

**VILLAGE OF CHERRY VALLEY, IL  
ORDINANCE COMMITTEE MINUTES  
MONDAY, MARCH 3, 2014**

**CHAIRMAN:** NANCY BELT  
**MEMBERS:** SALLY HOLLEMBEAK  
GARY MAITLAND

**Chairman Nancy Belt called the Ordinance Committee meeting to order at 6:34 PM.** A Roll Call was taken:

NANCY BELT	PRESENT
SALLY HOLLEMBEAK	PRESENT
GARY MAITLAND	PRESENT

Others present: President Jim E. Claeysen, Trustees Stephen Appell, JoAnn Hudson and David Schroeder, Village Administrator Jim Wise, Attorney Jim Stevens, Interim Chief of Police Mike Neville and Clerk Dana Ward.

**ADOPT THE AGENDA:** Nancy Belt moved to adopt the amended agenda with the following corrections: Under *NEW BUSINESS* delete item number 2.) *Section 2-511: Reimbursement to planning commission, zoning board of appeals and recreational board members* and delete *PRESIDENT'S REPORT*. Sally Hollembeak seconded. All "Aye"; none opposed. Motion carried by voice vote.

**APPROVE THE MINUTES:** February 3, 2014. Nancy Belt moved to approve the minutes for February 3, 2014, with the following corrections: On page one, under *UNFINISHED BUSINESS*, ITEM 2.) take out the word "with": The sentence should read "*Trustee Hudson stated that this seems to be in direct violation of State Statute (65 ILCS 6/3.1-40-30), which states: the mayor shall not vote on any ordinance, resolution or motion at the board level.....*" and on page two, paragraph number two the sentence should read "*Under ILCS 5/8-2-2 and 65 ILCS 5/6-4-13, it states that the appointments are made by the president.*" Sally Hollembeak seconded. All "Aye"; none opposed. Motion carried by majority vote. (It is noted that Gary Maitland did not vote as he was not present at the February 3, 2014 meeting).

**PUBLIC COMMENT:** None.

**UNFINISHED BUSINESS:**

Section 2-68 Addressing meetings - Continued Discussion. The committee reviewed a draft ordinance, presented by Attorney Stevens, regarding public comment. Gary Maitland presented his suggestions for additions to this ordinance; Sign-up sheet at meeting, time allotments of thirty minutes. A person who wishes to speak be allotted no more than 10 minutes if numerous people wish to speak. Each Speaker must maintain civility and cannot disrupt an orderly meeting by using obscene or threatening language or gestures. A person be permitted at any time can address the public body by via mail or email. Sally Hollembeak stated the each chairman of the committee or board should have the final say on how long a speaker is allowed to talk. Nancy Belt asked Attorney Stevens to prepare a draft of this ordinance for the March 4, 2014 Board meeting.

**VILLAGE OF CHERRY VALLEY, IL  
ORDINANCE COMMITTEE MINUTES  
MONDAY, MARCH 3, 2014**

**UNFINISHED BUSINESS:** (Continued).

Nancy Belt entertained a motion to send this ordinance to the Village Board. Gary Maitland moved to take to the Village Board February 4, 2014, to waive the rules for the first reading, second reading and passage:

“AN ORDINANCE AMENDING THE CODE OF ORDINANCES FOR THE VILLAGE OF CHERRY VALLEY, ILLINOIS, SECTION 2-68, ADDRESSING MEETINGS”.

Sally Hollembeak seconded. All “Aye”; none opposed. Motion carried by voice vote.

1. Drug Free Workplace (New World of Medical Marijuana). Nancy Belt requested to hold this over until the next meeting. More information is needed before proceeding. Attorney Stevens said that research indicates that most municipalities do not have “allowed” medical marijuana use on the job. Ordinances will need to be amended, so that this subject is clear. Nancy Belt added that the proposed changes to the code of ordinances will need to coincide with the employee handbook.
  
2. Section 70-62: (b) Winter Parking Regulations: Snow Removal: draft review ordinance. Nancy Belt noted that by the recommendation of Public Works Director Chuck Freeman, the following language is added to the ordinance in paragraph one: “...that a snow emergency will dictate when winter parking regulations are applicable and not the National Weather Service issuing a winter storm warning”. Chief Neville concurs with the proposed changes to 70-62. Jim Wise Village Administrator stated that a press release and also the website would be used to inform the public of the winter parking regulations. Nancy Belt stated that all three departments, Police, Administration and Public Works would be involved. Nancy Belt entertained a motion to send this ordinance to the Board. Sally Hollembeak moved to take to the Village Board February 4, 2014, to waive the rules for the first reading, second reading and passage:

“AN ORDINANCE AMENDING THE CODE OF ORDINANCES FOR THE VILLAGE OF CHERRY VALLEY, ILLINOIS, CHAPTER 70, SECTION 70-62, WINTER PARKING REGULATIONS; SNOW REMOVAL; DEPOSTING SNOW ON STREETS”.

Gary Maitland seconded. All “Aye”; none opposed. Motion carried by voice vote.

**VILLAGE OF CHERRY VALLEY, IL  
ORDINANCE COMMITTEE MINUTES  
MONDAY, MARCH 3, 2014**

**NEW BUSINESS:**

1. Section 50-185: Planning and Development Committee: Membership. Nancy Belt noted that this ordinance was drafted amending Section 50-185 allowing for three Trustees to serve on the P&D committee instead of four as recommended by the AG office. Attorney Stevens recommended proceeding with this amendment at this time and possible changes may be warranted in the future. Nancy Belt entertained a motion to send this ordinance to the Village Board. Gary Maitland moved to take to the Village Board February 4, 2014, to waive the rules for the first reading, second reading and passage:

“AN ORDINANCE AMENDING THE CODE OF ORDINANCES FOR THE VILLAGE OF CHERRY VALLEY, ILLINOIS, CHAPTER 50, SECTION 50-185, PLANNING AND DEVELOPMENT COMMITTEE; MEMBERSHIP”.

Sally Hollembeak seconded. All “Aye”; none opposed. Motion carried by voice vote.

2. Section 34-62: Duties “Chief of Police (President Claeysen). Nancy Belt stated that President Claeysen is asking the ordinance committee to changed Section 34-62, item 6, to preferred qualifications are a Bachelor’s Degree requirements. Nancy Belt asked Attorney Stevens if the village trustees can waive the rules on the requirements for the educational qualifications. Attorney Stevens answered yes and recommended not changing the language. Mr. Wise stated that from a Human Resources perspective, if you add degree “preferred”, you minimize the potential of litigation and open the door to a village’s right of choice for a specific candidate. Sally Hollembeak moved to take to a Village Board meeting, with the discretion of the Village President for which meeting, an ordinance regarding the Duties of the Chief of Police. Gary Maitland seconded. All “Aye”; none opposed. Motion carried by voice vote.
3. Section 2-33: Standing Committees (composed of a maximum of three Trustees on the following committees: Planning & Development, Public Works, & Personnel. Nancy Belt noted that this ordinance is to change the number of members on the committees with a maximum of three standing members. President Claeysen appointments are as follows:

PUBLIC WORKS Committee: Stephen Appell, Nancy Belt and David Schroeder,  
PERSONNEL Committee: Sally Hollembeak, JoAnn Hudson and Gary Maitland  
PLANNING AND DEVELOPMENT: Stephen Appell, JoAnn Hudson and David Schroeder. Attorney Stevens will prepare a draft ordinance for this amendment. Nancy Belt entertained a motion to send this ordinance to the Village Board. Sally Hollembeak moved to take to the Village Board February 4, 2014, to waive the rules for the first reading, second reading and passage:

**VILLAGE OF CHERRY VALLEY, IL  
ORDINANCE COMMITTEE MINUTES  
MONDAY, MARCH 3, 2014**

**NEW BUSINESS:** (Continued).

“AN ORDINANCE AMENDING THE CODE OF ORDINANCES FOR THE VILLAGE OF CHERRY VALLEY, ILLINOIS, CHAPTER 2, SECTION 2-33, COMMITTEES”.

Gary Maitland seconded. All “Aye”; none opposed. Motion carried by voice vote.

**ATTORNEY’S REPORT:** Jim Stevens. No report.

**ADMINISTRATOR’S REPORT:** Jim Wise. No report.

**ADJOURNMENT:** Nancy Belt entertained a motion to adjourn. Sally Hollembeak moved to adjourn at 7:21PM. Gary Maitland seconded. All “Aye”; none opposed. Motion carried by voice vote.

Recorded by Dana Ward Village Clerk.

Minutes reviewed by Chairman Nancy Belt on March 11, 2014.

**AGENDA  
VILLAGE OF CHERRY VALLEY, IL  
ORDINANCE COMMITTEE  
MONDAY, MARCH 3, 2014  
6:30 PM**

**CHAIRMAN:** NANCY BELT  
**MEMBERS:** SALLY HOLLEMBEAK  
GARY MAITLAND

**CALL THE MEETING TO ORDER:**

**ROLL CALL:**

**ADOPT THE AGENDA:**

**APPROVE THE MINUTES:** February 3, 2014.

**PUBLIC COMMENT:**

**UNFINISHED BUSINESS:**

1. Section 2-68: Addressing Meeting; review draft ordinance.
2. Drug Free Work Place (New World of Medical Marijuana) No report.
3. Section 70-62: (b) Winter Parking Regulations; Snow Removal; review draft ordinance.

**NEW BUSINESS:**

1. Section 50-185: Planning and Development Committee: Membership.
2. Section 2-511: Reimbursement to planning commission, zoning board of appeals and recreational board members.
3. Section 34-62: Duties "Chief of Police (President Claeysen).
4. Section 2-33: Standing Committees (composed of a maximum of three Trustees on the following committees: Planning & Development, Public Works, & Personnel.

**ATTORNEY'S REPORT:**

**ADMINISTRATOR'S REPORT:**

**PPRESIDENT'S REPORT:**

**ADJOURMENT:**  
NLB 2/28/2014