

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 Tuesday, September 4, 2012 at 7:30 P.M. Board Meeting

CALL TO ORDER: Mayor Ray Danford called the Regular Board Meeting to order at 7:43 p.m., on Tuesday, September 4, 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 Steve Smith - here; Trustee Rita Baker - here; Trustee Mike Blaies – here; Trustee Raymond Matchett, Jr. here; Trustee Seth Speiser - here; Mayor Ray Danford - here; (7 present, 0 absent). Mayor Ray Danford announced there is a quorum.

MINUTES OF PREVIOUS MEETING: Exhibit A:

Mayor Danford said we have two sets of minutes for approval one from August 6, 2012 and August 20, 2012.

Trustee Rita Baker motioned to approve the minutes of Monday, August 6, 2012 and Trustee Steve Smith seconded the motion. All voting aye the motion carried.

Trustee Steve Smith motioned to approve the minutes of Monday, August 20, 2012 and Trustee Mike Blaies seconded the motion. All voting aye the motion carried.

Exhibit B: FINANCE:

- 1. Attorney Invoices:** Trustee Smith said we talked about the attorneys invoices.
- 2. 3-to-5 Year Plan:** Trustee Smith said we talked about the 3 to 5 year plan. Trustee Smith said that Dennis still needed to review it.
- 3. Electric Bond Refinancing:** Trustee Smith stated that Edward Jones is projecting about \$510,000 in savings by refinancing the bonds.
- 4. FY2012:** Trustee Smith said the auditors will be here September 17th.

TREASURER'S REPORT: None

ATTORNEY'S REPORT: Attorney Brian Manion asked to go into Executive Session later.

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ESDA Report: Mayor Danford said we have an ESDA report from Gene. Mayor Danford said he see that Gene is not here this evening, would anyone from ESDA that is here tonight like to make any comments.

PUBLIC PARTICIPATION: Mayor Danford called for Public Participation, if there is anybody here tonight that would like to speak would you please stand up and state your name first before speaking. The rules are fairly simple; if you become redundant or repetition you're done, if you make any threats you're done, otherwise we will attempt to listen to anybody who has anything to say at this time.

Attorney Ann Hillyer took the floor and stated she and attorney Debbie Greider is here representing Officer Blomenkamp and Officer Burrows along with the union attorney which is not present tonight. Ann stated we have some questions about procedure in regarding termination hearing. Mayor Danford said as a follow up he apologizes; it is his attempt to address most of the questions but after everyone has spoken. If you have your questions now he will make a note of them and he will come back to them, but he wouldn't reply to individual one by one at this time.

Ann said most of her questions are on procedures she will reserve her time until you can answer them. Mayor Danford asked if anyone else would like to take the floor. Helen Tomah, Casey Davis, Tom Lawler, Karen Masters, Greg Blomenkamp and a few other supporters. Each one took the floor one at a time to express their support for Officer Blomenkamp and Officer Steve Burrows. Officer Steve Burrows took the floor to read apology letter to the Village Board members. Mayor Danford, Trustee Mattern, Attorney Ann Hillyer, Attorney Debbie Greider, Officer Blomenkamp and a few others continued a lengthy discussion of the issues of two police officers. Mayor Danford said if anyone feels that he missed answering any of these points that was brought up please point that out to him and he will try to readdress the questions. Mayor Danford said from his respective at least tonight he is not speaking for the entire board at this point, infect there has been some difference of opinion on the board.

**REGULAR BOARD MEETING
EXECUTIVE SESSION
8:43 P.M.**

*Trustee Charlie Mattern motioned to go into Executive Session to discuss Personnel {5 ILCS, 120/2 – (c)(1)} and Trustee Rita Baker seconded the motion. **ROLL:** Trustee Charlie Mattern – aye; Trustee Rita Baker – 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, the motion carried.*

**EXECUTIVE SESSION ENDED
9:39 P.M.**

Trustee Rita Baker motioned to reconvene the Regular Board Meeting at 9:46 p.m. and Trustee Steve Smith seconded the motion. All voting aye, the motion carried.

Mayor Danford stated what we decided in this last executive session an offer to posing consul and the officers if they would like to have the opportunity to go into executive session with the six trustees the mayor, no lawyers, no questions from either side will just sit there and listen to each officer individually let them present their side on what they want us to hear. Attorney Ann Hillyer return to the meeting after a brief discussion with both officers. Ann stated we are ready to proceed, but she wanted to make one thing clear no lawyers to be in executive session. Mayor Danford replied yes, that is right. Ann said then the officers are ready to be heard.

**REGULAR BOARD MEETING
EXECUTIVE SESSION
10:59 P.M.**

*Trustee Rita Baker motioned to go into Executive Session to discuss Personnel {5 ILCS, 120/2 – (c)(1)} and Trustee Steve Smith seconded the motion. **ROLL:** Trustee Rita Baker – aye; Trustee Steve Smith – aye; Trustee Seth Speiser – aye; Trustee Raymond Matchett, Jr. – aye; Trustee Mike Blaies – aye; Trustee Charlie Mattern – aye; (6 ayes, 0 nays, 0 absent). All voting aye, the motion carried.*

**EXECUTIVE SESSION ENDED
11:28 P.M.**

Trustee Rita Baker motioned to reconvene the Regular Board Meeting at 11:29 p.m. and Trustee Steve Smith seconded the motion. All voting aye, the motion carried.

Mayor Danford said we still have a motion on the table made by Trustee Matchett, Jr. to hear the officers speak and seconded by Trustee Speiser. Mayor Danford said you can do one of the two, you can vote your motion down or pull the motion, and it is up to you. Trustee Matchett pulled his motion.

REPORTS AND CORRESPONDENCE: None

RECOMMENDATIONS OF BOARDS AND COMMISSIONS: Mayor Danford stated EDC has request to collect donations on the Highway on Saturday, October 13, 2012 for the Christmas Lights.

Trustee Rita Baker motioned to grant EDC their request to collect donations on Saturday, October 13, 2012 for Christmas Lights and Trustee Steve Smith seconded the motion. All voting aye, the motion carried.

CONTRACTS, RELEASE, AGREEMENTS, ANNEXATIONS: None

BIDS: None

RESOLUTIONS: None

Exhibit D:

ORDINANCES:

Mayor Danford said we have Ordinance No. 1433; An Ordinance Amending Title XV, Chapter 155 of the Revised Code of the Village of Freeburg, St. Clair County, Illinois (Zoning Code-Signs)

*Trustee Rita Baker motioned to adopt Ordinance No. 1433 by title only and Trustee Seth Speiser seconded the motion. **ROLL CALL:** Trustee Rita Baker - aye; Trustee Seth Speiser - aye; Trustee Charlie Mattern - aye; Trustee Steve Smith - aye; Trustee Mike Blaies - aye; Trustee Raymond Matchett, Jr. - aye; (6 ayes, 0 nays, 0 abstain, 0 absent), with 6 voting aye, the motion carried.*

OLD BUSINESS: Mayor Danford called for Old Business will there be any motions or discussions.

*Trustee Raymond Matchett, Jr., motioned to impose disciplinary action against Officer Blomenkamp and Trustee Seth Speiser seconded the motion. **ROLL CALL:** Trustee Raymond Matchett, Jr. - aye; Trustee Seth Speiser - aye; Trustee Mike Blaies - aye; Trustee Steve Smith - nay; Trustee Rita Baker - nay; Trustee Charlie Mattern - nay; (3 ayes, 3 nays, 0 abstain, 0 absent), with 3 voting aye, and 3 voting nay the Mayor Danford cast the tie-breaking vote of nay, motion defeated.*

*Trustee Raymond Matchett, Jr. motioned to impose disciplinary action against Officer Burrows and Trustee Seth Speiser seconded the motion. **ROLL CALL:** Trustee Raymond Matchett, Jr. - aye; Trustee Seth Speiser - aye; Trustee Mike Blaies - nay; Trustee Steve Smith - nay; Trustee Rita Baker - nay; Trustee Charlie Mattern - nay; (2 ayes, 4 nays, 0 abstain, 0 absent), with 2 voting aye, and 4 voting nay, motion failed.*

*Trustee Rita Baker motioned to terminate employment of Officer Steve Burrows and Trustee Steve Smith seconded the motion. **ROLL:** Trustee Rita Baker – aye; Trustee Steve Smith – aye; Trustee Charlie Mattern – aye; Trustee Mike Blaies – aye; Trustee Seth Speiser – nay; Trustee Raymond Matchett, Jr. – nay; (4 ayes, 2 nays, 0 absent). 4 voting aye, 2 voting nay, the motion carried.*

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Trustee Rita Baker motioned to terminate employment of Officer John Blomenkamp and Trustee Steve Smith seconded the motion. ROLL: Trustee Rita Baker – aye; Trustee Steve Smith – aye; Trustee Seth Speiser – nay; Trustee Raymond Matchett, Jr. – nay; Trustee Mike Blaies – nay; Trustee Charlie Mattern – aye; (3 ayes, 3 nays, 0 abstain, 0 absent), with 3 voting aye, and 3 voting nay. Mayor Danford cast the tie-breaking vote of nay, the motion carried. (Mayor Danford made this statement before voting)

Mayor Danford said before he cast his vote he would like to make a comment. Mayor Danford said; he will say he believes this is the better way for the village to go at this point. They do have ways of remediating this action, and he wishes them luck in that aspect. If it goes to arbitration than of course that resolves some liability issues which he doesn't think the village is willing to accept at this point. With this in mind he is going to cast his vote in agreement to terminate and wish the officers best of luck. This is a far as we are willing to go tonight; there has been enough discussion on it.

NEW BUSINESS: None

APPOINTMENTS: None

COMMITTEE MEETING REPORTS:

Exhibit E:

Economic Development Committee Meeting: Trustee Steve Smith called the Economic Development Committee meeting to order on Wednesday, August 1, 2012 at 6:15 p.m.

- 1. Movie in the Park:** Trustee Smith said we talked about the Movie in the Park which we are waiting to see when Corby is available to use his equipment.
- 2. Website:** Trustee Smith said we talked about the website.
- 3. 222 ½ Program:** Trustee Smith said we talked about the 222 ½ program.

Exhibit F:

Economic Development Committee Meeting: Trustee Steve Smith called the Economic Development Committee meeting to order on Wednesday, August 29, 2012 at 6:15 p.m.

- 1. Movie in the Park:** Trustee Smith said we talked showing the movie Green Lantern for the Movie in the Park on September 15th if Corby is available.
- 2. Website:** Trustee Smith said there is nothing new.
- 3. 222 ½ Program:** Trustee Smith said we talked about the 222 ½ program.

Exhibit G:

Committee As A Whole Meeting: Trustee Steve Smith called the Committee As A Whole meeting to order on Thursday, August 30, 2012 at 6:00 p.m.

Mayor Danford said this meeting was spent mostly in Executive Session to discuss charges of misconduct and possible discipline and discharge of the officers.

UPCOMING MEETING:

Legal/Ordinance Committee Meeting – Wednesday, September 5 8, 2012 – 4:30 p.m.

Electric Committee Meeting – Wednesday, September 12, 2012 – 5:30 p.m.

Personnel/Police Committee Meeting – Wednesday, September 12, 2012 – 6:30

Economic Development Committee Meeting – Monday, September 17, 2012 – 7:00 p.m.

Board Meeting - Monday, September 17, 2012 - 7:30 p.m.

VILLAGE BOARD AND STAFF COMMENTS:

Trustee Charlie Mattern: yes he does; Charlie said he cast his vote the way he did in order to maintain the integrity of the Village of Freeburg Police Department based on which their currently working as well as the integrity of the union contract that sat force rules which we employ our officers to maintain the integrity to do what is right when no one is watching. The integrity of liability of all future cases which the Freeburg Police Department

Trustee Steve Smith: He thinks Charlie sum it up very well

Trustee Rita Baker: She agrees with Charlie

Village Clerk Jerry Menard: No thank you

Mayor Danford: Ray said on the final vote on Officer Blomenkamp, that Charlie sum up his thoughts entirely. Regrettably he felt the village had no other force of action, short of accepting liability was unreasonable for us to be expected to shoulder. He thinks we did the right thing for the benefit of the community.

Trustee Mike Blaies: No thank you

Trustee Raymond Matchett, Jr.: No thank you

Trustee Seth Speiser: yes; he hopes in the future if this happens again that we act up on it a little quicker. He wishes the families of Burrows and Blomenkamp the best.

Staff Comments: None

ADJOURN: *Trustee Rita Baker motioned to adjourn the meeting at 11:45 p.m. and Trustee Steve Smith seconded the motion. All voting aye, the motion carried.*

A handwritten signature in black ink that reads "Jerry Lynn Menard". The signature is written in a cursive, flowing style.

Jerry Lynn Menard
Village Clerk