

VILLAGE PRESIDENT
Seth Speiser

VILLAGE CLERK
Jerry Menard

VILLAGE TRUSTEES
Ray Matchett, Jr.
Lisa Meehling
Mike Blaies
Tom Carpenter
Dana Miller
Robert Kaiser

VILLAGE TREASURER
Bryan A. Vogel

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
Matt Trout

PUBLIC WORKS DIRECTOR
John Tolan

POLICE CHIEF
Michael J. Schutzenhofer

ESDA COORDINATOR
Eugene Kramer

VILLAGE ENGINEER
Tim Pruett, P.E.

VILLAGE ATTORNEY
Weilmuenster Keck Brown, P.C.

THE PUBLIC CAN PARTICIPATE THROUGH THE ZOOM CLOUD MEETING APPLICATION AND CLICKING ON THE FOLLOWING LINK:

Join URL: <https://us02web.zoom.us/j/4478727673>
Meeting ID: 447 872 7673

We ask the public to mute their phone or mic until Public Participation
If you have any questions, please contact Matt Trout at mtrout@freeburg.com
Village Hall will be open to the public for this meeting

July 22, 2024

NOTICE A SPECIAL MEETING OF THE BOARD OF TRUSTEES

A Special Meeting of the Board of Trustees of the Village of Freeburg will be held at the Municipal Center, 14 Southgate Center, Freeburg, Illinois, on **Wednesday, July 24, 2024, at 6:15 p.m.**

SPECIAL MEETING OF THE BOARD OF TRUSTEES' AGENDA

- I. Items To Be Discussed
 - A. New Business
 1. Emergency Spending Declaration
 - a. Ordinance #1794 – An Ordinance Declaring a Local State of Emergency for the Village of Freeburg (The Repair of Barber Lane Following the Flooding Incident of July 16, 2024)
 - b. Resolution #24-12 – An Emergency Spending Resolution of the Board of Trustees of the Village of Freeburg in Support of Ordinance #1794
 - B. Adjourn

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)]; 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)].

ORDINANCE NO. 1794

**AN ORDINANCE DECLARING A LOCAL STATE OF EMERGENCY
FOR THE VILLAGE OF FREEBURG
(THE REPAIR OF BARBER LANE FOLLOWING THE FLOODING INCIDENT OF
JULY 16, 2024)**

WHEREAS, the Village of Freeburg is a non-home rule unit of government; and

WHEREAS, the Illinois Municipal Code, 65 ILCS 5/11-1-6, provides for the declaration of a state of emergency and the grant of extraordinary authority to the Mayor/Village President by the corporate authorities; and

WHEREAS, the Illinois Emergency Management Agency Act, 20 ILCS 3305/11, further provides for emergency local disaster declaration by the principal executive officer or his or her interim emergency successor; and

WHEREAS, the Illinois Municipal Code, 65 ILCS 5/8-10-5, provides that after an emergency affecting public health or safety has been declared, and where the nature of the danger to the public health or safety has been so identified, the corporate authorities may authorize the letting of contracts to the extent necessary to resolve such emergency without public advertisement; and

WHEREAS, the Village has previously adopted Article III, Chapter 30-3-1, et seq., of its Village Code of Ordinances to address Emergency Management situations/local states of emergency when they arise; and

WHEREAS, the Village/Mayor/Village President do now declare an Emergency Management situation/local state of emergency for the repair of Barber Lane following the flooding incident of July 16, 2024, and avail themselves of all the statutory and Village Code provisions cited herein, and further, all those that exist under applicable Illinois law, for the exercise of extraordinary powers by executive order during a state of emergency within the Village.

WHEREAS, the Village Administrator, Village Engineer and Village Public Works Director have provided the facts/background, testimony, evidence, photographs, etc. to the Village Board of Trustees of the current state/condition of Barber Lane, and the repairs immediately required following the flooding incident of July 16, 2024.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF FREEBURG, ILLINOIS, THAT:

Section 1: There currently exists an emergency, in this case, a natural disaster as a result of a flood within the corporate limits of the Village, resulting in or threatening the death or injury of residents/persons or the destruction of property, to such an extent that extraordinary measures must be taken to protect the public health, safety and welfare of the Village.

ORDINANCE NO. 1794 cont.

Section 2: That pursuant to the statutes and Village Code provisions cited herein, the Village/Mayor/Village President are authorized to declare the existence of a Local State of Emergency by means of a written declaration, under oath, declaring that a Local State of Emergency exists. That accordingly, the Village/Mayor/Village President do so herein.

Section 3: That the Mayor/Village President of the Village of Freeburg, Illinois, is hereby authorized in the interest of public safety and welfare, and to address the issues caused and/or threatened by the emergency, and to make or take any or all of the following actions by executive order during the state of emergency:

- 1) All actions found in Article III, Chapter 30-3-1, et seq. of the Village Code;
- 2) All actions reasonably necessary to respond to the emergency;
- 3) Approve previously appropriated expenditures of the Village for the purpose of fixing Barber Lane;
- 4) In the event the Local State of Emergency extends beyond the current fiscal year and a new budget has not been approved, the Mayor/Village President shall be authorized to approve new spending by the Village during the existence of the Emergency Management situation/Local State of Emergency.

Section 4: The declaration herein so authorized shall be effective for a period of up to and through August 5, 2024, which is the date of the next Village Board Meeting.

Section 5: Nothing contained herein shall be construed to impair the powers contained in this Code, giving powers to the police and fire departments, but shall be construed together with existing ordinances now in effect for the safety and welfare of the citizens of the Village.

Section 6: All ordinances, resolutions, and policies or parts thereof, in conflict with the provisions of this Ordinance are, to the extent of the conflict, expressly repealed on the effective date of this Ordinance.

Section 7: Severability. If any provision of this Ordinance or application thereof to any person or circumstances is ruled unconstitutional or otherwise invalid, such invalidity shall not affect other provisions or applications of this Ordinance that can be given effect without the invalid application or provision, and each invalid provision or invalid application of this Ordinance is severable.

Section 8: This Ordinance shall be in full force and effect after its passage and approval as provided by law.

ORDINANCE NO. 1794 cont.

ADOPTED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF FREEBURG,
ILLINOIS, THIS 24th DAY OF JULY, 2024.

Vote Recorded:

AYES: _____

NAYS: _____

ABSENT: _____

Seth E. Speiser
Village President

ATTEST:

Jerry Menard
Village Clerk

Approval as to Legal Form:

Frederick W. Keck
Village Attorney

RESOLUTION NO. 24-12

**AN EMERGENCY SPENDING RESOLUTION OF THE BOARD OF TRUSTEES OF
THE VILLAGE OF FREEBURG IN SUPPORT OF ORDINANCE NO. 1794 - AN
ORDINANCE DECLARING A LOCAL STATE OF EMERGENCY
FOR THE VILLAGE OF FREEBURG
(THE REPAIR OF BARBER LANE FOLLOWING THE FLOODING INCIDENT OF
JULY 16, 2024)**

WHEREAS, the Board of Trustees of the Village of Freeburg, Illinois, has passed Ordinance No. 1794, wherein the Village/Mayor/Village President declared a state of emergency on Barber Lane in the Village; and

WHEREAS, per Section 3 of that Ordinance, the Mayor/President is authorized to make or take emergency actions, including the reasonable expenditure of funds to alleviate the state of emergency; and

WHEREAS, the Board of Trustees of the Village of Freeburg, Illinois, believes it is in the best interests of the Village to support the emergency actions of the Mayor, and further, to authorize all reasonable expenditures necessary to alleviate the state of emergency to protect the residents/persons located in the Village; and

WHEREAS, accordingly, the Board of Trustees of the Village of Freeburg, Illinois, believes it is in the best interests of the Village to pass an emergency spending resolution to support the emergency actions of the Mayor, and further, take all reasonable attempts to alleviate the local state of emergency that exists on Barber Lane.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF FREEBURG, ILLINOIS, THAT:

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

SECTION 2: The Mayor of the Village of Freeburg, Illinois, is hereby authorized to execute this Resolution, and the Clerk to attest thereto.

SECTION 3: This Resolution shall be in full force and effect after its passage and approval as provided by law.

ADOPTED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF FREEBURG, ILLINOIS, THIS 24th DAY OF JULY, 2024.

RESOLUTION NO. 24-12 cont.

Vote Recorded:

AYES: _____

NAYS: _____

ABSENT: _____

Seth E. Speiser
Village President

ATTEST:

Jerry Menard
Village Clerk

Approval as to Legal Form:

Frederick W. Keck
Village Attorney