

**VILLAGE OF CHERRY VALLEY, IL  
ORDINANCE COMMITTEE MINUTES  
MONDAY, JUNE 3, 2013**

Chairman Nancy Belt called the Ordinance Meeting to order at 7:00 PM. A Roll Call was taken:

NANCY BELT	PRESENT
SALLY HOLLEMBEAK	PRESENT
GARY MAITLAND	PRESENT

Also Present: President Jim E. Claeysen, Trustees Stephen Appell, JoAnn Hudson and David Schroeder, Chief of Police Todd Houde, Sgt. Mike Neville, Village Attorney Jim Stevens and Village Clerk Dana Ward.

Nancy Belt moved to adopt the Agenda. Sally Hollembeak seconded. All "Aye"; none opposed. Motion carried by voice vote.

Nancy Belt entertained a motion to approve the May 6, 2013 Minutes. Gary Maitland so moved and Sally Hollembeak seconded. All "Aye"; none opposed. Motion carried by voice vote.

**PUBLIC COMMENT:** None

**UNFINISHED BUSINESS:**

1. Discuss and review and/or update ordinances regarding protection of the natural land around rivers, streams and infrastructures. Nancy Belt asked if JoAnn Hudson could get more information regarding this issue. Mrs. Hudson will get more information from other areas organizations. Stephen Appell offered that he thought there were some ordinances or resolutions on the Village books already. The Clerk is asked to assist in finding this information. Jim Stevens reminded the committee members that about seven years ago they discussed this and he thinks he can get information regarding water retention and runoff. Chris Cooper was instrumental in helping the Committee before. JoAnn Hudson added that protecting the waterways like the Madigan Creek Watershed and the Kishwaukee River Gorge, which is a young, pure and clean geological system, should be a priority for the Board. Mrs. Hudson is concerned that there should be Ordinances in place for the protection of these eco systems, especially for the enjoyment of future generations. Jim Stevens will draft a sample ordinance regarding retention/runoff and recommended that Nancy Belt contact Dennis McMullen and Chris Cooper to see if they have any information regarding waterways. Cherry Valley has an Ordinance (chapter 28, article 2. Environment and soil erosion control). Nancy Belt asked that this be kept on future agendas pending more information.

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**NEW BUSINESS:**

1. Review of prevailing wage Ordinance. Nancy Belt noted that the staff prepared this standard Ordinance: it has been reviewed and recommended that it be sent to the Village Board. Sally Hollembeak moved to send to the June 4, 2013 Village Board meeting, to waive the rules on the first reading and passage, "An Ordinance of the Village of Cherry Valley, Winnebago and Boone Counties, Illinois Ascertaining the Prevailing Rate of Wages for Laborers, Workmen and Mechanics Employees on the Public Works of Said Village". Gary Maitland seconded. All "Aye"; none opposed. Motion carried by voice vote.
2. Discuss putting Ordinances on the website prior to codification. Nancy Belt stated that she agrees with placing the passed Ordinances on the Village website for the public to review until they are codified. Gary Maitland also agreed. President Jim E. Claeysen stated that staff is currently working on the new website and will be incorporating a page to insert the Ordinances.
3. Discussion - review current Video Gaming Ordinance. Nancy Belt and Committee reviewed the current Video Gaming Ordinance Chapter 42, Section 42-51 & 42-56. Nancy Belt stated that the current Ordinance requires all Video Gaming applications be approved by the Village Board and after reading past Village Board minutes none of the issued licenses have been before the Board. Attorney Stevens recommended presenting them at the June 18, 2013 Board meeting for approval. Everyone agreed.

Nancy Belt stated the current Video Gaming Ordinance states that the approved Video Gaming businesses must file a copy of their state license to be placed on file at the Village Hall. Also, the Ordinance requires that the Village issue a stamp with a license number. The Village does not have a sticker to be given to the vendor. Nancy Belt also asked that Attorney Stevens draft a new Video Gaming application instead of using the coin operated application. Gary Maitland and Nancy Belt recommended reviewing the current liquor license fees. Nancy Belt referenced the article from Heyl Royster regarding updates to the Video Gaming; she said it suggests amending the distance from a place of worship to 150 feet from 100 feet

Nancy Belt recommended removing the Video Gaming Ordinance from Chapter 42 and place the Ordinance in Chapter 10 Alcohol Beverage, because all applicants have to apply for a liquor license and Video Gaming license together.

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**NEW BUSINESS:** (Continued).

4. Review of Ordinance approving a setback variance for 8931 Sultana Court. Nancy Belt presented the Committee with “An Ordinance Granting a Variance Under Section 82-55 to Section 82-205 (d) (2) to Allow a Side yard Set Back of 20 Inches, along the Easterly Lot line to construct a Driveway Apron (8931 Sultana Court)”. Sally Hollembeak moved to send to the Village Board meeting on June 4, 2013 for the first reading. Gary Maitland seconded. All “Aye”: none opposed. Motion carried by voice vote.
  
5. Review of Ordinance amending the Code of Ordinances regarding the Village’s Zoning Officer. President Jim E. Claeysen noted that this is for a change in the job description. Nancy Belt entertained a motion. Sally Hollembeak moved to take to the Village Board June 4, 2013, to waive the rules on the first reading and passage of “An Ordinance Amending the Code of Ordinances of the Village of Cherry Valley, Illinois Section 2-172 (14) (Village Administrator)”. Gary Maitland seconded. All “Aye”; none opposed. Motion carried by voice vote.
  
6. Review of a resolution appointing a temporary Zoning Officer for the Village of Cherry Valley. Nancy Belt entertained a motion. Sally Hollembeak moved to take to the Village Board June 4, 2013 “A Resolution Appointing Temporary Zoning Officer”. Gary Maitland seconded. All “Aye”; none opposed. Motion carried by voice vote.
  
7. Review of a revised agreement with Anam Care. Jim Stevens will have an agreement prepared for review at the June 4, 2013 Village Board meeting.

**ADMINISTRATOR’S REPORT:** None.

**ATTORNEY’S REPORT: JIM STEVENS:** Mr. Stevens talked with Ed Hornback, the realtor handling the sale of the theater building regarding the sale tax rebate agreement. Attorney Stevens clarified that the Village is preparing a “letter of agreement” not a sales tax agreement. The buyers were asking for a five year agreement and are now asking for a seven year agreement. Nancy Belt polled the Committee for a seven year agreement:

Stephen Appell	YES	JoAnn Hudson	YES
Nancy Belt	YES	Gary Maitland	YES
Sally Hollembeak	YES	David Schroeder	YES

All members are in agreement.

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**ATTORNEY'S REPORT: JIM STEVENS: (Continued).**

Attorney Stevens stated that the Village had a letter of credit still outstanding from Newburg Village Subdivision agreement which has been received. Discussion ensued regarding the driveway completion.

**PRESIDENT'S REPORT: JIM E. CLAEYSSEN.** President Jim E. Claeysen entertained a motion to hire Heather Church. Nancy Belt motioned to take to the Village Board 6/4/13, an approval to hire Ms. Heather Church as a temporary employee to work as the Front Desk Receptionist at \$12.00 per hour effective June 3, 2013. Sally Hollembeak seconded. All "Aye"; none opposed. Motion carried by voice vote.

Nancy Belt moved to adjourn at 8:09PM. Sally Hollembeak seconded. All "Aye"; none opposed. Motion carried by voice vote.

Recorded by Village, Clerk Dana Ward.

Chairman Nancy Belt approved the Minutes June 24, 2013.

**AGENDA  
VILLAGE OF CHERRY VALLEY, IL  
ORDINANCE COMMITTEE  
MONDAY, JUNE 3, 2013  
7:00 PM**

**CHAIRMAN:** Nancy Belt

**MEMBERS:** Sally Hollembeak  
Gary Maitland

**ROLL CALL:**

**ADOPT THE AGENDA:**

**APPROVE THE MINUTES:** May 6, 2013.

**PUBLIC COMMENT:**

**UNFINISHED BUSINESS:**

1. Discuss reviewing and or updating ordinances regarding protecting natural land around rivers, streams and Green Infrastructure Systems.

**NEW BUSINESS:**

1. Review Annual Prevailing Wage Ordinance.
2. Discuss putting passed Ordinances on website prior to codification.
3. Discussion - review current Video Gaming Ordinance.
4. Review an ordinance approving a setback variance for 8931 Sultana Court.
5. Review an ordinance amending the Code of Ordinances regarding the village's Zoning Officer.
6. Review a resolution appointing a temporary Zoning Officer for the Village of Cherry Valley.
7. Review a revised agreement with Anam Care.

**ADMINISTRATOR REPORT:**

**ATTORNEY'S REPORT:**

**PRESIDENT'S REPORT:**

1. Motion that the Village of Cherry Valley hires Ms. Heather Church as a temporary employee to work as the Front Desk Receptionist at \$12.00/hour effective June 3, 2013.

**ADJOURNMENT:**

NLB 5/29/13