

**VILLAGE OF CHERRY VALLEY, IL
VILLAGE BOARD OF TRUSTEES MEETING
TUESDAY, JUNE 2, 2015**

THE VILLAGE BOARD OF TRUSTEES OF CHERRY VALLEY, ILLINOIS, WINNEBAGO AND BOONE COUNTIES, CONVENED IN REGULAR SESSION ON THE 2nd DAY OF JUNE 2015.

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

A Roll Call was taken by Clerk Dana Ward.

STEPHEN APPELL	PRESENT	SALLY HOLLEMBEAK	PRESENT
NANCY BELT	PRESENT	GARY MAITLAND	PRESENT
JEFF FUSTIN	PRESENT	DAVID SCHROEDER	ABSENT

Also present: Treasurer Karen Melloch, Public Works Director Chuck Freeman, Chief of Police Larry Neville, Attorney Jim Stevens and Village Clerk Dana Ward.

ADOPT THE AGENDA: President Jim E. Claeysen entertained a motion to adopt the agenda. Trustee Appell moved to adopt the agenda. Trustee Hollembeak seconded. All “Aye”; none opposed. Motion carried by voice vote.

APPROVAL OF THE BOARD MINUTES: May 19, 2015. President Jim E. Claeysen entertained a motion to approve the Village Board minutes for May 19, 2015. Trustee Appell moved to approve the minutes for May 19, 2015. Trustee Fustin seconded. All “Aye”; none opposed. Motion carried by voice vote.

PUBLIC COMMENT: None.

TREASURER’S REPORT: Monthly Finance Report by Treasurer Karen Melloch. Treasurer Karen Melloch stated that in the General Fund, revenues (\$323,000.00) exceeded expenditures (\$284,000.00) by \$39,000.00. In the Water Fund, revenue (\$64,000.00) exceeded expenditures (\$57,000.00) by \$7,000.00. In Capital Improvements, revenues were at \$181,000.00 and expenses were \$435,000.00. Of this amount, \$407,000.00 was for the new Public Works Building. A revised payment schedule for the Public Works Building is forthcoming from Cord Construction. A franchise payment in the amount of \$10,029.00 was received from Comcast. After the transfers were made, Treasurer Melloch noted that there are only six more months on the Series 2005B Bond. Treasurer Melloch presented the May Treasurer’s Report. There were no other questions. President Jim E. Claeysen noted that the Trustees have received a copy of this report and entertained a motion to file the May Treasurer’s Report as presented by Karen Melloch. Trustee Maitland moved to place the May 2015 Treasurer’s Report on file. Trustee Belt seconded. All “Aye”; none opposed. Motion carried by voice vote.

PRESIDENT’S REPORT: JIM E. CLAEYSSEN.

1. Request for storage space from the Cherry Valley Festival Days Committee. President Jim E. Claeysen presented a copy of a letter from Dan Henning, Cherry Valley Festival Days Committee, requesting the use of storage space in the maintenance building in Baumann Park. President Claeysen asked that this be discussed at an upcoming Public Works Committee meeting for discussion.

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2. Request for advertising funds for the 2015 Cherry Valley Festival Days by Mr. Larry Gray of the Cherry Valley Festival Days Committee. Mr. Larry Gray is present to request funds for advertising expenses. The Festival Days Committee will submit their bills for reimbursement per the past practice. Trustee Belt moved that the Village Board authorize the amount of \$3,500.00 for expenditures for advertising for Cherry Valley Festival Days, August 28 - 30, 2015, line item 5085A - Administration, Community Development & Welfare. Trustee Appell seconded. A Roll Call vote was taken:

STEPHEN APPELL	AYE	SALLY HOLLEMBEAK	AYE
NANCY BELT	AYE	GARY MAITLAND	AYE
JEFF FUSTIN	AYE	DAVID SCHROEDER	ABSENT

Motion carried by a vote of 5 "AYE", 1 "ABSENT".

ATTORNEY'S REPORT: JAMES STEVENS. Cell towers were discussed under the attorney's report. Trustee Belt asked if Attorney Stevens has researched the distance between cell towers. He has not. The Village has a current request and has another request pending at the VanDiver Road location. However, there is much research to be done regarding cell towers; whether the village has the right to regulate cell towers due to Federal Statutes. There is a preemptive statute, which basically states that federal law trumps state law, which trumps local law in certain instances. Attorney Stevens noted that he has to take a look at the current ordinances. President Jim E. Claeysen noted that the Planning and Zoning Commission was concerned with the fall area. Attorney Stevens will pull ordinances from other municipalities for comparison. The petitioner for the monopole cell tower requested to bring in a structural engineer to provide testimony regarding the towers and the fall area. Attorney Stevens passed this information onto Trustee Belt for the ORDINANCE committee, which will then be referred to the PLANNING AND ZONING Commission in July. More research needs to be done. Trustee Appell asked who will be responsible for publication, advertisement and legal fees. Attorney Stevens will check on the financial fees.

ENGINEER'S REPORT: Dennis McMullen, C.E.S. No report.

EX-OFFICIO'S REPORTS:

STEPHEN APPELL - PLANNING AND ZONING COMMISSION. Trustee Appell stated that there is no meeting this month. However, there will be a meeting in July.

DAVE SCHROEDER - RECREATION BOARD. President Jim E. Claeysen reported that there is a RECREATION BOARD meeting Wednesday June 3, 2015 at 7:00PM. All are welcome to attend. Upcoming events will be discussed.

ORDINANCE REPORT BY TRUSTEE: NANCY BELT.

1. President Jim E. Claeysen noted that an updated highlighted draft ordinance was presented to the Trustees. Trustee Belt moved that the Village Board waive the rules for the first reading of "AN ORDINANCE AMENDING THE CODE OF ORDINANCES FOR THE VILLAGE OF CHERRY VALLEY, ILLINOIS, CHAPTER 78 SECTION 78-42. - HEIGHT LIMITATION FOR CERTAIN PLANTS AND WEEDS; THOSE EXCEEDING LIMITATION DECLARED A NUISANCE".

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Trustee Appell seconded. A Roll Call was taken:

STEPHEN APPELL	AYE	SALLY HOLLEMBEAK	AYE
NANCY BELT	AYE	GARY MAITLAND	AYE
JEFF FUSTIN	AYE	DAVID SCHROEDER	ABSENT

Motion carried by a vote of 5 “AYE”, 1 “ABSENT”.

2. Trustee Belt moved that the Village Board considers this the second and final reading of “AN ORDINANCE AMENDING THE CODE OF ORDINANCES FOR THE VILLAGE OF CHERRY VALLEY, ILLINOIS, CHAPTER 78 SECTION 78-42. - HEIGHT LIMITATION FOR CERTAIN PLANTS AND WEEDS; THOSE EXCEEDING LIMITATION DECLARED A NUISANCE”. Trustee Hollembeak seconded. All “Aye”; none opposed. Motion carried by voice vote.

3. Trustee Belt moved that the Village Board pass and approve:

**ORDINANCE 2015-09
“AN ORDINANCE AMENDING THE CODE OF ORDINANCES FOR
THE VILLAGE OF CHERRY VALLEY, ILLINOIS,
CHAPTER 78 SECTION 78-42. - HEIGHT LIMITATION
FOR CERTAIN PLANTS AND WEEDS; THOSE EXCEEDING
LIMITATION DECLARED A NUISANCE”.**

Trustee Hollembeak seconded. A Roll Call was taken:

STEPHEN APPELL	AYE	SALLY HOLLEMBEAK	AYE
NANCY BELT	AYE	GARY MAITLAND	AYE
JEFF FUSTIN	AYE	DAVID SCHROEDER	ABSENT

Motion carried by a vote of 5 “AYE”, 1 “ABSENT”.

4. President Jim E. Claeysen noted that the members have received an updated highlighted draft of this ordinance and noted the changes in the language that was deleted, added or changed regarding the following: In Section 1, “Reservations must be made at least seven days prior to the event” will be deleted. In Section 2, “Maximum Capacity: gazebo 25 persons, pavilion 75 persons” will be added. In Section 3, a change in language was made to read, “Deposits must be picked up no later than 30 days from the day of the event or it will be forfeited to the Village”. Trustee Belt moved that the Village Board waive the rules for the first reading of “AN ORDINANCE AMENDING THE CODE OF ORDINANCES FOR THE VILLAGE OF CHERRY VALLEY, ILLINOIS, SECTION 46-72 RULES AND REGULATIONS PERTAINING TO THE USE OF BAUMANN PARK PAVILION/GAZEBO RENTAL SUBSECTION (e) AND SECTION 46-75 SHELTER AND PAVILION RENTAL FEES”. Trustee Hollembeak seconded. A Roll Call was taken:

STEPHEN APPELL	AYE	SALLY HOLLEMBEAK	AYE
NANCY BELT	AYE	GARY MAITLAND	AYE
JEFF FUSTIN	AYE	DAVID SCHROEDER	ABSENT

Motion carried by a vote of 5 “AYE”, 1 “ABSENT”.

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5. Trustee 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, 46-72 RULES AND REGULATIONS PERTAINING TO THE USE OF BAUMANN PARK PAVILION/GAZEBO RENTAL SUBSECTION (e) AND SECTION 46-75 SHELTER AND PAVILION RENTAL FEES”. Trustee Appell seconded. All “Aye”; none opposed. Motion carried by voice vote.

6. Trustee Belt moved that the Village Board pass and approve:
ORDINANCE 2015-10

“AN ORDINANCE AMENDING THE CODE OF ORDINANCES FOR THE
VILLAGE OF CHERRY VALLEY, ILLINOIS,
SECTION 46-72 RULES AND REGULATIONS PERTAINING
TO THE USE OF BAUMANN PARK PAVILION/GAZEBO
RENTAL SUBSECTION (e) AND SECTION 46-75 SHELTER
AND PAVILION RENTAL FEES”.

Trustee Appell seconded. A Roll Call was taken:

STEPHEN APPELL	AYE	SALLY HOLLEMBEAK	AYE
NANCY BELT	AYE	GARY MAITLAND	AYE
JEFF FUSTIN	AYE	DAVID SCHROEDER	ABSENT

Motion carried by a vote of 5 “AYE”, 1 “ABSENT”.

7. President Jim E. Claeysen noted that the Prevailing Wages for June 2015 have been posted online by the Illinois Department of Labor and are attached to this ordinance. Trustee Belt moved that the Village Board considers this the first reading of “AN ORDINANCE OF THE VILLAGE OF CHERRY VALLEY, WINNEBAGO AND BOONE COUNTIES, ILLINOIS, ASCERTAINING THE PREVAILING RATE OF WAGES FOR LABORERS, WORKMEN AND MECHANICS EMPLOYED ON PUBLIC WORKS FOR SAID VILLAGE”. Trustee Hollembeak seconded. All “Aye”; none opposed. Motion carried by voice vote.

Trustee Belt stated that ORDINANCE passes.

FINANCE REPORT BY TRUSTEE: GARY MAITLAND. No report.

PUBLIC SAFETY REPORT BY TRUSTEE: JEFF FUSTIN. 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: SALLY HOLLEMBEAK.

1. Trustee Hollembeak moved that the Village Board hire George Freeman Jr. as a Seasonal Public Works Employee (for mowing) at a rate of \$14.00 per hour for a maximum of 600 hours with a start date of June 3, 2015. Trustee Belt seconded. A Roll Call was taken:

STEPHEN APPELL	ABSTAIN	SALLY HOLLEMBEAK	AYE
NANCY BELT	AYE	GARY MAITLAND	AYE
JEFF FUSTIN	AYE	DAVID SCHROEDER	ABSENT

Motion carried by a vote of 4 “AYE”, 1 “ABSTAIN” and 1 “ABSENT”.

Trustee Hollembeak stated that PERSONNEL passes.

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EXECUTIVE SESSION: President Jim E. Claeysen entertained a motion to go into executive session. Trustee Hollembeak moved to go into executive session at 7:27PM under 5 ILCS 2(c)(2) (Collective Bargaining). Collective negotiating matters between the public body and its employees or their representatives, or deliberations concerning salary schedules for one of more classes of employees. (Police), and, 5 ILCS 2(c)(6). The setting of a price for sale or lease of property owned by the public body. Trustee Belt seconded.

A Roll Call was taken:

STEPHEN APPELL	AYE	SALLY HOLLEMBEAK	AYE
NANCY BELT	AYE	GARY MAITLAND	AYE
JEFF FUSTIN	AYE	DAVID SCHROEDER	ABSENT

Motion carried by a vote of 5 “AYE”, 1 “ABSENT”.

RECONVENE TO OPEN SESSION: President Jim E. Claeysen reconvened into Open Session at 8:48PM and called the meeting to order. A Roll Call was taken by Clerk Dana Ward.

STEPHEN APPELL	PRESENT	SALLY HOLLEMBEAK	PRESENT
NANCY BELT	PRESENT	GARY MAITLAND	PRESENT
JEFF FUSTIN	PRESENT	DAVID SCHROEDER	ABSENT

Also present: Attorneys Jim Stevens and Village Clerk Dana Ward.

President Jim E. Claeysen entertained a motion to amend the agenda. Trustee Appell moved to amend the agenda. Trustee Belt seconded. All “Aye”; none opposed. Motion carried by voice vote.

Trustee Appell moved to delete, *Motion that the Village Board authorize obtaining an appraisal for the sale of property owned by the public body.* Trustee Belt seconded. All “Aye”; none opposed. Motion carried by voice vote.

BOARD COMMENTS: None.

ADJOURNMENT: President Jim E. Claeysen entertained a motion to adjourn. Trustee Hollembeak moved to adjourn at 8:52PM. Trustee Fustin seconded. All “Aye”; none opposed. Motion carried by voice vote.

Recorded by Dana Ward, Village Clerk.

Minutes reviewed by President Jim E. Claeysen on June 15, 2015.

**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	SALLY HOLLEMBEAK
	NANCY BELT	GARY MAITLAND
	JEFF FUSTIN	DAVID SCHROEDER

ADOPTION OF THE AGENDA:

APPROVAL OF THE BOARD MINUTES: May 19, 2015.

PUBLIC COMMENT:

TREASURER'S REPORT: Monthly Report by Treasurer Karen Melloch

PRESIDENT'S REPORT: JIM E. CLAEYSSEN.

1. Request for storage space from the Cherry Valley Festival Days Committee.
2. Request for advertising funds for the 2015 Cherry Valley Festival Days by Mr. Larry Gray of the Cherry Valley Festival Days Committee.

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.

1. Motion that the Village Board waive the rules for the first reading of "AN ORDINANCE AMENDING THE CODE OF ORDINANCES FOR THE VILLAGE OF CHERRY VALLEY, ILLINOIS, CHAPTER 78 SECTION 78-42. - HEIGHT LIMITATION FOR CERTAIN PLANTS AND WEEDS; THOSE EXCEEDING LIMITATION DECLARED A NUISANCE".
2. 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 78 SECTION 78-42. - HEIGHT LIMITATION FOR CERTAIN PLANTS AND WEEDS; THOSE EXCEEDING LIMITATION DECLARED A NUISANCE".
3. Motion that the Village Board pass and approve "AN ORDINANCE AMENDING THE CODE OF ORDINANCES FOR THE VILLAGE OF CHERRY VALLEY, ILLINOIS, CHAPTER 78 SECTION 78-42. - HEIGHT LIMITATION FOR CERTAIN PLANTS AND WEEDS; THOSE EXCEEDING LIMITATION DECLARED A NUISANCE". Ordinance #2015-09.
4. Motion that the Village Board waive the rules for the first reading of "AN ORDINANCE AMENDING THE CODE OF ORDINANCES FOR THE VILLAGE OF CHERRY VALLEY, ILLINOIS, CHAPTER 46 SECTION 46-72 (E) PAVILION/GAZEBO RENTAL AND SECTION 46-75 SHELTER AND PAVILION RENTAL FEES PERTAINING TO RULES

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ORDINANCE REPORT (CONT.)

5. 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 46 SECTION 46-72 (E) PAVILION/GAZEBO RENTAL AND SECTION 46-75 SHELTER AND PAVILION RENTAL FEES PERTAINING TO RULES AND REGULATIONS FOR THE USE OF SHELTERS AND PAVILIONS AND RENTAL FEES”.
6. Motion that the Village Board pass and approve “AN ORDINANCE AMENDING THE CODE OF ORDINANCES FOR THE VILLAGE OF CHERRY VALLEY, ILLINOIS, CHAPTER 46 SECTION 46-72 (E) PAVILION/GAZEBO RENTAL AND SECTION 46-75 SHELTER AND PAVILION RENTAL FEES PERTAINING TO RULES AND REGULATIONS FOR THE USE OF SHELTERS AND PAVILIONS AND RENTAL FEES”. Ordinance #2015-10.
7. Motion that the Village Board consider this the first reading of “AN ORDINANCE OF THE VILLAGE OF CHERRY VALLEY, WINNEBAGO AND BOONE COUNTIES, ILLINOIS, ASCERTAINING THE PREVAILING RATE OF WAGES FOR LABORERS, WORKMEN AND MECHANICS EMPLOYED ON PUBLIC WORKS FOR SAID VILLAGE”.

FINANCE REPORT BY TRUSTEE: GARY MAITLAND.

PUBLIC SAFETY REPORT BY TRUSTEE: JEFF FUSTIN.

PUBLIC WORKS REPORT BY TRUSTEE: DAVID SCHROEDER.

PLANNING AND DEVELOPMENT REPORT BY TRUSTEE: STEPHEN APPELL.

PERSONNEL REPORT BY TRUSTEE: SALLY HOLLEMBEAK.

1. Motion that the Village Board hire George Freeman Jr. as a Seasonal Public Works Employee (for mowing) at a rate of \$14.00 per hour for a maximum of 600 hours with a start date of June 3, 2015.

EXECUTIVE SESSION:

5 ILCS 2(c)(2) (Collective Bargaining). Collective negotiating matters between the public body and its employees or their representatives, or deliberations concerning salary schedules for one of more classes of employees. (Police).

5 ILCS 2(c)(6). The setting of a price for sale or lease of property owned by the public body.

RECONVENE TO OPEN SESSION:

Motion that the Village Board authorize obtaining an appraisal for the sale of property owned by the public body.

BOARD COMMENTS:

**ADJOURNMENT:
JEC (5/28/15)**