

**ORDINANCE COMMITTEE MEETING  
AUGUST 1, 2011**

Chairman JoAnn Hudson called the meeting to order at 7:01 pm.

Trustee member present: Gary Maitland

Absent: Sally Hollembeak

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

JoAnn Hudson moved to adopt the agenda. Gary Maitland seconded. Motion carried by voice vote.

JoAnn Hudson moved to approve the July 5, 2011 ordinance committee minutes. Gary Maitland seconded. Motion carried by voice vote.

JoAnn Hudson asked Deputy Sheriff Tom Keegan to please come forward and address the committee. Deputy Keegan stated that the Kishwaukee River averages 300 to 500 people tubing/canoeing from June through August 15. Deputy Keegan asked the Cherry Valley Police if they could step up patrols in Baumann Park in order to help the Winnebago County Sheriff's department control the alcohol consumption and littering on the Kishwaukee River.

JoAnn Hudson also recognized residents who reside along the Kishwaukee River and addressed their concerns regarding littering/debris caused by the tubers, etc.

President Jim Claeysen stated that the village's current ordinance under section 46-72 Rules and Regulations; prohibits the sale and or consumption of alcoholic beverages and glass bottles. Chief Todd Houde recommended revisiting the possibility of hiring park rangers again. Attorney Jim Stevens recommended talking with Wisconsin law enforcement to obtain their river rules and regulations. David Schroeder suggested posting more signage (no alcohol) in Baumann Park with the Winnebago County Sheriff's department's phone number.

JoAnn Hudson asked Officer Fritchl from the DNR to please come forward and address the committee. Officer Fritchl informed the committee that the Kishwaukee River is a private stream and not a public stream in which the DNR is the authority of the river. He said after hearing that the residents along the Kishwaukee River are dealing with littering/debris he agreed that this problem will be handled by the DNR. He also recommended that the Cherry Valley Police conduct cooler container inspections before the tubers head down the river. Deputy Keegan said that his department is willing to work with Cherry Valley Police Department.

Chief Wilt, from the Cherry Valley Fire District informed the committee that the fire department needs an access point in Baumann Park to handle emergencies on the Kishwaukee River. He said the boat launch has huge boulders along the shoreline which prohibits the fire department to put their motor boat in the Kishwaukee River. JoAnn thanked Chief Wilt for this important information.

Village Clerk, Nancy Belt informed the committee that the police department has been writing 15 – 20 parking tickets for parking on the grass every weekend in Baumann Park and the ticket fine is \$10.00.

JoAnn thanked everyone for their input on this very important matter and again asked Chief Todd Houde to contact a Wisconsin Police Department for their law enforcement program and to request any river safety rules that can be utilized on the Kishwaukee River.

**Article VI. Nuisances Section 42-221 = Garbage or Debris; Private Property; Providing Removal**

President Jim Claeysen stated that David Nord is sending certified violation letters per section 42-221, and the homeowners are refusing to sign. He then is placing a lien on their property. David is asking to revise the current ordinance to make it more enforceable. Attorney Jim Stevens suggested turning this matter over to the police department to issue a “notice to appear”. Gary Maitland said rather than posting notice on the resident’s door and placing a lien on the property he recommended the police handle these violations. After further discussion it was recommended that Chief Todd Houde and David Nord meet with Attorney Jim Stevens to discuss this matter further.

**ROCKFORD PARK DISTRICT/PURCHASE ORDER**

JoAnn Hudson confirmed that the purchase order from the Rockford Park District for payment upon receipt, for their portion of the CherryVale North/Mall Drive Resurfacing project done July 2011, has been received by Cherry Valley Public Works Department and a copy was E-mailed to the village board members.

**BAUMANN PARK; PARKING ON THE GRASS – ALCOHOL IN PARK**

President Jim Claeysen and committee discussed increasing the “no parking on the grass fine” to \$50.00 for all village parks. JoAnn polled the board members asking if they agree to increasing the fine to \$50.00 for “no parking on grass” and attach a small sign “\$50.00 Fine” under the “no parking signs. Everyone agreed. JoAnn Hudson moved to authorize Attorney Jim Stevens to draft an ordinance amending Section 46-72 “no parking on the grass” Fine \$50.00 for each violation. Gary Maitland seconded. Motion carried by voice vote.

President Claeysen read from Section 46-72 Restrictions and Prohibited Activities: “The sale and consumption of alcoholic beverages”

“No glass containers shall be allowed in village parks”.

JoAnn Hudson moved to have Joe Caveny post the new park regulations signs in Baumann Park. Gary Maitland seconded. Motion carried by voice vote.

**PAVILION/GAZEBO FEES**

JoAnn Hudson and committee discussed the following changes:

Section 46-75 shelter and pavilion rental fees.

Remove “Village Clerk” replace with “administration staff”. Section 46-72

Remove “Reservations” and “Payment” Insert: all renters must make payment the day reservations are made. Remove “Trash Bags provided”.

Add additional cleaning deposit fee \$75.00.

**Pavilion continued:**

JoAnn Hudson moved to have Joe Caveny and David Nord present the committee with a red-line copy of Section 46-72 Rules and Regulations Pertaining to Use” & Section 46-75 Shelter and Pavilion Rental Fees. Gary Maitland seconded. Motion carried by voice vote.

JoAnn Hudson moved to change the order of business to place the following items after executive session meeting:

Resolution; Destruction of Audio recordings

Resolution; Releasing Executive Session Minutes

Gary Maitland seconded. Motion carried by voice vote.

**IML CONFERENCE**

President Jim Claeysen informed the committee that the 2011 budget reflects Village Clerk, Nancy Belt and Treasurer, Karen Melloch attendance at the IML conference. Karen Melloch has declined and JoAnn Hudson has agreed to attend. Gary Maitland moved to send to the village board authorizing Village Clerk, Nancy Belt and Trustee, JoAnn Hudson to attend the Illinois Municipal League annual conference September 15 – 17, 2011 in an amount of \$1800.00. JoAnn Hudson seconded. Motion carried by voice vote.

**ILLINOIS DEPARTMENT OF TRANSPORTATION/BELL SCHOOL ROAD**

Attorney Jim Stevens provided 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”. Attorney Jim Stevens said that he would like to discuss this ordinance before passage. JoAnn Hudson moved to refer this ordinance to the August 8, 2011 public works committee meeting. Gary Maitland seconded. Motion carried by voice vote.

**RESOLUTION; YEARS OF SERVICE**

Attorney Jim Stevens presented the committee with a resolution amending the employee handbook “Employee Recognition Program”. President Jim Claeysen recommended the following: “The Village President and/or the Chairman of the Village’s Personnel Committee will be responsible for making sure the department heads are recognized in a timely manner.” “Celebration foods and materials will be limited to \$50.00 per event starting at the 25 year milestone and continuing for each five year increment.”

JoAnn moved to send to the village board, “A Resolution Amending Employee Handbook for the Village of Cherry Valley, Illinois Employee Recognition Program” as amended. Gary Maitland seconded. Motion carried by voice vote.

**RESOLUTION; FUNERALS**

Attorney Jim Stevens presented the committee with a resolution amending "Bereavement" regarding flowers and memorials funds. Gary Maitland said that he would like to have further discussion on this, because he needs clarification on "immediate household family member of an employee". JoAnn agreed and referred this resolution to the September ordinance meeting for further discussion.

JoAnn Hudson moved to convene into executive session at 8:53 pm. for the following purposes:

2 (c) (6) the setting of a price for sale or lease of property owned by the public body.

2(c)(21) Discussion of minutes/tapes of meetings lawfully closed under this Act, whether for purposes of approval by the body of the minutes or semi-annual review of the minutes as mandated by Section 2.06.

JoAnn Hudson called the meeting back to order at 9:28 pm. Village Clerk, Nancy Belt called the roll: JoAnn Hudson, Gary Maitland

JoAnn Hudson moved to send to the village board the adoption of "A Resolution Authorizing the Destruction of Audio or Video Recording of Closed Meetings Sessions, and Resolution Releasing Executive Session Minutes. Gary Maitland seconded. Motion carried by voice vote.

JoAnn Hudson moved to adjourn the meeting at 9:29 pm. Gary Maitland seconded. Motion carried by voice vote.

Recorded by: Village Clerk, Nancy L. Belt  
Ordinance minutes approved by Chairman JoAnn Hudson August 3, 2011