

**ORDINANCE COMMITTEE MEETING
JULY 6, 2009**

Chairman James Coppernoll called the meeting to order at 7:01 P.M.

Trustee members present: Sally Hollembeak, Gary Maitland

Also, present: Attorney Jim Stevens; Nancy L. Belt; David Schroeder, Stephen Appell, President Jim Claeysen, Scott Kramer, Administrator, David Nord, Chief Todd Houde

Gary Maitland moved to adopt the agenda as amended:

Delete: Special Events Permits

Add: Baseball Diamond Ordinance

James Coppernoll seconded. Motion carried by voice vote.

Gary Maitland moved to approve the June 1, 2009 ordinance committee minutes. James Coppernoll seconded. Motion carried by voice vote.

WIND ENERGY ORDINANCE

James Coppernoll presented the committee with a cover sheet and sample ordinances from Fulton County, Illinois. James Coppernoll said that he would like the committee to review the highlighted sections regarding zoning, height, and locations of wind energy systems.

James Coppernoll and committee requested Attorney Jim Stevens to draft an ordinance to be reviewed at the August ordinance committee meeting with the following recommendations: placing this as a special use regarding height limitation & structure for small wind energy systems. Everyone agreed. Sally Hollembeak arrived at 7:07 pm.

RED FLAG POLICY

*James Coppernoll presented the committee a draft ordinance by Attorney Jim Stevens, "An Ordinance Adopting a Red Flag Policy and Establishing and Identity Theft Prevention Program for the Village of Cherry Valley, Illinois Section 2-544." **Sally Hollembeak moved to present this ordinance at the July 21, 2009 village board meeting for passage. Gary Maitland seconded. Motion carried by voice vote.***

**CHAPTER 70-90 VIOLATIONS; MINIMUM FINES
RE: 70-61 TRUCKS PARKING IN CERTAIN AREAS**

*Attorney Jim Stevens stated that he would like clarification per Section 70.61 Trucks Parking in Certain Designated Areas. James Coppernoll stated that Chief Todd Houde is recommending that the violation fine be added to allow a \$100 fine per day per violation under "70-90 Violations; Minimum Fines", this will help with enforcing Section 70-61 Trucks Parking in Certain Designated Areas. **Sally Hollembeak moved that the committee authorize Attorney Stevens to draft an ordinance to be presented at the July 21, 2009 village board meeting for passage to amend Section 70-90 Violations; Minimum Fines adding: "penalties for ordinance violations a \$100.00 fine per day per violation and after 10 days \$200 fine per day". Gary Maitland seconded. Motion carried by voice vote.***

SUPPLEMENT 7

Village Clerk, Nancy Belt presented the committee with a quote from MCC to codify nine passed ordinances. Gary Maitland moved to send to the village board approving the amount of \$1,985.00 for Municipal Code Corporation to proceed with the Village Code of Ordinances Supplement 7. James Coppernoll seconded. Motion carried by voice vote.

POLICE ADMINISTRATIVE ASSISTANT JOB DESCRIPTION

Chief Todd Houde presented the ordinance committee with an updated copy of the job description for the Police Department's administrative assistant position. Sally Hollebeak reviewed the changes with the committee.

Sally Hollebeak moved to authorize Attorney Jim Stevens to draft in ordinance form the Administrative Assistant job descriptions and consider this ordinance for first reading at the July 21st board meeting. Gary Maitland seconded. Motion carried by voice vote.

BAUMANN PARK BASEBALL DIAMOND

James Coppernoll presented the committee with an ordinance drafted by Attorney Jim Stevens setting rules for the baseball diamond: "Use of the baseball diamond is prohibited when posted". Gary Maitland moved to send to the village board meeting July 21, 2009 for passage, "An Ordinance Amending the Code of Ordinances for the Village of Cherry Valley, Illinois , Article III Baumann Park, Section 46-72 Rules and Regulations Pertaining to Use (f) Baseball Diamond". Sally Hollebeak seconded. Motion carried by voice vote.

COMCAST FRANCHISE AGREEMENT

Attorney Jim Stevens covered certain sections of the new Comcast franchise agreement with the committee. Attorney Stevens said the current cable television ordinance was adopted 1995. David Nord suggested that we required a list of customers from Comcast to insure the village is receiving the correct amount of franchise fees. Attorney Jim Stevens recommended referring this to the next Planning & Development meeting to further discussion. Everyone agreed.

James Coppernoll moved that the ordinance committee convene into executive session under Section 2(c) (21) of the Open Meetings Act for the purpose of reviewing executive session minutes to determine that a need for confidentiality does not exist as to the executive session minutes. Sally Hollebeak seconded. Motion carried by voice vote. Village Clerk called the roll: James Coppernoll, Sally Hollebeak & Gary Maitland.

James Coppernoll called the ordinance meeting back to order at 8:13 pm. Village Clerk, Nancy L. Belt called the roll: James Coppernoll, Sally Hollembeak, & Gary Maitland

James Coppernoll moved to send to the village board to adopt a Resolution to Release Executive Session Minutes. Gary Maitland seconded. Motion carried by voice vote.

Sally Hollembeak moved to adjourn at 8:14 pm. Gary Maitland seconded. Motion carried by voice vote.

Recorded by: Village Clerk, Nancy L. Belt

Ordinance minutes approved by Chairman, James Coppernoll on July 7, 2009