

VILLAGE OF CHERRY VALLEY, IL
ORDINANCE COMMITTEE MINUTES
MONDAY, AUGUST 3, 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, Trustee Jeff Fustin, Chief of Police Larry Neville, Attorneys Jim Stevens and Darron Burke and Clerk Dana Ward. Trustee Gary Maitland entered at 6:31PM and Trustee David Schroeder entered at 6:39PM.

ADOPT THE AGENDA: Chairman Belt moved to adopt the amended agenda, deleting item 7. *Chapter 18 - Animals. (Reference - cats).* Trustee Hollembeak seconded. All "Aye". Motion carried.

APPROVE THE MINUTES: July 6, 2015.

Chairman Belt entertained a motion to approve the minutes. Trustee Hollembeak moved to approve the minutes for July 6, 2015. Trustee Maitland seconded. All "Aye". Motion carried.

PUBLIC COMMENT: None.

UNFINISHED BUSINESS:

Chairman Belt reported that items one through 4 have been brought back to this committee and have been through various committees, Planning and Zoning Commission and Planning and Development committee. Attorney Jim Stevens has prepared draft ordinances regarding the cell towers. It is recommended that these ordinances be forwarded to the Village Board for the first reading. Attorney Stevens gave a synopsis of the discussions through the various committees regarding expert testimony, votes and fall radius. Chairman Belt entertained a motion to send items one through four to the Village Board for first reading. Trustee Hollembeak moved to send to the Village Board August 3, 2015, items one through four; the ordinances regarding the monopole cell tower, recommended for the first reading. Trustee Maitland seconded. All "Aye". Motion carried.

1. 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).
2. 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:

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- a) West Boundary 83' 4"
- b) North 61' 8"
- c) East 86' 8"

7164 Cherryvale North Blvd., Rockford, Illinois. (PIN 12-35-101-006).

3. 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).
4. 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).
5. Chapter 2 - in regards to proposed changes in the Village of Cherry Valley's Code of Ordinances (Chapter 2): "An ordinance amending the Code of Ordinances for the Village of Cherry Valley Illinois, Chapter 2, Sections 2-119, 2-120 and 2-144". Chairman Belt noted that the committee is currently reviewing/updating the Village's Code of Ordinances. Attorney Darron Burke submitted an updated draft copy proposed for Sections 2-119, 2-120 and 2-144. In Sections 2-119 regarding meal expense reimbursement, cash advance for employees was removed. In Section 2-120(d) regarding officials, there was discussion regarding the dollar amount and language. In the red line draft of the ordinance regarding Section 2-144, there is a section for the pay structure that is outdated and Attorney Darron Burke referred to a proposed pay structure for 2017 through 2020 that was presented by President Jim E. Claeysen. Chairman Belt recommended that Section 2-144 be removed; there will be a special Village Board meeting with full member participation to discuss this item. Chairman Belt entertained a motion to send Sections 2-119 and Section 2-120 to the Village Board for the second and final reading. Trustee Maitland moved to take to the Village Board August 18, 2015, Chapter 2, Sections 2-119 and 2-120 for second and final reading. Trustee Hollembeak seconded. All "Aye". Motion carried.
6. Chapter 42 - Division 2; Section 42-51. Prohibited Acts; exceptions. Review City of Rockford's Video Gaming - "Sales has to come from food sales". Also, Chapter 10 - Alcoholic beverages (Classifications). Chairman Belt noted that Clerk Dana Ward reminded her that this item was referred to the July 21, 2015 meeting; however, it was omitted from agenda. Therefore, Chairman Belt entertained a motion to send this to the August 18, 2015 Village Board meeting for discussion. Trustee Hollembeak moved to send to the Village Board August 18, 2015, Chapter 42 - Division 2; Section 42-51. Prohibited Acts; exceptions. Review City of Rockford's Video Gaming - "Sales has to come from food sales". Also, Chapter 10 - Alcoholic beverages (Classifications). Trustee Maitland seconded. All "Aye". Motion carried.

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7. Chapter 18 - Animals. (Reference - cats). This item was deleted from this evening's discussion. However, Attorney Jim Stevens stated that he has not had time to review these sections, (Section 18-(3)(c), to include cats and to change the fine to \$75.00, Section 18-43, requiring cats to be leashed, Section 18-44 regarding kennels, having a maximum of 3 cats before being considered a kennel, and in Section 18, 71-74 there is redundant language to be reviewed). Chairman Belt informed the committee that she conferred with President Jim E. Claeysen; it was recommended that this discussion be referred to a Special Ordinance meeting for review.

NEW BUSINESS:

1. Discussion on regulations pertaining to swimming pools. Chairman Belt stated that she has received complaints from citizen's regarding the maintenance of pools and stagnant water in pools. Guidelines have been set by the Winnebago County Health Department. At this time the committee recommended that any complaints should be forwarded to the county. Chairman Belt asked that Attorney Jim Stevens look at the language in the Village's Code of Ordinances.

PUBLIC COMMENT: None.

ADJOURNMENT: Seeing there is no other business, Chairman Belt entertained a motion to adjourn. Trustee Hollembeak moved to adjourn at 6:57PM. Trustee Maitland seconded. Motion carried.

Recorded by Dana Ward Village Clerk.

Minutes reviewed by Chairman Nancy Belt on August 17, 2015.

AGENDA
VILLAGE OF CHERRY VALLEY, ILLINOIS
ORDINANCE COMMITTEE MEETING
MONDAY, AUGUST 3, 2015
6:30PM

CHAIRMAN: NANCY BELT
MEMBERS: SALLY HOLLEMBEAK
GARY MAITLAND

CALL THE MEETING TO ORDER:

ROLL CALL:

ADOPT THE AGENDA:

APPROVE THE MINUTES: July 6, 2015

PUBLIC COMMENT:

UNFINISHED BUSINESS:

1. 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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5. Chapter 2 - in regards to proposed changes in the Village of Cherry Valley's Code of Ordinances (Chapter 2): "An ordinance amending the Code of Ordinances for the Village of Cherry Valley Illinois, Chapter 2, Sections 2-119, 2-120 and 2-144".
6. Chapter 42 - Division 2; Section 42-51. Prohibited Acts; exceptions. Review City of Rockford's Video Gaming - "Sales has to come from food sales". Also, Chapter 10 - Alcoholic beverages (Classifications)
7. Chapter 18 - Animals. (Reference - cats)

NEW BUSINESS:

1. Discussion on regulations pertaining to swimming pools.

PUBLIC COMMENT:

ADJOURNMENT:

NLB (07-31-15)