

**ORDINANCE COMMITTEE MEETING**  
**September 2, 2008**

Chairman James Coppernoll called the meeting to order at 7:00 P.M.

Trustee members present: Tad Whitchurch, Sally Hollembeak

Also, present: Attorney Jim Stevens; Administrator, David Nord; Trustee, Linda Melton; Trustee, Stephen Appell; President Jim Claeysen; Trustee, Scott Kramer, Chief Todd Houde, PWD Joe Caveny & Attorney James Stevens

Sally Hollembeak moved to adopt the agenda with the addition of "Commercial Zoning Changes" under new business. Tad Whitchurch seconded the motion. Motion was carried by voice vote.

Sally Hollembeak moved to approve the August 4, 2008 ordinance committee minutes. Tad Whitchurch seconded. Motion carried by voice vote.

**CHARLES STREET GARDENS ANNEXATION**

Attorney Jim Stevens distributed a draft annexation agreement with some minor revisions made from the prior draft. Attorney Stevens stated he is waiting for the homeowners' attorney to provide some additional information. Exhibits for the document were not attached. Attorney Stevens asked that Trustees contact him with any concerns. This item will be discussed at the September 23, 2008 Planning & Development Committee for further discussion and will also be placed on the agenda for the October 6, 2008 Ordinance Committee meeting.

**FENCE CONSTRUCTION**

Additional discussion was held as to the definition of what the "finished side" of a fence is, and how to address the various types of fencing. After much discussion, the Village Attorney will attempt to further clarify the language within the ordinance and bring it to the Village Board for consideration at the September 16<sup>th</sup> Board of Trustee meeting.

**NUISANCE REVIEW / BUILDING CODE REVIEW**

Attorney James Stevens reported that a draft ordinance should be completed by the October 6, 2008 Ordinance Committee meeting, Attorney Stevens was instructed by the committee to include language that would address residential properties as well as commercial properties.

**NATURAL GROWTH AREA OVER 12" REVIEW**

Attorney Stevens distributed a draft ordinance for the committee's review. Stevens asked that the committee review the draft for discussion at the October 6, 2008 Ordinance Committee meeting.

**ORDINANCE TO DISPOSE OF PERSONAL PROPERTY**

Sally Hollembeak so move to waive the rules for first reading of two ordinances for the disposal of personal property, and forward this to the September 2, 2008 Village Board of Trustees meeting.. Tad Whitchurch seconded the motion. Motion carried by voice vote.

**CHAPTER 22 SATELLITE DISH**

Various discussions about modifying or eliminating this section from the Village's ordinance book. Satellite dish technology has changed greatly since this section was adopted, and various committee members expressed an interest in changing the ordinance. Attorney Stevens stated he would research this topic and have additional information at the October 6, 2008 Ordinance Committee meeting.

**TRAILERS**

Police Chief Todd Houde distributed a draft recommendation on defining what constitutes a trailer, suggested exemptions and items to omit from the existing ordinance. Discussion as to how many carts should be allowed on a property. Much discussion as to what constitutes a trailer, and how to be differentiate between trailers that would be exempt and what would be regulated. Discussion as to possibly putting a maximum size on carts. Committee members were asked to review Chief Houde's recommendations and provide input at the October 6, 2008 Ordinance Committee meeting.

**COMMERCIAL ZONING CHANGES**

Attorney Stevens distributed a draft ordinance making various modifications to the Village's commercial zoning code. These changes are the result of recommendations by the Village's Planning Commission and the Zoning Board of Appeals. Sally Hollembeak so moved to forward this ordinance to the September 16, 2008 Village Board of Trustees meeting for first reading. Tad Whitchurch seconded the motion. Motion carried by unanimous voice vote.

**TRUSTEE COMPENSATION**

President Jim Claeysen reported that Village Clerk Nancy Belt sent information to the Board reminding them that an ordinance would need to be enacted at least one hundred eighty (180) days prior the general election in the Spring of 2009. After additional discussion Sally Hollembeak so moved to forward an ordinance raising Trustee compensation to \$225 per Board meeting effective May of 2011. First reading on this ordinance to be held at the September 16, 2008 Village Board of Trustees. Tad Whitchurch seconded the motion. Motion carried by voice vote. It was consensus of the committee to refer this to the September, 2008 Personnel meeting for additional discussion.

**PRESIDENT'S REPORT**

President Jim Claeysen advised the committee that they have been provided with a Special Events Permit for their review and comment. Currently, except for carnivals, the Village has no permits or forms addressing special events. It was requested that this be placed on the agenda for the October 6, 2008 Ordinance committee meeting.

**CARPENTER'S TRAINING SCHOOL**

David Nord presented the committee with the "Final Plat Number 5 of Orchard Business Park" This plat includes the parcel for the proposed Carpenter's Training Facility. After brief discussion, Sally Hollembeak so moved to take "Final Plat Number 5 of Orchard Business Park" to the Village Board for second and final reading. Tad Whitchurch seconded the motion. Motion carried by voice vote.

**MONTESORRI LEARNING ACADEMY**

David Nord presented the committee with the “Final Plat Number 3 of Old Orchard Business Park” This plat includes the parcel for the proposed Montessori Learning Academy. After brief discussion, Sally Hollebeak so moved to take” Final Plat Number 3 of Old Orchard Business Park” to the Village Board for second and final reading. Tad Whitchurch seconded the motion. Motion carried by voice vote.

**ANAM P.U.D.**

Attorney Stevens reported having a meeting with Joe Caveny, Dave Nord and the representatives of Anam Care. The developers are asking for a variance to the required building setback for Building #3 of the Planned Unit Development. After some discussion, it was the consensus of the committee to allow the variance provided the final site plan includes landscaping along Tebala Blvd. Furthermore, if the landscaping located with the recorded easement were removed by a utility, the developer would be required to replace it with comparable sized landscaping at no cost to the Village.

Because of concerns expressed by the Attorney, it was the consensus of the committee that the developers be approached about treating this P.U.D. as a condominium development. Attorney Stevens stated he would go back to the developers and begin negotiating the specifics of the P.U.D. agreement.

**DEVELOPMENT GUIDELINES**

Attorney Stevens reported that he had met with Nancy Belt, Joe Caveny, Chris Cooper and Dave Nord to discuss how to best monitor development projects and insure that all fees are collected for the Village. Attorney Stevens stated that a draft ordinance is in the works.

Sally Hollebeak moved to adjourn at 8:23 pm. Tad Whitchurch seconded. Motion carried by voice vote.

Recorded by: Village Administrator; David Nord

James Coppernoll approved the ordinance minutes on September 8, 2008

