

**ORDINANCE COMMITTEE MEETING  
JULY 6, 2010**

Chairman James Coppernoll called the meeting to order at 7:00 P.M.

Trustee members present: Sally Hollembeak, Gary Maitland

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

Sally Hollembeak moved to adopt the agenda, with two additions; Item 8 under unfinished business: Pawn Brokers and Item 3 under the Attorney's report: Intergovernmental agreement with Winnebago County. Gary Maitland seconded. Motion carried by voice vote.

Sally Hollembeak moved to approve the June 7, 2010 ordinance committee minutes. Gary Maitland seconded. Motion carried by voice vote.

**CHAPTER 78 "VEGETATION"**

Sally Hollembeak moved to send this ordinance to the July 6, 2010 village board meeting for second and final reading. Gary Maitland seconded. Motion carried by voice vote.

**TRUSTEES SALARY**

Sally Hollembeak moved to send this ordinance to the July 6, 2010 village board meeting for second and final reading. Gary Maitland seconded. Motion carried by voice vote.

**ROCKFORD MUTUAL INSURANCE**

President Claeysen stated that the draft agreement is still under review and asked that this be discussed at the July Planning & Development Committee meeting.

**NEWBURG VILLAGE PUD AGREEMENT**

Attorney Stevens reported that he had been notified by Attorney Tobin that the proposed sale of the golf course has fallen through, and that the petitioners are withdrawing his request for amendments to the existing planned unit development agreement. Attorney Stevens asked that this be referred to the July Planning & Development Committee meeting for further discussion of outstanding issues including non-payment of golf fees..

**CHERRYVALE THEATER BUILDING**

Attorney Jim Stevens stated that he and David Nord are still waiting for the additional information to be provided by the applicant requesting the special use permit for the former theater building.

**DISTRIBUTION AND PLACEMENT OF HANDBILLS**

Chief Todd Houde said he was hoping for some manner of registration so the police would know who is in the village distributing handbills. Some brief discussion ensued concerning posting of bills and distribution of handbills. It was the consensus of the committee that it will take no further action on this topic at this time.

**ACCESSORY BUILDINGS**

The committee discussed the village ordinance concerning accessory buildings and reached consensus that the village prohibits polyurethane / tarp like materials for use as an exterior material for structures. The Village Attorney was instructed to revise the existing ordinance to add wording specifically prohibiting such materials for building exteriors. Village staff was instructed to notify property owners who are currently in violation.

**PAWN BROKERS**

Chairman Coppernoll stated that this was last discussed in March, and wished to know what has transpired since that time. Police Chief Houde stated that Winnebago County has recently begun a similar program to regulate this type of businesses. The Chief says he would like to review the County's program over the next few months and report back to the committee.

**RESOLUTION FOR NON-HOMERULE MUNICIPAL RETAILER'S OCCUPATIONS TAX**

President Claeysen reported that the revised draft of the resolution has been distributed to everyone for their review. This topic will be fully discussed at the upcoming Finance Committee meeting on July 19, 2010. President Claeysen asked that Board members get back to him with any comments, questions or concerns.

**CHERRY TREES IN RIGHT OF WAY**

Chairman Coppernoll advised the committee of various complaints he has received concerning people picking the cherry trees in the village. Trees are typically maintained by residents whose homes are next to the trees. While aggravating to residents who may care for the trees by their homes, the Village Attorney stated that there is no way to legislate this topic or two prohibit the picking of the cherries.

**USE OF LIVE TRAPS IN THE VILLAGE LIMITS**

Chairman Coppernoll expressed concern over the existing wording of the ordinance. Coppernoll asked that there be more discussion concerning the ordinance at next month's meeting. Attorney Stevens stated that he would review the ordinance in the mean time.

**PRESIDENT'S REPORT** NO REPORT

**ADMINISTRATOR'S REPORT** NO REPORT

At 7:34 P.M. Sally Hollebeak so moved to convene into executive session under Section 2(c) (11) of the Opening Meetings Act for the purpose of discussing litigation affecting or on behalf of the particular public body finds that an action is probable or imminent. Gary Maitland seconded the motion. Motion carried by voice vote

James Coppernoll called the meeting back to order at 7:45 PM Roll call was taken as follows:

Trustee members present: James Coppernoll, Sally Hollebeak, Gary Maitland

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

Attorney Stevens asked that item two under his report (Motion to send agreement to the Village Board of Trustees) be held over until the August Ordinance Committee meeting.

### **INTERGOVERNMENTAL AGREEMENT WITH WINNEBAGO COUNTY; FIND COLLECTION**

Attorney Stevens stated that it was his recommendation that the Village enter into the agreement with Winnebago County. The County will provide the Village with quarterly reports and will take ten percent (10%) of the fine revenue collected on behalf of the Village; which he stated was substantially less than the rate charged by private agencies.

Sally Hollebeak so moved that the intergovernmental agreement with Winnebago County be sent to the Village Board of Trustees meeting on July 20, 2010. Gary Maitland seconded the motion. Motion carried by voice vote.

Attorney Stevens stated that he would be gone the first week of August, and would not be attending the August Ordinance Committee meeting or the August 3<sup>rd</sup> Village Board meeting.

At 7:48 PM Sally Hollebeak so moved to adjourn. Gary Maitland seconded the motion. Motion carried by voice vote.

Recorded by: David Nord

Approved by Trustee James Coppernoll on July 12, 2010