

**VILLAGE OF CHERRY VALLEY, IL
ORDINANCE COMMITTEE MINUTES
MONDAY, NOVEMBER 2, 2015**

CHAIRMAN: NANCY BELT
MEMBERS: SALLY HOLLEMBEAK
GARY MAITLAND

Chairman Nancy Belt called the Ordinance Committee meeting to order at 6:34PM. A Roll Call was taken:

NANCY BELT	PRESENT
SALLY HOLLEMBEAK	PRESENT
GARY MAITLAND	ABSENT

Others present: President Jim E. Claeysen, Trustees Stephen Appell, Jeff Fustin and David Schroeder, Chief of Police Larry Neville, Attorneys Jim Stevens and Darron Burke, and Clerk Dana Ward.

ADOPT THE AGENDA: Chairman Belt moved to adopt the amended agenda. Trustee Hollembeak seconded. Under *UNFINISHED BUSINESS* item 4., add the following codes: *Sections 2-543, 2-562, 2-604 and 2-605*. All “Aye”. Motion carried.

APPROVE THE MINUTES: October 5, 2015.

Chairman Belt moved to approve the minutes for October 5, 2015. Trustee Hollembeak seconded. All “Aye”. Motion carried.

PUBLIC COMMENT: None.

UNFINISHED BUSINESS:

1. Discussion - Change in Budget Director Ordinance (update from Attorney Stevens). Chairman Belt noted that there has been a change to the state statutes. Attorney Jim Stevens will revise the language for the Budget Director Ordinance, to be in compliance with the current state statute. The ordinance will be ready for the ORDINANCE committee and Village Board meetings in December.
2. Chapter 82: Zoning. Article VIII. Building Composition Restrictions. Section 82-482. Communication Antenna Support Structure Regulations (update from Attorney Stevens and Attorney Burke). Chairman Belt stated that both Attorney Jim Stevens and Darron Burke are working on this project. Currently there is a six month moratorium on cell towers. (Ref: Resolution 2015-11: “A RESOLUTION ESTABLISHING A MORATORIUM ON CELL TOWER ZONING APPLICATIONS”, passed September 21, 2015). Federal law is requiring the municipalities to change their laws regarding cell towers. Attorney Jim Stevens stated that he will have an updated ordinance regarding cell towers ready for the December ORDINANCE meeting.
3. Chapter 18. Animals. Division 1. Generally. Section 18-44. Kennels for Breeding or Boarding. (Discussion regarding what number of cats or dogs should be allowed). Chairman Belt noted that this has been on the agenda for discussion for the past few months. More discussion is needed regarding the numbers of dogs allowed in a residence by ordinance. (Cats have been discounted). Attorney Jim Stevens recommended four (or three) as a max, before being considered a kennel. Trustee

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Hollemeak stated three. Chairman Belt asked for the members to give her feedback/recommendations regarding numbers. This discussion will continue in December.

4. Review of Code of Ordinances: Chapter 2 Division 2: Bidding Procedures Section 2-561 through Section 2-261. Chairman Belt noted that the committee has been reviewing this section; this section was reviewed at the PUBLIC WORKS committee meeting. President Jim E. Claeysen forwarded his recommendations to the committee. Attorney Jim Stevens has also reviewed this section.

Chapter 2: Administration:

Section 2-543: Preauthorized expenditure limitations. This should remain in this chapter and remain as written. However, since there is no longer a Village Administrator, this language should be deleted. Chairman Belt recommended to hold this information for the December meeting, pending feedback from the members regarding adding the Treasurer into this language and to discuss the expenditure authorization amount.

Section 2-561: When bid is required. Recommend to move this to Chapter 58, Streets, Sidewalks and other Public Places, Article II.

Section 2-562: Notice to bidders; opening bids; form of notice. Recommend to move this to Chapter 58, Streets, Sidewalks and other Public Places, Article II.

Section 2-563: Lowest responsible bidder. Recommend to move this to Chapter 58, Streets, Sidewalks and other Public Places, Article II.

Section 2-564: Cross bidding. Recommend to move this to Chapter 58, Streets, Sidewalks and other Public Places, Article II. Note: Page CD2:81, the address needs to be corrected to the current address of the Village Hall: 806 East State Street. Also, recommend the change of language to read “..of the contract to let bid...”.

Section 2-604: Annexation costs. Recommend to move this to Chapter 50: Planning.

Section 2-605: Additional expenses incurred. Recommend to move this to Chapter 50: Planning. Recommend the language changed from “If the village discovered...” to “If the village discovers...”.

Attorney Jim Stevens will draft an ordinance for Sections 2-561 through 2-564 and for Section 2-604 and 2-605. These will be reviewed at the December ORDINANCE committee meeting.

NEW BUSINESS:

1. Discussion - “An ordinance providing for the abatement of the direct annual tax levied for the year 2015 to pay principal of and interest on the \$960,000.00 general obligation refunding alternate bonds (Waterworks System Alternate Revenue Source),

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series 2012, of the Village of Cherry Valley, Winnebago and Boone Counties, Illinois”, (for first reading). Chairman Belt noted that the draft was reviewed and recommended by Attorney Jim Stevens. This bond is due to be paid out in 2017. Chairman Belt moved to send to the Village Board November 3, 2015, “An ordinance providing for the abatement of the direct annual tax levied for the year 2015 to pay principal of and interest on the \$960,000.00 general obligation refunding alternate bonds (Waterworks System Alternate Revenue Source), series 2012, of the Village of Cherry Valley, Winnebago and Boone Counties, Illinois”, for the first reading. Trustee Hollembeak seconded. All “Aye”. Motion carried.

2. A request for a variance under Section 82-55 to Section 82-7 (f)(2) of the Code of Ordinances for the Village of Cherry Valley, Illinois to allow the construction of a fence on the north side yard for property commonly known as 153 South Van Buren Street, Cherry Valley, Illinois and legally described as follows: PIN - 16-01-255-015 (For discussion regarding waiving the rules and second and final reading). Chairman Belt noted that this request has been through both the PLANNING AND ZONING and PLANNING AND DEVELOPMENT committees and has been recommended for approval. Attorney Jim Stevens has presented an updated copy of the ordinance for consideration. There was an amendment to the original request, reducing the length to sixteen (16) feet. Chairman Belt asked if the ordinance caption could include language referring to the 16 foot variance. Attorney Jim Stevens will add language in the caption to include a reference for the variance for a sixteen (16) foot length and will have an updated ordinance ready for the Village Board meeting on Tuesday, November 3, 2015. Chairman Belt moved to send to the Village Board November 3, 2015, “An ordinance granting a variance under Section 82-55 to Section 82-7(f)(2) of the Code of Ordinances for the Village of Cherry Valley, Illinois, to allow for a six foot (6’) high privacy fence constructed sixteen feet (16’) in length (153 South Van Buren Street)”, to waive the rules for the first reading, second reading and passage. Trustee Hollembeak seconded. All “Aye”. Motion carried.

PUBLIC COMMENT: None.

ADJOURNMENT: Chairman Belt moved to adjourn at 7:02PM. Trustee Hollembeak seconded. Motion carried.

Recorded by Dana Ward Village Clerk.

Minutes approved by the ORDINANCE committee on December 7, 2015.

AGENDA
VILLAGE OF CHERRY VALLEY, ILLINOIS
ORDINANCE COMMITTEE MEETING
MONDAY, NOVEMBER 2, 2015
6:30PM

CHAIRMAN: NANCY BELT
MEMBERS: SALLY HOLLEMBEAK
GARY MAITLAND

CALL THE MEETING TO ORDER:

ROLL CALL:

ADOPT THE AGENDA:

APPROVE THE MINUTES: October 5, 2015

PUBLIC COMMENT:

UNFINISHED BUSINESS:

1. Discussion - Change in Budget Director Ordinance (update from Attorney Stevens).
2. Chapter 82: Zoning. Article VIII. Building Composition Restrictions. Section 82-482. Communication Antenna Support Structure Regulations (update from Attorney Stevens and Attorney Burke).
3. Chapter 18. Animals. Division 1. Generally. Section 18-44. Kennels for Breeding or Boarding. (Discussion regarding what number of cats or dogs should be allowed).
4. Review of Code of Ordinances: Chapter 2 Division 2: Bidding Procedures Section 2-561 through Section 2-261.

NEW BUSINESS:

1. Discussion - "An ordinance providing for the abatement of the direct annual tax levied for the year 2015 to pay principal of and interest on the \$960,000.00 general obligation refunding alternate bonds (Waterworks System Alternate Revenue Source), series 2012, of the Village of Cherry Valley, Winnebago and Boone Counties, Illinois, (for first reading).
2. A request for a variance under Section 82-55 to Section 82-7 (f)(2) of the Code of Ordinances for the Village of Cherry Valley, Illinois to allow the construction of a fence on the north side yard for property commonly known as 153 South Van Buren Street, Cherry Valley, Illinois and legally described as follows: PIN - 16-01-255-015
(For discussion regarding waiving the rules and second and final reading).

PUBLIC COMMENT:

ADJOURNMENT:
NLB (10-29-15)