

**VILLAGE OF CHERRY VALLEY, IL
VILLAGE BOARD OF TRUSTEES MEETING
TUESDAY, SEPTEMBER 1, 2015**

THE VILLAGE BOARD OF TRUSTEES OF CHERRY VALLEY, ILLINOIS, WINNEBAGO AND BOONE COUNTIES, CONVENED IN REGULAR SESSION ON THE 1st DAY OF SEPTEMBER 2015.

PRESIDENT JIM E. CLAEYSSEN CALLED THE MEETING TO ORDER AT 7:01PM AND LED THE PLEDGE OF ALLEGIANCE.

A Roll Call was taken by Clerk Dana Ward.

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

Also present: Treasurer Karen Melloch, Public Works Director Chuck Freeman, Chief of Police Larry Neville, Attorneys Jim Stevens and Darron Burke, Dennis McMullen, C.E.S. 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 Schroeder seconded. All "Aye"; none opposed. Motion carried by voice vote.

APPROVAL OF THE BOARD MINUTES: August 18, 2015, August 24, 2015. President Jim E. Claeysen entertained a motion to approve the Village Board Minutes for August 18, 2015. Trustee Schroeder moved to approve the minutes for August 18, 2015. Trustee Appell seconded. All "Aye"; none opposed. Motion carried by voice vote.

President Jim E. Claeysen entertained a motion to approve the Village Board Minutes for August 24, 2015. Trustee Appell moved to approve the minutes for August 24, 2015. Trustee Schroeder seconded. All "Aye"; none opposed. Motion carried by voice vote.

PUBLIC COMMENT: None.

TREASURER'S REPORT: Monthly Finance Report by Treasurer Karen Melloch. President Jim E. Claeysen noted that the members have received multiple documents from the Treasurer, Karen Melloch. Discussion regarding these documents will be at the FINANCE meeting next week. Any other questions can be forwarded to the September 15, 2015 Village Board meeting.

PRESIDENT'S REPORT: JIM E. CLAEYSSEN.

1. President Jim E. Claeysen stated that Attorney Jim Stevens drafted an agreement that allows Local Artist Ron Wick to display six paintings at a time at the Village Hall and entertained a motion to authorize his signature on this agreement. Trustee Appell moved that the Village Board authorize Village President Jim E Claeysen to sign the Agreement with Mr. Ron Wick (a local artist) to display artwork at the Cherry Valley Village Hall, 806 E. State Street, Cherry Valley, Illinois. Trustee Belt seconded. A Roll Call vote was taken:

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

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

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2. Discussion and possible Village Board action regarding the Village’s attendance to this year’s ICSC (International Council of Shopping Centers) Dealmakers Show October 7-8, 2015 in Chicago, Illinois. President Jim E. Claeysen noted that the members have received information regarding this event. The Village can be represented and promoted as a place for companies to set up their businesses. Last year the village paid for attendance to this event. The ICSC has rolled over the fees paid last year to this year. This is a budgeted item, and would allow two people to attend this event. Retail Strategies will be present at this event. A draft brochure was presented and Trustee Appell asked that a reference be added that directs interested parties to contact Retail Strategies. Trustee Maitland moved that the Village Board allow for the registration of Administrative Assistant Kathy Trimble and Trustee Stephen Appell to attend this year’s ICSC (International Council of Shopping Centers) Dealmakers Show October 7-8, 2015 in Chicago, Illinois, at \$305.00 each and for hotel costs, at \$650.00 each. Trustee Fustin seconded. A detail sheet outlining the cost for various items such as parking, travel and other miscellaneous expenses will be presented at the FINANCE meeting on September 8, 2015. A Roll Call vote was taken:

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

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

3. President Jim E. Claeysen entertained a motion to approve Change Order# 4 and #5 for the Village’s New Public Works Facility. Trustee Appell moved that the Village Board approve Change Order #4 and Change Order #5 with Cord Construction in regards to the Village’s New Public Works Facility. Trustee Schroeder seconded. A Roll Call vote was taken:

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

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

4. Continued discussion and possible Village Board action regarding the possible creation of the Committee of the Whole (C.O.W.). President Jim E. Claeysen noted that this was discussed at the August 24, 2015 Village Board meeting. Information was relayed to Attorney Jim Stevens. Many ideas/opinions were suggested. Trustee Appell suggested that all meetings be C.O.W. meetings. President Jim E. Claeysen and Trustee Belt recommended using C.O.W. meetings when necessary. Trustee Belt contacted Keri-Lyn Krafthefer, (Attorney with Ancel-Glink), and commented that “Trustees can direct questions to the committee, or committees, at the PUBLIC COMMENT section of the meeting.” Trustee Maitland suggested getting the different attorneys together to discuss the creation of the C.O.W. and what number of members is permissible on a committee. More information will be available through the upcoming Illinois Municipal League conference. Attorney Jim Stevens will be at the conference and will make contact with Keri-Lyn Krafthefer. This item will remain on the agenda for further discussion.

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ATTORNEY'S REPORT: JAMES STEVENS. There are two items for discussion.

1. Attorney Jim Stevens reported that he was contacted by a Wisconsin company regarding opening an auto sales business at the current Grand Prix Auto location on CherryVale North Blvd. Attorney Jim Stevens and President Jim E. Claeysen have met with this company. They have an option to purchase this property, which expires September 16, 2015. This property is currently zoned as CC (Commercial Community) and would need to be rezoned to CG (Commercial General) in order to sell automobiles. With the help of staff, all information has been received. An application has also been received and will go to the PLANNING AND ZONING COMMISSION meeting in September. Notices will go out to adjacent property owners. A publication was in the newspaper today regarding the PLANNING AND ZONING COMMISSION meeting regarding this topic. The building and business would need to conform to the Village's Code of Ordinances. It is a consensus of the Village Board that Attorney Jim Stevens contact the potential business owner to proceed with their request. This item will go to the PLANNING AND ZONING COMMISSION meeting on September 16, 2015.
2. Attorney Jim Stevens was contacted by Jaimie Alvarez, owner of Alvarez Mexican Restaurant, regarding operating an auto brokerage firm from his restaurant location, indicating the use of a separate entrance at the back of this building. The auto brokerage firm would not be affiliated with the restaurant. This property is currently zoned CC (Commercial Community), and the property would need to be rezoned to CG (Commercial General). No vehicles would be allowed to be retained overnight or detailed on the property. Much discussion ensued regarding wholesalers, dealership and brokerage types of licenses, storage of vehicles on property, ordinances and restrictions that can be added to ordinances. Police Chief Larry Neville clarified that the Secretary of State only recognizes licenses for wholesalers and dealerships; there is no brokerage license regarding auto sales. Attorney Jim Stevens will prepare a letter to be sent to Mr. Alvarez to proceed with his zoning map amendment request. Restrictions can be discussed at the various committees. A copy of the letter will be forwarded to the Village.

ENGINEER'S REPORT: DENNIS McMULLEN, C.E.S. Dennis McMullen reported that the sidewalk projects are coming to completion. Rock Roads Construction should be finishing the street projects next week. The approaches for the alleyways will be fully milled. The remainder of the alleys will be overlaid. Regarding the Streetscapes Project, Mr. McMullen asked for the members to submit their suggestions for consideration. President Jim E. Claeysen asked that consideration be given to the continuation of the Swanson Park Sidewalk Project in regards to the village's Capital Improvement Plans for 2016; from the bike path north towards Harrison Ave.

EX-OFFICIO'S REPORTS:

STEPHEN APPELL - PLANNING AND ZONING COMMISSION. Trustee Appell reported that there will a PLANNING AND ZONING COMMISSION meeting on September 16, 2015, 7:00PM. There is one item on the agenda: Potential rezoning of Grand Prix Auto.

DAVE SCHROEDER - RECREATION BOARD. Trustee Schroeder reported that there will be a RECREATION BOARD meeting September 2, 2015 at 7:00PM. All are welcome to attend. Some of the items up for discussion are the Fall Fishing Tournament, Halloween, Santa's visit and replacement of the broken popcorn popper.

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ORDINANCE REPORT BY TRUSTEE: NANCY BELT.

1. An updated draft ordinance regarding Chapter 18 was presented by Attorney Jim Stevens. Trustee Belt moved that the Village Board consider this the first reading of "An ordinance amending the Code of Ordinances for Cherry Valley, Illinois, Chapter 18 Animals, (Cats)". Trustee Maitland seconded. Much discussion ensued regarding complaints, cats running at large, restraining of and control of animals and enforcement. Chief Larry Neville will contact Winnebago County to discuss the capture issue. All "Aye"; none opposed. Motion carried by voice vote.
2. An updated draft ordinance regarding Chapter 22 was presented by Attorney Jim Stevens. Trustee Belt moved that the Village Board considers this the first reading of "An ordinance amending the Code of Ordinances for the Village of Cherry Valley, Illinois, Chapter 22 Buildings and Building Regulations Article VI. Swimming Pools, Spas and Hot Tubs". Trustee Maitland seconded. (Note: The agenda notes that this is Chapter 42, Nuisances. The correct Chapter is 22, Building and Building Regulations). 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.

1. Trustee Schroeder moved that the Village Board approve Public Works Supervisor Steve Strasser to attend the IPSI (Illinois Public Service Institute) from October 4 - 9, 2015 in Effingham, Illinois. Registration is \$100.00, line item 5195 Public Works and not to exceed cost of \$800.00 for hotel accommodations and meal allowances, line item 5200 Public Works. (Note - Steve Strasser has received a \$595.00 scholarship from the Northwest Branch American Public Works Association to attend this training). Trustee Belt seconded. A Roll Call vote was taken:

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

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

2. Trustee Schroeder moved that the Village Board waive the rules regarding bidding procedures for the purchase of water meters and installation in regards to the Newburg Chase Meter Replacement Program. Trustee Appell seconded. For the record, this is specialized meter equipment used by Public Works that matches our current meter equipment and readers. A Roll Call vote was taken:

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

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

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3. Trustee Schroeder moved that the Village Board approve the proposal from HD Supply Waterworks for the Newburg Chase Meter Change Out Program for 2015-2106 at a cost of \$79,800.00, line item 5382 Water. Trustee Appell seconded. A Roll Call vote was taken:

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

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

4. Trustee Schroeder moved that the Village Board waive the rules regarding bidding procedures for a three-year contract regarding the Village's 4th of July fireworks displays. Trustee Appell seconded. This was the only proposal received that could do the display on the 4th of July. A Roll Call vote was taken:

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

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

5. Trustee Schroeder moved that the Village Board authorize Village President to sign the three-year contract from Melrose Pyrotechnics, pending attorney's review, for Fireworks Displays on July 4, 2016 - 2018 at a cost of \$20,000.00 per display date, line item 5360 Administration - Tourism. Trustee Belt seconded. A Roll Call vote was taken:

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

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

Trustee Schroeder stated that PUBLIC WORK passes.

PLANNING AND DEVELOPMENT REPORT BY TRUSTEE: STEPHEN APPELL.

1. The motion for the approval of the Intergovernmental agreement with Winnebago County regarding the Mulford Road/Baxter Road Improvements project will be held over at this time. More discussion is needed. Attorney Jim Stevens has reviewed this information. A recommendation was made to add a revision of language to add, "not to exceed \$125,000.00". This will go to the next Public Works meeting and then on to the Village Board meeting September 15, 2015.
2. Discussion and possible Village Board action regarding a Sales Tax Rebate Agreement with the Salvation Army Store, 7146 CherryVale North Blvd., Rockford, Illinois in regards to signage and landscaping improvements. Trustee Appell has not heard from Major Bob McClintock regarding the rebate agreement and landscaping. This item will be kept on the agenda for the Village Board meeting September 15, 2015.

PERSONNEL REPORT BY TRUSTEE: SALLY HOLLEMBEAK. No report.

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EXECUTIVE SESSION. None.

RECONVENE TO OPEN SESSION.

BOARD COMMENTS: None.

ADJOURNMENT: President Jim E. Claeysen entertained a motion to adjourn. Trustee Belt moved to adjourn at 8:20PM. Trustee Appell seconded. All "Aye"; none opposed. Motion carried by voice vote.

Recorded by Dana Ward, Village Clerk.

Minutes reviewed by President Jim E. Claeysen on September 10, 2015.

**AGENDA
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7:00 PM**

CALL THE MEETING TO ORDER: PRESIDENT JIM E. CLAEYSSSEN

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: August 18, 2015, August 24, 2015

PUBLIC COMMENT:

TREASURER'S REPORT:

PRESIDENT'S REPORT: JIM E. CLAEYSSSEN.

1. Motion that the Village Board authorize Village President Jim E Claeysen to sign the Agreement with Mr. Ron Wick (a local artist) to display artwork at the Cherry Valley Village Hall, 806 E. State Street, Cherry Valley IL.
2. Discussion and possible Village Board action regarding the village's attendance to this year's ICSC (International Council of Shopping Centers) Dealmakers Show October 7-8, 2015 in Chicago, Illinois.
3. Motion that the Village Board approve Change Order #4 and Change Order #5 with Cord Construction in regards to the village's New Public Works Facility.
4. Continued discussion and possible Village Board action regarding the possible creation of the Committee of the Whole.

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 consider this the first reading of an ordinance amending the village's Code of Ordinances, Chapter 18, Section 18-3, Section 18-6, Section 18-43 and Section 18-44 Animals (regarding cats).
2. Motion that the Village Board consider this the first reading of an ordinance amending the village's Code of Ordinances, Chapter 42, Nuisances (regarding swimming pools).

FINANCE REPORT BY TRUSTEE: GARY MAITLAND.

PUBLIC SAFETY REPORT BY TRUSTEE: JEFF FUSTIN.

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PUBLIC WORKS REPORT BY TRUSTEE: DAVID SCHROEDER.

1. Motion that the Village Board approve Public Works Supervisor Steve Strasser to attend the IPSI (Illinois Public Service Institute) from October 4 - 9, 2015 in Effingham, Illinois. Registration is \$100.00 from line item 5195 PW and a not to exceed cost of \$800.00 for hotel accommodations and meal allowances from line item 5200 PW. (Note - Steve Strasser has received a \$500.00 scholarship from the Northwest Branch American Public Works Association to attend this training).
2. Motion that the Village Board waive the rules regarding bidding procedures for the purchase of water meters and installation in regards to the Newburg Chase Meter Replacement Program.
3. Motion that the Village Board approve the proposal from HD Supply Waterworks for the Newburg Chase Meter Change Out Program for 2015-2106 at a cost of \$79,800.00 from line item 5382 Water.
4. Motion that the Village Board waive the rules regarding bidding procedures for a three-year contract regarding the village's 4th of July fireworks displays.
5. Motion that the Village Board authorize Village President to sign the three-year contract from Melrose Pyrotechnics, pending attorney's review, for Fireworks Displays on July 4, 2016 -2018 at a cost of \$20,000.00 /per display date from line item 5360 Administration (tourism).

PLANNING AND DEVELOPMENT REPORT BY TRUSTEE: STEPHEN APPELL.

1. Motion that the Village Board approve An Intergovernmental Agreement with Winnebago County regarding the Mulford Road / Baxter Road Improvements Project.
2. Discussion and possible Village Board action regarding a Sales Tax Rebate Agreement with the Salvation Army Store, 7146 CherryVale North Blvd., Rockford, Illinois in regards to signage and landscaping improvements.

PERSONNEL REPORT BY TRUSTEE: SALLY HOLLEMBEAK.

EXECUTIVE SESSION:

RECONVENE TO OPEN SESSION:

BOARD COMMENTS:

ADJOURNMENT:

JEC (8-28-15)