

TOWN OF CORTLAND

Town Hall
59 S. Somonauk Rd.
Cortland IL. 60112

BOARD OF TRUSTEES

Business Meeting

7:00 P.M.

October 22, 2007

Call to Order/Pledge of Allegiance/Roll Call

Mayor Seyller called the meeting to order at 7:03 p.m. Roll call was taken by Deputy Clerk Rita Nielsen.

Present: Mayor Seyller, Trustees Ben Suppeland, Mike Siewierski, Shawn McAllister, Brad Stone, Dan Milroy and Chuck Lanning. Quorum was present. Other officials present: Clerk Cheryl Aldis, Treasurer Susan Dockus, Attorney Parker Johnson, Chief Russ Stokes, Operation and Maintenance Director John Kocher, Superintendent Water/Wastewater Joel Summerhill, Zoning Administrator Walter Magdziarz and Town Engineer Noah Carmichael.

Agenda

Trustee Lanning moved and Trustee Stone seconded a motion to approve the agenda. Unanimous voice vote carried the motion.

Consent Agenda

Deputy Clerk Nielsen read the Consent Agenda.

- a. Approve Town Board minutes of September 24 and October 8, 2007
- b. Approve Ordinance Committee, Equipment, Town Buildings and Property, Public Utilities and Budget & Finance from October 8, 2007.
- c. Accept Festival & Parade Committee minutes of October 4, 2007 and Cortland Community Library for August 15, 2007
- d. Approve List of Bills Paid for Town, September, 2007
- e. Approve Treasurer's Report for Town, September 2007
- f. Accept Treasurer's Report for Cortland Community Library for August and September 2007

Trustee Lanning moved and Trustee McAllister seconded a motion to approve the Consent Agenda.

Roll call vote:

Yeas: Trustees Suppeland, Siewierski, McAllister, Stone, Lanning and Milroy

Nays: None

Absent:

Yeas: 6; Nays: 0; Absent: 0; motion carried

Committee of the Whole

Distribution of Park Funds

In previous discussions trustees have asked Attorney Johnson for an opinion as to whether or not monies set aside for parks in subdivisions can be used for other parks throughout Cortland. Attorney Johnson presented an opinion by his firm regarding the disbursement of Land-Cash Contribution for parks in Cortland. Attorney Johnson stated that when looking at the Town Code, section 8-3B-12 it states "specifically and uniquely attributable" that the test for cash contributions is solely for the acquisition of park and recreational land which will be available to serve the immediate or future needs of residents of that subdivision or planned unit

Approved: 11-26-07
Attest: Claire

development or for the improvements of existing park and recreational lands which predominantly serve such needs.

After reporting his findings to the Board, Attorney Johnson said that the Town would have to provide direction on what amounts and proportions of funds may be assigned to the subdivision-specific parks versus community-wide facilities. The courts would not expect precision in this determination, but rather a good-faith estimation.

Trustee Milroy suggested that it should be left as is and in future annexation agreements the Town should negotiate how much could be used toward other community parks.

It was the consensus of the Board that Mayor Seyller should attend a future Park Advisory meeting to talk about plans formulating a plan.

Staff Reports

Attorney's Report

Attorney Johnson presented his report to the board. He and other Ancel, Glink attorneys have been involved in the following projects: Examining issues created by stale Special Use Permits and how to remove them from several parcels in Town "Sunset" language could be used in new ordinances. He is working on handrail amendments. DeKalb Sanitary District seems to be of the opinion that the Town has abandoned its sewer lines. He will write a letter informing them that Cortland has a contact through 2015 and a discussion will need to take place before any action is taken on either side.

Engineer's Report

Mr. Carmichael presented the Fehr-Graham monthly report. Well # 4 will begin in November. A preliminary report on the mold study at the rental storage facility shows 10 times the level of mold than in the maintenance building. At this time there are no OSHA guidelines for acceptable levels.

Operations and Maintenance

Mr. Kocher presented his monthly Operations and maintenance report. Questions regarding the mold report in storage building were asked. Mr. Carmichael stated that he expected a formal report by the end of the week. He stated that we know there is mold in the building the problem is there are no guidelines as to what is a safe level. Mr. Carmichael will let the Mayor know as soon as the report is available.

Water and Sewer

Mr. Summerhill presented his monthly Water & Sewer Department report. He reported that a 16" high wall is part of the original contract for the WRT system containment wall and that will be installed the week of 10-22-07. Trustee Milroy raised the question of sand bags at the Barber Greene Lift Station. There was discussion regarding if it was feasible to build a berm around the Barber Greene Lift Station, or if a ditch to divert water would be a better solution. Mr. Carmichael stated that the culvert under Barber Greene Rd. was full, restricting the flow, and the pipe was not large enough. He stated that when TWJ starts development and improvements this would be rectified however, for now it is in limbo. Mr. Carmichael was instructed by the Board to investigate the possibility of building a berm around the lift station. The question was also asked as to who would oversee this project.

Zoning Administrator

Mr. Magdziarz presented his report. Mr. Magdziarz asked if it was the Board's intent to waive reimbursable expenses by Town consultants when they lowered the application fee for a zoning variance. It was the consensus of the Board that the intent was not to waive consultant reimbursables. This issue will need to be revisited by the Ordinance Committee at a future meeting.

Building Report

I.C.C.I. was not present.

Police Report

Chief Stokes presented his reports. Police Chief Stokes thanked everyone who helped make the Festival and Parade a success.

Committee Reports

Administration & Personnel

Next meeting:

Budget & Finance

Next meeting: November 13

To discuss 2007 levy and Capital Improvement Fund

Economic Development

Next meeting:

Equipment, Town Buildings and Property

Next meeting:

Ordinance

Next meeting:

Planning Commission

Next meeting: November 5

Police Committee

Next meeting:

Public Utilities

Next meeting:

Park Advisory

Next meeting: November 14

Airport Advisory Report-Liaison Trustee Lanning

Trustee Lanning reported that the Instrument Landing Equipment construction will begin in the spring.

Festival & Parade Committee Report-Trustee Stone

Trustee Stone said he would like to thank everyone that was involved in the planning, and also thanked everyone who helped the day of the festival and parade. He will provide a final report at the next meeting.

Mayor Seyller also thanked the Police and Fire Departments, Planning Committee and Lions Club for helping make the parade and festival day a great success.

A Resolution Supporting the Concept Plan for Development of the Uptown Neighborhood (B&B Enterprises)

Mr. Chuck Hanlon of Land Vision presented a slide presentation of a 33.40 acre potential development for the corner of Cortland Center and Somonauk Roads. The Concept Plan shows 8.26 acres of town-homes, 1.88 acres

of residential homes and 9.47 acres of mixed use including retail, office, condos, senior housing, apartments and live/work units.

After the presentation there was discussion regarding whether or not commercial properties could be developed before residential. A representative of B&B Development explained that while it is a good concept, demand for commercial property doesn't come until you have residents.

Trustee McAllister expressed concerns regarding designation of off-site irrigation. Mayor Seyller explained that all developers are responsible for finding off-site irrigation land if it cannot be incorporated into the development plan. This is only a resolution to support the development.

Trustee Lanning moved and Trustee Suppeland seconded a motion to amend A Resolution Supporting the Concept Plan for Development of the Uptown Neighborhood (B&B Enterprises) by adding to Section 4 an irrigation clause that reads "the Town Board and the Applicant understand the need for off-site irrigation.

Roll call vote:

Yeas: Trustees Suppeland, Siewierski, McAllister, Stone, Lanning and Milroy

Nays: None

Absent:

Yeas: 6; Nays: 0; Absent 0; motion carried

Trustee Suppeland moved and Trustee Lanning seconded a motion to approve A Resolution Supporting the Concept Plan for Development of the Uptown Neighborhood (B&B Enterprises).

Roll call vote:

Yeas: Trustees, Siewierski, Suppeland, Stone, Lanning and Milroy

Nays: McAllister

Absent:

Yeas: 5; Nays: 1; Absent 0; motion carried

An Ordinance Adopting an Annexation Agreement Between the Town of Cortland and (176 W. Pine) Bobby Matthews

Trustee Milroy moved and Trustee Suppeland seconded a motion to waive the first reading of An Ordinance Adopting an Annexation Agreement Between the Town of Cortland and (176 W. Pine Avenue) Bobby Matthews. Unanimous voice vote carried the motion.

Trustee Milroy moved and Trustee Lanning seconded a motion to approve An Ordinance Adopting an Annexation Agreement Between the Town of Cortland and (176 W. Pine) Bobby Matthews

Roll call vote:

Yeas: Trustees Suppeland, Lanning, Siewierski, McAllister, Milroy and Stone

Nays: None

Absent:

Yeas: 6; Nays: 0; Absent 0; motion carried

ORD. NO. 2007-32

An Ordinance Annexing and Classifying Territory AG Agricultural District to R-1 Single Family Residence District (176 W. Pine Avenue) (Bobby Matthews)

Trustee Milroy moved and Trustee Suppeland seconded a motion to waive the first reading of An Ordinance Annexing and Classifying Territory AG Agricultural District to R-1 Single Family Residence District (176 W. Pine Avenue) (Bobby Matthews). Unanimous voice vote carried the motion.

Trustee Milroy moved and Trustee Stone seconded a motion to approve An Ordinance Annexing and Re-classifying Territory from AG Agricultural District to R-1 Single Family Residence District (176 W. Pine Avenue) (Bobby Matthews)

Approved: 11-26-07

Attest: Clayton

Roll call vote:

Yeas: Trustees, Milroy, Siewierski, McAllister, Stone, Lanning, and Suppeland

Nays: None

Absent:

Yeas: 6; Nays: 0; Absent 0; motion carried

ORD. NO. 2007-33

Accept Bid from CB&I for a One Million Gallon Elevated Water Storage Tank in the Amount of \$2,292,000 and Award the Contract

After discussion regarding the pros and cons of maintenance/painting costs and not able to reach a consensus of the Board Trustee Suppeland moved and Trustee Milroy seconded a motion to table action on this bid.

Unanimous voice vote carried the motion.

New Business

Authorize the Mayor and Clerk to Execute Documents Necessary to Facilitate SCADA Upgrades for Well #4, Tower and Barber Greene Lift Station

Trustee Suppeland moved and Trustee Siewierski seconded a motion to Authorize the Mayor and Clerk to Execute Documents Necessary to Facilitate SCADA Upgrades for Well #4, Tower and Barber Greene Lift Station

Roll call vote:

Yeas: Trustees Suppeland, Siewierski, McAllister, Stone, Lanning and Milroy

Nays: None

Absent:

Yeas: 6; Nays: 0; Absent: 0; motion carried

Appointment of Mr. Scott Flatter to Park Advisory Committee

Mayor Seyller presented a letter from Mr. Scott Flatter expressing his desire to become a member of the Park Advisory Committee. Trustee McAllister (Chair of Park Committee) said that he would like to see Mr. Flatter on the Committee. Mayor Seyller said that with the acceptance of the Board he will appoint Mr. Flatter.

Trustee Lanning moved and Trustee Siewierski seconded a motion to accept Mr. Flatter as a member of the Park Advisory Committee. Unanimous voice vote carried the motion.

Concerns

Mr. Ted Amdur addressed the Board. He stated that he is the owner of 5 acres at Cortland Center Road and Administrator of an additional 100 acres. Mr. Amdur is not in favor of a round-about at this intersection. If nothing else Mr. Amdur thinks a decision to approve a round-a-about should wait until there are houses built. He doesn't believe that commercial development would be in favor of a round a bout either.

Trustee Stone once again wanted to thank everyone who was involved in helping with the festival and parade.

Trustee Lanning thanked the Parade and Festival Committee for their involvement.

President Report

Due to the Town Hall being closed on Veteran's Day the next board meeting will be held on Tuesday, November 13. Union Pacific Railroad has extended an invitation to anyone who would like to ride the train on October 31, for a train safety presentation and lunch. He asked that anyone that would like to ride along please RSVP by October 26.

Mayor Seyller announced that Cortland won the Illinois Municipal League Innovative Showcase Award for its presentation of the Sewer Treatment Plant on Saturday October 20th. The IML will attend the November 26th board meeting to present a plaque to the Town.

Approved: 11-26-07

Attest: Claire

Adjourn

Trustee Stone moved and Trustee Siewierski seconded a motion to adjourn at 10:07 p.m. Unanimous voice vote carried the motion

Respectfully submitted,



Rita Nielsen
Deputy Clerk

WEB ACCESSED