

ORDINANCE COMMITTEE MEETING

MARCH 5, 2012

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

Trustee members present: Sally Hollembeak & Gary Maitland

Also, present: Attorney Jim Stevens, Stephen Appell, President Jim Claeysen, Village Clerk, Nancy Belt, Sergeant Neville; David Schroeder, Scott Kramer, David Nord, Joe Caveny

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

JoAnn Hudson moved to approve the February 6, 2012 ordinance committee minutes. Sally Hollembeak seconded. Motion carried by voice vote.

PUBLIC COMMENT

JoAnn Hudson asked Mr. Mudge to please come forward and address the committee.

Mr. Mudge stated that currently he has three hundred municipalities placing the ballot question "Shall the City/Village have the authority to arrange for the supply of electricity of its residential and small commercial retail customers who have not opted out of such program? Yes or No"

Mr. Mudge said that electrical aggregation is a process which allows the Village to pool, or aggregate the residents and small businesses together, and to then seek competitive bids from electrical energy suppliers for the cost of electricity (purchased by kilowatt hours) used by the Village's residents and small businesses. President Claeysen asked Mr. Mudge if he would be available to hold an open house at the village hall before the March 20, 2012 election. It was agreed to hold an open house for the public question on Thursday, March 15, 2012 at 6:00 – 7:30 pm.

CHERRYVALE MALL SUB-STATION CONTRACT

Attorney Stevens reported that he has reviewed the revised the police department's sub-station contract presented by Mall Manager, Mark Peterson and recommended sending the contract to the village board for approval.

BANNER SIGNS

David Nord reported that he did send out letters to the businesses that had a number of banner signs along the right-of-way and said that many of them have removed most of the banners with the exception of three businesses. JoAnn Hudson suggested not creating an ordinance at this time since most of the businesses complied by the letter. It was agreed to have David Nord talk to the remaining three businesses to consider eliminating some of their banners.

POLICE DEPARTMENT JOB DESCRIPTIONS

JoAnn Hudson stated that Chief Houde has provided the committee and board members with the police departments detailed job descriptions. President Claeysen suggested forwarding them on to personnel committee. Everyone agreed.

SWANSON PARK: PARKING PROHIBITED (STOP SIGNS)

JoAnn Hudson presented the committee with a copy of the State Statutes; 625 ILCS 5/11/1303 (d) within 30 feet upon the approach to any flashing signal, stop sign, yield sign, or traffic control.

Attorney Stevens said that the village's code of ordinances incorporated the state statutes into Chapter 70 and there is no need to draft an ordinance to enforce the 30 feet parking set-back. Everyone agreed.

Sergeant Neville said that Chief Houde has informed the police department to issue tickets in regards to any violations to the 30 foot set-back from a stop sign.

KEGEL HARLEY-DAVIDSON SIGN VARIANCE

Attorney Stevens presented the committee with a draft ordinance "An Ordinance Granting a Variance under Section 6-49 to Section 6-31 of the Code of Ordinances for the Village of Cherry Valley, Illinois (Kegel Harley-Davidson Sign Variance)." Attorney Stevens pointed out that he included #4 "The variation will not alter the essential character of the locality", because the code of ordinances prohibits off-site signs. Sally Hollebeak moved to send to the March 6, 2012 village board to consider this for second and final reading and passage. Gary Maitland seconded. Motion carried by voice vote.

SECTION 74-100 TYPE OF SERVICE PIPES

Joe Caveny presented the committee with a list of water main specifications that need to be changed through-out Chapter 74 Utilities. Joe Caveny suggested drafting an ordinance that would list the types of materials instead of having to change the complete section due to the materials continuous changing. Attorney Stevens said that he will discuss this with Joe Caveny and present a draft ordinance at the next ordinance committee meeting.

SECTION 70-69 PARKING ON PUBLIC STREETS

Village Clerk, Nancy recommended deleting this section in its entirety because this section of the code of ordinances was drafted to allow parking in designated parking stalls in front of village hall at 202 East State Street and because the new village hall is located now at 806 East State Street it is no longer necessary to enforce this ordinance.

Sally Hollebeak moved to authorize Attorney Stevens to draft an ordinance to delete section 70-69 Parking on Public Streets. Gary Maitland seconded. Motion carried by voice vote.

BASEBALL DIAMOND RULES & REGULATIONS

Joe Caveny presented the committee with a copy of the 2012 Baseball Diamond Permit and Baseball Field Rules and Regulations. It was agreed to add a section regarding youth groups to the rules and regulations. Attorney Stevens said that he will discuss this with Joe Caveny in order to draft an ordinance to present at next month's ordinance committee meeting. JoAnn moved to authorize Attorney Stevens to draft an ordinance for the baseball diamond permit process ordinance. Sally Hollembeak seconded. Motion carried by voice vote.

SOLAR FARM

Attorney Stevens informed the committee that the Planning & Zoning Commission continued their meeting to March 21, 2012. Also at the March 7, 2012 hearing it was recommended inclusion of a text amendment as follows: "Solar Farms as a special Use under Section 82-182 (C) (14) AG and Section 82-282 (d) (8) IG and Section 82-283 (d) (3) IH and Section 82-281 (d) (13) IL. Attorney Stevens said that this will be discussed at the planning & development committee meeting on March 27, 2012. Stephen Appell recommended that the planning & development committee consider including a set-back requirement as a special use for solar farms in AG, IG, IH & IL next to a residential area. Everyone agreed.

FRONTIER CONTRACT

Attorney Stevens stated that he has reviewed the Equipment Purchase Agreement and the North Central Area Contracts and recommended approval at the March 6, 2012 village board meeting.

PRESIDENT'S REPORT

President Claeysen said Mr. Mudge will be conducting an open house on March 15, 2012 from 6:00 – 7:30 pm. and recommended sending out a notice to the village residents. Everyone agreed.

JoAnn Hudson moved to convene into executive session at 7:57 pm. for the purpose of
2(c) (6) the setting of a price for sale or lease of property owned by the public body
2 (c) (1) the appointment, employment, compensation, discipline, performance, or
dismissal of specific employees of the public body or legal counsel for the

public body, including hearing testimony on a complaint lodged against an employee of the public body or against legal counsel for the public body to determine its validity

Sally Hollembeak seconded. Motion carried by voice vote.

JoAnn Hudson called the meeting back to order at 8:30 pm. Village Clerk, Nancy Belt called the roll: JoAnn Hudson – Sally Hollembeak, Gary Maitland

Sally Hollembeak moved to adjourn at 8:31 pm. Gary Maitland seconded. Motion carried by voice vote.

Recorded by: Village Clerk, Nancy L. Belt
Chairman, JoAnn Hudson approved the minutes on March 8, 2012