

**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

July 11, 2011

## NOTICE

**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

### MEETING OF PERSONNEL & PUBLIC SAFETY COMMITTEE (Personnel/Police/ESDA/Fire) (Baker/Smith/Mattern)

A Personnel and Public Safety Committee Meeting of the Village of Freeburg will be held at the Municipal Center, Executive Board Room, **Wednesday, July 13, 2011, at 6:30 p.m.**

#### PERSONNEL AND PUBLIC SAFETY COMMITTEE MEETING

I. Items to be Reviewed

**POLICE COMMITTEE:**

- A. Old Business
  - 1. Police Contract
  - 2. Noise Ordinance
  
- B. New Business
  - 1. Homecoming Parade Resolution
  - 2. Part-time clerk
  - 3. MEGSI Intergovernmental Agreement

**PERSONNEL COMMITTEE:**

- A. Old Business
  - 1. Approval of June 8, 2011 minutes
  - 2. Employee handbook
    - a. Public Works On Call Status
  - 3. Job descriptions
  - 4. Safety Policy
  
- B. New Business
  
- C. General Concerns
  
- D. Public Participation
  
- E. Adjourn

At said Personnel Meeting, the Village Trustees may vote on whether or not to hold an Executive Session to discuss the selection of a person to fill a public office [5 ILCS, 120/2 - (c) (3)], litigation [5 ILCS, 120/2 - (c)(11)] personnel [5 ILCS, 120/2 - (c) (1) a.]; real estate transactions [5 ILCS, 120/2 - (c)(5)] or collective negotiating matters between the public body and its employees or their representatives [5 ILCS 120/2 (C)(2).

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## PERSONNEL AND PUBLIC SAFETY COMMITTEE MEETING

Wednesday, July 13, 2011 at 6:30 p.m.

Chairperson Rita Baker called the meeting of the Personnel and Public Safety Committee to order on Wednesday, July 13, 2011 at 6:40 p.m. Those present were Chairperson Rita Baker, Trustee Steve Smith - absent, Trustee Charlie Mattern, Chief of Police Mel Woodruff, Village Administrator Dennis Herzing and Office Manager Julie Polson.

### POLICE:

#### A. OLD BUSINESS:

1. Police Contract: An executive session is needed to discuss this topic.

### EXECUTIVE SESSION

6:40 P.M.

*Trustee Mattern motioned to enter into Executive Session citing collective negotiating matters between the public body and its employees or their representatives, 5 ILCS 120/2-(c)(2) and Chairperson Baker seconded the motion. All voting aye, the motion carried*

### EXECUTIVE SESSION ENDED

7:15 P.M.

*Chairperson Baker reconvened the regular session of the Personnel/Police Committee meeting at 7:15 p.m.*

2. Noise Ordinance: Chief Woodruff said the main difference between our ordinance and Cape Girardeau's is the time limitation (page 5a). This will be discussed at next month's meeting when Steve is here.

#### B. NEW BUSINESS:

1. Homecoming Parade Resolution: Trustee Charlie Mattern motioned to recommend the Homecoming Parade Resolution to the full Board for approval and Trustee Rita Baker seconded the motion. All voting aye, the motion carried.

Dennis received a call from Bonnie Watters who wanted to know if the Village was going to help out with homecoming as we have in the past. The committee agreed our position has not changed from last year and we will not be helping out. Dennis said the Village has no problem with donating our equipment to be used if they want to have Rich Darmstatter volunteer as he did last year.

2. Part-time clerk: Mel and Dennis discussed the possibility of hiring a part-time clerk that could fill in when Laura is absent or over on the admin side if needed.

Personnel/Police Committee Meeting

Wednesday, July 13, 2011

Page 1 of 2

**PERSONNEL:**

**A. OLD BUSINESS:**

1. Approval of June 8, 2011 Minutes: *Trustee Charlie Mattern motioned to approve the June 8, 2011 Minutes and Chairperson Rita Baker seconded the motion. All voting aye, the motion carried.*

2. Employee Handbook: Nothing at this time.

a. Public Works On Call Status: Nothing new.

3. Job Descriptions: Dennis will start working on the job descriptions for Mel, John and Ron.

4. Safety Policy: We are still working on this.

**B. NEW BUSINESS:** None.

**C. GENERAL CONCERNS:** None.

**D. PUBLIC PARTICIPATION:** None.

**E. ADJOURN:** *Trustee Charlie Mattern motioned to adjourn at 7:26 p.m. and Chairperson Rita Baker seconded the motion. All voting aye, the motion carried.*



Julie Polson  
Office Manager

Cape Girardeau, Missouri, Code of Ordinances >> PART II - CODE OF ORDINANCES >> Chapter 17 - OFFENSES AND MISCELLANEOUS PROVISIONS >> ARTICLE VII. - OFFENSES AGAINST PUBLIC ORDER AND SAFETY >>

**ARTICLE VII. - OFFENSES AGAINST PUBLIC ORDER AND SAFETY**

Sec. 17-141. - Peace disturbance.  
Sec. 17-142. - Private peace disturbance.  
Sec. 17-143. - Peace disturbance definitions.  
Sec. 17-144. - Maintaining a disorderly house.  
Sec. 17-145. - Reserved.  
Sec. 17-146. - Unlawful assembly.  
Sec. 17-147. - Rioting.  
Sec. 17-148. - Refusal to disperse.  
Sec. 17-149. - Loitering.  
Sec. 17-150. - Curfew.  
Sec. 17-151. - Curfew, allowing minor to violate.  
Sec. 17-152. - Abandonment of airtight or semi-airtight containers.  
Sec. 17-153. - Obstructing use of wharfs or landings prohibited.  
Sec. 17-154. - Climbing, jumping on moving railroad cars, engines.  
Sec. 17-155. - Smoking in grocery stores.  
Sec. 17-156. - Noise control; definitions.  
Sec. 17-157. - Prohibited acts.  
Sec. 17-158. - Exceptions.  
Sec. 17-159. - Seizure of evidence.  
Secs. 17-160—17-170. - Reserved.

**Sec. 17-141. - Peace disturbance.**

A person commits the offense of peace disturbance if:

- (1) He unreasonably and knowingly disturbs or alarms another person by:
  - a. Loud **noise**; or
  - b. Offensive language addressed in a face-to-face manner to a specific individual and uttered under circumstances which are likely to produce an immediate violent response from a reasonable recipient; or
  - c. Fighting;
  - d. Creating a noxious and offensive odor; or
  - e. Threatening to commit a felonious act against any person under circumstances which are likely to cause a reasonable person to fear that such threat may be carried out.
- (2) He is in a public place or on private property of another without consent and purposely causes inconvenience to another person by unreasonably and physically obstructing:
  - a. Vehicular or pedestrian traffic; or
  - b. The free ingress or egress to or from a public or private place.

*(Code 1967, § 18-90; Ord. No. 1440, arts. 1, 2, 10-18-93)*

**State law reference**—Similar provisions, RSMo, § 574.010.

**Sec. 17-142. - Private peace disturbance.**

A person commits the crime of private peace disturbance if he is on private property and unreasonably and purposely causes alarm to another person on the same premises by fighting.

*(Code 1967, § 18-91)*

**State law reference**—Similar provisions, RSMo, § 574.020.

**Sec. 17-143. - Peace disturbance definitions.**

For the purposes of sections 17-141 and 17-142:

- (1) "Property of another" means any property in which the actor does not have a possessory interest.
- (2)

"Private property" means any place which at the time is not open to the public. It includes property which is owned publicly or privately.

- (3) "Public place" means any place which at the time is open to the public. It includes property which is owned publicly or privately.
- (4) If a building or structure is divided into separately occupied units, such units are separate premises.

(Code 1967, § 18-92)

### **Sec. 17-144. - Maintaining a disorderly house.**

A person commits the offense of maintaining a disorderly house if he permits to assemble on his premises persons violating section 17-156 to 17-157.

(Code 1967, § 18-93; Ord. No. 2330, art. 1, 3-2-98)

### **Sec. 17-145. - Reserved.**

Editor's note—

Ord. No. 2330, art. 2, adopted March 2, 1998, repealed § 17-145, which pertained to certain **noise** prohibited. See the Code Comparative Table.

### **Sec. 17-146. - Unlawful assembly.**

A person commits the offense of unlawful assembly if he knowingly assembles with six (6) or more other persons and agrees with such persons to violate any of the criminal laws of this state or of the United States with force or violence.

(Code 1967, § 18-95)

### **Sec. 17-147. - Rioting.**

A person commits the offense of rioting if he knowingly assembles with six (6) or more other persons and agrees with such persons to violate any of the criminal laws of this state or of the United States with force or violence, and thereafter, while still so assembled, does violate any of such laws with force or violence.

(Code 1967, § 18-96)

### **Sec. 17-148. - Refusal to disperse.**

A person commits the offense of refusal to disperse if, being present at the scene of an unlawful assembly, or at the scene of a riot, he knowingly fails or refuses to obey the lawful command of a law enforcement officer to depart from the scene of such unlawful assembly or riot.

(Code 1967, § 18-97)

### **Sec. 17-149. - Loitering.**

- (a) A person commits the offense of loitering if:
  - (1) He loiters in such a manner as to obstruct any public street, public highway, public sidewalk or any public place or building by hindering or impeding the free and uninterrupted passage of vehicles, traffic or pedestrians; or
  - (2) He loiters in such a manner as to interfere with the free and uninterrupted use of property or with the conduct of any lawful business.
- (b) "Loiter" means to remain idle in essentially one (1) location and includes the concept of spending time idly, being dilatory, lingering, sauntering, delaying, standing around or hanging around.
- (c) "Public place" means any place to which the general public has access and a right to resort for business, entertainment, or other lawful purpose, but does not necessarily mean a place devoted solely to the uses of the public. "Public place" also includes the front or immediate area of any store, shop, restaurant, tavern or other place of business and also public grounds, areas or parks.

(Code 1967, § 18-98)

### **Sec. 17-150. - Curfew.**

- (a) No minor under the age of seventeen (17) years shall loiter, idle, wander, stroll, operate or ride in or on a motor vehicle, or play in or upon the public streets, parks, playgrounds, or other public places and public buildings, places of amusement and entertainment, vacant lands, or other unsupervised places between the hours of 11:00 p.m. and 5:00 a.m. of the following day, Sunday evenings through Friday mornings or between the hours of 12:00 midnight and 5:00 a.m. of the following day, Friday evenings through Sunday mornings.
- (b) The provisions of this section shall not apply to a minor under the age of seventeen (17) accompanied by his parent, guardian, or other adult person having the care and custody of the minor, or where the minor is upon an

emergency errand or legitimate business directed by his parent, guardian, or other adult person having the custody of the minor, or where the presence of such minor is connected with or required by some legitimate employment, trade, profession or occupation.

(Code 1967, § 18-99)

**Sec. 17-151. - Curfew, allowing minor to violate.**

No parent, guardian, or other adult person having the care and custody of a minor under the age of seventeen (17) years shall allow or permit such minor to violate section 17-150.

(Code 1967, § 18-100)

**Sec. 17-152. - Abandonment of airtight or semi-airtight containers.**

A person commits the offense of abandonment of an airtight container if he abandons, discards, or knowingly permits to remain on premises under his control, in a place accessible to children, any abandoned or discarded icebox, refrigerator, or other airtight or semi-airtight container which has a capacity of one and one-half (1½) cubic feet or more and an opening of fifty (50) square inches or more and which has a door or lid equipped with hinge, latch or other fastening device capable of securing such door or lid, without rendering such equipment harmless to human life by removing such hinges, latches or other hardware which may cause a person to be confined therein.

(Code 1967, § 18-102)

**Sec. 17-153. - Obstructing use of wharfs or landings prohibited.**

No person shall obstruct or endanger, or place or permit anything to obstruct or endanger, on the land or in the water, the proper use of any wharf or landing on the Mississippi River.

(Code 1967, § 18-103)

**Sec. 17-154. - Climbing, jumping on moving railroad cars, engines.**

No person other than railroad employees shall jump or climb, or attempt to jump or climb upon or into, or shall encourage any person to jump or climb or attempt to jump or climb upon or into any locomotive engine, car or train of cars thereto attached while in motion.

(Code 1967, § 18-104)

**Sec. 17-155. - Smoking in grocery stores.**

- (a) Except as provided in this section, the possession of lighted smoking materials in any form, including but not limited to the possession of lighted cigarettes, cigars, pipes or other tobacco products, is unlawful in grocery stores when such grocery stores are used by or open to the public or serving as a place of work. For the purpose of this section, the term "grocery store" is defined as a store or business engaged solely or chiefly in the sale of packaged food or packaged food products.
- (b) The restrictions of this section shall not apply to areas which are specifically designated as smoking areas in accordance with this section. Limited smoking areas may be designated by the proprietors or persons in charge of the grocery stores. Nothing in this Code shall be construed to require the designation of smoking areas. Where smoking areas are designated, existing physical barriers and functioning ventilation systems may be used to minimize the irritating and toxic effects of smoke in adjacent nonsmoking areas. This provision shall not be construed to require fixed structural or other physical modifications in providing these areas or to require operation of any existing heating, ventilating and air conditioning system in any manner which decreases its energy efficiency or increases its electrical demand, or both, nor shall this provision be construed to require installation of new or additional heating, ventilating or air conditioning systems. No grocery store governed by this section shall be designated as a smoking area in its entirety.
- (c) The proprietor or other person having control of a grocery store governed by this section shall prominently post "SMOKING" or "NO SMOKING" signs, whichever are appropriate, with letters of not less than one (1) inch in height, or the international "NO SMOKING" symbol consisting of a pictorial representation of a burning cigarette enclosed in a red circle with a bar across it, in every place where smoking is regulated by this section. Such signs must be visible to people entering the grocery store, people at meat and produce counters, and people in all checkout lanes.
- (d) The proprietor or other person having control of a grocery store as defined in this section shall, upon observing a person smoking in violation of this section, request that person to stop smoking.
- (e) Any person violating, neglecting or refusing to comply with any provision of this section shall be punished by a fine in the amount of ten dollars (\$10.00).

(Ord. No. 1038, art. 1, 7-1-91)

**Sec. 17-156. - Noise control; definitions.**

For the purpose of this article, the following items have the meaning ascribed to them as hereinafter defined, unless where otherwise expressly stated or where the context clearly defines a different meaning.

*Commercial area* means a district that has been assigned a zoning designation of C or M in accordance with Chapter 30 of this Code.

*Construction* means any site preparation, assembly, erection, substantial repair, alteration or similar action, but excluding demolition, for or of public or private rights-of-way, structures, buildings, utilities or similar property.

*Continued duration* means fifteen (15) or more minutes.

*Emergency* means any occurrence or set of circumstances involving actual or imminent physical trauma or property damage which demands immediate action

*Emergency work* means any work performed for the purpose of preventing or alleviating the physical trauma or property damage threatened or caused by an emergency.

*Fireworks* see section 11-46 and 11-49 of this Code.

*Frequently* means one (1) or more times in every thirty-minute period for at least four (4) out of five (5) successive periods.

*Motor vehicle* means every vehicle which operates on land, other than a motorcycle.

*Motorboat* means any vessel which operates in or on water, propelled by machinery whether or not such machinery is the principal source of propulsion. Such a vessel would include, but is not limited to, boats, barges, amphibious craft, water ski towing devices and hovercraft.

*Motorcycle* means every motor vehicle designed to travel on not more than three (3) wheels in contact with the ground, except any such vehicle as may be included within the term tractor as a piece of farm machinery.

*Muffler or sound dissipative device* means a device for abating the sound of escaping gases of an internal combustion engine, or for abating sound transmitted in a duct, chase, pipe or other opening.

**Noise** means any sound which annoys or disturbs a reasonable person or which causes or tends to cause an adverse psychological or physiological effect on humans.

**Noise disturbance** means any sound which:

- (1) Endangers or injures the safety or health of persons or animals; or
- (2) Annoys or disturbs a reasonable person of normal sensitivities; or
- (3) Endangers or injures persons or real property.

*Person* means any individual, association, partnership, or corporation, and includes any officer, employee, department, agency or instrumentality of a state or any political subdivision of a state.

*Powered model vehicle* means any self-propelled airborne, waterborne, or landborne plane, vessel, or vehicle, which is not designed to carry persons, including, but not limited to, any model airplane, boat, car or rocket

*Public right-of-way* means any street, avenue, boulevard, highway, sidewalk or alley or similar place which is owned or controlled by a governmental entity.

*Public space* means any real property, buildings or structures thereon which are owned or controlled by a governmental entity.

*Real property boundary* means an imaginary line along the ground surface, and its vertical extension, which separates the real property owned by one person from that owned by another person, but not including intra-building real property divisions.

*Residential area* means a district that has been assigned a zoning designation of district R or MH in accordance with Chapter 30 of this Code.

*Sound* means an oscillation in pressure, particle displacement, particle velocity or other physical parameter in a medium with internal forces that causes compression and rarefaction of that medium, and is the objective cause of hearing. The description of sound may include any characteristic of such sound, including duration, level and frequency.

*Weekday* means any day Monday through Friday which is not a legal holiday.

(Ord. No. 2330, art. 3, 3-2-98)

### **Sec. 17-157. - Prohibited acts.**

- (a) *In general.* No person shall make, continue, or cause to be made or continued, or allow anyone or anything under his control to make or cause, any **noise** disturbance. Noncommercial public speaking and public assembly activities conducted on any public space or public right-of-way and otherwise complying with this Code of Ordinances shall be exempt from the operation of this section. The following acts, among others not herein listed,

and the causing thereof, are declared to be in violation of this article, but said enumeration shall not be deemed to be exclusive, namely:

- (1) Operating, playing or permitting the operation or playing of any radio, television, phonograph, drum, musical instrument, sound amplifier, or similar device which produces, reproduces, or amplifies sound:
    - a. Between the hours of 11:00 p.m. and 6:00 a.m. the following day, or at any other time, in such a manner as to create a **noise** disturbance across a real property boundary at fifty (50) feet except for activities open to the public and for which a special event permit has been issued by the City of Cape Girardeau, and subject to the terms of the permit. Any event organized or for which a permit has been issued by the parks and recreation department within the terms of section 15-482, subsection (2), shall be considered a permitted special event for the purposes of this section;
    - b. In such a manner as to create a **noise** disturbance at fifty (50) feet from such device, when operated in or on a motor vehicle on a public right-of-way or public space, or in a boat on public waters; or
    - c. In such a manner as to create a **noise** disturbance to any person other than the operator of the device, when operated by any passenger on a common carrier.
  - (2) Owning, possessing or harboring any animal or bird which frequently or for continued duration, howls, barks, meows, squawks, or makes other sounds which create a **noise** disturbance across a residential real property boundary at fifty (50) feet.
  - (3) Operating or permitting the operation of any tools or equipment used in a commercial enterprise, construction, drilling, or demolition work:
    - a. Between the hours of 11:00 p.m. and 6:00 a.m. the following day, seven (7) days a week, such that the sound therefrom creates a **noise** disturbance across a residential real property boundary at fifty (50) feet, except for emergency work of public service utilities.
  - (4) Repairing, rebuilding, modifying, or testing any motor vehicle, motorcycle, or motorboat in such manner as to cause a **noise** disturbance across a residential real property boundary at fifty (50) feet.
  - (5) Operating or permitting the operation of powered model vehicles so as to create a **noise** disturbance across a residential real property boundary at fifty (50) feet or in a public space between the hours of 11:00 p.m. and 6:00 a.m. the following day.
  - (6) Operating or permitting the operation of any mechanically powered saw, drill, sander, grinder, lawn or garden tool, snow blower, or similar device used outdoors in residential areas between the hours of 11:00 p.m. and 6:00 a.m. the following day so as to cause a **noise** disturbance across a residential real property boundary at fifty (50) feet.
  - (7) Playing or permitting the playing of basketball, hockey or other recreation outdoors in residential areas between the hours of 11:00 p.m. and 6:00 a.m. the following day so as to cause a **noise** disturbance across a residential real property boundary at fifty (50) feet.
  - (8) The sounding of any horn or signaling device on any automobile, motorcycle or other vehicle on any street or public place of the city, except as a danger warning.
  - (9) Yelling, shouting, hooting, whistling or singing on any public street, particularly between the hours of 11:00 p.m. and 6:00 a.m., or at any time or place so as to annoy, disturb the quiet, comfort or repose of persons in any office, or in any dwelling, hotel or other type of residence, or of any persons in the vicinity.
  - (10) The discharge into the open air of the exhaust of any steam engine, stationary internal combustion engine, motorboat or motor vehicle, except through a muffler or other device which will effectively prevent loud or explosive **noises** therefrom.
  - (11) The use or operation upon any street, alley or public place of a sound truck, amplifier or loud speaking device of any kind.
  - (12) Any off-road vehicle, as defined in RSMo 304.001, driven or operated off the paved surface of any public street so as to cause a **noise** disturbance.  
This subsection shall not apply to vehicles used for governmental purposes; vehicles used as personal golf carts while being used on a golf course, or vehicles used on a permitted race track.
- (b) *Rebuttal presumption.* If any vehicle is witnessed to have violated the provisions subsections (a)(1)b., (a)(8), (a)(10) or (a)(12) of this section and the identity of the operator is not otherwise apparent, it shall be a rebuttable presumption that the person in whose name such vehicle is registered committed the violation. In the event that charges are filed against multiple owners of a motor vehicle, only one (1) of the owners may be convicted and court costs may be assessed against only one (1) of the owners. If the vehicle which is involved in the violation is registered in the name of a rental or leasing company and the vehicle is rented or leased to another person at the time of the violation, the rental or leasing company may rebut the presumption by providing the peace officer or prosecuting authority with a copy of the rental or lease agreement in effect at the time of violation. No prosecuting authority may bring any legal proceedings against a rental or leasing company under this section unless prior written notice of the violation has been given to that rental or leasing company by registered mail at the address appearing on the registration and the rental or leasing company has failed to provide the rental or lease agreement copy within fifteen (15) days of receipt of such notice.

(Ord. No. 2330, art. 4, 3-2-98; Ord. No. 2980, art. 5, 3-18-02; Ord. No. 3198, art. 1, 8-4-03; Ord. No. 3682, art. 1, 7-5-06)

### **Sec. 17-158. - Exceptions.**

The following acts are declared exempted from the operation of sections 17-156 and 17-157, namely:

- (1) The operation of emergency and police vehicles responding to calls for service, and the operation of emergency equipment thereto;

- (2) The conduct of any police, military, city administration, or emergency services exercise, simulation or training;
- (3) The conduct of any parade, march, carnival, circus, show, fair, festival, bazaar or special event having obtained the required licenses and permits, subject to the terms of those licenses and permits, and otherwise complying with the provisions of this Code. Any event organized or for which a permit has been issued by the parks and recreation department within the terms of section 15-482, paragraph 2, shall be considered a permitted special event for the purposes of this section.

*(Ord. No. 2330, art. 5, 3-2-98; Ord. No. 2980, art. 6, 3-18-02)*

**Sec. 17-159. - Seizure of evidence.**

The Cape Girardeau Police Department shall have the authority to seize as evidence any device which produces, reproduces, or amplifies sound, or which is operated, permitted to operate, played or used by any person to violate sections 17-156 and 17-157. However, for the first offense under this section, a warning shall only be issued by the law enforcement officer, and the law enforcement officer shall give the offending party notice of the violation and the fact that if a second offense occurs, the device causing the excessive **noise** may be seized as evidence.

*(Ord. No. 2330, art. 6, 3-2-98)*

**Secs. 17-160—17-170. - Reserved.**

**RESOLUTION NO. 11-07**

**A RESOLUTION FOR THE FREEBURG PARK DISTRICT  
TO SPONSOR A HOMECOMING PARADE IN THE  
VILLAGE OF FREEBURG**

WHEREAS, the Freeburg Park District is sponsoring a Homecoming Parade in the Village of Freeburg, which event constitutes a public purpose;

WHEREAS, this parade will require the temporary closure of Route 15 (State Street), a State Highway in the Village of Freeburg from Market Place to Hill Street

WHEREAS, Section 4-408 of the Illinois Highway Code authorizes the Department of Transportation to issue permits to local authorities to temporarily close portions of State Highways for such public purposes.

NOW, THEREFORE, BE IT RESOLVED by the Village Board of the Village of Freeburg that permission to close off State Street from Market Place to Hill Street, be requested of the Department of Transportation.

BE IT FURTHER RESOLVED, that this closure shall occur during the approximate time period between 5:30 p.m. to 7:30 p.m. on Saturday, August 20, 2011.

BE IT FURTHER RESOLVED, that this closure is for the public purpose of the Freeburg Homecoming Parade.

BE IT FURTHER RESOLVED that traffic from that closed portion of highway shall be detoured over routes with an all weather surface that can accept the anticipated traffic, which will be maintained to the satisfaction of the Department and which is conspicuously marked for the benefit of traffic diverted from the State highway. (The parking of vehicles shall be prohibited on the detour routes to allow an uninterrupted flow of two-way traffic.) The detour route shall be as follows:

North Main Street, From State Street South to High Street, West on High Street to Railroad Street, South on Railroad Street to Apple Street, East on Apple Street to Belleville, South on Belleville to Lincoln Court, East on Lincoln Court back to State Street.

BE IT FURTHER RESOLVED, that the Village of Freeburg assumes full responsibility for the direction, protection, and regulation of the traffic during the time the detour is in effect.

BE IT FURTHER RESOLVED, that police officers or authorized flaggers shall, at the expense of the Village of Freeburg, be positioned at each end of the closed section and at other points (such as intersections) as may be necessary to assist in directing traffic through the detour.

BE IT FURTHER RESOLVED, that police officers, flaggers and officials shall permit emergency vehicles in emergency situations to pass through the closed area as swiftly as is safe for all concerned.

BE IT FURTHER RESOLVED, that all debris shall be removed by the Village of Freeburg prior to reopening the State highway.

BE IT FURTHER RESOLVED, that such signs, flags, barricades, etc., shall be used by the Village of Freeburg as may be approved by the Illinois Department of Transportation. These items shall be provided by the Village of Freeburg.

**RESOLUTION NO. 11-07 cont.**

BE IT FURTHER RESOLVED, that the closure and detour shall be marked according to the Illinois Manual on Uniform Traffic Control Devices.

BE IT FURTHER RESOLVED, an occasional break shall be made in the procession so that traffic may pass through. In any event, adequate provisions will be made for traffic on intersecting highways pursuant to conditions above.

BE IT FURTHER RESOLVED, the Village of Freeburg hereby agrees to assume all liabilities and pay all claims for any damage which shall be occasioned by the closing described above.

BE IT FURTHER RESOLVED, the Village of Freeburg shall provide a comprehensive general liability insurance policy or an additional insured endorsement in the amount of \$100,000 per person and \$500,000 aggregate which has the Illinois Department of Transportation and its officials, employees, and agents as insureds and which protects them from all claims arising from the requested road closing.

BE IT FURTHER RESOLVED, that a copy of this Resolution be forwarded to the Department of Transportation to serve as a formal request for the permission sought in this Resolution and to operate as part of the conditions of said permission.

ADOPTED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF FREEBURG, ILLINOIS, this 18th day of July, 2011.

AYES _____	NAYS _____	ABSENT _____
AYES _____	NAYS _____	ABSENT _____
AYES _____	NAYS _____	ABSENT _____
AYES _____	NAYS _____	ABSENT _____
AYES _____	NAYS _____	ABSENT _____
AYES _____	NAYS _____	ABSENT _____

Vote Recorded By:

\_\_\_\_\_  
Jerry Menard, Village Clerk

Approved by the Village President of the Village of Freeburg, St. Clair County, Illinois, this 18th day of July, 2011.

ATTEST:

\_\_\_\_\_  
Jerry Lynn Menard, Village Clerk

\_\_\_\_\_  
Raymond Danford, Village President

# **Metropolitan Enforcement Group of Southwestern Illinois**

## **Intergovernmental Agreement**

### **I. PURPOSE:**

In order to combat the multi-jurisdictional illegal trafficking of narcotics, controlled substances and dangerous drugs, the undersigned Law Enforcement Agencies; hereby, agree to pool and integrate law enforcement resources into the METROPOLITAN ENFORCEMENT GROUP OF SOUTHWESTERN ILLINOIS (hereafter, referred to as MEGSI) to coordinate the enforcement of drug laws without regard to jurisdictional boundaries and to cooperate with State and Federal Enforcement Groups.

### **II. AUTHORITY**

This agreement is entered into by the undersigned pursuant to the provisions of Article VII, Section 10, 1970 Constitution of the State of Illinois; the Intergovernmental Cooperation Act, Illinois Revised Statutes, Chapter 127, Section 743 (1990); and the Intergovernmental Drug Law Enforcement Act, Illinois Revised Statutes, Chapter 56 ½, Section 1701 (1977) (P.A. 80-617, effective July 1, 1977).

### **III. ORGANIZATION:**

#### **A. POLICY**

The undersigned agree that effective use of its personnel, in the enforcement of drug laws, requires that a Policy Board shall be established. The MEGSI Policy Board shall be composed of an elected public official, or his designee, and the Chief Law Enforcement Officer, or his designee, from all participating local units of government. The Policy Board shall supervise and oversee the operations of MEGSI, make such reports to the Director of the Illinois State Police as that Department may require. Consonant with the expressed legislature intent in the Intergovernment Drug Law Enforcement Act, the Policy Board shall determine that MEGSI operations are limited exclusively to enforcement of drug laws of this State, sister States or of the United States.

- B. To qualify as a voting member of the MEGSI Policy Board the participating member with a population of over 12,500 residents must contribute personnel (either sworn or non-sworn) and said personnel must be assigned full time to MEGSI, OR, members with a population with less than 12,500 resident must contribute one (1) dollar per capita.

#### **A. FISCAL OFFICER**

An elected official of a participating unit of local government shall be designated Fiscal Officer for MEGSI by appointment of the Policy Board. The Fiscal Officer shall function as the sole Fiscal Officer for all participating Agencies in MEGSI. The Director of the Illinois State Police shall monitor MEGSI and determine its eligibility to receive State Funding.

# Metropolitan Enforcement Group of Southwestern Illinois

## Intergovernmental Agreement

### III. ORGANIZATION (cont.)

#### A. OPERATING DIRECTOR

The Policy board shall designate by majority vote an Operating Director who shall be responsible for the daily operations of MEGSI. He shall report and be accountable to the MEGSI Policy Board.

### IV OPERATIONS:

A. Each participating Unit of local Government shall contribute to MEGSI personnel, equipment or cash as directed by the Policy Board.

B. It is expressly understood by and between the parties that the policy power of each member of MEGSI is extended to all officers of MEGSI operating pursuant to the terms of this agreement as provided for in the Illinois Revised Statutes, Chapter 127, Section 743.

C. A Sworn Law Enforcement Officer recommended by the Director of MEGSI and appointed as Inspector by the Director of the Illinois State Police, shall continue to be an employee of the participating Unit and shall be compensated by the Unit in accordance with their regular procedures.

D. Personnel contributed by participating Units who are not sworn Law Enforcement Officer shall be recommended by the Director of MEGSI and shall continue to be regular employees of the participating Units and shall be compensated in accordance with their Unit's regular procedures.

E. Non-sworn personnel employed by MEGSI shall be subject to the rules and regulations promulgated pursuant to the terms of this agreement and such other regulations which may be promulgated by MEGSI or the Illinois State Police.

### V. FISCAL YEAR:

The fiscal year of MEGSI shall commence on July 1<sup>st</sup> and terminate on June 30<sup>th</sup> of each year.

### VI. EQUAL EMPLOYMENT OPPORTUNITY:

The undersigned participating Units of local government are Equal Opportunity Employers and agree to subscribe to and comply with any and all laws, rules and regulations of the Equal Employment Opportunity Commission (EEOC) and the Illinois Fair Employment Practices Commission (FEPC).

### VII. AMENDMENT:

This agreement may be amended at any time by written agreement of a majority of all the participants named herein.

**Metropolitan Enforcement Group of Southwestern Illinois**  
**Intergovernmental Agreement**

**VIII. CANCELLATION:**

This agreement may be canceled at any time by written agreement of a majority of all participating, herein named. In such event of the dissolution of the Metropolitan Enforcement Group of Southwestern Illinois (MEGSI) and the termination of the MEGSI Policy Board; and after all claims against MEGSI Policy Board; and after all claims against MEGSI are satisfied, the material benefits realized from the liquidation of any and all MEGSI assets, shall be determined by the MEGSI Policy Board.

**IX. EFFECTIVE DATE:**

This agreement shall become effective when subscribed by two or more participating Units of government.

**X. INSURANCE:**

The Operating Director shall not permit the assignment of any sworn personnel employed by any Unit of local government until such time as MEGSI has obtained liability insurance for the Policy Board, each Unit of government, and said sworn personnel, that insurance to be approved as to coverage and limits by the Policy Board.

**XI. SOCIAL SECURITY and IMRF BENEFITS:**

It is agreed by all participating Units of local government that for all non-sworn personnel, whose salary is paid by MEGSI, that MEGSI will pay the employers share of Social Security and IMRF. It is also agreed, that upon the dissolution of MEGSI, if there is any further contribution that must be made to IMRF for its non-sworn employees, that each participating Unit of local government at the date of dissolution will share in the payment of such contribution.

**SIGNATORIES**

**LOCAL UNIT OF GOVERNMENT CONTRIBUTION**

FREEBURG POLICE Dept  
Agency

\_\_\_\_\_  
Mayor Date

  
\_\_\_\_\_  
Chief of Police Date

**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

**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

Wednesday, June 8, 2011 at 6:33 p.m.

Chairperson Rita Baker called the meeting of the Personnel and Public Safety Committee to order on Wednesday, June 8, 2011 at 6:33 p.m. Those present were Chairperson Rita Baker, Trustee Steve Smith, Trustee Charlie Mattern - absent, Chief of Police Mel Woodruff and Office Manager Julie Polson.

**POLICE:**

**A. OLD BUSINESS:**

1. Police Contract: An executive session is needed to discuss this topic.

**EXECUTIVE SESSION**

**6:35 P.M.**

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

**EXECUTIVE SESSION ENDED**

**6:55 P.M.**

*Chairperson Baker reconvened the regular session of the Personnel/Police Committee meeting at 6:55 p.m.*

2. Noise Ordinance: Steve requested we obtain Cape Girardeau's noise ordinance. Julie will get it and put copies in everyone's mailbox.

Mel advised he would like to hire Kyle Whitworth as a part-time police officer. He currently works for Smithton and said he would like to work him into the part-time staff. He said Kyle has a good work history with Smithton. The part-time pay raise will be addressed once the contract has been settled.

**B. NEW BUSINESS:**

1. Request to close street: This was taken care of at the June 6, 2011 board meeting.

**PERSONNEL:**

**A. OLD BUSINESS:**

1. Approval of May 10, 2011 Minutes: *Trustee Steve Smith motioned to approve the May 10, 2011 Minutes and Chairperson Rita Baker seconded the motion. All voting aye, the motion carried.*

2. Employee Handbook: Nothing at this time.  
Personnel/Police Committee Meeting

Wednesday, June 8, 2011

Page 1 of 2



- a. Public Works On Call Status: Nothing new.
3. Job Descriptions: Dennis will start working on the job descriptions for Mel, John and Ron.
4. Safety Policy: We are still working on this.

**B. NEW BUSINESS:**

1. Pay reimbursement: At the June 6, 2011 board meeting, the Board passed Mel's request to be reimbursed for working over and above his normal position in order to cover the schedule. He will be paid the same rate as a patrolman.

**C. GENERAL CONCERNS:** None.

**D. PUBLIC PARTICIPATION:** None.

**E. ADJOURN:** *Trustee Steve Smith motioned to adjourn at 7:15 p.m. and Chairperson Rita Baker seconded the motion. All voting aye, the motion carried.*



Julie Polson  
Office Manager