

**VILLAGE OF CHERRY VALLEY, IL
ORDINANCE COMMITTEE MINUTES
MONDAY, APRIL 7, 2014**

CHAIRMAN: NANCY BELT
MEMBERS: SALLY HOLLEMBEAK
GARY MAITLAND

Chairman Nancy Belt called the Ordinance Committee meeting to order at 6:30 PM. A Roll Call was taken:

NANCY BELT	PRESENT
SALLY HOLLEMBEAK	PRESENT
GARY MAITLAND	PRESENT

Others present: President Jim E. Claeysen, 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: Nancy Belt would like to change the ORDER OF BUSINESS. Under *NEW BUSINESS*, strike item 1.) *Ordinance regarding “New Developments” - Discussion. Finance 3/11/14: J. Hudson’s request* and move item 4.) *Zoning Map Amendment 1918 S. Bell School Road “R4” with condition of the property along Bell School Road remains Commercial property, after PUBLIC COMMENT.* Sally Hollembeak seconded. All “Aye”; none opposed. Motion carried by voice vote.

APPROVE THE MINUTES: March 3, 2014. Nancy Belt entrained a motion to approve the minutes. Gary Maitland moved to approve the minutes for March 3, 2014. Sally Hollembeak seconded. All “Aye”; none opposed. Motion carried by majority vote.

PUBLIC COMMENT: None.

NEW BUSINESS:

1. Zoning Map Amendment from Commercial Community District to R 4 for Bachrodt property at 1918 South Bell School Road, with a condition that a portion of the property along Bell School Road remain Commercial. Attorney’s David Silverman and Greg Jones, (Ancel-Glink), are present representing Bachrodt Trust. Attorney Jim Stevens noted that the property along Bell School Road should remain commercial. Also, the petitioner amended this request to Planning and Zoning. At Planning and Development landscaping, detention and drainage will be addressed. Nancy Belt voiced her concern about water run off with asphalt and parking areas. Mr. Silverman stated that runoff will be addressed. Likewise, “screening” will be addressed. Mr. Stevens noted that adjacent property owners (those that are not part of the village) would be notified as this project progresses. Mr. Stevens noted that Exhibit E is not attached. He will work with Jim Wise to get a copy of the map, with zoning clarification. Chairman Belt added that there is always discussion regarding asphalt and parking areas that would affect run off. The attorney representative noted that these concerns would be addressed in the site planning process.

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NEW BUSINESS: (Continued).

Nancy Belt entertained a motion to forward this zoning request to the Village Board. Gary Maitland moved to send to the Village Board April 15, 2014 for the first reading:

“AN ORDINANCE GRANTING A ZONING MAP AMENDMENT FROM SECTION 82-234 CC-COMMERCIAL COMMUNITY DISTRICT YTO SECTION 82-208 - R4 RESIDENTIAL DISTRICT FOR THE PROPERTY COMMONLY KNOWN AS 1918 BELL SCHOOL ROAD, CHERRY VALLEY, ILLINOIS (BACHRODT PROPERTY)”.

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

UNFINISHED BUSINESS:

1. Section 2-68: Addressing Meeting: review draft ordinance. Nancy Belt noted that all the members have a new draft copy of the ordinance regarding Section 2-68 addressing meetings. Sally Hollembeak stated that, as a Trustee, she cannot comment at any other committee meeting where she does not sit on the committee, yet the public CAN address any meeting. If she has a question, she would like to participate in the discussion. The rules governing public comment at meetings (Open Meetings Act) prohibits her from making a public comment. Attorney Stevens noted that, with this ordinance, the Public can sign up to speak before the meeting; the chairman of the committee can recognize the public for comment at their meeting. Gary Maitland weighed in and said that the ruling out of the Attorney General’s office says that as members of the Board, but not on the committee holding the meeting, the Trustees cannot speak. If the Chairman wants to recognize a member of the audience, then so be it. There is no set policy and maybe the Board needs to consider how it should proceed with addressing meetings. Jim Wise added that once this ordinance is adopted, guidelines for speaking could be posted or added to the agenda. Chairman Belt noted that perhaps, before the meeting begins, there could be a “courtesy call” to have the public sign up with their questions. Nancy Belt recommended that each Chairman of their committee set the rules for addressing meetings. After more discussion, Sally Hollembeak moved to send to the to the Village Board April 15, 2014 for the second and final reading:

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

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

2. 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 will meet with Chairman Belt when more information is received. Nancy Belt suggested that Jim Wise contact IML to see if they have a sample Ordinance in regards to the Drug Free workplace. Chief

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UNFINISHED BUSINESS: (Continued).

Neville stated that Rockton has an Ordinance. Mr. Stevens can get a copy of this from Attorney Aaron Szeto. This will be held over to the May meeting.

NEW BUSINESS:

1. Budget Transfer FY 2013-2014 Ordinance/Annual Budget Discussion. Nancy Belt credited Treasurer Karen Melloch and Administrative Assistant Kathy Trimble for supplying an updated draft for the transfer Ordinance. Chairman Belt noted that this ordinance needs to come out of the ORDINANCE committee meeting to the BOARD meeting, to follow procedure. Nancy Belt entertained a motion to move this to the Board. Sally Hollembeak moved to send to the Village Board April 15, 2014 for the first reading:

“AN ORDINANCE REVISING ORDINANCE NUMBER 2013-13
ANNUAL BUDGET FOR THE VILLAGE OF CHERRY VALLEY, ILLINOIS”

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

2. Ordinance amending the Code of Ordinance for Chapter 34, Section 34-62: Duties of the Chief of Police: Second and Final Reading. Nancy Belt noted that the first reading has been completed. This ordinance is in regards to the “minimum qualifications” or “preferred qualifications”, with bachelor’s degree. Gary Maitland stated that the changes would be in consideration for the person with extra ordinary credentials and has no problem leaving the ordinance as it is, waiving the rules for hiring. Nancy Belt is not in favor of changing this ordinance, it should be left as written and would like to take this to the Village Board for more discussion. However, perhaps there should be an option to begin/continue education. Sally Hollembeak moved to take to the Village Board April 15, 2014 for second and final reading:

“AN ORDINANCE AMENDING THE CODE OF ORDINANCES FORE THE VILLAGE OF
CHERRY VALLEY, ILLINOIS, CHAPTER 34 SECTION 34-62 - DUTIES, CHIEF OF
POLICE”.

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

ATTORNEY’S REPORT: Jim Stevens. Mr. Stevens asked about the status of the Greater Rockford Auto Auction project. Jim Wise stated that the Village is waiting on the landscape plan and also for clarifications on some other issues. He will meet with Attorney Stevens at a later date when all information is obtained. More discussion will be noted at the May Ordinance meeting.

ADMINISTRATOR’S REPORT: Jim Wise. No report.

ADJOURNMENT: Seeing there is no other business, Chairman Nancy Belt entertained a motion to adjourn. Gary Maitland moved to adjourn at 7:17 PM. Sally Hollembeak seconded. All “Aye”; none opposed. Motion carried by voice vote.

Recorded by Dana Ward Village Clerk.

Minutes reviewed by Chairman Nancy Belt on April 25, 2014.

**AGENDA
VILLAGE OF CHERRY VALLEY, IL
ORDINANCE COMMITTEE
MONDAY, APRIL 7, 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: March 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).

NEW BUSINESS:

1. Ordinance regarding "New Developments" - Discussion. Finance 3/11/14: J. Hudson's request.
2. Budget Transfer FY 2013-2014 Ordinance/Annual Budget - Discussion.
3. Ordinance Amending the Code of Ordinances for Chapter 34 Section 34-62 - Duties of the Chief of Police: Second and Final Reading.
4. Zoning Map Amendment 1918 S. Bell School Road "R4" with condition of the property along Bell School Road remains Commercial property.

ATTORNEY'S REPORT:

ADMINISTRATOR'S REPORT:

ADJOURNMENT:

NLB April 4, 2014