

ORDINANCE COMMITTEE MEETING

August 6, 2012

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

Trustee members present: Sally Hollembeak & Gary Maitland

Also, present: Attorney Roxanne Sosnowski, Stephen Appell, President Jim Claeysen, Village Administrator David Nord, Chief Todd Houde; David Schroeder, Scott Kramer

JoAnn Hudson moved to adopt the agenda with deletion of item #2 under new business (Annexation agreement for N.E. Water Extension Project (Boone County)) and the addition of "Parking in residential areas" as item #2 under unfinished business. Sally Hollembeak. Motion carried by voice vote.

JoAnn Hudson moved to approve the July 2, 2012 Ordinance Committee minutes. Sally Hollembeak seconded. Motion carried by voice vote.

VIDEO GAMING ORDINANCE:

The committee was previously provided with a copy of the draft ordinance. Attorney Sosnowski gave an overview on the history of the Illinois state statute related to video gaming. Discussion then moved to the topic of the proposed village ordinance. It was noted that the village will receive some video gaming money from the state. And that the Village is allowed to charge an annual fee of twenty five dollars (\$25) per video game terminal. Discussion was held about changing the annual renewal date for video gaming licenses to May 1st to coincide with the village's liquor license renewal. Discussion was also held concerning the need for clarifying language to address the issue of physical placement of video terminals within a business.

Sally Hollembeak so moved to forward AN ORDINANCE AMENDING THE CODE OF ORDINANCES FOR THE VILLAGE OF CHERRY VALLEY, SECTIONS 42-51 GAMBLING ACTS AND SECTION 42-56 VIDEO GAMING TERMINALS to the August 7, 2012 Board of Trustees meeting for first reading with the understanding that additional clarifying wording will be added prior to the second reading of the ordinance. Gary Maitland seconded the motion. Motion carried by unanimous voice vote.

PARKING IN RESIDENTIAL AREAS (SECTION 70-33)

Chairman JoAnn Hudson advised the committee that this ordinance was previously planned for first reading, but was inadvertently left off the previous (July 17, 2012) Village Board meeting agenda. This ordinance is up for first reading at tomorrow night's Village Board meeting.

PART TIME POLICE ORDINANCE:

Attorney Sosnowski provided the committee with a revised / draft ordinance. Some discussion over items "F" and "H" contained within the document. Clarifying language will be added to state that the officer must meet all criteria with either the Village of Cherry Valley or with another police department that the office has or is working for.. The officer candidate would then need to provide proof that the criteria was met through another police department to the Cherry Valley Chief of Police. It was consensus of the committee to forward this ordinance for first reading at the August 7, 2012 Board of Trustee meeting. It was noted that Attorney Sosnowski will meet with Police Chief Houde to work on additional clarifying language and that

the new draft ordinance will be provided to the Board of Trustee members prior to the August 21, 2012 Board meeting. After further discussion, Sally Hollembeak so moved to forward to the Board for first reading AN ORDINANCE OF THE VILLAGE OF CHERRY VALLEY, ILLINOIS AMENDING CHAPTER 34, ARTICLE II, DIVISION I, ADDING SECTION 34-40 AUTHORIZING THE HIRING OF PART-TIME POLICE OFFICERS". Gary Maitland seconded. Motion carried by unanimous voice vote.

ANNEXATION AND ZONING REQUEST; SW CORNER OF PERRYVILLE ROAD AND CHARLES STREET:

Attorney Sosnowski presented the committee with a draft ordinance for the annexation of 2301 S. Perryville Road, 6959 Charles Street and 6935 Charles Street. The three parcels are located at the south west corner of the Charles Street / Perryville Road intersection. It was noted that this request was approved by the Planning and Zoning Commission on a 7-0 vote. After brief discussion Sally Hollembeak so moved to forward to the Board for first reading "AN ORDINANCE ANNEXING PROPERTY TO THE VILLAGE OF CHERRY VALLEY, ILLINOIS (2301 S. PERRYVILLE ROAD, 6959 CHARLES STREET AND 6935 CHARLES STREET)". Gary Maitland seconded the motion. Motion carried by unanimous voice vote

Attorney Sosnowski presented the committee with a draft ordinance for the zoning of 2301 S. Perryville Road, 6959 Charles Street and 6935 Charles Street upon their annexation to the village. . The three parcels are located at the south west corner of the Charles Street / Perryville Road intersection. . It was noted that this request was approved by the Planning and Zoning Commission on a 7-0 vote. After brief discussion Sally Hollembeak so moved to forward to the Board for first reading "AN ORDINANCE ZONING PROPERTY UPON ITS ANNEXATION INTO THE VILLAGE OF CHERRY VALLEY, ILLINOIS, CC - COMMERCIAL COMMUNITY DISTRICT UNDER SECTION 82-234 (2301 S. PERRYVILLE ROAD, 6959 CHARLES STREET AND 6935 CHARLES STREET)". Gary Maitland seconded the motion. Motion carried by unanimous voice vote

REQUEST FOR VARIANCE TO MAXIMUM ACCESSORY BUILDING SIZE; 3849 GENOA STREET, CHERRY VALLEY.

Attorney Sosnowski presented the committee with a draft ordinance for granting of a variance for the size of a proposed accessory building at 3849 Genoa Street. It was noted that this request was approved by the Planning and Zoning Commission on a 6-1 vote, and that no adjoining property owners had contacted the village to express opposition. After further discussion, Sally Hollembeak so moved to forward to the Board for first reading "AN ORDINANCE GRANTING A VARIANCE TO SECTION 82-10 REGARDING THE MAXIMUM SIZE FOR ACCESSORY BUILDINGS IN AN R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT (3489 GENOA ROAD)" Gary Maitland seconded the motion. Motion carried by unanimous voice vote.

ADMINISTRATOR REPORT:

David Nord reported that there has been a special events permit request for "Live Out Loud In Rockford" to hold a "market" event in the Tebala Shrine parking lot at numerous times between August and December of this year. The applicant for the permit has asked if the village would consider modifying its current permit structure which requires a \$100.00 fee each time the market takes place. General discussion was had concerning the request, and it was consensus of the committee to have the special events permit ordinance modified to address this type of reoccurring event.

After additional discussion it was consensus of the Committee to have the Village Attorney draft additional wording for the special events permit to address events that occur multiple times within a year. The revision will be provided to the Village Board prior to its August 21, 2012 Board meeting. Further discussion resulted in the committee agreeing to hold an additional Ordinance Committee meeting on Tuesday, August 21, 2012 prior to the Board meeting to address revisions to the special events permit ordinance as well as the part time police ordinance.

ATTORNEY REPORT: No report

VILLAGE PRESIDENT REPORT: No report

JoAnn Hudson moved to adjourn at 7:46 pm. Sally Hollembeak seconded. Motion carried by voice vote.

Recorded by: Village Administrator, David Nord
Chairman, JoAnn Hudson approved the minutes on August 16, 2012