

**VILLAGE OF CHERRY VALLEY, IL
ORDINANCE COMMITTEE MINUTES
MONDAY, MAY 4, 2015**

CHAIRMAN: NANCY BELT
MEMBERS: SALLY HOLLEMBEAK
GARY MAITLAND

Chairman Nancy Belt called the Ordinance Committee meeting to order at 6:30PM. 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, Chief of Police Larry Neville, Attorneys Jim Stevens and Darron Burke and Clerk Dana Ward.

ADOPT THE AGENDA: Chairman Belt entertained a motion to adopt the agenda. Trustee Hollembeak seconded. All “Aye”; none opposed. Motion carried.

APPROVE THE MINUTES: February 24, 2015 and April 6 2015. Chairman Belt moved to approve the minutes for February 24, 2015. Trustee Hollembeak seconded. All “Aye”; none opposed. Motion carried.

Chairman Belt entertained a motion to approve the amended minutes for April 6, 2015. On page two, under *NEW BUSINESS*, delete the last sentence; “*Attorney Stevens offered a point of clarification and referred to this ordinance as the “supplemental appropriation ordinance”*”. Trustee Hollembeak moved to approve the amended minutes for April 6, 2015. Trustee Maitland seconded. All “Aye”; none opposed. Motion carried.

PUBLIC COMMENT: None.

UNFINISHED BUSINESS:

1. Resolution for appointing the Budget Director and setting compensation. Chairman Belt noted that Attorney Sosnowski gave her information regarding House Bill 1470, with proposed language change: “The Budget Officer may hold another municipal office, either elected or appointed...”, and, in redline “...including the office of mayor or president. However, in such an event, he/she shall not receive compensation for Budget Officer.” Chairman Belt researched, and gave the members copies of the state statutes regarding the Budget Officer. Chairman Belt would like to wait until June, after the bill passes and is signed, before a decision is made for the Budget Director. Attorney Stevens added, that should this proposed state law pass, the village will need to amend Section 2-323. Chairman Belt will recommend that President Claeysen take this issue to the full Board for discussion.
2. Continue reviewing Municipal Code Book: Chapter 2, starting at Section 2-118. Chairman Belt stated that the committee has been updating the code book. She would like to continue with this review and will look at setting dates for future meetings. The committee members concurred.

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NEW BUSINESS:

1. Comprehensive Plan - for final review. Chairman Belt noted that at the April 28, 2015 Planning and Development meeting, the Comprehensive Plan was referred to ORDINANCE, to put this into ordinance form. Chairman Belt move to authorize Attorney Jim Stevens to draft this into ordinance form and take it to a future Village Board meeting. Trustee Maitland seconded. All "Aye"; none opposed. Motion carried.
2. Resolution for 1% Sales Tax (passed by vote April 7, 2015). Chairman Belt stated that Kathy Trimble presented a new draft of the resolution and Attorney Stevens confirmed that this is acceptable in its current form. There is a question as to when this needs to be filed and Attorney Stevens will inform President Claeysen of the date. Chairman Belt entertained a motion to send this to the Village Board. Trustee Hollembeak moved to send the Resolution for the 1% Sales Tax to the Village Board May 19, 2015 for adoption. Trustee Maitland seconded. All "Aye"; none opposed. Motion carried.
3. A request for a Special Use Permit under Section 82-54 as required by Section 82-482(a) of the Code of Ordinances for the Village of Cherry Valley, Illinois, to allow for the construction of a 100' Monopole Cell Tower on a portion of the following described property: 61'8" South of the Northern Boundary of 7164 Cherryvale North Blvd., Rockford, Illinois. (PIN 12-35-101-006). Chairman Belt noted that at the April 15, 2015 Planning and Zoning meeting, this tied, (failed), and at the April 28, 2015 Planning and Development meeting the committee voted and forwarded this item to ORDINANCE. All of the variances that have been presented through the Planning and Zoning and Planning and Development committees have been forwarded to this committee. Peter Aimaro is present to answer questions regarding the cell phone towers. The village has a current restriction at 70'. Mr. Aimaro explained the benefits, for example, co-location, more users can be on the same tower, and emergency use. Trustee Maitland asked if there were other existing towers that the members could go view. Mr. Aimaro will supply addresses. Trustee Maitland asked if these fall: Typically, no, but they can bend in extreme situations. These sites are hard-wired for catastrophic loss; everything is backed up and can support emergency services. Chairman Belt asked why this location was selected. This is a non-residential area and this is a good location for maximum coverage. Attorney Stevens noted that a super majority vote of the Village Board will be needed to approve the special use permit, and will require a two-thirds vote on the three variances. Chairman Belt referred the special use permit to the Village Board meeting May 19, 2015 for discussion.

Chairman Belt noted that the following three variances will be referred to the Village Board meeting May 19, 2015 for discussion.

4. A request for a variance under Section 82-55 to Section 82-482 (a) (6) of the Code of Ordinances for the Village of Cherry Valley, Illinois to allow the zoning lot setbacks as follows on a portion of the following described property:
 - a) West Boundary 83' 4"
 - b) North 61' 8"
 - c) East 86' 8"7164 Cherryvale North Blvd., Rockford, Illinois. (PIN 12-35-101-006)

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5. A request for a variance under Section 82-55 to 82-482 (b)(1)(a) of the Code of Ordinances for the Village of Cherry Valley, Illinois to allow for the construction of a 100' Monopole Cell Tower contrary to the 70' requirement on a portion of the following described property: 7164 Cherryvale North Blvd., Rockford, Illinois. (PIN 12-35-101-006).

6. Request for a variance under Section 82-55 to Section 82-482(b)(7) of the Code of Ordinances for the Village of Cherry Valley, Illinois for the construction of a 100' Monopole Cell Tower which would if laid on the ground horizontally from the base would extend beyond the zoning lot boundaries on the East, West and North Boundaries on a portion of the following described property: 7164 Cherryvale North Blvd., Rockford, Illinois. (PIN 12-35-101-006).

PUBLIC COMMENT: None.

ADJOURNMENT: Chairman Belt moved to adjourn at 6:59PM. Trustee Hollembeak seconded. Motion carried.

Recorded by Dana Ward Village Clerk.

Minutes reviewed by Chairman Nancy Belt on May 11, 2015.

**AGENDA
VILLAGE OF CHERRY VALLEY, ILLINOIS
ORDINANCE COMMITTEE MEETING
MONDAY, MAY 4, 2015
6:30PM**

CHAIRMAN: NANCY BELT
MEMBERS: SALLY HOLLEMBEAK
GARY MAITLAND

CALL THE MEETING TO ORDER:

ROLL CALL:

ADOPT THE AGENDA:

APPROVE THE MINUTES: February 24, 2015 and April 6, 2015

PUBLIC COMMENT:

UNFINISHED BUSINESS:

1. Resolution for appointing the Budget Director and setting compensation
2. Continue reviewing Municipal Code Book: Chapter 2, starting at Section 2-118

NEW BUSINESS:

1. Comprehensive Plan - for final review
2. Resolution for 1% Sales Tax (passed by vote April 7, 2015)
3. A request for a Special Use Permit under Section 82-54 as required by Section 82-482(a) of the Code of Ordinances for the Village of Cherry Valley, Illinois, to allow for the construction of a 100' Monopole Cell Tower on a portion of the following described property: 61'8" South of the Northern Boundary of 7164 Cherryvale North Blvd., Rockford, Illinois. (PIN 12-35-101-006)
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PUBLIC COMMENT:

ADJOURNMENT: