

**VILLAGE OF CHERRY VALLEY, IL
MINUTES FOR THE
VILLAGE BOARD OF TRUSTEES MEETING
TUESDAY, MARCH 4, 2014**

THE VILLAGE BOARD OF TRUSTEES OF CHERRY VALLEY, ILLINOIS, WINNEBAGO AND BOONE COUNTIES, CONVENED IN REGULAR SESSION ON THE 4th DAY OF MARCH, 2014.

PRESIDENT JIM E. CLAEYSSEN CALLED THE MEETING TO ORDER AT 7:00PM AND LED THE PLEDGE OF ALLEGIANCE.

A Roll Call was taken by Village Clerk, Dana Ward.

STEPHEN APPELL	PRESENT	JOANN HUDSON	PRESENT
NANCY BELT	PRESENT	GARY MAITLAND	PRESENT
SALLY HOLLEMBEAK	PRESENT	DAVID SCHROEDER	ABSENT

Also present: President Jim E. Claeysen, Village Administrator Jim Wise, Treasurer Karen Melloch, Public Works Director Chuck Freeman, Attorney Jim Stevens, Interim Chief of Police Larry “Mike” Neville and Village Clerk Dana Ward.

ADOPT THE AGENDA: President Jim E. Claeysen entertained a motion to adopt the agenda. Nancy Belt moved to adopt the agenda and Sally Hollembeak seconded. All “Aye”; none opposed. Motion carried by majority vote.

APPROVAL OF BOARD MINUTES: February 18, 2014. President Jim E. Claeysen entertained a motion to approve the minutes. JoAnn Hudson moved to approve the minutes for February 18, 2014 and Sally Hollembeak seconded. All “Aye”; none opposed. Motion carried by majority vote.

CITIZENS VOICE: Bonnie Whitmer: History of the Open Meetings Act. Bonnie Whitmer voiced her frustration with the Board. She stated that the Open Meeting Act (OMA) was introduced in 1957. The Village has just been cited with two cases of OMA violations, breaking eight different laws. The Board wants the public to believe that it is only one new law. Most of you have taken training and completed the training. You cannot ignore the law, claiming ignorance. The Board continued holding meetings illegally. Don’t be angry with the person that filed the OMA violation; your anger should be directed at the chairman taking you into that illegal session, the President, and yourselves. It is the public policy of the State of Illinois that the public body exists to aid in the conduct of the people’s business and that the people have a right to be informed as to the conduct of their business. The actions of the public body should be taken up openly. Reminder, you still have not brought back the subject of the uncollected debt for the solar farm to an open meeting. I asked for answers to my questions; questions were submitted 1-15-14 and there has been no response.

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TREASURER’S REPORT. February Report by Treasurer Karen Melloch. President Jim E. Claeysen entertained a motion to place this report on file. Gary Maitland moved to place the February Treasurer’s report on file and Stephen Appell seconded. All “Aye”; none opposed. Motion carried by majority vote.

PRESIDENT’S REPORT: JIM E. CLAEYSSEN.

1. Special presentation by Hagney Architects LLC and FGM Architects in regards to providing services for the construction of a Public Works Facility for the Village of Cherry Valley. David Hagney and Brian Wright are here to make their PowerPoint presentation for the proposed Public Works garage. They outlined the history of the company, submitted photos of completed projects, presented a typical project timeline and showed an architectural concept design for the Public Works building, approximately 15,000 square feet. They use the REVIT System for 3D design process. Mr. Wright is LEED (Leadership Environmental Energy Design) Certified. Questions were asked regarding landscaping options, the retention ponds and watershed concerns regarding Madigan Creek. Mr. Hagney and Mr. Wright were thanked for their presentation.

President Jim E. Claeysen entertained a motion for a recess. Nancy Belt moved for a ten minutes recess at 7:40PM. Sally Hollembeak seconded. All “Aye”; none opposed. Motion carried by voice vote.

At 7:51PM, President Jim E. Claeysen called the meeting back into order. A Roll Call was taken:

STEPHEN APPELL	PRESENT	JOANN HUDSON	PRESENT
NANCY BELT	PRESENT	GARY MAITLAND	PRESENT
SALLY HOLLEMBEAK	PRESENT	DAVID SCHROEDER	ABSENT

2. Special presentation by the Larson & Darby Group (Architects, Engineers, Interiors) in regards to providing services for the construction of a Public Works Facility for the Village of Cherry Valley. Dan Roszkowski, Stephen Nelson, Joseph Winkleman and Scott Sanders are here to present their PowerPoint presentation for the proposed Public Works Garage, approximately 15,000 square feet. They outlined the history of the company, submitted photos of completed projects, presented a typical project timeline and showed an architectural concept design for the Public Works Building. Mr. Nelson is also LEED certified. Mr. Sanders is a landscape architect and addressed landscape and retention pond concerns. Mr. Roszkowski, Mr. Nelson, Mr. Winkleman and Mr. Sanders were thanked for their presentation.

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PRESIDENT'S REPORT: JIM E. CLAEYSSEN. (Continued).

3. Discussion and motion to waive the rules to approve the amended Standing Committee appointments for the remainder of the Fiscal Year 2013-2014. President Jim E. Claeysen presented the Board members a list of members for the amended standing committee appointments. All the chairpersons stay the same. Due to the need to restructure the committees for a membership of three, President Claeysen is asking to waive the rules to move forward in restructuring these committees. He is asking to amend the committees now instead of waiting until May.

President Claeysen entertained a motion to waive the rules. Sally Hollembeak moved that the Village Board waive the rules for amending the standing committee appointments. Nancy Belt seconded. All "Aye"; none opposed. Motion carried by majority vote.

President Jim E. Claeysen entertained a motion to approve the amended appointments. Nancy Belt moved that the Village Board accept the amended standing committee appointments on a document dated February 27, 2014. Sally Hollembeak seconded. A Roll Call was taken:

STEPHEN APPELL	PRESENT	JOANN HUDSON	PRESENT
NANCY BELT	PRESENT	GARY MAITLAND	PRESENT
SALLY HOLLEMBEAK	PRESENT	DAVID SCHROEDER	ABSENT

Motion carried by majority vote.

President Jim E. Claeysen noted that David Schroeder did see the presentations from the architects last week at the subcommittee meeting.

ATTORNEY'S REPORT: JAMES STEVENS. No report.

ENGINEER'S REPORT: DENNIS McMULLEN, C.E.S. No report.

EX-OFFICIO'S REPORTS:

STEPHEN APPELL - PLANNING AND ZONING COMMISSION. No report.

DAVID SCHROEDER - RECREATION BOARD: President Jim E. Claeysen stated that there is a Recreation Board meeting Wednesday March 5, 2014 at 7:00PM.

ORDINANCE REPORT BY TRUSTEE: NANCY BELT.

Nancy Belt brought the committees attention to the Ordinances to be approved this evening and asked if anyone had any questions or concerns. Stephen Appell voiced his concern that an ordinance is on the agenda for passage without any non-committee member trustee input.

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ORDINANCE REPORT BY TRUSTEE: (Continued).

When this was discussed at the ORDINANCE Committee Meeting on March 3, 2014, non-committee member trustees were not allowed to voice any opinion or ask questions. However, citizens could make comments and pointed to Section 1: Chapter 2 Section 2-68 Addressing Meetings. In the first item it states that “(a) a person wishing to speak before the Board of Trustees or a Standing Committee of the Village of Cherry Valley, Illinois, may make that request prior to the commencement of the meeting”. This insinuates that an elected Trustee may not make any comment. Stephen Appell is concerned that input is not being allowed by non-committee members.

After much discussion, it is agreed that items 1, 2 and 3 on tonight’s agenda should be held over to the next meeting pending further review. Therefore, Nancy Belt moved to amend the agenda to remove items number 1, 2, and 3, addressing meetings. Gary Maitland seconded. All “Aye”; none opposed. Motion carried by majority vote. Nancy Belt moved to remove items 1, 2 and 3 (waiving the rules for first reading, second reading and passage) under the ORDINANCE report. Sally Hollembeak seconded. All “Aye”; none opposed. Motion carried by majority vote.

1. Nancy Belt moved that the Village Board waive the rules for the first reading for An Ordinance amending the Code of Ordinances for the Village of Cherry Valley, Illinois, Chapter 70, Section 70-62, Winter Parking Regulations; Snow Removal; depositing snow on streets with the following change: under *SECTION 1*, in the last sentence, change the word “*option*” to “*discretion*”. Sally Hollembeak seconded. All “Aye”; none opposed. Motion carried by majority vote.
2. Nancy Belt moved that the Village Board consider this the second and final reading of An Ordinance amending the Code of Ordinances for the Village of Cherry Valley, Illinois, Chapter 70, Section 70-62, Winter Parking Regulations; Snow Removal; depositing snow on streets. Sally Hollembeak seconded. All “Aye”; none opposed. Motion carried by majority vote.
3. Nancy Belt moved that the Village Board pass and approve:

ORDINANCE 2014-02

“AN ORDINANCE AMENDING THE CODE OF ORDINANCES FOR THE VILLAGE OF CHERRY VALLEY, ILLINOIS, CHAPTER 70, SECTION 70-62, WINTER PARKING REGULATIONS; SNOW REMOVAL; DEPOSITING SNOW ON STREETS”.

Sally Hollembeak seconded. A Roll Call vote was taken:

STEPHEN APPELL	AYE	JOANN HUDSON	AYE
NANCY BELT	AYE	GARY MAITLAND	AYE
SALLY HOLLEMBEAK	AYE	DAVID SCHROEDER	ABSENT

Motion carried by majority vote.

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ORDINANCE REPORT BY TRUSTEE: (Continued).

4. Nancy Belt moved that the Village Board waive the rules on the first reading of An Ordinance amending the Code of Ordinances for the Village of Cherry Valley, Illinois, Chapter 50, Section 50-185, Planning and Development Committee; Membership, with the following changes: under the first *WHEREAS* strike “*had recently been advised by the Attorney General’s Office that it*” and change “*four (4)*” to “*three (3)*” and strike the third *WHEREAS* paragraph. Sally Hollembeak seconded. All “Aye”; none opposed. Motion carried by majority vote.

5. Nancy Belt moved that the Village Board consider this the second and final reading of An Ordinance amending the Code of Ordinances for the Village of Cherry Valley, Illinois, Chapter 50, Section 50-185, Planning and Development Committee; Membership. Sally Hollembeak seconded. All “Aye”; none opposed. Motion carried by majority vote.

6. Nancy Belt moved that the Village Board pass and approve:
ORDINANCE 2013-03
“AN ORDINANCE AMENDING THE CODE OF ORDINANCES FOR THE VILLAGE OF CHERRY VALLEY, ILLINOIS, CHAPTER 50, SECTION 50-185, PLANNING AND DEVELOPMENT COMMITTEE; MEMBERSHIP”.
Stephen Appell seconded. A Roll Call vote was taken:

STEPHEN APPELL	AYE	JOANN HUDSON	AYE
NANCY BELT	AYE	GARY MAITLAND	AYE
SALLY HOLLEMBEAK	AYE	DAVID SCHROEDER	ABSENT

Motion carried by majority vote.

7. Nancy Belt moved that the Village Board waive the rules on the first reading of An Ordinance amending the Code of Ordinances for the Village of Cherry Valley, Illinois, Chapter 2, Section 2-33, Committees, with the following change: In the first *WHEREAS* paragraph, delete the words “*been directed not*” and insert the word “*decided*”. Gary Maitland seconded. All “Aye”; none opposed. Motion carried by majority vote.

8. Nancy Belt moved that the Village Board consider this the second and final reading of An Ordinance amending the Code of Ordinances for the Village of Cherry Valley, Illinois, Chapter 2, Section 2-33, Committees. Gary Maitland seconded. All “Aye”; none opposed. Motion carried by majority vote.

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ORDINANCE REPORT BY TRUSTEE: (Continued).

9. Nancy Belt moved that the Village Board pass and approve:
ORDINANCE 2014-04

“AN ORDINANCE AMENDING THE CODE OF ORDINANCES FOR THE VILLAGE OF
CHERRY VALLEY, ILLINOIS, CHAPTER 2, SECTION 2-33, COMMITTEES”.

Gary Maitland seconded. A Roll Call vote was taken:

STEPHEN APPELL	AYE	JOANN HUDSON	AYE
NANCY BELT	AYE	GARY MAITLAND	AYE
SALLY HOLLEMBEAK	AYE	DAVID SCHROEDER	ABSENT

Motion carried by majority vote.

Nancy Belt stated that ORDINANCE passes.

Attorney Jim Stevens noted that the agenda needs to be amended because the Ordinances were pre-numbered on the agenda. Sally Hollembeak moved that the Village Board amend the agenda. Nancy Belt seconded. All “Aye; none opposed. Motion carried by majority vote. Nancy Belt moved that the Village Board accept the changes, to reestablish the correct item numbers for 6, 9 and 12, for the correction of Ordinance numbers in sequence. Sally Hollembeak seconded. All “Aye”; none opposed. Motion carried by majority vote.

FINANCE REPORT BY TRUSTEE: GARY MAITLAND. No report.

PUBLIC SAFETY REPORT BY TRUSTEE: SALLY HOLLEMBEAK. No report.

PUBLIC WORKS REPORT BY TRUSTEE: DAVID SCHROEDER. No report.

PLANNING AND DEVELOPMENT REPORT BY TRUSTEE: STEPHEN APPELL. No report.

PERSONNEL REPORT BY TRUSTEE: JOANN HUDSON. No report.

BOARD COMMENTS: None.

ADJOURNMENT: President Jim E. Claeysen entertained a motion to adjourn. Sally Hollembeak moved to adjourn at 9:04PM and Stephen Appell seconded. All “Aye”; none opposed. Motion carried by majority vote.

Recorded by Village Clerk Dana Ward.

Minutes approved by President Jim E. Claeysen on March 9, 2014.

**AGENDA
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7:00 PM**

CALL THE MEETING TO ORDER: PRESIDENT JIM E. CLAEYSSEN

PLEDGE OF ALLEGIANCE:

ROLL CALL TAKEN BY: VILLAGE CLERK, DANA WARD

VILLAGE TRUSTEES:

STEPHEN APPELL	JOANN HUDSON
NANCY BELT	GARY MAITLAND
SALLY HOLLEMBEAK	DAVID SCHROEDER

ADOPTION OF THE AGENDA:

APPROVAL OF THE BOARD MINUTES: February 18, 2014.

CITIZENS VOICE: Bonnie Whitmer: History of the Open Meetings Act.

TREASURER'S REPORT: February Report by Karen Melloch.

PRESIDENT'S REPORT: JIM E. CLAEYSSEN.

4. Special presentation by Hagney Architects LLC & FGM Architects in regards to providing services for the construction of a Public Works Facility for the Village of Cherry Valley.
5. Special presentation by the Larson & Darby Group (Architects, Engineers, Interiors) in regards to providing services for the construction of a Public Works Facility for the Village of Cherry Valley.
6. Discussion and motion to waive the rules to approve the amended Standing Committee appointments for the remainder of the Fiscal Year 2013-2014.

ATTORNEY'S REPORT: JAMES STEVENS.

ENGINEER'S REPORT: DENNIS McMULLEN, C.E.S.

EX-OFFICIO'S REPORTS:

STEPHEN APPELL - PLANNING AND ZONING COMMISSION.

DAVE SCHROEDER - RECREATION BOARD.

ORDINANCE REPORT BY TRUSTEE: NANCY BELT.

10. Motion that the Village Board waive the rules for the first reading for An Ordinance amending the Code of Ordinances for the Village of Cherry Valley, Illinois, Chapter 2, Section 2-68, Addressing Meetings.
11. Motion that the Village Board consider this the second and final reading of An Ordinance amending the Code of Ordinances for the Village of Cherry Valley, Illinois, Chapter 2, Section 2-68, Addressing Meetings.
12. Motion that the Village Board pass and approve An Ordinance amending the Code of Ordinances for the Village of Cherry Valley, Illinois, Chapter 2, Section 2-68, Addressing Meetings (Ordinance 2014-2).

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ORDINANCE REPORT BY TRUSTEE: NANCY BELT. (Continued).

13. Motion that the Village Board waive the rules for the first reading for An Ordinance amending the Code of Ordinances for the Village of Cherry Valley, Illinois, Chapter 70, Section 70-62, Winter Parking Regulations; Snow Removal; depositing snow on streets.
14. Motion that the Village Board consider this the second and final reading of An Ordinance amending the Code of Ordinances for the Village of Cherry Valley, Illinois, Chapter 70, Section 70-62, Winter Parking Regulations; Snow Removal; depositing snow on streets.
15. Motion that the Village Board pass and approve An Ordinance amending the Code of Ordinances for the Village of Cherry Valley, Illinois, Chapter 70, Section 70-62, Winter Parking Regulations; Snow Removal; depositing snow on streets (Ordinance 2014-3).
16. Motion that the Village Board waive the rules on the first reading of An Ordinance amending the Code of Ordinances for the Village of Cherry Valley, Illinois, Chapter 50, Section 50-185, Planning and Development Committee; Membership.
17. Motion that the Village Board consider this the second and final reading of An Ordinance amending the Code of Ordinances for the Village of Cherry Valley, Illinois, Chapter 50, Section 50-185, Planning and Development Committee; Membership.
18. Motion that the Village Board pass and approve An Ordinance amending the Code of Ordinances for the Village of Cherry Valley, Illinois, Chapter 50, Section 50-185, Planning and Development Committee; Membership (Ordinance 2014-4).
19. Motion that the Village Board waive the rules on the first reading of An Ordinance amending the Code of Ordinances for the Village of Cherry Valley, Illinois, Chapter 2, Section 2-33, Committees.
20. Motion that the Village Board consider this the second and final reading of An Ordinance amending the Code of Ordinances for the Village of Cherry Valley, Illinois, Chapter 2, Section 2-33, Committees.
21. Motion that the Village Board pass and approve An Ordinance amending the Code of Ordinances for the Village of Cherry Valley, Illinois, Chapter 2, Section 2-33, Committees (Ordinance 2014-5).

FINANCE REPORT BY TRUSTEE: GARY MAITLAND.

PUBLIC SAFETY REPORT BY TRUSTEE: SALLY HOLLEMBEAK.

PUBLIC WORKS REPORT BY TRUSTEE: DAVID SCHROEDER.

PLANNING AND DEVELOPMENT REPORT BY TRUSTEE: STEPHEN APPELL.

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PERSONNEL REPORT BY TRUSTEE: JOANN HUDSON.

BOARD COMMENTS:

ADJOURNMENT:

JEC 2/27/14