

**TOWN OF CORTLAND**

Cortland Town Hall  
1909 Somonauk Rd.  
Cortland IL. 60112

**BOARD OF TRUSTEES**

Business/Committee Meeting  
February 13, 2006  
7:00 P.M.

**Call to Order/Pledge of Allegiance/Roll Call**

Mayor Seyller called the regular meeting to order at 7:06 p.m. Roll call was taken by Rita Nielsen, Deputy Clerk, shown as present were Trustees Chuck Lanning, David Liddick, Shawn McAllister, Mike Siewierski and Dan Milroy, Trustee Randy Reiter joined the meeting at 10:25 p.m. Quorum was present. Also present were Cheryl Aldis, Town Clerk, Tom Simmons, Town Engineer, Walter Magdziarz, Zoning Administrator, Stewart Diamond, Town Attorney. Department Heads, Harry Zimmer, Russ Stokes and John Kocher were present for committee meetings.

**Agenda**

Trustee Lanning moved and Trustee Siewierski seconded a motion to approve the Agenda. Unanimous voice vote carried the motion.

**Public Hearings**

Attorney Stewart Diamond explained that there were going to be a total of six public hearings. He explained that holding the public hearings was the process needed to move forward in creating the SSA's where the developers have agreed that their land can be utilized for credit for the sale of bonds in order to raise the funds needed to purchase the Sheaffer system and allowing these bonds to be defeased in a shorter amount of time. Mr. Diamond explained that the public hearings are to give the public information and allow for comments and questions that they might have regarding the process. There is no action required by the Board at this meeting.

Mr. Diamond also explained that in accordance with the law, the Town will be holding another public hearing where a series of Amendments to Annexation Agreements with developers will be presented for discussion. Mr. Diamond explained that the agreements have already been approved by Ordinance and if the Board approves the amendments it will authorize the Mayor to sign the amendments under certain conditions.

Trustee Lanning asked where Eagle Homes was in all of this. Mr. Diamond replied that Eagle Homes does not have an Annexation Agreement with the Town and therefore would have to sign a contract.

Mr. Diamond introduced the Ms. Laura Bilas, bond counselor with Foley & Lardner. Ms. Bilas stated that the purpose of these public hearings was to raise financing for water improvements and the Sheaffer Irrigation System.

**Establishment of Special Service Area Number Four (North) the Town of Cortland and Providing for Other Procedures in Connection Therewith**

Trustee McAllister moved and Trustee Siewierski seconded a motion to open the public hearing at 7:15 p.m.

Ms. Bilas stated that the annual tax levy for SSA Number Four is \$3,162,874 with the principal amount of bonds not to exceed \$11,099,000.

Mayor Seyller asked if anyone wished to speak. Hearing no response a motion to close the public hearing was made by Trustee Siewierski and seconded by Trustee McAllister at 7:16 p.m. Unanimous voice vote carried the motion.

**Establishment of Special Service Area Number Five (Anest West) in the Town of Cortland and Providing for Other Procedures in Connection Therewith**

Trustee Liddick moved and Trustee McAllister seconded a motion to open the public hearing at 7:16 p.m.

Ms. Bilas stated that the annual tax levy for SSA Number Five is \$1,430,308 with the principal amount of bonds not to exceed \$4,416,000.

Mayor Seyller asked if anyone wished to speak. Hearing no response a motion to close the public hearing was made by Trustee Liddick and seconded by Trustee McAllister at 7:18 p.m. Unanimous voice vote carried the motion.

**Establishment of Special Service Area Number Six (Anest East) in the Town of Cortland and Providing for Other Procedures in Connection Therewith**

Trustee Liddick moved and Trustee Siewierski seconded a motion to open the public hearing at 7:18 p.m.

Ms. Bilas stated that the annual tax levy for SSA Number Six is \$870,741 with the principal amount of bonds not to exceed \$2,688,000

Mayor Seyller asked if anyone wished to speak. Hearing no response a motion to close the public hearing was made by Trustee McAllister and seconded by Trustee Liddick at 7:19 p.m. Unanimous voice vote carried the motion.

**Establishment of Special Service Area Number Seven (Olsen-Schoenfeld) in the Town of Cortland and Providing for Other Procedures in Connection Therewith**

Trustee Liddick moved and Trustee McAllister seconded a motion to open the public hearing at 7:20 p.m.

Ms. Bilas stated that the annual tax levy for SSA Number Seven is \$1,272,835 with the principal amount of bonds not to exceed \$4,466,000

Mayor Seyller asked if anyone wished to speak. Hearing no response a motion to close the public hearing was made by Trustee Liddick and seconded by Trustee McAllister at 7:21 p.m. Unanimous voice vote carried the motion.

**Establishment of Special Service Area Number Eight (Perkins) in the Town of Cortland and Providing for Other Procedures in Connection Therewith**

Trustee Liddick moved and Trustee McAllister seconded a motion to open the public hearing at 7:21 p.m.

Ms. Bilas stated that the annual tax levy for SSA Number Eight is \$1,030,276 with the principal amount of bonds not to exceed \$3,615,000

Mayor Seyller asked if anyone wished to speak. Hearing no response a motion to close the public hearing was made by Trustee Liddick and seconded by Trustee Siewierski at 7:23 p.m. Unanimous voice vote carried the motion.

Mr. Diamond explained that all land must be annexed prior to the creation of SSA's and that all land that has been annexed must have an amendment to the annexation agreements and he has been working on this. Ms. Bilas explained that once amended the process can move forward. She stated that as a general rule there is a 60 day waiting period, however with 100% consent by property owners the 60 days waiting period can be waived. Mr. Diamond stated that the plan is to have everything ready for the Town Board meeting on February 27.

The next steps are to underwrite the documents offering the marketing of bonds to the public, and granting the Mayor the ability to finalize and sign the ordinance establishing issuance of the bonds.

In referring to the amendments to the annexation agreements, Mr. Diamond stated that many agreements already in place were written with the Sheaffer System in mind, with the financial obligation being transferred to the Town. The amendments that are being drafted would explain the differences between then and now.

**Public Hearing**

**Amendments to Annexation Agreements**

Trustee Siewierski moved and Trustee McAllister seconded a motion to open the public hearing at 7:30 p.m. to review amendments to annexation agreements for Shroeder-Amdur, Olsen Perkins, Anest, Hartmann-Benach, Hartman-Amdur, Schoenfeld-Dahl. Mr. Diamond stated that this is a single hearing for the same basic document showing that the Town has been granted the authority to create SSA's which include the properties in the agreements allowing the Town to levy an annual special tax in an amount which will support the issuance of bonds. The retirement of the bonds will require principal payment of Eight Thousand Five Hundred Dollars (\$8,500.00) per residential lot when building permit is issued. Credit for advanced interest contributions can defer interest payment on a parcel of land known as the Anest Parcel.

Mr. Ted Andur (from the audience) asked if Cambridge Homes will be made to pay.

Mr. Diamond stated that Cambridge Homes does not have an annexation agreement with the Town and they are not part of the SSA. If Cambridge Homes does annex and develop in Cortland they will have to pay tap-on fees.

Mr. Diamond stated that while Eagle Homes does not have an annexation agreement with the Town they will have an agreement that is in accordance with SSA documents.

After reading through document, at Trustees and Clerk's suggestions, Mr. Diamond will make the following changes:

#1 (line 5) delete the words and including this

#1 (line 8) use the word unit instead of lot

#8 add to last sentence no greater amount then \$1,500 per residential unit

#8 (line 12) change Cambridge Homes to read Helmhold Farm

#11 (line 6) after the word associations add at its cost

Trustee Lanning moved and Trustee McAllister seconded a motion to close the public hearing at 8:20 p.m. Unanimous voice vote carried the motion.

A consensus of the Board showed all in favor of amendments with the minor changes.

### **Committee of the Whole**

#### **Shelter House Agreement**

Trustee Milroy moved and Trustee Liddick seconded a motion to approve Shelter House Agreement.

Ayes: Trustee D. Milroy, S. McAllister, D. Liddick, M. Siewierski, C. Lanning

Nays: None

Absent: Trustee R. Reiter

ayes-5; nays-0; absent-1

**Clerk's note:** This item was on agenda as review only. It will be placed on TB agenda for Feb. 27, for action.

#### **Review Proposed Ordinance Amending Title 8 Building Regulations (Occupancy Certificate)**

Mrs. Dockus reviewed the proposed ordinance amendment with the Board. This ordinance will strike in its entirety Section 8-1-6, "Certificate of Occupancy, of Chapter 1, Building Codes, of Title 8, "Building Regulations". This item will be placed on the February 27, 2006 agenda for action.

Trustee Siewierski stated that it is also time to talk with Bill Dettmer, ICCI regarding adopting an updated International Building Codes. This will allow the Town to update its energy code issues and amend its ordinances if needed.

#### **Review Recommendation PC06-01 Comprehensive Plan Amendment: Uptown Sub-Area Plan**

Mr. Magdziarz presented the Uptown Sub-Area Plan to the Board. Trustee Milroy did not agree with the plan depicting individual buildings and businesses. He thought it should look more like the Town's Comprehensive Plan where it is not as specific. Suggestions were made regarding possibly changing it from the Uptown Sub-Area Plan to Design Plan or Design Study. A consensus was taken with the following comments by Board members. Trustee Siewierski, "good start", Trustee Liddick, "like idea, but not the language", Trustee Milroy "no", Trustee McAllister, "less supportive now that Trustee Milroy expressed his concerns", Trustee Lanning, "undecided". It was recommended that the language be re-written before presented to Board of Trustees for action.

#### **Review Recommendation PC06-02 Review Countywide Storm Water Management ordinance**

Trustee Liddick moved and Trustee Milroy seconded a motion to send to Ordinance Committee for review. Unanimous voice vote carried the motion.

#### **Review Recommendation PC06-03 Robinson Farm Phase 2 Amendment Concept Plan**

Trustee Lanning expressed concerns about road conditions in alleys being able to support heavy equipment for snow removal, garbage pick-up and fire trucks. Mr. Magdziarz stated that 12' wide alleys can accommodate police, garbage and fire trucks, and that Fire Chief, Trent Moser has agreed that the alleys can accommodate a ladder truck.

Trustee Milroy suggested that the Town Alley Codes be looked at before taking action on the Plan.

**Review an Ordinance Adopting a Street Map Based on Thoroughfare Naming and Numbering Policy.**

After reviewing the proposed street map the consensus of the Board was to not change Pleasant Street to Cortland Center Road.

**Review an Ordinance Amending Cortland Town Code Title 1, Administration, Chapter 9, Downtown Revitalization.**

Trustee Siewierski moved and Trustee Milroy seconded a motion to send to Economic Development Committee. Unanimous voice vote carried the motion.

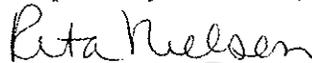
Trustee Liddick moved and Trustee Milroy seconded a motion to adjourn to Committee Workshops at 9:45 p.m. Unanimous voice vote carried the motion.

Trustee Lanning moved and Trustee McAllister seconded a motion to reconvene to regular scheduled meeting at 11:28. Unanimous voice vote carried the motion.

Clerk Aldis reminded everyone that the deadline for getting information to Clerk's office for the newsletter is next week.

Trustee Lanning moved and Trustee Milroy seconded a motion to adjourn at 11:29 p.m. Unanimous voice vote carried the motion.

Respectfully submitted,



Rita Nielsen  
Deputy Clerk