

TOWN OF CORTLAND  
Town Hall  
59 S. Somonauk Road  
Cortland, IL 60112

**BOARD OF TRUSTEES**

Business Meeting  
January 24, 2011  
**7:00 P.M.**

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

Mayor Robert Seyller called the regular meeting to order at 7:02 p.m. Roll call taken by Clerk Cheryl Aldis. Shown as present were Trustees Brad Stone, Randy Reiter, Chuck Lanning, Trustees Doug Corson, Sandra Barzso, and Mike Siewierski. With the Mayor, a quorum was present. Also present were Town Administrator Walter Magdziarz.

**Agenda**

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

**Public Wishing to Speak**

No audience members requested to speak.

**Consent Agenda**

Clerk Aldis read the consent agenda into the record.

Approve Town Board Minutes of December 13 and 30, 2010, and January 10, 2011

Approve Treasurer's Report of December 2010

Approve Expenditure Report of December 2010

Accept Planning Commission Recommendation PC11-1 Places Of Assembly (Places of Worship)

Waive the First Reading of an Ordinance Amending Title 9 of the Cortland Town Code

(Zoning Ordinance – Places Of Assembly (Worship)) and Approve Same

**Ord 2011-01**

Accept Planning Commission Recommendation PC11-2 Portable Storage Containers

Waive the First Reading of an Ordinance Amending Title 9 of the Cortland Town Code (Zoning

Ordinance – Portable Storage Containers) and Approve Same

**Ord 2011-02**

Accept Planning Commission Recommendation PC11-4 Aspen Drive Overlay District

Waive the First Reading of an Ordinance Amending Title 9 of the Cortland Town Code (Zoning

Ordinance – Aspen Drive Overlay District) and Approve Same

**Ord 2011-03**

Accept a Resolution Authorizing the Execution of a Renewal of an Intergovernmental Agreement

between the Village of Elburn, the Village of Virgil, the Village of Sugar Grove, the Village of Maple

Park, the Village of Kaneville, the Village of Montgomery, the Town of Cortland and Kaneland

Community School District 302

**Res 2011-01**

Waive the First Reading of an Ordinance Repealing Ordinance 2010-14 Establishing the Robinson

Farm Business Development District and Approve Same

**Ord 2011-04**

Waive the First Reading of an Ordinance Amending Title 3 Chapter 10 of the Town Code (Donation

Drop Box License Requirements) and Approve Same

**Ord 2011-05**

Trustee Lanning moved and Trustee Reiter seconded a motion to accept the consent agenda as read.

Roll call vote:

Ayes: Trustees Reiter, Stone, and Lanning; and Mayor Seyller

Approved: February 28, 2011

Attest:     RW

Nays: None  
Absent: Trustees Corson, Siewierski and Barzso  
4-yea; 0-nay; 3-absent; motion carried.

#### **Town Administrator's Report**

Mr. Magdziarz briefly reported regarding a Memorandum from Foster & Buick regarding the KCR settlement. He reported that Trustee Reiter had asked for an opinion regarding this settlement from our attorney. The memorandum is in response to that request.

Mr. Magdziarz spoke regarding the memorandum in packet regarding squad car. His recommendation is to keep the car, reinstall the equipment and place the car into rotation. The amount of money that could be achieved today with a sale will be about the same amount that could be achieved in a year or two. The cost to reinstall equipment would be approximately \$600. Consensus of the Board was to place the car back into service.

Mr. Magdziarz discussed a Memorandum distributed to table regarding Police Department Budget Reductions Update. It has been discovered, through review that 35 to 40 hours per week are available to be scheduled, even with the reductions accepted by the Town Board. Mr. Magdziarz reported that he has communicated this information to the Chief.

#### **New Business**

##### **Motion to Repeal Approval of a Development Agreement between the Town and Westmore Equities, LLC**

Trustee Reiter moved and Trustee Stone seconded a motion to Repeal Approval of a Development Agreement between the Town of Cortland and Westmore Equities, LLC. (Dollar General).

Roll call:

Ayes: Trustees Stone, Reiter, and Lanning; and Mayor Seyller  
Nays: None  
Absent: Trustees Siewierski, Corson and Barzso  
4-yea; 0-nay; 3-absent; motion carried.

**M 2011-01**

##### **Approve Litigation Settlement Agreement between Town of Cortland and KCR, LLC**

Trustee Lanning moved and Trustee Reiter seconded a motion to Approve Litigation Settlement Agreement between Town of Cortland and KCR, LLC.

Roll call

Ayes: Trustees Reiter, Lanning and Stone; Mayor Seyller  
Nays: None  
Absent: Trustees Siewierski, Barzso and Corson  
4-yea; 0-nay; 3-absent; motion carried

**M 2011-02**

Discussion: Trustee Reiter asked if they was any way to move the payment schedule up; final payment sooner? Mayor Seyller replied that Mr. Dahl may pay ahead without penalty, but the Town could not force a different payment schedule.

##### **Accept Planning Commission Recommendation PC11-3 (Watchman's Residence)**

Trustee Stone moved to accept Planning Commission Recommendation PC11-3 (Watchman's Residence), seconded by Trustee Lanning. Unanimous voice vote carried the motion.

##### **Approve an Ordinance Amending Title 9 Of the Cortland Town Code (Zoning Ordinance – Watchman's Residence)**

Discussion: Mr. Magdziarz stated the Zoning Ordinance does not currently allow the residential component in the C-2 Commercial, I-1 or I-2 Industrial districts. This ordinance would allow for the provision of a watchman's residence by definition and shall mean an accessory dwelling unit designed and occupied for the use of a caretaker, night watchmen or on-call attendant, exclusively for the benefit of the principal use of the building and/or premises. The permitted use would be allowed in the C-2, I-1 and I-2 zoning districts.

Trustee Reiter moved to table this item to February 14, seconded by Trustee Stone. Unanimous voice vote carried the motion.

**Approve an Ordinance Amending Title 1, Chapter 8 of the Town Code (Donation Drop Box License Fee)**

Mr. Magdziarz stated that when Drop Box License Requirements were brought before the Board the Fee Schedule language amendment to the Code was not included. This ordinance meets that requirement. During discussion of the fee it was determined that the fee of \$25 is collected for Final Certificate of Compliance (subsection 9-9-4B; Zoning Ordinance) and would be inconsistent to charge the proposed \$35 fee.

Trustee Lanning moved to waive the first reading and approve an Ordinance Amending Title 1, Chapter 8 of the Town Code (Donation Drop Box License Fee) as amended to change the license fee from \$35 to \$25; seconded by Trustee Stone.

Roll call vote:

Ayes: Trustees Lanning, Reiter, and Stone; Mayor Seyller

Nays: None

Absent: Trustees Siewierski, Barzso and Corson  
4-yea; 0-nay; 3-absent; motion carried

**Ord 2011-06**

**An Ordinance Approving Class D Liquor License (Dough Brothers)**

Mayor Seyller described the current proposal, process and progress. They have asked for a Class D license. This item will be readdressed February 14 if all pending items are received.

**Liaison Reports**

**Administration – Mike Siewierski – no report**

**Finance – Sandra Barzso – no report**

**Operations & Maintenance – Chuck Lanning**

Trustee Lanning reported that the department is having an issue with one of its trucks. The work required falls under warranty.

**Festival/Parade – Brad Stone – no report**

**Ordinance – Doug Corson – no report**

**Police – Randy Reiter – no report**

**Sewer/Water/Utilities – Brad Stone – no report**

**Airport Advisory Board – Chuck Lanning**

Trustee Lanning reported that the City of De Kalb has taken over the Fixed Based Operation (FBO) of the airport. When asked if any more had been said about the possibility of regionalization of airport Mr. Lanning responded that the question must be passed by referendum. If the City were to sell the airport monies provided by the federal government would need to be paid back, approx \$50,000,000. There has been no movement in either direction that he is aware of.

**Planning Commission – Chairman Brad Lawson**

Next Meeting: February 7, 2011

**President's Report**

Mayor Seyller reported that IML Legislative Day is scheduled for Wednesday, April 13 in Springfield. He encouraged trustees to take advantage of this.

Mr. Magdziarz reported that he and Treasurer Lamz will be attending a Government Finance Summit in Freeport on Wednesday, January 26. Mayor Gaulrapp is providing a forum to exchange ideas in today's economic times. He reported that a representative from Governor's office is scheduled to come and explain why municipalities should not worry about the income tax increase pushing businesses out of Illinois.

**Concerns / Comments**

There were no concerns or comments expressed.

**Adjournment**

Trustee Stone moved, seconded by Trustee Reiter to adjourn the meeting. Unanimous voice vote carried the motion. 7:50 p.m.

Respectfully submitted,

  
Cheryl Aldis,  
Town Clerk

WEB ACCESSED