

**ORDINANCE COMMITTEE MEETING
MARCH 5, 2007**

Chairman Jill Miller called the meeting to order at 7:00 P.M.

Trustee members present: Tad Whitchurch, Sally Hollembeak

Also, present: President Claeysen, Linda Melton, Attorney Stevens, David Nord, Joe Caveny, Nancy Belt, Chief Gary Maitland.

Absent: Rick Anderson, Lori Laye.

Guests: Mr. Gary Erb, Attorney McCardle

Jill Miller so moved to adopt the agenda with the following changes:

- Add: Executive Session: Land Acquisition
- Delete: Executing Land Dedication – Tebala

Sally Hollembeak seconded. Motion was carried by voice vote.

Jill Miller so moved to approve the *January 3, 2007 ordinance committee minutes*. Tad Whitchurch seconded. Motion carried by voice vote.

ORDINANCE – LIST OF VILLAGE MEETINGS

Attorney Stevens presented the committee with an ordinance amending Section 2-33 Committees. Jill Miller stated that this ordinance reflects the actual day of the month that the committee meetings are held. Jill Miller so moved to send this ordinance to the village board for first reading on March 6, 2007. Tad Whitchurch seconded. Motion carried by voice vote.

ERB EQUITIES/BOONE COUNTY LLC

Attorney Stevens stated that the village board is negotiating to enter into an annexation agreement instead of annexing the property. The village cannot meet the expense of annexing this property, because they do not levy a property tax, which would pay for police protection, street improvements, etc. The village can enter into an annexation agreement that would help control the development. The developer and the village would enter into an agreement, which would define items such as, but not limited to; lot sizes, types of lots, building codes, village water system, and all related infrastructure improvements. This document would define the development of this project and how it fits next to our community.

Lori Laye arrived at 7:27 P.M.

Attorney McCardle stated that this development is going to go forward whether or not Cherry Valley is involved. Current Illinois laws do allow other municipalities to approve an annexation agreement whether or not they are contiguous to the development. Mr. Erb said that Cherry Valley was his first choice, and is willing to work with the village board to develop this property to make sure this development transitions with the existing village.

Ordinance committee and residents raised several issues at the meeting:

- Minimum 150 Foot Landscape Buffer Property Existing Village Boundaries
- Minimum square footage of 13,000 square feet property existing village boundaries
- Negotiation with Flora Township
- Rock River Water Reclamation
- Controlling Building Permits
- Annex Cherry Valley Library District
- Dedication of Land for Municipal Water System
- Impact Fees for Parks
- Green Space
- Creating Homeowners Associations
- Irene Interchange – I-90
- Commercial Land
- Shaffer Sewer System
- Belvidere School Impact Fees
- Building Inspections

Mr. Erb asked for a voice poll if the ordinance committee members and village board members present are willing to go forward with an annexation hearing and schedule a special village board meeting.

Lori Laye – Yes

Linda Melton – Yes

Sally Hollembeak – Yes

Tad Whitchurch – Yes

Jill Miller – Yes

President Jim E. Claeysen – Yes

President Claeysen stated that he and the village board are taking this development very seriously and want to ensure our residents that Cherry Valley has a voice in the development of this property by entering into an annexation agreement. Jim said that the board has decided to move forward with the annexation hearing in order for the residents to once again voice their concerns, and iron out the details for this agreement. The Boone County Project Annexation Hearing/Special Village Board meeting will be held March 27, 2007, starting at 7:00 P.M.

President Claeysen said that he and the board would prefer using RRWR for this developments sewer needs, but would also like more information on the privately owned Shaffer system. President Claeysen asked Attorney McCardle to set-up a presentation so the board can have a better understanding of a Shaffer sewer system.

Jill Miller so moved to recess at 8:38 P.M. Tad Whitchurch seconded. Motion carried by voice vote.

Jill Miller called the meeting back to order at 8:49 P.M. Village Clerk, Nancy L. Belt called the roll: Jill Miller, Tad Whitchurch, Sally Hollembeak

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MARCH 5, 2007

ATTORNEY'S REPORT:

Attorney Stevens announced that he will be absent for the April ordinance committee meeting.

Jill Miller said she will review March/April calendars to possibly re-schedule the ordinance committee meeting from its regular date.

Jill Miller so moved to go into executive session at 8:53 P.M. for the purpose of discussing land acquisition. Sally Hollembeak seconded. Motion carried by voice vote.

Jill Miller called the ordinance meeting back to order at 9:21 P.M. Village Clerk, Nancy L. Belt called the roll: Jill Miller, Tad Whitchurch, Sally Hollembeak

Jill Miller so moved to adjourn at 9:21 P.M. Sally Hollembeak seconded. Motion carried by voice vote.

Recorded by: Village Clerk, Nancy L. Belt

Approved by Jill Miller & President Jim E. Claeysenon March 5, 2007