

MINUTES OF SPECIAL COUNCIL MEETING
JUNE 9, 2005

Call to order at 7:08pm

Pledge to the flag

Roll call- Beverly Sue Villanueva, Jim Samann, Don Martin, Tom Williams and Doug Kelsey. Also present Shirley Harmon, Monte O'Dell, Marion Alexander, Nikki Lennox, Mark Jorgensen, Brad Holton, Kelly Williams and David and Frances Spencer.

6 amended ordinances to consider:

05-01 Curfew language additions

So amended Chapter 41.2 and 41.4 will read as follows:

41.2 CURFEW. It shall be a violation of this Chapter for any person under the age of seventeen years to loiter or remain in or upon any street, alley, or public places in the Village of Vermontville between 10:00 p.m. (ten o'clock p.m.) and 6:00a.m (six o'clock a.m.) the following day, unless accompanied by parents or guardians or other person(s) having legal custody and control of such minor, or someone designated by their parent or legal guardian who is 25 (twenty five) years of age or older, unless such minor is in pursuance of an errand directed by the minor's parents, guardian, or another person(s) having the minor's care and custody, or while in the performance of some lawful employment of such minor(s) that makes it necessary that said minor be upon the streets, alleys, or public places during the night time after above specified hours.

41.4 PENALTIES. Any person or persons, either minors under the age of seventeen years, or the parent, guardian, or legal custodian of any such minor, violating any of the provisions of this Chapter, shall upon conviction thereof guilty of a misdemeanor, incur a fine of \$500.00 (five hundred) and/or imprisonment for up to 90 days in the County Jail.

*Motion to adopt by Tom Williams seconded by Don Martin. Ayes Beverly Sue Villanueva, Jim Samann, Don Martin, Tom Williams and Doug Kelsey. Adopted this date.

05-02 wording addition to water ordinance

Moved to refer to water committee for review, by Beverly Sue Villanueva and seconded by Jim Samann. All ayes.

05-03 additions of wording to Trash and Noxious weeds.

Amended Ordinance to read as follows:

Chapter 35, section .15

35.15 Penalties. Any owner of a lot or parcel of land who shall refuse or neglect to destroy such noxious weeds and/or remove such unsightly trash, as provided in this Chapter, shall be guilty of a misdemeanor and upon conviction shall be

subject to a fine of not less than \$10.00 nor more than \$100.00 together with the cost of prosecution, or by imprisonment in the County Jail for not more than 90 days.

*Moved to adopt by Tom Williams, seconded by Jim Samann. Ayes Beverly Sue Villanueva, Jim Samann, Don Martin, Tom Williams and Doug Kelsey. Adopted this date.

05-04 wording changes to Dilapidated and Dangerous

Amended Ordinance shall read as follows:

Chapter 36, section .8

36.8 Violations-Disregarding of Notices or Orders: Any owner of any “dangerous building” who shall fail to comply with any notice or order to repair, vacate, or demolish said building, by authorized Village of Vermontville representatives, Village Council, or legal representative is guilty of violation of this Chapter. Any occupant or lessee in possession who fails to comply with any notice to vacate or who fails to repair such said building in accordance with this Chapter, is in violation and shall be guilty of a misdemeanor upon conviction and shall be subject to a fine of \$500.00 together with the costs of prosecution thereof or by imprisonment in the County Jail for a period not to exceed 90 days or both such fine and imprisonment at the discretion of the Court.

*Moved to adopt by Jim Samann, seconded by Beverly Sue Villanueva. Ayes- Beverly Sue Villanueva, Jim Samann, Don Martin, Tom Williams and Doug Kelsey. Adopted this date.

05-05 Addition of penalties for Solicitor’s

Amended Ordinance to read as follows:

Chapter 37, Section .6

37.6 Penalties: Any solicitors, peddlers, hawkers, itinerant merchants or transient vendor who shall fail to first obtain a permit to conduct solicitation activity shall be upon conviction be guilty of a misdemeanor, and be subject to a fine of not less than \$10.00 nor more than \$100.00 together with the costs of prosecution thereof or by imprisonment in the County Jail for a period not to exceed 90 days or both such fine and imprisonment at the discretion of the Court.

*Moved to adopt by Tom Williams, seconded by Don Martin. Ayes Beverly Sue Villanueva, Jim Samann, Don Martin, Tom Williams and Doug Kelsey. Adopted this date.

**This chapter needs more work-need to add must have permit on person and able to show, also should the Company or the individual obtain permit. Moved to refer to the Ordinance Committee Made by Tom Williams and seconded by Don Martin. All ayes.

05-06 addition of penalties to Noise ordinance

Amended Ordinance to read as follows:

Chapter 38 Section .5

38.5 Penalties: Any person who shall make, continue or cause to be made or continued any loud, unnecessary or unusual noise or any noise which either annoys, disturbs, injures, or endangers the comfort, repose, health, peace, or safety of others, within the Village of Vermontville shall be upon conviction be guilty of a misdemeanor, and be subject to a fine of not less than \$10.00 nor more than \$100.00 together with the costs of prosecution thereof or by imprisonment in the County Jail for a period not to exceed 90 days or both such fine and imprisonment at the discretion of the Court.

*Moved to adopt by Beverly Sue Villanueva and seconded by Jim Samann. Ayes Beverly Sue Villanueva, Jim Samann, Don Martin, Tom Williams and Doug Kelsey. Adopted this date.

Closed this meeting at 7:35pm opened second meeting at 7:35pm

6-9-05

Sue Villanueva explained that David Spencer wants to build a garage even with his house and she feels that a variance should be issued.

Doug tried to explain that the Spencer's must go thru the proper steps provided in the Zoning Ordinance for applying for a variance.

Mr. Spencer stated that his house doesn't meet the set back requirements. Marion Alexander said that his house is a non-conforming use, which is explained in the ordinance.

Tom Williams agreed that the Spencer's must go thru the proper steps and that this was the first real test for the Zoning Ordinance.

Kelly Williams mentioned that maybe the fees required might be recommended to council to waive them but they would have to pay them first.

Mr. and Mrs. Spencer understood the need for proper steps and would be filing an application this evening for publishing notice in MV News next Tuesday and the ZBA meeting could be held on Monday 6-20-05 at 7pm.

Moved to adjourn by Tom Williams and seconded by Sue Villanueva, all ayes. Adjourned at 7:58pm.

Doug Kelsey-President

Shirley Harmon-Clerk