

**VILLAGE OF CHERRY VALLEY, IL  
"SPECIAL" ORDINANCE COMMITTEE MINUTES  
MONDAY, AUGUST 18, 2014**

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

**Chairman Nancy Belt called the Ordinance Committee meeting to order at 6:00PM.**

A Roll Call was taken:

NANCY BELT	PRESENT
SALLY HOLLEMBEAK	PRESENT
GARY MAITLAND	ABSENT

Others present: President Jim E. Claeysen, Trustee Stephen Appell, Village Administrator Jim Wise, Treasurer Karen Melloch, Director of Public Works Chuck Freeman, Attorney Jim Stevens, Chief of Police Larry Neville and Clerk Dana Ward.

**ADOPT THE AGENDA:** Chairman Belt moved to adopt the amended agenda: Under *UNFINISHED BUSINESS* add 3. *Section 74-104, Emergency Disconnections and payments for the Reconnection of the Code of Ordinances of the Village of Cherry Valley, Illinois, Division 3, Service Pipes and Connections.* Trustee Hollembeak seconded. All "Aye"; none opposed. Motion carried by voice vote.

As a side note, Trustee Hollembeak asked Chairman Belt if Attorney Stevens could research if a third person could come in for discussion, for a quorum. Chairman Belt asked Attorney Stevens to research this further.

**APPROVE THE MINUTES:** August 4, 2014. Chairman Belt moved to approve the minutes for August 4, 2014, as amended, with the following corrections: Under *RECONVENE:* In item 1. change the word from "*released*" to "*reviewed*", and under *ADJOURNMENT:* Strike out "*Trustee Maitland move to adjourn*". Trustee Hollembeak seconded. All "Aye"; none opposed. Motion carried by voice vote.

**PUBLIC COMMENT:** None.

**UNFINISHED BUSINESS:**

1. Section 74-66 Regarding the Right to Enter Premises - Continued Discussion. Chairman Belt stated that in 2013 Attorney Aaron Szeto met with Public Works Director Chuck Freeman and Treasurer Karen Melloch, to discuss ordinances regarding disconnection of water service and right to enter premises. Chairman Belt recently met with Public Works Director Freeman, Treasurer Melloch and Attorney Stevens, working on changes to update ordinances. This evening Attorney Stevens has provided drafts of three ordinances regarding the right to enter premises, disconnection of village water and Section 74-104, Emergency Disconnections, which was added to the agenda for discussion. These have also been reviewed by Public Works Director Freeman and Treasurer Melloch.

In the documents for Section 74-134 and Section 74-66, under item (b), Attorney Stevens changed the wording in paragraph two to read "...a decision on the contest at any scheduled meeting...". In Section 74-66, page one, in the first

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paragraph under "Sec. 74-66 - Right to Enter Premises, fourth line, language was added the reads"...and cross connection control devices,....".

Treasurer Melloch outlined the lengthy procedure that she follows before water services are shut off. Every attempt is made to contact the property owner through phones calls, emails and/or letters. If there is no response, an orange sticker is place at the property. If there is again no response from the property owner, she will again attempt to make a final contact. This is a long process that has resulted in only one actual shut off in the past six months.

2. Section 74-134 Chapter 74: The Disconnection of Village Water - Continued Discussion. Both item one and two are discussed in tandem. Attorney Stevens stated that these drafts, as presented, were drafted to mirror each other regarding fees in Section 74-134 and Section 74-66. Under section (b) on both documents, the fee for reconnection is shown as \$25.00. Much discussion ensued regarding the draft documents and fees for disconnection and reconnection. With the changes noted, Chairman Belt moved to send to the Village Board August 19, 2014 for the first reading, "An ordinance amending section 74-66 of Chapter 74, Article 11, Division 2 of the Code of Ordinances of the Village of Cherry Valley, Illinois regarding the right to enter premises" and "An ordinance amending section 74-134 of Chapter 75, Article II, Division 4 of the Code of ordinances of the Village of Cherry Valley, Illinois regarding the disconnection Village Water". Trustee Hollembeak seconded. All "Aye"; none opposed. Motion carried by voice vote. Trustee Hollembeak stated that these ordinances have been discussed in support of the staff in handling the village's water issues.
3. Section 74-104, Emergency Disconnections and payments for the Reconnection of the Code of Ordinances of the Village of Cherry Valley, Illinois, Division 3, Service Pipes and Connections. Attorney Stevens noted that he is presenting this draft to address emergency shut off. Public Works Director Freeman added that an emergency would be described as an event that may be reported by the fire department or police department, or deemed by Public Works as an emergency. The right to enter does not mean the actual building on the premises, but on the property at the shut off, which is usually located at the street "buffalo" box. Chairman Belt asked that Attorney Stevens make necessary corrections to the three documents that would have consistent language regarding the fees for reconnection. The updated documents will be ready for tomorrows board meeting.

**ADJOURNMENT:** Chairman Belt moved to adjourn at 6:36PM. Trustee Hollembeak seconded. All "Aye"; none opposed. Motion carried by voice vote.

Recorded by Dana Ward Village Clerk.

Minutes reviewed by Chairman Nancy Belt on August 20, 2014.

**AGENDA  
VILLAGE OF CHERRY VALLEY, IL  
“SPECIAL” ORDINANCE COMMITTEE  
MONDAY, AUGUST 18, 2014  
6:00PM**

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

**CALL THE MEETING TO ORDER:**

**ROLL CALL:**

**ADOPT THE AGENDA:**

**APPROVE THE MINUTES:** August 4, 2014.

**PUBLIC COMMENT:**

**UNFINISHED BUSINESS:**

3. Section 74-66 Regarding the Right to Enter Premises - Continued Discussion.
4. Section 74-134 Chapter 74: The Disconnection of Village Water - Continued Discussion.

**NEW BUSINESS:**

**PUBLIC COMMENT:**

**ADJOURNMENT:**

NLB 08-14-14