

VILLAGE OF CHERRY VALLEY, IL
"SPECIAL" ORDINANCE COMMITTEE MINUTES
TUESDAY, APRIL 15, 2014

CHAIRMAN: NANCY BELT
MEMBERS: SALLY HOLLEMBEAK
GARY MAITLAND

Chairman Nancy Belt called the Ordinance Committee meeting to order at 6:32PM.
A Roll Call was taken:

NANCY BELT	PRESENT
SALLY HOLLEMBEAK	PRESENT
GARY MAITLAND	PRESENT

Others present: President Jim E. Claeysen, Trustee JoAnn Hudson, Village Administrator Jim Wise, Treasurer Karen Melloch, Attorney Jim Stevens, Interim Chief of Police Mike Neville and Clerk Dana Ward. Trustee Stephen Appell entered at 6:37PM.

ADOPT THE AGENDA: Nancy Belt entertained a motion to adopt the amended agenda with the following corrections: Under *PUBLIC COMMENT*: add *Jeff Fustin* and add *ADDITIONAL PUBLIC COMMENT* before *ADJOURNMENT*. Gary Maitland moved to adopt the agenda. Sally Hollembeak seconded. All "Aye"; none opposed. Motion carried by voice vote. Chairman Belt moved to amend the agenda. Gary Maitland seconded. All "Aye"; none opposed. Motion carried by voice vote. Chairman Belt moved to remove *APPROVE THE MINUTES of April 7, 2014*. Gary Maitland seconded. All "Aye"; none opposed. Motion carried by voice vote.

PUBLIC COMMENT: Jeff Fustin, Cherry Valley Village resident. Mr. Fustin is concerned about the language for requirements for the Chief of Police on this agenda and the Board agenda this evening. He is concerned about adding the language "preferred" for college education. He stated that "this is far from waiving the requirements for the Chief; this is not fair for any candidate to think that they (ref. the Board) had to waive the "minimum requirements"...and... "This gives the Board of Trustees the latitude to choose a candidate, to consider their work background and job performance, to make a consideration for the position of Chief of Police; if the candidate had a college degree, great. If the candidate didn't, and, if the qualifications brought to the table made candidate qualified for that job, the candidate could have it". He further stated "It is important that we review what was put out to the public. This was out before I got to see it, that it says we are waiving the minimum requirement, and that is not what I understand the Board of Trustees intended to do". This is a concern to Mr. Fustin. He further stated "If I am correct in what I got from other meetings, (it is important) that we review what we're putting out to the public before it happens".

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UNFINISHED BUSINESS:

1. The ordinance revising Ordinance 2013-13 Annual Budget for the Village of Cherry Valley (the Transfer Ordinance). Chairman Belt noted that the members have received a copy of the ordinance for review and stated that this is the Transfer Ordinance. Treasurer Karen Melloch prepared the draft document for the members for review, with changes. Gary Maitland asked Treasurer Melloch if additional bills were considered. The document presented included the additional bills to be paid tonight. This is what Treasurer Melloch considered the “final” document. The only thing outstanding is the salary and pension to be paid out next Monday. There were some modifications made, but nothing significant. Nancy Belt entertained a motion to send this to the full Village Board April 15, 2014 for first reading. Sally Hollembeak moved to send to the Village Board April 15, 2014 for 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. The ordinance for the Annual Budget for FY 2014-2015 for the Village of Cherry Valley. Chairman Belt noted that the members have received a copy of the ordinance for review. Chairman Belt stated that the Budget has to be passed in Ordinance form and needed to follow procedure and go through this committee first. The Transfer Ordinance will be going to the Board on April 22, 2014 for second and final reading, and for passage. Nancy Belt entertained a motion to send this to the Board. Sally Hollembeak moved to send to the Village Board April 15, 2014 for first reading:

“AN ORDINANCE BUDGETING FOR ALL CORPORATE PURPOSES FOR THE VILLAGE
OF CHERRY VALLEY, ILLINOIS, FOR FISCAL YEAR COMMENCING ON THE 1ST DAY
OF MAY, A.D. 2014, AND ENDING ON THE 30TH DAY OF APRIL, A.D. 2015”.

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

3. The ordinance amending the Code of Ordinances Chapter 34, Section 34-62 - Duties Chief of Police. In the past few meetings there was discussion in ORDINANCE regarding the qualifications for the duties of the Chief of Police. Chairman Belt noted that at the April 7, 2014 ORDINANCE meeting the ordinance “amending” the Code of Ordinances was sent to the Village Board for second and final reading, with changing the language to read “preferred” in regards to the bachelor’s degree requirement. Chairman Belt also asked Attorney Stevens to draw up an Ordinance for a “variance” to the “minimum qualifications”. This is on the Board agenda this evening for waiving the rules, second and final reading and passage. Chairman Belt noted that the members have received a copy of the “variance” ordinance for review. This came from President Claeysen wanting to move forward with appointing the current Interim Chief as Chief. Nancy Belt opened discussion regarding the minimum qualifications. Gary Maitland question the validity of what is being done here. Attorney Stevens expounded on difference between the ordinance “amending” the Duties of Chief of Police and the Ordinance noted with a “variance”. (Refer to *NEW BUSINESS 1.) Discussion on an Ordinance.... granting a variance....*). And discussion continues under *NEW BUSINESS....*

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NEW BUSINESS:

1. Discussion on an ordinance regarding Chapter 34, Section 34-62 - Duties Chief of Police (waving the minimum qualifications). Gary Maitland confirmed that the discussion carried into *NEW BUSINESS, item 1.*) Sally Hollembeak voiced her opinion that she doesn't "like what the Committee has to do here: It is a shame that there has to be a backup plan that, because this is a committee of three, we cannot speak to this". Trustee Hollembeak liked what was presented earlier, using the language "preferred" because he (ref. the Chief) is qualified. She thanked Chairman Belt for all her work. Nancy Belt noted that this is being presented to the full Board for consideration. Both ordinances are on the Board agenda, or, they can be taken off the Board agenda. Nancy Belt entertained a motion to send this to the Board. Gary Maitland moved to send to the Village Board April 15, 2014, to waive the rules and for second and final reading as presented on the Board agenda:

"AN ORDINANCE GRANTING A VARIANCE TO THE CODE OF ORDINANCES
FOR THE VILLAGE OF CHERRY VALLEY, ILLINOIS, SECTION 34-62(b)(6)
MINIMUM QUALIFICATIONS. (CHIEF OF POLICE)".

Sally Hollembeak seconded, to move forward. All "Aye"; none opposed. Motion carried by voice vote.

ATTORNEY'S REPORT: None.

ADMINISTRATOR'S REPORT: None.

ADDITIONAL PUBLIC COMMENT: Chairman Belt noted that this was added to the agenda tonight in order to address the board members and citizens, regarding the any of the agenda items discussed. No comments were made.

ADJOURNMENT: Seeing there is no other business, Chairman Nancy Belt entertained a motion to adjourn. Sally Hollembeak moved to adjourn at 6:49PM. 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 April 16, 2014.

AGENDA

**VILLAGE OF CHERRY VALLEY, IL
"SPECIAL" ORDINANCE COMMITTEE
TUESDAY, APRIL 15, 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: April 7, 2014.

PUBLIC COMMENT:

UNFINISHED BUSINESS:

1. The ordinance revising Ordinance 2013-13 Annual Budget for the Village of Cherry Valley (the Transfer Ordinance).
2. The ordinance for the Annual Budget for FY 2014-2015 for the Village of Cherry Valley.
3. The ordinance amending the Code of Ordinances Chapter 34, Section 34-62 - Duties Chief of Police.

NEW BUSINESS:

1. Discussion on an ordinance regarding Chapter 34, Section 34-62 - Duties Chief of Police (waving the minimum qualifications).

ATTORNEY'S REPORT:

ADMINISTRATOR'S REPORT:

PPRESIDENT'S REPORT:

ADJOURNMENT:

NLB (JEC 4/11/14)