

**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

August 15, 2011

## NOTICE

### MEETING OF THE PUBLIC WORKS COMMITTEE Trash/Water/Sewer (Mattern/Speiser/Matchett)

A Public Works Committee Meeting of the Village of Freeburg will be held at the Municipal Center, Executive Board Room, on **Wednesday, August 17, 2011, at 5:30 p.m.**

#### PUBLIC WORKS COMMITTEE MEETING AGENDA

- I. Items To Be Reviewed
  - A. Old Business
    1. Approval of July 20, 2011 minutes
    2. Sewer Project
    3. DCEO Grant for Water Towers/Shed
    4. Low water pressure problem areas
    5. Sewer machine
    6. Sewer Problem areas
    7. Fire Department Dispatching
    8. Waste Management Contract
    9. Resident Sewer Backup
    10. Sewer connection at 700 N. State
  - B. New Business
  - C. General Concerns
  - D. Public Participation
  - E. Adjourn

At said Committee Meeting, the Village Board of Trustees may vote on whether or not to hold an Executive Session to discuss potential litigation, [5 ILCS, 120/2 - (c)(11)]; the selection of a person to fill a public office [5 ILCS, 120/2 - (c) (3)] personnel [5 ILCS, 120/2 - (c) (1) a.]; or real estate transactions [5 ILCS, 120/2 - (c) (5)].

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**PUBLIC WORKS COMMITTEE MEETING**  
Trash/Water/Sewer  
(Mattern/Speiser/Matchett)

Wednesday, August 17, 2011 at 5:30 p.m.

**VILLAGE ADMINISTRATOR**  
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The Public Works Committee Meeting was called to order at 5:35 p.m. on Wednesday, August 17, 2011, by Chairman Charlie Mattern. Members present were Chairman Charlie Mattern, Trustee Seth Speiser, Trustee Ray Matchett, Trustee Mike Blaies, Village Clerk Jerry Menard, Village Administrator Dennis Herzing and Assistant Public Works Director John Tolan. Guests present: Larry Rhutasel and Janet Baechle.

Chairman Mattern asked that Larry Rhutasel be heard first to accommodate his schedule. With respect to the West Street sewer project, Dennis provided copies of the residents' group presentation which included a list of their concerns and requests in response to our request for easements. At the meeting with the residents, the Village agreed to have Rhutasel & Associates go out and stake where the easements would be located in each yard. Dennis said we then met with the residents and walked each of the yards and easements and discussed in further detail at which time they presented additional requests. They want \$2 per square foot, free underground electric services for everyone in the neighborhood, free sewer taps, tree removal and replacement to mention a few. Dennis said we've never paid more than \$5 per foot and normally pay \$1 - \$2 per lineal foot. At \$2 per square foot, or about \$40 per lineal foot, for a 20 foot easement on that sewer pipe through their backyards would double the cost of the sewer through their yard. Dennis estimated their costs about approximately \$71,000. Dennis asked Tim Pruett to look at taking the sewer straight down West Street. Originally we had avoided that option but in light of the all the demands from the residents, we thought we should price that option. Dennis said the point is that even though the sewer gets more expensive to go down West Street, it's almost a wash when you add in the residents' expenditure requests. The approximate cost to take the sewer down West Street is \$172,000 and to go along the creek with the added costs from the residents will total about \$171,000. He believes the residents feel they are selling their property to the Village. He tried to explain to them in one of the meetings the easements grant the Village the right to build the sewer on their property and allows the Village to access the sewer when it needs to be worked on.

Larry added the sewer project has already been designed and sent to the EPA. If we change the plan, we'll have to resubmit to EPA and Rhutasel will have some additional costs to do so. Charlie asked if we should talk to the residents one more time and the committee felt it was a better option to go with putting the sewer down West Street. That would alleviate potential future problems with the residents if we ran the sewer through their yards and then needed to work in those areas. Dennis questioned whether we could run the sewer along the edge of the right-of-way along West Street instead of the middle and Larry said there are existing utilities in the right-of-way. John confirmed gas runs right along the edge. Larry commented we will need an easement from Fred Helms and Dennis said he also needs to look at the area by Swyears/Parrish. The committee asked Larry to check out the grades and move forward with the sewer placement down West Street and to have that available at the next meeting. Charlie will make a motion at the next board meeting to change the scope of the sewer project and extend the design fees. Larry will work on the change in costs and get that to Dennis before the next board meeting.

Water/Sewer Committee Meeting  
Wednesday, August 17, 2011  
Page 1 of 3

**A. OLD BUSINESS:**

1. Approval of July 20, 2011 minutes: *Trustee Seth Speiser motioned to approve the July 20, 2011 minutes and Trustee Ray Matchett seconded the motion. All voting aye, the motion carried.*
2. Sewer Project: See Public Participation above.
3. DCEO Grant for Water Towers/Shed: Dennis said we don't really have anything new on this. We have until the end of next year to complete the work. We plan on building the shed in the spring. We received our grant money on the water tower repairs.
4. Low water pressure problem areas: We will keep this item on the agenda to address water problem areas as needed and schedule permits.
5. Sewer machine: John said it will be mid September before we receive the machine.
6. Sewer problem areas: John said we are televising and cleaning sewers on August 24th. We'll be cleaning in the St. Clair Court area and televising by Terry Marquart and Ray Matchett's homes. He said we'll also shoot by Kessler Road going to the sewer plant to look for the infiltration. We need to get this done during the dry time. It will cost close to \$500 per hour.
7. Fire Department Dispatching: Nothing new.
8. Waste Management Contract: Dennis would like to leave this on the agenda because he needs to look at the new rates in the contract to see if we need to adjust the customer's rate.
9. Resident Sewer Backup: The letter from the insurance company denying the claim was included in the packet.
10. Sewer connection at 700 N. State: Dennis said they have not had the meeting with Crawford yet to see if he would be in favor of putting in a lift station. Crawford has postponed the meeting several times. We could possibly waive some of the sewer tap fees if Crawford would pay for the lift station. Charlie said he could come in at the bottom of the manhole and take his chances. John has talked to Herb McCarthy who is in charge of the project. Herb has a complete estimate from Flow Systems and said it was close to \$15,000. Dennis and John think there is a meeting scheduled for sometime next week.

Seth asked if anything was done on Povolich and John said we've received the permit and just need to bore. John will contact Mr. Povolich and let him know what's going on. John said we met with Reichert at the pool and are going to run all new sewer down to that lift station. He would like to tie that lift station and pool into this sewer project. Dennis doesn't think the sewer project will be ready soon enough since the pool project will start very soon.

**B. NEW BUSINESS: None.**

**C. GENERAL CONCERNS:** John said he has a laptop computer with dial-up at the lab and has moved that up to the plant. He will not pay for the dial-up anymore. He needs a new laptop. Dennis will look at the budget and is fairly certain he can find the money for a laptop for both Ron and John. Ray was handed a bill for a basement cleanup on a sewer backup. Dennis will have

Julie turn it into the insurance company. John asked Ray if Littiken had any problem and Ray said he did get a little backup.

**D. PUBLIC PARTICIPATION:** None.

**E. ADJOURN:** *Trustee Seth Speiser motioned to adjourn at 6:24 p.m. and Trustee Ray Matchett seconded the motion. All voting aye, the motion carried.*

A handwritten signature in black ink that reads "Julie Polson". The signature is written in a cursive style with a large, looped initial "J".

Transcribed from tape by  
Julie Polson,  
Office Manager

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Ray Danford

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**PUBLIC WORKS COMMITTEE MEETING**  
Trash/Water/Sewer  
(Mattern/Speiser/Matchett)  
Wednesday, July 20, 2011 at 5:30 p.m.

The Public Works Committee Meeting was called to order at 5:30 p.m. on Wednesday, July 20, 2011, by Chairman Charlie Mattern. Members present were Chairman Charlie Mattern, Trustee Seth Speiser, Trustee Ray Matchett, Trustee Mike Blaies, Village Administrator Dennis Herzing, Assistant Public Works Director John Tolan and Office Manager Julie Polson.

**A. OLD BUSINESS:**

1. Approval of June 15, 2011 minutes: Trustee Seth Speiser motioned to approve the June 15, 2011 minutes and Trustee Ray Matchett seconded the motion. All voting aye, the motion carried.
2. Sewer Project: Dennis said we met with the residents who we are trying to obtain easements for the sewer project. He has scheduled a meeting on July 26th for Rhutasel to go out and mark where each easement would be located. He said Dave Pierpoint requested a smaller easement. He also said he does not want to negotiate the price of the easement. In the past, we've paid about \$2.00 per foot. He would rather offer the residents a different service, i.e. free tap or underground electric service. There is some information needed from the attorneys to finalize the paperwork with respect to the loan documents and that will be taken care of next week.
3. DCEO Grant for Water Towers/Shed: Dennis completed the status report. The water tower repairs were completed at a total cost of \$18,770 leaving \$31,230 available for the new shed. The committee discussed the layout of the shed and agreed we would like to utilize as much of the lot as we can.
4. Low water pressure problem areas: We will keep this item on the agenda to address water problem areas as needed and schedule permits.
5. Sewer machine: We should have delivery in two weeks.
6. Sewer problem areas: John said once we get the new sewer machine, he plans to address the problem area on St. Clair Court by cleaning out the main line all the way back to Towers to the lagoon. John said he has ordered shoring that will be needed to look at the problem area on Elizabeth Dr. John said he would like to have a storm water study because we have a major infiltration problem. He thinks it is either a culvert or open line somewhere on the west side of town. He would like to start at the west plant and work out from there to try to find the problem.
7. Fire Department Dispatching: Nothing new.
8. Waste Management Contract: Dennis needs to set up a meeting with Dan Hannah.

Water/Sewer Committee Meeting  
Wednesday, July 20, 2011  
Page 1 of 2

**B. NEW BUSINESS:**

1. Resident Sewer: Dan Hatter who lives at 211 S. Vine had a sewer backup on June 26th during one of our heavy rain events. He has lived there for 3 years and never had a backup. John met with him and advised him to submit a claim to our insurance company. Julie confirmed that Mr. Hatter did and she filed one with our insurance company. John said he is not in favor of putting in a check valve because he is not sure what happened to cause the backup. Julie told the committee our insurance adjuster advised we should instruct residents that have sewer backups to file a claim and let the insurance company handle them.

The committee discussed the sewer connection for Crawford's new building going in at 700 N. State. John said we had discussed putting in a mini lift station like we did for Dambachers. There would be a significant cost to install this (about \$10,000 - \$15,000) and Dennis suggested possibly waiving some of the sewer tap fees if Crawford would pay for the lift station. Or, we could donate the labor. If we did install a lift station, Crawford would be responsible to maintain it. We'll schedule a meeting to discuss the various options.

John said the two new trash pumps are in. He has received a request to install a 2" water service for the concession stand at the football field.

**C. GENERAL CONCERNS:** Seth asked about Povolich's situation and Dennis said he sent a letter to IDOT but has not heard back from him.

**D. PUBLIC PARTICIPATION:** None.

**E. ADJOURN:** *Trustee Seth Speiser motioned to adjourn at 6:12 p.m. and Trustee Ray Matchett seconded the motion. All voting aye, the motion carried.*



Julie Polson  
Office Manager



# RHUTASEL and ASSOCIATES, INC.

CONSULTING ENGINEERS • LAND SURVEYORS

4 INDUSTRIAL DRIVE / P.O. BOX 97 / FREEBURG, IL 62243  
(618) 539-3178 / FAX (618) 539-3174

799 COTTONWOOD DRIVE / EVERGREEN, CO 80439  
(303) 282-0521 / FAX (303) 265-9672

201 S. LOCUST ST. / CENTRALIA, IL 62801  
(618) 532-1992 / FAX (618) 532-1993

JOB WEST STREET SEWER

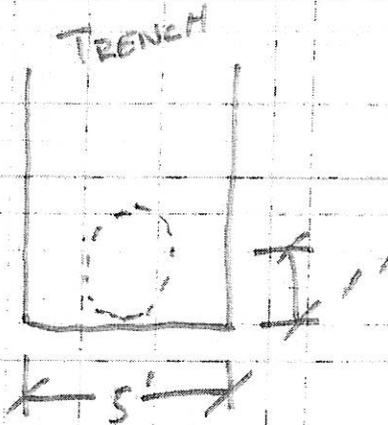
SHEET NO. \_\_\_\_\_ OF \_\_\_\_\_ SCALE \_\_\_\_\_

CALCULATED BY TWP DATE 8/17/11

CHECKED BY \_\_\_\_\_ DATE \_\_\_\_\_

SUBJECT \_\_\_\_\_

GRANULAR  
CALCULATION



5' WIDE TRENCH

5' WIDE x 1' DEEP x 1' LENGTH

$$= 5 \text{ CF} \div 27 \frac{\text{CF}}{\text{CY}} = .185 \text{ CY}$$

CA 7

2.05 TONS / CY

$$.185 \text{ CY} \times 2.05 \frac{\text{TONS}}{\text{CY}} = .38 \text{ TONS / FT OF DEPTH / LF}$$

20' DEEP SEWER → BOTTOM 2' GRANULAR  
INCLUDED IN SEWER COST (BEDDING)

$$18' \text{ DEEP GRANULAR} : 18' \times .38 \text{ TONS / FT / FT} \\ = 6.84 \text{ TONS / FT}$$

$$\text{CA 7 PLACED} = \$15 / \text{TON}$$

$$\$15 / \text{TON} \times 6.84 \text{ TON / FT} = \underline{\underline{\$103 / FT}}$$



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JOB WEST ST SEWER

SHEET NO. \_\_\_\_\_ OF \_\_\_\_\_ SCALE \_\_\_\_\_

CALCULATED BY TWP DATE 8/17/11

CHECKED BY \_\_\_\_\_ DATE \_\_\_\_\_

SUBJECT \_\_\_\_\_

18" GRAVITY SEWER  
20' DEEP

400 LF

\$125/FT SEWER PIPE & INSTALL  
103/FT GRANULAR

400 X

\$228/FT \$ 91,200

18" GRAVITY SEWER  
15' DEEP

200 LF

\$100/FT SEWER INSTALL  
74/FT GRANULAR

200 X

\$174/FT \$ 34,800

18" GRAVITY SEWER  
< 10' DEEP

230 LF

\$75/FT SEWER PIPE/INSTALL  
\$50/FT GRANULAR

230 X

\$125/FT \$ 28,750

MANHOLES: 3 EA @ \$2500/EA =

\$ 7500

A-2 OIL W CHIP 20' WIDE x 830' LONG

1845 SY x \$5.25/SY =

\$ 9700

TOTAL

\$172,000



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JOB WEST ST SEWER  
SHEET NO. \_\_\_\_\_ OF \_\_\_\_\_ SCALE \_\_\_\_\_  
CALCULATED BY TWP DATE 8/17/11  
CHECKED BY \_\_\_\_\_ DATE \_\_\_\_\_  
SUBJECT \_\_\_\_\_

18" GRAVITY SEWER ALONG CREEK (REAR PROPERTIES)

1050 LF \*  $\frac{\$}{70/FT}$  = \$ 73,500  
< 8' DEEP

6 EA MANHOLES @ \$2200/EA = \$ 13,200

KESSLER RD PAVEMENT REPAIR \* 10,000  
GRANULAR BACKFILL

WEST ST PAVEMENT REPAIR \* 4,000

TOTAL

\$ 100,700

ADDITIONAL ITEMS

EASEMENT COST  $\Rightarrow$  1050 LF @ 40.<sup>00</sup>/LF = \$42,000.<sup>00</sup>

TREE REMOVAL  $\Rightarrow$   $\pm$  \$10,000

TREE REPLACEMENT  $\Rightarrow$   $\pm$  5,000

SEWER SERVICES  $\Rightarrow$  2,500

ELECTRICAL UPGRADES  $\Rightarrow$  2,500

FENCE REMOVAL / REPLACEMENT 1,200

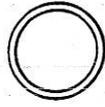
SEED / YARD CLEAN UP 3,000

CARPORT REMOVE / REPLACE 5,000

71,000

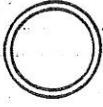
\$ 171,700

# Freeburg Proposed Sewer Easement



PROPERTY OWNER'S GROUP PRESENTATION

## **Overview of Property Owner's Concerns**



- Existing Easements
- Insufficient Project Details and Quit Claim Deed
- Trees
- Sewer Connections for Property Owners
- Existing and Future Structures
- Current Offer for Property vs. Fair Market Value

# Existing Easements



- Three out of the four properties in question ceded easements to the Village within the last 10 years and now the Village is asking for additional property
- Property between the 2 easements is devalued greatly – To clarify: nothing can be built on the property in between the easement and the creek
- Structures need to be placed 5 to 6 feet off of the easement. This depletes even more of our properties, bringing the real size of the easement to 30 to 32 feet wide.
- The group feels promises made by the Village in regards to maintenance of the before mentioned easement have not been kept (i.e. the creek has not been maintained to the standards promised)

# Inefficient Project Details and Quit Claim Deed



- The Village has not outlined when the project starts and when it is finished.
- The Village has not informed us what maintenance is required for these easements and how often our properties need to be accessed outside of emergency repairs.
- The property owners would like additional information as follows:
  - ❖ Did the Village conduct a study to evaluate the cost of running the new sewer down West street? Is so, what was the cost of the project? If no, why not?
  - ❖ We would like the Village to come out and mark all aspects of the easements at an agreed upon time when the property owners are present.
  - ❖ What kind of equipment is involved and where will it access the properties?

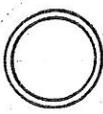
# Trees



Several mature trees are within the proposed easement or near the easement. Some of these trees are over 40ft tall and have limbs that are several feet in diameter.

- We have serious concerns about the removal of these trees and damage or death of these trees after the construction is finished. These concerns include:
  - ❖ The safety of children, other family members and guests. Our children, grandchildren and great-grandchildren play in our yards we feel that trees damaged by the construction could take several years to die if damaged. During this time falling limbs may make our properties hazardous.
  - ❖ The removal of such large trees is extremely expensive and may need to be done several years after the construction is complete.
  - ❖ These trees are a major selling point to our properties. Not many other properties in town have the “park like setting” that our properties encompass.
  - ❖ Trees offer a great deal of shade and decrease summer cooling costs. Replacing a mature tree with a sapling is not a fair exchange.

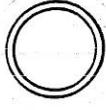
## **Sewer Connections for Property Owners**



Currently, 2 properties pump waste into the sewers at the property owner's expense. We are not aware of other properties in town that have to do this.

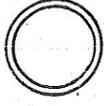
- In previous discussions the village agreed to properly hook these properties to the new system, however, the deed holds no indication of this.

# Existing and Future Structures



- The plans show the easement will not circumvent structures on at least one of the properties.
- Homeowner may wish to build new structures such as garages, sheds, pools and other outdoor living areas. The easement may hinder or alter these plans.
- To reiterate a previous point, structures need to be placed 5 to 6 feet off of the easement. This depletes even more of our properties, bringing the real size of the easement to 30 to 32 feet wide.

## **Current Offer for Property vs. Fair Market Value**



The Village's offer to purchase the property is extremely below market price

- One example of the current offer comes to 10 cents a sq. ft.
- We believe the current fair market value of comparable lots in town to be approximately 2 dollars a sq. ft.

# Contract Requirements (Draft)

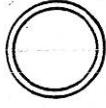


- The Village will work with the property owners to negotiate a fair price for the properties based on the square footage of the property and fair market value of the property taking in the considerations listed above.
- It is understood by both parties that the granting of this easement is restricted to this project. The Village will not have rights to use the easement for further expansion of the sewer system once this project is complete or the rights to use the easement for any other reason or future project.
- The Village shall replace or restore to the satisfaction of the property owner any structure(s) removed or damaged by the construction or subsequent maintenance or repair of the sewer lines contained within the easement.

## Contract Requirements Continued (Draft)

- Any tree(s) not removed during the construction of the sewer project, that die or become unsafe on the properties within 10 years from the date the construction of the project is complete or within 10 years after any maintenance or repair is made to the sewer lines, regardless of reason, shall be removed by the Village or at the Village's expense using a licensed tree removal service.
- The Village will reimburse property owners for trees removed during the construction process in the amount to be determined by both parties based on the fair market value of each individual tree.

# Contract Requirements Continued (Draft)



- All manholes and access points on the easements shall be buried in accordance to the latest safety, code and industry standards.
- The Village will notify property owners adjacent to the easement at least 72 hours prior to accessing the easement. This provision excludes any emergency repairs.
- Construction will commence on XXXXXX and end on XXXXX. The Village will pay a penalty, at a rate negotiated by the Village and Property Owners, per day after the (ending date) if the project exceeds the ending date.

## Contract Requirements Continued (Draft)

- Certain properties will be hooked up to the new sewer lines at the city's expense this includes any labor, equipment fees and materials involved in the connection, including pipes leading to the residences, the actual connection to the house and reseeding of grass.
- All turf and earth removed, displaced or removed during the construction of either the permanent or temporary easement will be properly replaced to the individual property owner's specifications.

