

**ORDINANCE COMMITTEE MEETING
JUNE 6, 2011**

Chairman JoAnn Hudson called the meeting to order at 7:00 pm.

Trustee members present: Gary Maitland, Sally Hollembeak

Also, present: Attorney Jim Stevens; Stephen Appell; President Claeysen; Scott Kramer, Chief Todd Houde, David Schroeder, Joe Caveny; and Nancy Belt

JoAnn Hudson moved to adopt the agenda with adding, "Chief of Police Report". Sally Hollembeak seconded. Motion carried by voice vote.

Sally Hollembeak moved to approve the April 4, 2011 ordinance committee minutes. JoAnn Hudson seconded. Motion carried by voice vote.

528 GENOA STREET FENCE APPLICATION

JoAnn Hudson stated that Mrs. Salamone is requesting a fence variance for her property at 528 Genoa Street. Mrs. Salamone submitted a letter from the adjacent homeowners Sav Best LLC stating that they had no objections to the proposed fencing. Attorney Jim Stevens was asked to draft an ordinance granting a fence variance at 528 Genoa Street.

Sally Hollembeak moved to send to the June 7, 2011 village board meeting for first reading an ordinance granting a fence variance at 528 Genoa Street. Gary Maitland seconded. Motion carried by voice vote.

PREVAILING RATE OF WAGES

JoAnn Hudson presented the committee with, "An Ordinance Ascertainning the Prevailing Rate of Wages for Construction Work in Village of Cherry Valley, Illinois. Sally Hollembeak moved to send to the June 7, 2011 village board meeting for passage, "An Ordinance Ascertainning the Prevailing Rate of Wages for Construction Work in Village of Cherry Valley, Illinois". Gary Maitland seconded. Motion carried by voice vote.

RESOLUTION ESTABLISHING CODE & POLICY OF SOCIAL SECURITY

JoAnn Hudson presented the committee with copies of "A Resolution Establishing Code and Establishing Policy with Regard to the Collection, Use, and Communication of Individuals Social Security Numbers". Gary Maitland moved to send to the June 7, 2011 village board meeting to adopt "A Resolution Establishing Code and Establishing Policy with Regard to the Collection, Use, and Communication of Individuals Social Security Numbers". Sally Hollembeak seconded. Motion carried by voice vote.

SUPPLEMENT 9 CODE OF ORDINANCES

JoAnn Hudson presented the committee with a proposal from the Municipal Code Corporation to publish Supplement 9. Gary Maitland moved to send to the village board authorize Municipal Code Corporation to publish Supplement No. 9 of the Cherry Valley Code of Ordinances in the amount of \$1,445.00. Sally Hollembeak seconded. Motion carried by voice vote.

ARTICLE VI. NUISANCES SECTION 42-221

JoAnn Hudson asked Administrator, David Nord to please come forward and address the committee. David Nord stated that he has been receiving complaints of excess garbage and debris on private properties through-out the village. David Nord stated that he has sent certified letters to the homeowner(s) and they refuse to sign. David said the current ordinance states that the village may remove the same and collect from the owner of the premises and place a lien on the property. David said sending a letter he has no problem with, but to enter upon private property and start removing personal property he has concerns with that. David asked the committee to consider revising the current ordinance to make it more enforceable. Attorney Jim Stevens said that he will obtain ordinances from other municipalities and report back at the next ordinance committee meeting. JoAnn Hudson moved to authorize Attorney Jim Stevens to research this matter under Section 42-221. Gary Maitland seconded. Motion carried by voice vote.

LICENSE AGREEMENT; VILLAGE & CHERRY VALLEY FESTIVAL DAYS

JoAnn Hudson presented the committee with an updated copy of the License Agreement between the Village of Cherry Valley and Cherry Valley Festival Days that would allow Festival Committee to construct a storage shed on village property in Baumann Park.

JoAnn Hudson moved to send to the village board authorizing President Jim Claeysen to sign the "License Agreement between the Village of Cherry Valley and Cherry Valley Festival Days". This agreement allows the construction of a storage shed on village property in Baumann Park". Sally Hollembeak seconded. Motion carried by voice vote.

COMBINING ZONING BOARD OF APPEALS & PLANNING COMMISSION

JoAnn Hudson asked Attorney Jim Stevens to address the committee on this matter. Attorney Jim Stevens stated that this ordinance will delete Chapter 50 Article II Planning Commission Section 50-31 through Section 50-34 and Chapter 82 Zoning Section 82-52 in its entirety. The new Planning & Zoning Commission will consist of seven (7) members appointed from citizens of the Village by the President with the approval of the Village Board of Trustees. JoAnn Hudson asked President Jim Claeysen to consider appointing citizens from Southvale, Swanson & Newburg Village subdivisions. President Jim Claeysen said that his goal is to incorporate members from the Zoning Board of Appeals and Planning Commission Boards and to seek out new members. President Claeysen asked everyone to submit recommendation to him before June 21, 2011 before final passage of this ordinance.

JoAnn Hudson moved to send to the June 21, 2011 village board meeting to pass and approve "An Ordinance Combining the Planning Commission and the Zoning Board of Appeals into the Planning and Zoning Commission (Effecting Sections 50-31 Through 50-34, Section 82-52 and Section 83-53) for the Village of Cherry Valley, Illinois." Sally Hollembeak seconded. Motion carried by voice vote.

PRESIDENT'S REPORT

President Jim Claeysen stated that the owner, Benny Salamone of Salamone's Pizza Restaurant and Cherry Valley Men's Club have submitted a "Special Events" application and a "Special One Day Liquor" application to operate a fundraiser on July 4, 2011. The Cherry Valley Men's Club is asking that the board waive the \$100.00 special events fee because they are a not-for-profit organization. President Claeysen presented a letter from the Pastor Fox of the Cherry Valley Methodist Church stating "the members have no problem with this function".

Sally Hollembeak moved to send to the village board authorizing President Jim Claeysen to sign the Cherry Valley Men's Club special events application and waive the \$100.00 fee and also sign the One Day Special Liquor application for Salamone's Pizza. Gary Maitland seconded. Motion carried by voice vote.

CHIEF TODD HOUDE'S REPORT

Chief Todd Houde informed the committee that CALEA has changed many of their standards and said the village will need to change the employee handbook with adding certain job descriptions and changing the language to the grievance procedures. Chief

Todd Houde said that he and Officer Nyman are working on this project. Chief Todd Houde was asked to forward all data to Attorney Jim Stevens and also the personnel committee.

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ATTORNEY'S REPORT

Attorney Jim Stevens informed the committee that after meeting with future owner Mr. Mike Busch of Newburg Village Golf Course and his Attorney Curt Tobin it's been agreed upon to submit a letter of credit or performance bond for the construction of Patrick Drive. Attorney Jim Stevens said he will draft the Newburg Village Planned Unit Development ordinance with the agreed terms. JoAnn Hudson moved to send to the June 21, 2011 village board meeting an ordinance amending Newburg Village PUD Agreement. Gary Maitland seconded. Motion carried by voice vote.

JoAnn Hudson moved to convene into executive session at 8:00 pm. for the purpose of:

2 (c) (11) Litigation, when an action against, affecting or on behalf of the particular public body has been filed and is pending before a court or administrative tribunal, or when the public body finds that an action is probable or imminent, in which case the basis for the finding shall be recorded and centered into the minutes of the closed meeting. Sally Hollembeak seconded. Motion carried by voice vote.

JoAnn Hudson called the meeting back to order at 8:49 pm. Village Clerk, Nancy Belt called the roll: JoAnn Hudson, Sally Hollembeak, Gary Maitland

JoAnn Hudson moved to adjourn the meeting at 8:49 pm. Sally Hollembeak seconded. Motion carried by voice vote.

Recorded by: Village Clerk, Nancy L. Belt

JoAnn Hudson approved the ordinance minutes on June 7, 2011