

TOWN OF CORTLAND

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

BOARD OF TRUSTEES

Business Meeting
7:00 P.M.
January 22, 2007

Call to Order/Pledge of Allegiance/Roll Call

Mayor Seyller called the regular meeting to order at 7:08 p.m. Roll call was taken by Rita Nielsen, Deputy Clerk, showed as present Trustees Dan Milroy Brad Stone, Randy Reiter, and Mike Siewierski. Absent were Trustees Shawn McAllister and Chuck Lanning a quorum was present Also present were Cheryl Aldis, Town Clerk, Tom Simmons & Noah Carmichael, Fehr-Graham, Walter Magdziarz, Zoning Administrator, Parker Johnson, Town Attorney, Harry Zimmer, Water/Wastewater. John Kocher, Operations and Maintenance, Russ Stokes, Police Chief.

Agenda

Trustee Reiter moved and Trustee Siewierski seconded a motion to approve the agenda with the following amendment: Remove item #b from Consent Agenda and Pending Business #d. Unanimous voice vote carried the motion.

Public Hearing

To Consider an Annexation Agreement Amendment between the Town and DRH Cambridge Homes, Inc. and Richard Helmsold.

Mayor Seyller opened the public hearing at 7:10 p.m. Anyone wishing to speak was sworn in. The deputy clerk read the public notice into the record. The notice was published in the Daily Chronicle on January 7, 2007 meeting requirements of the law.

Mr. Hal Franke, Attorney for DRH Cambridge Homes, Inc. addressed the Board and provided a summary of the reason behind the public hearing.

Mr. Franke stated that Cambridge is about to purchase the Helmsold property and that Cambridge would like to confirm certain understandings with the Town relative to the construction of the Sheaffer System with a letter approved by the Board of Trustees, before the closing. Mr. Franke stated that the Town entered into an agreement with Cambridge Homes to construct a sewer main across the Barber Green parcel and then when completed the lines (except the 18" gravity sewer main that Cambridge will construct) will be in place for Cambridge to connect to the Sheaffer System and obtain wastewater treatment services by as agreed to in the Annexation Agreement of March 31, 2007. The purpose of the letter is to confirm that the Town will use its best efforts to ensure that wastewater treatment services are made available to serve Cambridge's development by August 1, 2007 and to confirm Cambridge's right (subject to obtaining required permits) to "pump and haul" and if Cambridge does have to obtain "pump and haul" methods, the Town agrees to reimburse Cambridge Homes. This letter also confirms Cambridge's agreement to construct the 18: gravity sewer main by March 31, 2007, provided: (1) that Cambridge has acquired the Helmsold property; (2) the Town has adopted the Ordinance 2.1 and 2.2 of the Annexation Agreement; (3) the Town has approved a

final plat of subdivision and final engineering plans for the Helmold property; and (4) Cambridge has received all permits needed to construct the 18" gravity sewer main.

Mr. Franke also stated that the variable-rate services area bonds referred to in the Annexation Agreement will be paid off and released on a lot-by-lot basis at the time of the closing of the sale of each dwelling unit to an individual purchaser and that the documentation for the variable-rate bonds will provide for such payment being made directly by Cambridge or by a title company to the Trustee for such bonds and that the Town will have no obligation to receive or transfer those funds.

Mayor Seyller asked if anyone else wished to speak.

No one wished to speak.

Mayor Seyller closed the public hearing at 7:23 p.m.

Consent Agenda

Deputy Clerk, Rita Nielsen read the Consent Agenda

Approve Town Board minutes December 18, 2006; January 8, 2007; Budget & Finance Committee minutes and Administration & Personnel Committee minutes for January 8, 2007

Approve FY07 Budget Amendment – General Fund (with revised cost sheet), Capital Improvement Fund, Sewer System and Water System (removed to Pending Business item d.)

List of Bills Paid for December, 2006

Accept Library Treasurer's Report for 11-06

Treasurer's Report for 12-06

Permit Clerk/Coordinator Job Description (recommendation of Administration & Personnel Committee) (removed to Pending Business item e.)

Trustee Lanning moved and Trustee Milroy seconded a motion to amend the Agenda to remove Permit Clerk/Coordinator Job Description and placed under Pending Business item e. Unanimous voice vote carried the motion.

Trustee Milroy moved and Trustee Siewierski seconded a motion to approve the Consent Agenda

Roll call vote:

Ayes: B. Stone, D. Milroy, M. Siewierski, R. Reiter

Nays: None

Absent: S. McAllister, C. Lanning

4-ayes, 0-nays, 2-absent. Motion carried

Staff Reports

Attorney's Report

Attorney Johnson presented his report. Mr. Johnson and other Ancel, Glink attorneys have been involved in the following projects: Kishwaukee Valley Water Authority, Cambridge Homes and been involved in Town litigation which he would be glad to talk about in a closed session.

Engineer's Report

Mr. Simmons was available to answer any questions. He will provide a monthly report at the next meeting for the month of January. Mr. Simmons pointed out the blown-up photo of the sewer treatment plant and said that cell #1 and #2 have liners in, cell #1 had a few leaks and have been patched, however, patches have not been tested.

Trustee Milroy asked Mr. Magdziarz if the Town had its FPA. Mr. Magdziarz said yes.

Operations and Maintenance

Mr. Kocher presented his report. He stated that he is meeting with Mr. Simmons regarding the storm sewer options on Elm Street.

Water/Wastewater Report

Mr. Zimmer presented his report and stated that the televising was finished on all sewer mains and manholes on the south side of the tracks. Mr. Zimmer attached an estimate for repairs. Mr. Zimmer stated that the repairs will be between \$8,000 and \$10,000.00 which has been budgeted for. It was the consensus of the Board that Mayor Seyller could approve the expense as it is under \$10,000.00.

Zoning Administrator's Report

Mr. Magdziarz presented his report.

Building Report

Gary Williams presented I.C.C.I. building report.

Trustee Reiter asked questions regarding the status report for incomplete zoning/building permits. Mr. Simmons and Mr. Magdziarz were instructed to look at some of the issues on these permits and see if they could resolve them.

Police Report

Committee Reports

Administration and Personnel Committee

Next meeting date: February 12, 2007

Equipment Town Buildings and Property

Next meeting date: No meeting date was scheduled

Budget and Finance

Next Meeting: February 12, 2007

Economic Development-Chairman Mike Siewierski

Next Meeting: No meeting scheduled

Equipment, Town Buildings and Property-Chairman Randy Reiter

Next Meeting: No meeting scheduled

Ordinance Committee

Next Meeting: February 12, 2007

Ordinance committee will discuss Trees in parkways and building codes.

Park Advisory Board-Chairman Shawn McAllister

Next Meeting: February 20, 2007

Planning Commission-Diane Ledbetter

Next Meeting: February 5, 2007

Public Utilities Committee

Next meeting date:

Airport Advisory Board-Member Chuck Lanning

Trustee Lanning was absent.

Pending Business

An Ordinance Approving Robinson Farm P.U.D. Unit II Re-subdivision of Lot 80

Trustee Milroy moved and Trustee Siewierski seconded a motion to waive the first reading. Unanimous voice vote carried the motion.

Trustee Milroy moved and Trustee Siewierski seconded a motion to An Ordinance Approving Robinson Farm P.U.D. Unit II Re-subdivision of Lot 80

Roll call vote:

Ayes: D. Milroy, M. Siewierski, R. Reiter, B. Stone

Nays: None

Absent: S. McAllister, C. Lanning

4-ayes, 0-nays, 2-absent. Motion carried

Ord. 2007-01

Approve An Ordinance Amending the Cortland Comprehensive Plan (Tollway Corridor)

Trustee Reiter moved and Trustee Stone seconded a motion to table approval of An Ordinance Amending the Cortland Comprehensive Plan (Tollway Corridor) until February 26th. Unanimous voice vote carried the motion.

School Impact Fees

After discussion of the expectations of the DeKalb School District that DeKalb, Cortland and Malta enter into an intergovernmental agreement to approve fees for the school district for Land Cash, Capital Improvement and Transition fees/Impact fees it was the general consensus of the Board that it was not necessary for the Town to have the same agreement as DeKalb and Malta and that the Town Board is not in favor of transition fees. The Board directed Attorney Johnson to prepare a draft stating the willingness of the Town to take action (without the transition fees) and for Attorney Johnson to get an updated "Hold-Harmless Agreement" from the School District.

Permit Clerk/Coordinator Job Description

Trustee Reiter moved and Trustee Siewierski seconded a motion to approve the job description for the Permit Clerk/Coordinator as amended: Unanimous voice vote carried the motion.

Amendments: Under qualifications, remove first sentence up to the word trades and start qualifications with education requirement. Under responsibilities; remove item D and add to item A, line 2, after the words Zoning Regulations, under item K remove Zoning Board of Appeals, and Hearing Officer.

FY07 Budget Amendment

Trustee Reiter moved and Trustee Siewierski seconded a motion to approve the proposed FY07 Budget Amendment of 1/22/07 for the General Fund, Capital Improvement Fund and Sewer System and Water System Fund.

Roll call vote:

Ayes: M. Siewierski, R. Reiter, B. Stone, Dan Milroy

Nays: None

Absent: C. Lanning, S. McAllister

Adjournment

Trustee Reiter moved and Trustee Seyller seconded a motion to adjourn at 9:37 p.m. Unanimous voice vote carried the motion.

Respectfully submitted



Rita Nielsen
Deputy Clerk

WEB ACCESSED