

## ORDINANCE COMMITTEE MEETING

May 5, 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; Village Clerk, Nancy L. Belt; Trustee, Linda Melton; Trustee, Stephen Appell; President Jim Claeysen; Trustee, Scott Kramer; Chief Gary Maitland, Sergeant Houde

James Coppernoll so moved to adopt the agenda adding Chapter 42 Section 221 Nuisances. Tad Whitchurch seconded. Motion was carried by voice vote.

Sally Hollembeak so moved to approve the April 1, 2008 ordinance committee minutes. Tad Whitchurch seconded. Motion carried by voice vote.

### DRIVEWAY VARIANCE 3920 CUTTY SARK ROAD

James Coppernoll asked Mr. Temple to address the committee. Mr. Temple requested a driveway variance at 3920 Cutty Sark Road to extend his driveway two feet in order to park his RV and accommodate additional off street parking for vehicles. He said he lives on a curve and it causes traffic problems to have cars parked on the street in front of his home.

**Sally Hollembeak moved to send to the May 6, 2008 village board for passage “An Ordinance Granting a Variance to Section 58-146 Driveway Widths (3920 Cutty Sark Road).” Tad Whitchurch seconded. Motion carried by voice vote.**

### SECTION 58-3 – 58-7 IMMOVABLE OBJECTS IN RIGHT-OF-WAYS

James Coppernoll presented the committee with, “An Ordinance Amending the Code of Ordinances for the Village of Cherry Valley, Illinois, Sections 58-2 and 58-3 (Obstruction to Public Right-of Ways and Repair to Damaged Private Property).”

**Sally Hollembeak moved to send to the May 6, 2008 village board for first reading, , “An Ordinance Amending the Code of Ordinances for the Village of Cherry Valley, Illinois, Sections 58-2 and 58-3 (Obstruction to Public Right-of Ways and Repair to Damaged Private Property).” Tad Whitchurch seconded. Motion carried by voice vote.**

James Coppernoll requested Joe Caveny and Chief Gary Maitland to review this ordinance before final reading.

### SECTION 50-76 ADOPTING DEVELOPER PROJECT REVIEW FEES

James Coppernoll presented the committee with Hanson Engineer’s and Village Clerk, Nancy Belt’s recommendations to resolve the problem of collecting payments from the developers for engineering services. Attorney Jim Stevens suggested that he discuss these recommendations with Nancy Belt, Joe Caveny and David Nord and draft an ordinance to be reviewed at the June ordinance committee meeting. Committee agreed.

**SECTION 62-127 SIDEWALKS; DETECTABLE WARNING PAVERS**

James Coppernoll stated that at the April ordinance committee it was recommended to have Attorney Jim Stevens draft an ordinance with the required specs from (ADA) Americans with Disabilities Act to provide sidewalk ramps accessibility to people with physical and sensory disabilities.

**Sally Hollebeak moved to send to the May 6, 2008 village board for first reading, “An Ordinance Amending the Code of Ordinances for the Village of Cherry Valley, Illinois, Section 62-127 (c) Sidewalks.” Tad Whitchurch seconded. Motion carried by voice vote.**

**VARIOUS ZONING CLASSIFICATIONS**

James Coppernoll stated that at the April ordinance committee meeting David Nord’s presented zoning recommendations to Section 82-233 CN, Section 82-234 CC & Section 82-235 CG. Attorney Jim Stevens stated that in order to *add or delete certain zoning classifications* the planning commission and zoning board of appeals boards will need to make recommendations. David Nord stated that the May ZBA meeting has been cancelled, but will place the zoning classifications on the June ZBA agenda.

**SECTION 62-163 (k) CUL-DE-SAC’S DIAMETERS**

James Coppernoll presented the committee with, “An Ordinance Amending Section 62-163 (k) Cul-de-sac Diameters/Dead-End Streets.” **Sally Hollebeak moved to send “An Ordinance Amending Section 62-163 (k) Cul-de-sac Diameters/Dead-End Streets.” to the May 6, 2008 village board for first reading. Tad Whitchurch seconded. Motion carried by voice vote.**

**CHAPTER 18 ANIMALS**

James Coppernoll presented the committee with copies of the village’s Chapter 18 Animals ordinance and the village of Vernon Hills animal ordinance. The current village ordinance dated 1974 needs to be amended to conform to certain zoning area through out the village limits and James said he would recommend to the committee to incorporate Vernon Hills ordinance into Chapter 18 Animals Section 18-3.

**Sally Hollebeak moved to authorize Attorney Jim Stevens to draft an ordinance with Vernon Hills language as presented in Section 4.4 Keeping of Certain Animals Prohibited; Exceptions, and send to the village board for first reading at the May 6, 2008 village board meeting. Tad Whitchurch seconded. Motion carried by voice vote.**

James Coppernoll requested the committee to also address maximum number of dogs and cats allowed at any property within the village limits. President Claeysen requested the clerk to obtain the City of Loves Park and Machesney Parks Animals & Fowl Ordinances.

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**AMENDING THE COMPREHENSIVE PLAN**

James Coppernoll presented the committee with, “An Ordinance Amending the Comprehensive Plan for the Village of Cherry Valley, Illinois. Attorney Jim Stevens provided the trustees with the comprehensive plan map. **Sally Hollembeak moved to send to the May 6, 2008 village board meeting for first reading, “An Ordinance Amending the Comprehensive Plan for the Village of Cherry Valley, Illinois.” Tad Whitchurch seconded. Motion carried by voice vote.**

**SECTION 2-144 COMPENSATION (PRESIDENT)**

James Coppernoll presented the committee with, “An Ordinance Amending the Code of Ordinances, for the Village of Cherry Valley, Illinois, Section 2-144 Compensation (President).” **Sally Hollembeak moved to send to the May 6, 2008 village board meeting for first reading, “An Ordinance Amending the Code of Ordinances, for the Village of Cherry Valley, Illinois, Section 2-144 Compensation (President).” Tad Whitchurch seconded. Motion carried by voice vote.**

**SECTION 2-71 TRUSTEE REIMBURSEMENT**

James Coppernoll presented the committee with, “An Ordinance Amending the Code of Ordinances for the Village of Cherry Valley, Illinois, Section 2-71. Trustee Reimbursement.” Attorney Jim Stevens informed the committee that he increased the incurred actual expenses exceeding \$2,450.00 annually because of the reimbursed increasing from \$25.00 to \$35.00 per meeting. Stephen Appell stated that he and other trustees would like to review Section 2-32 Trustee Compensation in regards to setting the salary for 2011. It was the consensus of the committee to refer this to the June ordinance committee meeting for further discussion.

**Sally Hollembeak moved to send to the May 6, 2008 village board meeting for first reading, “An Ordinance Amending the Code of Ordinances for the Village of Cherry Valley, Illinois, Section 2-71. Trustee Reimbursement.” Tad Whitchurch seconded. Motion carried by voice vote.**

**SECTION 2-511 (D) SPECIAL COMMITTEES**

James Coppernoll presented the committee with “An Ordinance Amending Section 2-511 (d) Reimbursement to Special Committees.” Attorney Jim Stevens stated that by changing the dates from April 30 and October 31 to June 30 and December 31 is that the payables for the 1099 misc. will be during the calendar year. **Sally Hollembeak moved to send the May 6, 2008 village board meeting to waive the rules on the first reading and pass, “An Ordinance Amending Section 2-511 (d) Reimbursement to Special Committees.” Tad Whitchurch seconded. Motion carried by voice vote.**

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### **GRANTING A SIGN VARIANCE CHERRY VALLEY CROSSING**

James Coppernoll presented the committee with, “An Ordinance Granting a Variance to Section 6-41 commercial Signs (Cherry Valley Crossing).” **Sally Hollembeak moved to send “An Ordinance Granting a Variance to Section 6-41 commercial Signs (Cherry Valley Crossing)” to the May 6, 2008 village board for first reading. Tad Whitchurch seconded. Motion carried by voice vote.**

### **CHAPTER 42 NUISANCES**

James Coppernoll presented the committee with a copy of the village current ordinance and a copy of the City of Pekin’s ordinance “Nuisances; Creating; Maintaining”. David Nord stated that the village has been receiving calls from residents asking that the village enforce cleaning-up private properties that have such items as lumber, junk, trash, debris abandoned or unused equipment. Attorney Jim Stevens said that he would research if Pekin is a home rule community and if the village can adopt this type of ordinance. James Coppernoll referred this matter to the June ordinance committee meeting.

James Coppernoll moved to go into executive session at 8:07 pm. for the purpose of reviewing executive session minutes to determine that a need for confidentiality does not exist. Sally Hollembeak seconded. Motion carried by voice vote.

James Coppernoll called the meeting back to order at 8:25 pm. Village Clerk, Nancy Belt called the roll: James Coppernoll, Tad Whitchurch, Sally Hollembeak

Sally Hollembeak moved to adjourn the meeting at 8:25 pm. Tad Whitchurch seconded. Motion carried by voice vote.

Recorded by Village Clerk, Nancy L. Belt

Ordinance minutes approved by Chairman James Coppernoll on May 6, 2008