

**ORDINANCE COMMITTEE MEETING  
FEBRUARY 6, 2012**

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

Trustee members present: Sally Hollembeak

Also, present: Attorney Jim Stevens, Stephen Appell, President Jim Claeysen, Village Clerk, Nancy Belt, Chief Todd Houde, David Schroeder, Scott Kramer, David Nord

Absent: Gary Maitland

JoAnn Hudson moved to adopt the agenda. Sally Hollembeak seconded. Motion carried by voice vote.

JoAnn Hudson moved to approve the January 3, 2012 ordinance committee minutes. Sally Hollembeak seconded. Motion carried by voice vote.

**SECTION 37 & 38 BANNER SIGN ORDINANCE**

JoAnn Hudson presented the committee with an ordinance drafted by Attorney Stevens, "An Ordinance Amending the Code of Ordinances for the Village of Cherry Valley, Illinois, Chapter 6 Advertising Article IV Banner Signs." JoAnn Hudson stated that she has concerns with passing this ordinance, due to the economy and also before giving notification to the business owners that the village is considering regulating banners. She asked if it would be appropriate to send letters to the business owners in order for the committee to receive feedback before making any decisions. Stephen Appell stated that the village does not have an ordinance regulating the number of banners allowed per street frontage. He said the businesses around the CherryVale Mall area, such as, Ingrassia, The Bridle Shop, Pet Land, etc. have a number of banners that are undesirable. David Schroeder stated that it is beneficial to have businesses located in the village and would agree not to place strict advertising regulations on the businesses until we receive feedback from the business owners. Everyone agreed.

JoAnn Hudson moved to authorize David Nord to send letters to the business owners that only have an excessive number of banners and the letter will state that the village is considering passing a banner ordinance to regulate the use. Sally Hollembeak seconded. Motion carried by voice vote.

JoAnn Hudson stated that she will place this matter on March ordinance agenda.

**JURISDICTION TRANSFER OF BELL SCHOOL ROAD**

JoAnn Hudson presented the committee with, "An Ordinance Accepting the Jurisdictional Transfer of Bell School Road from Newburg Road to 35 Feet South of the Center Line of Mill Road to the Village Street System of the Village of Cherry Valley, Winnebago/Boone Counties, Illinois." Sally Hollembeak moved to send to the village board this ordinance for passage. JoAnn Hudson seconded. Motion carried by voice vote.

**CHERRYVALE MALL SUB-STATION LICENSE AGREEMENT**

Attorney Jim Stevens informed the committee that he and Chief Todd Houde are working with CherryVale Mall Manager Mark Peterson to obtain a revised agreement.

**OSF FIBER NETWORK AGREEMENT**

JoAnn Hudson asked Brad Arnold and John Petrakis to address the committee. Brad Arnold stated that he works for Access2Go and is here to review the terms of the “agreement for use of right of way” on Bell School/Newburg Intersection. He said this agreement would allow installation of fiber optic cable. John Petrakis asked the committee to consider forwarding this request on to the village board meeting. Attorney Stevens recommended adding language and amending the agreement as follows:

3 a. **Construction and Maintenance** “bore neatly formed hole” and require pothole plugs.

6. **Terms** “exist for twenty-five years

8. **Notices** Village Public Works Director

President Jim Claeysen informed Mr. Petrakis that his company will have to pay the attorney’s fee of \$250.00. This was agreeable.

Sally Hollembeak moved to send to the village board authorizing President Jim Claeysen to sign the “Agreement for Use of Right of Way” between the Village of Cherry Valley, Access2Go and OSF. JoAnn Hudson seconded. Motion carried by voice vote.

**CLASS K LICENSE SUNDAY SALES**

JoAnn Hudson presented the committee with an ordinance drafted by Attorney Jim Stevens, “An Ordinance Amending the Code of Ordinances for the Village of Cherry Valley, Illinois Section 10-35 (a) (11) Class K License (Sunday Sales 9:00 am. to 11:00 am).” President Jim Claeysen stated that he received positive feedback from some of the businesses stating that they agreed with new “K” classification and paying the \$100.00 license fee. Sally Hollembeak moved to send to the village board to consider this ordinance for first reading, “An Ordinance Amending the Code of Ordinances for the Village of Cherry Valley, Illinois Section 10-35 (a) (11) Class K License (Sunday Sales 9:00 am. to 11:00 am).” JoAnn Hudson seconded. Motion carried by voice vote.

**ENACTING SIMPLIFIED MUNICIPAL TELECOMMUNICATIONS TAX RATE**

JoAnn Hudson, committee and board members decided to change the telecommunication tax rate of 6% to 0%. Sally Hollembeak moved to send to the village board to consider this ordinance for first reading, “An Ordinance Enacting Simplified Municipal Telecommunications Tax Act.” JoAnn Hudson seconded. Motion carried by voice vote.

**ATTORNEY’S REPORT**

Attorney Jim Stevens, committee and board members reviewed Attorney Stevens letter dated January 25, 2012 regarding solar farm regulations. Attorney Stevens provided the committee with his letter dated February 15, 2012 Planning & Zoning Commission agenda:

- Text Amendment which adds solar farms to a special use under the two agricultural and three industrial zoning classifications.
- A request for a special use permit to be issued under the AG Agricultural District Section 82-182 (c) (14) requesting a special use for 180 acres which is adjacent to East Valley Subdivision.

After further review it was agreed to refer this discussion to the February 13, 2012 public works committee meeting.

JoAnn Hudson moved to go into executive session at 8:06 pm. for the purpose of 2 (c) (21) purpose of reviewing executive session minutes to determine that a need for confidentiality does not exist as to the executive session minutes & tapes. Sally Hollembeak seconded. Motion carried by voice vote.

JoAnn Hudson called the meeting back to order at 8:17 pm. Village Clerk, Nancy L. Belt called the roll: JoAnn Hudson, Sally Hollembeak

JoAnn Hudson moved to send to the village board to adopt the following two resolutions; releasing executive session minutes and destroys executive session tapes as reviewed by Attorney Jim Stevens on Friday, February 3, 2012. Sally Hollembeak seconded. Motion carried by voice vote.

JoAnn Hudson moved to adjourn at 8:18 pm. Sally Hollembeak seconded. Motion carried by voice vote.

Recorded by: Village Clerk, Nancy L. Belt

Chairman, JoAnn Hudson approved the ordinance minutes on February 8, 2012