

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

FREEBURG REGULAR BOARD MEETING Monday, May 7, 2012 at 7:30 P.M. Board Meeting

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 Treasurer's Report would be ready to publish. Bryan said he should have it ready sometime this week.

OLD BUSINESS:

- Sign at Industrial Park:** Trustee Smith said we discussed the sign at the Industrial Park.
- 3 - to - 5 year plan:** Trustee Smith said Dennis sent the updated plan to our attorney and we are waiting on him.
- 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.
- 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 them from Gene. Mayor Danford asked if there any questions or comments on it.

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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 Contraction, 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:

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 the 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. 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 changing the zoning to MR-1 permanently. Administrator Herzing said "Special use permits" are granted for a specific property use and expire 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 used for this project as it is presented to Zoning Board and any 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 concerned citizen Mayor Danford asked for a motion.

Trustee Rita Baker motioned to accept the Plan Commission's recommendation for 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 deny he Plan Commission's 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 recommendation to the zoning code to authorize 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 Budget. Mayor Danford said he had some question that he asked Dennis to work out in balancing some aspects ok 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 consider 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 Bryan Vogel made a suggestion 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 without any short falls or 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, the motion carried.

ORDINANCES: 1. Exhibit G Ordinance #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 alcohol 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 suggestion of compromise to the issue.

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 we need to act on 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 upon 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 the 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)with 5 voting aye the 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, the 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, the 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, the motion carried.

Trustee Rita Baker motioned to appoint John Tolan as Assistant 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, the 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). With 4 voting aye the 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, the 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 mind 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, the 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 the paper announcing it.
- 2. Website:** Trustee Smith said we discussed 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 donations 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 placed in the Freeburg Tribune.
- 4. 222 ½ Program:** Trustee Smith said we are going to re-do the flyer that we passed out last year and we discussed some other suggestions.

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 Mattern said the \$50,000 grant will be used for Elizabeth Drive repairs and the \$100,000 grant 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 we discussed the \$900 water bill 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 update on Moeckels status and he will return to work on May 24, 2012.
- 2. Full-time police officer position:** Trustee Baker said we have opened up internally the position of full-time police officer.
- 3. Non-union employee rises:** Trustee Baker said we 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, increase will come after his job description is revised to accurately reflect his job duties.

- 4. Zoning Administrator:** Mayor Danford said somehow 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, the 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 attended 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 said as a committee we 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 discussed this issue and we took care of this earlier 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
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