

**ORDINANCE COMMITTEE MEETING
DECEMBER 5, 2011**

Chairman JoAnn Hudson called the meeting to order at 7:01 pm.
Trustee members present: Gary Maitland, Sally Hollembeak
Also, present: Attorney Jim Stevens, Stephen Appell, President Jim Claeysen,
Village Clerk, Nancy Belt, Chief Todd Houde & David Schroeder
Absent: Scott Kramer

JoAnn Hudson moved to adopt the amended agenda and the following:

- IMLRMA Ordinance (1st reading)
- Chief Todd Houde's Report
- Recommendation to Amend Section 10-85 Sunday Closing Hours

Sally Hollembeak seconded. Motion carried by voice vote.

JoAnn Hudson moved to approve the November 7, 2011 ordinance committee minutes. Gary Maitland seconded. Motion carried by voice vote.

ABATEMENT ORDINANCES

JoAnn Hudson moved to send to the village board the three abatement ordinances for second and final reading at the December 6, 2011 village board meeting.

General Obligation Refunding Alternate Bonds, Series 2004

General Obligation Alternate Bonds, Series 2005A

General Obligation Refunding Alternate Bonds, Series 2005B

Sally Hollembeak seconded. Motion carried by voice vote.

ELECTRICITY AGGREGATION ORDINANCE

JoAnn Hudson moved to send to the December 6, 2011 village board meeting the Electricity Aggregation Ordinance for seconded and final reading:

“An Ordinance Providing for the Submission to the Electors of the Village of Cherry Valley, Winnebago and Boone Counties, the Question Whether the Village should have the Authority Under Public Act 096-0176 to Arrange for the Supply of Electricity for its Residential and Small Commercial Retail Customers who have not Opted out of Such Program”.

Sally Hollembeak seconded. Motion carried by voice vote.

MONTESSORI PRIVATE ACADEMY

JoAnn Hudson stated that the Montessori Private Academy Ordinance will be presented for second and final reading at the December 6, 2011 village board meeting. “An Ordinance of the Village of Cherry Valley, Illinois Designating a Loading Zone on Sayer Road”.

Joe Caveny recommended changing the times to 1:00 pm – 4:30 pm. from 2:30 pm– 4:30 pm.

JoAnn Hudson moved to send to the December 6, 2011 village board meeting for second and final reading:

“An Ordinance of the Village of Cherry Valley, Illinois Designating a Loading Zone on Sayer Road” changing section (3) that five (5) “NO PARKING 1:00 pm. – 4:30 pm. signs shall be installed by the Montessori Private Academy.

Sally Hollembeak seconded. Motion carried by voice vote.

**I-39 BAXTER ROAD REDEVELOPMENT PROJECT AREA
(3 ENABLING ORDINANCES)**

JoAnn Hudson moved to send to the December 6, 2011 village board meeting the three enabling ordinances for first reading:

A. "An Ordinance of the Village of Cherry Valley, Boone and Winnebago Counties, Illinois, Approving a Redevelopment Plan and Project for the I-39/Baxter Road Redevelopment Project Area in the Village".

B. "An Ordinance of the Village of Cherry Valley, Boone and Winnebago Counties, Illinois, Designating the I-39/Baxter Road Redevelopment Project Area for the Village of Cherry Valley and the Village of New Milford".

C. "An Ordinance of the Village of Cherry Valley, Boone and Winnebago Counties, Illinois, Adopting Tax Increment Allocation Financing Within the I-39-Baxter Road Project Area".

Gary Maitland seconded. Motion carried by voice vote

Trustees Stephen Appell and JoAnn Hudson stated and President Claeysen confirmed that the three enabling ordinances will only establish the IJRL District. The enabling ordinances have nothing to do with the water shed, SSA or IGA.

ORR PROPERTY/COOK PROPERTY ORDINANCES

JoAnn Hudson moved to send to the December 6, 2011 village board meeting the following ordinances for first reading:

Orr Property

- a. An Ordinance Approving an Annexation Agreement Regarding Property Located 5185 Baxter Road
- b. An Ordinance Annexing Certain Territory Commonly Known as 5185 Baxter Road
- c. An Ordinance Approving A Map Amendment from the Agricultural (AG) Zoning District to the Light Industrial (IL) Zoning District

Sally Hollembeak seconded. Motion carried by voice vote.

JoAnn Hudson moved to send to the December 6, 2011 village board meeting the following ordinances for first reading:

Cook Property

- a. An Ordinance Approving an Annexation Agreement Regarding Property Located 51XX Baxter Road
- b. An Ordinance Annexing Certain Territory Commonly Known as 51XX Baxter Road
- c. An Ordinance Approving A Map Amendment from the Agricultural (AG) Zoning District to the Light Industrial (IL) Zoning District

Sally Hollembeak seconded. Motion carried by voice vote.

SECTION 70-62 WINTER PARKING REGULATIONS

JoAnn Hudson presented the committee with ordinance number 2009-50 "Section 70-62 Winter Parking Regulations; snow Removal; Depositing snow on Streets, and Section 70-63 Fines". Joe Caveny presented the committee with his 2011 Snow Plan. It was the consensus of the committee that Joe Caveny's "Snow and

Ice Management Program” dated 12/2/11 will be immediately implemented by all employees.

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IMLRMA ORDINANCE

JoAnn Hudson moved to send to the December 6, 2011 village board meeting “An Ordinance Authorizing the Execution of the IMLRMA Minimum/Maximum Contribution Agreement”. Sally Hollembeak seconded. It was recommended to add the amount of \$95,223.00. Motion carried by voice vote.

CHIEF TODD HOUDE’S REPORT

The Dispatch repeater was moved to the west side on December 1, 2011 (was originally supposed to be moved in late spring). In anticipation of this I budgeted \$8,000 for a repeater to be placed on the mall for better reception. The first obstacle we ran into was FCC licensing, which can take months. To assist us in a temporary fix the county patched our frequency into the dispatch frequency making them one in the same. This too was a failure with bad reception and a 4 second lag time from keying the mic to opening the repeater allowing conversation. Plus this is an indication of how the future \$8,000 repeater will function. After consulting with the installer we both agreed to suspend the repeater installation pending more tests. The county then tried to change our phone connection (all radios function through a phone terminal) and the result was the dispatcher could hear us just fine but we could not hear them (tests conducted in the mall). The following are some options I am exploring or that may change due to other circumstances.

- Officers advised me the southeast county squads are experiencing similar disruptions so the county may change things without cost to us.
- If the phone line change works and can be permanent, purchase a new CVPD frequency which would cost less than the \$8,000 repeater.
- Purchase the repeater but place it on the water tower, instead of the roof of the mall, for better reception. But there may still be an extended lag time when keying the mic.
- I am currently contacting Rockford 911 for the cost of dispatch service from them. This will probably have a yearly fee for the service and the cost of converting to the Star Com radio system.
- I will also contact Boone County 911 with the same inquiry but they are also on the Star Com system.

It is clear that we cannot continue like it is currently. The safety of our officers is my highest priority and lack of adequate communications is an extreme risk. Even with the county repeater on the east side the reception was bad, but adequate. My wish would be to go to the Star Com system which is based on cell phone technology. The State Police, Boone County, Belvidere and Rockford are all on Star Com (this is the future of police communications). Rough cost: \$2,500 per radio. We need at least 8. \$30 per month per radio for air time. Total cost first year: \$22,880. And there would probably be a yearly dispatch fee (county does not charge us).

President Claeysen and Chief Todd Houde will schedule a meeting with Sheriff Meyers to discuss this matter.

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SECTION 10-85 SUNDAY CLOSINGS

Village Clerk, Nancy Belt presented the committee with a copy of Section 10.85 Sunday Closing Hours and made a recommendation to add the following language as it is written in Section 10-84 for classes A, B, D E & G:

“No person licensed shall sell, permit to be consumed, served, sold or give away any alcoholic liquor during the times specified with the exception set forth in the Section 10-86”. President Jim Claeysen said that he will schedule a liquor commission meeting to review this section. Stephen Appell said he thought that Winnebago and Rockford changed their Sunday times to 9:00 am. and suggested changing Section 10.85 Sunday Closing Hours.

PRESIDENT’S REPORT

President Claeysen presented the committee with a letter from John Andersen General Manager/The Cherry Bowl. Mr. Andersen is asking the board to grant a variance to section 10-85 Sunday Closing Hours, to serve alcohol on Sunday 2/19/12 & 2/26/12 starting at 9:00am. instead of 11:00am. set by our ordinance.

President Jim Claeysen said he will contact Mr. Andersen and inform him that it was the consensus to approve his request to serve alcohol beverages at 9:00 am. on February 19 – 26, 2012 and also relay that the committee agreed to begin the process of amending Chapter 10, Alcohol Beverages Section 10-85. Sunday Closing Hours. This will be discussed at the January ordinance meeting.

JoAnn Hudson moved to adjourn at 7:48 pm. Sally Hollembeak seconded. Motion carried by voice vote.

Recorded by: Village Clerk, Nancy L. Belt
Chairman JoAnn Hudson approved the minutes on December 9, 2011