealers.

12. Spring Clean Up April 20th - 23rd: The clean up went very well. The electronics recycling was a big hit and Dennis will look into having SAVE hold a monthly electronics recycling event. Item can be taken off the agenda.
13. Lighting along Westview Drive: John said we will complete this over the summer.
14. Lawn mowing bids: KMK Lawns was low bid. Item can be taken off the agenda.
15. Cemetery Road: Dennis hasn't received anything from the County. Both Ron and Jon said there is a culvert that is failing and Dennis said once he receives the proposal, he will ask them to replace the culvert.

B. NEW BUSINESS: John said the Village Park used to have picnic tables out there and he would like to see if we can do that again. He will gather some prices on vandal proof tables and bring that back to next month's meeting. He said he would also like to look at a waste deposit station for dogs since it has become quite a problem out there. He will get some signs posted regarding that.

With respect to the recent arson fires, John said he would like to pull our equipment out of the sheds and into area lots and the committee agreed.

C. GENERAL CONCERNS: Trustee Matchett said we have received a request from the American Legion to use the Village Park for the annual Memorial Day Ceremony on Monday, May 28th.

Trustee Rita Baker motioned to recommend to the full Board the Freeburg Locklar-Smith American Legion Post 550's request to use the Village Park for their Memorial Day Ceremony on May 28th be granted and Trustee Mike Blaies seconded the motion. All voting aye, the motion carried.

Trustee Rita Baker motioned to recommend to the full Board the church's request to use the Village Park for Concerts in the Park during the month of June be granted and Trustee Mike Blaies seconded the motion. All voting aye, the motion carried.

We have several areas around town that have high grass and/or weeds. Julie said notices are being sent out to the occupied homes. If the home is vacant, we will ask KMK Lawns to take care of.

D. PUBLIC PARTICIPATION: See above.

E. ADJOURN: *Trustee Rita Baker motioned to adjourn the meeting at 7:52 p.m. and Trustee Mike Blaies seconded the motion. All voting aye, the motion carried.*



Julie Polson
Office Manager