

ORDINANCE COMMITTEE MEETING

MAY 7, 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, Chief Todd Houde; David Schroeder, Scott Kramer, David Nord

JoAnn Hudson moved to adopt the amended agenda adding:

- Section 74-66 Right to Enter the Premises
- Alcohol Signs in Baumann Park

Sally Hollembeak seconded. Motion carried by voice vote.

JoAnn Hudson noted that the representative from the CherryVale Mall was not present.

JoAnn Hudson moved to approve the April 2, 2012 ordinance committee minutes. Sally Hollembeak seconded. Motion carried by voice vote.

SECTION 74-100 TYPE OF SERVICE PIPES

JoAnn Hudson presented the committee with a draft ordinance presented by Attorney Stevens, "An Ordinance Amending the Code of Ordinances for the Village of Cherry Valley, Illinois Chapter 74 Utilities, Sections 74-100, 74-171, 74-172, 74-173, 74-175 – 74-177 and 74-179 (Water Main Specifications)".

JoAnn Hudson moved to send to the May 15, 2012 village board meeting for passage of, "An Ordinance Amending the Code of Ordinances for the Village of Cherry Valley, Illinois Chapter 74 Utilities, Sections 74-100, 74-171, 74-172, 74-173, 74-175 – 74-177 and 74-179 (Water Main Specifications)". Gary Maitland seconded. Motion carried by voice vote.

SECTION 46-72 (F) BASEBALL DIAMOND RENTAL

Attorney Jim Stevens stated that at the last ordinance committee meeting it was discussed to add language in reference to youth groups and weekend use. President Claeysen suggested having David Nord, Chuck Freeman and office staff to discuss these issues and report back to the June 4, 2012 ordinance committee meeting. Everyone agreed.

SECTION 74-66 RIGHT TO ENTER THE PREMISES

President Claeysen stated that he has been working on how to mandate the enforcement of a water meter upgrade. President Claeysen said that he researched the ICC, ComEd and NICOR's guidelines regarding turning off and turning back on utility services. After much discussion it was decided to refer this matter to the next public works committee meeting in the meantime JoAnn Hudson, President Jim Claeysen and Attorney Jim Stevens will meet to discuss this matter.

RPZ INSPECTION DOCUMENTS

JoAnn Hudson stated that Joe Caveny asked the village board to review the RPZ letters for approval and at the public works meeting they were referred to the ordinance committee for input from the board. Gary Maitland said that after reading the letters he finds them acceptable but would recommend setting language on how to conduct water shut-offs. David Schroeder suggested sending the residential and commercial letters out the first of April and all the letters at one time. After further discussion it was decided to have Attorney Jim Stevens, President Claeysen and JoAnn Hudson set a meeting to discuss this further and report back at the June 4, 2012 ordinance committee meeting.

REZONING REQUESTING 1740 BELL SCHOOL ROAD

JoAnn Hudson presented the committee with a "letter of purpose" from Mr. Jay Lee who is requesting to rezone 1740 Bell School Road from "CC" Commercial Community to "OF" Office zoning to operate a Healthy Lifestyle Education Center to help people improve their lifestyle, physically, spiritually and emotionally and socially. Sally Hollembeak moved to send to the May 15, 2012 village board meeting for first reading, An Ordinance granting a map amendment from "CC" Commercial Community to "OF" Office for property known as 1740 Bell School Road." Gary Maitland seconded. Motion carried by voice vote.

CHAPTER 22 ARTICLE II SECTION 22-31 BUILDING

JoAnn Hudson stated that the village board received an e-mail from CherryVale Mall Manager, Mark Peterson stating his concerns with the appearances for various properties around the mall. His letter referenced mowing requirements, maintenance of vacant properties, and parking lot standards. It was the consensus of the committee members to have Attorney Jim Stevens to research the legalities before drafting additional ordinances. Attorney Jim Stevens will discuss his recommendations with JoAnn Hudson before the June ordinance meeting.

SECTION 2-371 PURPOSE NAMES

JoAnn Hudson said that she has been reviewing the village's Code of Ordinances and came across Section 2-371 where it lists Gary Maitland as a contact person in regards to CDL drug and alcohol testing program. It was recommended to amend this section to: Village Administrator & Chief of Police. Everyone agreed. Sally Hollembeak moved to send this section 2-371 of the code of ordinances for review at the June 4, 2012 ordinance meeting and passage at the June 5, 2012 village board meeting. Gary Maitland seconded. Motion carried by voice vote.

SECTION 78-42 HEIGHT CERTAIN PLANTS AND WEEDS

JoAnn Hudson said that she added this section to the ordinance agenda in reference to the mall manger's request to change the weed and plant height from 12" to 8". It was the consensus of the committee and those present to leave the height at 12".

SECTIONS 46-72 & 10-2 NO ALCOHOL IN PARKS

JoAnn Hudson stated that in Baumman Park there are two signs stating:

“No Alcohol” “No Open Alcohol” and recommended that the signs be consistent in order to be enforceable. Attorney Jim Stevens was asked to review the two sections 46-72 and 10-2.

JoAnn Hudson moved to authorize Attorney Jim Stevens to draft an ordinance stating in Section 46-72 & 10-2 “no alcohol”. Sally Hollembeak seconded. Motion carried by voice vote.

SECTION 31-27 DUMPSTERS

David Nord asked the committee to review section 31-27 Dumpsters and to consider setting a reasonable time such as 30 to 65 days for removal from the premises. It was decided to review the ordinance and bring it back to committee in June for further discussion.

JoAnn Hudson moved to convene into executive session at 8:05 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 entered into the minutes of the closed meeting.

Sally Hollembeak seconded. Roll call was taken by Village Clerk, Nancy Belt

JoAnn Hudson

Sally Hollembeak

Gary Maitland

JoAnn Hudson called the meeting back to order at 8:31 pm. Village Clerk, Nancy Belt

Called the roll:

JoAnn Hudson

Sally Hollembeak

Gary Maitland

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

Recorded by: Village Clerk, Nancy Belt

Chairman, JoAnn Hudson approved the minutes .