

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

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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

FREEBURG REGULAR BOARD MEETING Monday, September 17, 2012 at 7:30 P.M. Board Meeting

CALL TO ORDER: Mayor Ray Danford called the Regular Board Meeting to order at 7:30 p.m., on Monday, September 17, 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 (entered meeting at 7:35 p.m.); 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; Village Clerk Jerry Menard – absent; (5 present, 1 absent). Mayor Ray Danford announced there is a quorum.

MINUTES OF PREVIOUS MEETING: *Trustee Rita Baker motioned to approve the minutes of September 4, 2012 with corrections and Trustee Steve Smith seconded the motion. All voting aye, the motion carried.*

FINANCE: Trustee Smith asked if Dennis had a chance to look at the 3- to 5-year plan and Dennis said he has not. Steve asked if the auditors arrived today and Dennis confirmed they are here and should finish up on Wednesday.

TREASURER'S REPORT: None.

ATTORNEY'S REPORT: None.

ESDA REPORT: None.

PUBLIC PARTICIPATION: Mayor Danford called for public participation. Several residents voiced their displeasure over the recent decision by the board to fire the two police officers and also the recommendation on tonight's agenda to instruct the village attorney to file a petition for discovery to determine the identity of trustee(s) who disclosed confidential information. Mayor Danford said there was information released in news articles that came out of executive session. Mayor Danford explained the discovery process will determine who and what information was released out of executive session and published. An employer of the News Democrat stated that it came from a trustee. Whether it is true or that, it will be determined in the discovery process. The process will be conducted through court supervision. Mayor Danford said his administration is to keep as transparent as possible which includes all the proper enforcements of the law. Those laws were not broken by the Mayor but by other people and we called them to task. John Blomenkamp asked what law have they broken and Mayor Danford said trustees have a responsibility when they take the oath of office to obey all the laws of the state which includes the ones not specifically listed that have a punishment attached to them, it is still a moral problem. Mayor Danford confirmed a trustee(s)

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cannot be terminated by this process. Dave Self then asked why are you doing this? Mayor Danford said if the trustees are not fulfilling their obligations to the village, he will take whatever legal steps are necessary to preserve the Village's integrity.

Trustee Speiser said he didn't say anything to anybody and then said there is a law on the State's Attorney's website that states you can't sanction one of your members. He asked if anyone did their homework and looked into it before they spend more money on attorney fees. Mayor Danford said he would like to see an injunction filed which will prohibit trustees from speaking publicly on these private issues. He also believes you can't ignore a law just because you think it's going to cost too much to do it the right way. Tony asked if we go through the process and the trustees are censored, what does that do? The Mayor said if a trustee is censored, nothing happens. It would be up to the voters to decide if they want to re-elect that trustee(s). Mayor Danford stated certain trustees voiced their concern over the matter and it needed to be addressed.

REPORTS AND CORRESPONDENCE: Mayor Danford said we have a request from St. Joseph's School for the 5K Run/Walk on Saturday, October 13, 2012.

Trustee Rita Baker motioned to grant the request for St. Joseph's School 5K Run/Walk on Saturday, October 13, 2012 and Trustee Steve Smith seconded the motion. With six aye votes, the motion carried.

Mayor Danford said the next request is from St. Joseph Knights of Columbus for the 2012 Intellectual Disabilities Tootsie Roll Campaign on September 21st and 22nd.

Trustee Rita Baker motioned to approve the St. Joseph's Knights of Columbus request to collect donations on September 21st and 22nd for their Intellectual Disabilities Tootsie Roll Campaign and Trustee Steve Smith seconded the motion. With six aye votes, the motion carried.

Lastly, Mayor Danford said we have an unusual request from Debbie Maurer to close Belleville Street between W. St. Clair and W. White and also W. St. Clair between Belleville and N. Monroe, and also N. Monroe between W. Phillips and W. Mill Street in order to shoot a short film on October 6th and 7th. Administrator Herzog stated this request came in on Friday and he passed it along to Chief Woodruff. The Chief talked to her today and said she would start the filming on Saturday, October 6th and hopefully finish up that day. We won't consider anything past dusk and anything that would obstruct the local traffic. She is a member of St. Pauls and has coordinated this with them. She has all the proper insurance and will provide that to the Village.

Trustee Rita Baker motioned to approve Debbie Maurer's request to block off traffic during the film shoot dates of October 6th and 7th, and Trustee Ray Matchett, Jr., seconded the motion. With six aye votes, the motion carried.

RECOMMENDATIONS OF BOARDS AND COMMISSIONS: None.

CONTRACTS, RELEASE, AGREEMENTS, ANNEXATIONS: None.

BIDS: None.

RESOLUTIONS: None.

ORDINANCES: None.

OLD BUSINESS: Trustee Smith said we won't be doing a community calendar this year. The Tribune didn't have access to any pictures and Steve didn't know he should be taking any.

NEW BUSINESS: Mayor Danford stated we have a recommendation from the Personnel/Police Committee to instruct the village attorney to file a petition for discovery to determine the identity of trustee(s) who disclosed confidential information.

Trustee Rita Baker motioned that we instruct Attorney Brian Manion to file a petition for discovery to determine the identity of trustee(s) who disclosed confidential information and Trustee Steve Smith seconded the motion. ROLL CALL: Trustee Rita Baker - aye; Trustee Steve Smith - aye; Trustee Charlie Mattern - aye; Trustee Mike Blaies - nay; Trustee Ray Matchett, Jr., - nay; Trustee Seth Speiser - nay; Mayor Danford - aye; (4 ayes, 2 nays). With 4 aye votes, the motion carried.

Trustee Rita Baker motioned to give Assistant Public Works Director John Tolan a bonus for work above and beyond his position in the amount of \$3500 for last year 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 Ray Matchett, Jr., - aye; Trustee Seth Speiser - aye; (6 ayes, 0 nays). With six aye votes, the motion carried.

Next on the agenda is a request to adjust the ESDA Coordinator's salary. Trustee Speiser asked what Gene was making and Rita advised \$1500 per year.

Trustee Rita Baker motioned to adjust the ESDA Coordinator's salary to \$2500 per year 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 Ray Matchett, Jr., - aye; Trustee Seth Speiser - aye; (6 ayes, 0 nays). With 6 aye votes, the motion carried.

Tony asked if that was retroactive and Mayor Danford said that is for the end of this year. Trustee Baker said they would like to rewrite his job description and go from there.

Mayor Danford stated we have a recommendation to hire an apprentice lineman, Zach Kramper. *Trustee Rita Baker motioned to hire Zach Kramper as an apprentice lineman and Trustee Mike Blaies seconded the motion. ROLL CALL:* Trustee Rita Baker - aye; Trustee Mike Blaies - aye; Trustee Charlie Mattern - aye; Trustee Steve Smith - aye; Trustee Ray Matchett, Jr., - aye; Trustee Seth Speiser - aye; (6 ayes, 0 nays). With 6 aye votes, the motion carried.

Mayor Danford said we have a recommendation to hire a full-time patrolman, Matt Moeckel. *Trustee Rita Baker motioned to hire Matt Moeckel as a full-time patrolman 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 Ray Matchett, Jr., - aye; Trustee Seth Speiser - aye; (6 ayes, 0 nays). With 6 aye votes, the motion carried.

Mayor Danford stated the last recommendation is to hire three part-time patrolmen. Trustee Speiser asked how many do we have now. Chief Woodruff said we have three vacancies. One position will

replace the full-time hire of Matt Moeckel, and two other part-time officers have secured full-time work elsewhere. This will bring the total of part-time patrolmen to six. Trustee Matchett brought up Officer Mendenhall and said to his understanding, Officer Mendenhall still wants to work for the Village. Chief Woodruff received a letter concerning that today. Trustee Matchett said he would still like his name kept on the part-time list or if we need full-time. Chief Woodruff said he would be happy to provide updated information but would do so in an executive session. Mayor Danford agreed and said his information was older and thought Officer Mendenhall accepted a job elsewhere.

Trustee Rita Baker motioned to hire three part-time patrolmen 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 Ray Matchett, Jr., - aye; Trustee Seth Speiser - aye; (6 ayes, 0 nays). With 6 aye votes, the motion carried.

APPOINTMENTS: None.

COMMITTEE MEETING REPORTS:

Committee as a Whole Meeting: Mayor Danford reported the Committee as a Whole Meeting was called to order by Mayor Ray Danford on Tuesday, September 4, 2012 at 5:30 p.m. He stated the majority of this meeting was spent in executive session regarding the two police officers. Trustee Speiser asked if Officer Mendenhall was going to be discussed at the next Personnel/Police Committee meeting. Administrator Herzing replied we can do that or we can go into executive session tonight. Trustee Speiser said he would like to see it on the next Personnel/Police committee agenda for discussion since we aren't going to hire any other officer before that next meeting. Dennis will make sure it's on the next agenda.

Legal/Ordinance Committee Meeting: Trustee Speiser called the Legal/Ordinance Committee meeting to order on Wednesday, September 5, 2012 at 4:30 p.m.

1. Bill Herr: We talked about the outstanding issues with Bill Herr and aren't quite sure what to do about it.
2. Ken Stumpf: Trustee Speiser said that court date was August 14th and Trustee Baker said there was a continuance. Dennis believes it was continued until November.

Electric Committee Meeting: Minutes of Wednesday, September 12, 2012 are not available at this time. Trustee Blaies had no comments.

Personnel/Police Committee Meeting: Minutes of Wednesday, September 12, 2012 are not available at this time. Trustee Baker stated we took care of everything tonight that we talked about at that meeting.

UPCOMING MEETINGS:

Water/Sewer Committee Meeting - Wednesday, September 19, 2012 - 5:30 p.m. - postponed.

Streets Committee Meeting - Wednesday, September 19, 2012 - 6:30 p.m.

Finance Committee Meeting - Wednesday, September 26, 2012 - 5:30 p.m.

Economic Development Committee Meeting - Wednesday, September 26, 2012 - 6:15 p.m. - held tonight. No movie scheduled due to unavailability of equipment.
Board Meeting - Monday, October 1, 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: Absent.
Trustee Mike Blaies: He thanked John for his commitment to the Village.
Trustee Raymond Matchett: He thanked John for his time he put in.
Trustee Seth Speiser: He agreed with the other comments.
Staff Comments: None.

ADJOURN: *Trustee Rita Baker motioned to adjourn the meeting at 8:21 p.m. and Trustee Steve Smith seconded the motion. All voting aye, the motion carried.*



Transcribed from tape by
Julie Polson, Office Manager and
Deputy Village Clerk