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

BOARD OF TRUSTEES
Business Meeting
7:00 P.M.
September 11, 2006

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, showed as present Trustees Shawn McAllister, Dan Milroy and Chuck Lanning and Mike Siewierski. And Randy Reiter. Shown as absent was Trustees David Liddick. Quorum was present. Also present were Cheryl Aldis, Town Clerk, Susan Dockus, Treasurer, Tom Simmons and John Vendel, Town Engineer, Walter Magdziarz, Zoning Administrator, Parker Johnson, Town Attorney, Harry Zimmer, Water/Wastewater Dept.

Agenda
Trustee Reiter moved and Trustee McAllister seconded a motion to approve the agenda as amended to remove items V. f & g and change item V. d to work order #2 and item V. e to work order #3. Unanimous voice vote carried the motion.

Adjourn to Committee Work Sessions
Trustee Siewierski moved and Trustee Reiter seconded a motion to adjourn to committee work sessions at 7:12 p.m. Unanimous voice vote carried the motion.

Reconvene to Town Board Meeting
Trustee McAllister moved and Trustee Siewierski seconded a motion to reconvene to Town Board meeting at 7:47 pm. Unanimous voice vote carried the motion.

New Business
WRT Radium Removal System Agreement and Lease (First Amendment)
Attorney Johnson reported that it is necessary to amend the lease agreement with WRT as the State will not forego the designation of funds for radium removal contingencies. Therefore the Town will have to agree to a Base Treatment Charge of $47,214.00 per annum. The Town also agrees to a Base Volume Charge of $0.86 per 1000 gallons in excess of the Base Volume for each calendar year.

Trustee Milroy moved and Trustee Lanning seconded a motion to accept the WRT Radium Removal System Agreement and Lease (First Amendment)
Roll call vote:

Ayes:	Trustees Milroy, Siewierski, Lanning, Reiter and McAllister	
Nays:	None	
Absent:	Trustees Liddick	Motion carried

Approved: September 25, 2006
Attest: _____

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A Resolution Designating Certain Funds in its Water Fund Account as the "Retained Earnings Fund" for Radium Removal Contingencies

Attorney Johnson presented the Resolution stating that this is to set up the radium removal contingency fund. Mrs. Dockus stated that she had not had a chance to read this and questioned the term "Retained Earnings Fund" she stated that in the past this fund was called "Reserve Fund". Attorney Johnson stated that he would check into this and let Mrs. Dockus know if the language could be changed for accounting purposes. Trustee Dan Milroy pointed out the agreement allows the State to increase the required reserve at any time and asked if there were limits. Attorney Johnson said he was unable to cap the amount in negotiations. Trustee Reiter moved and Trustee Lanning seconded a motion to approve A Resolution Designating Certain Funds in its Water Fund Account as the "Retained Earnings Fund" for Radium Removal Contingencies.

Roll call vote:

Ayes: Trustees McAllister, Siewierski, Lanning, Reiter and Milroy
Nays: None
Absent: Trustee Liddick Motion carried **Res. 2006-13**

[Clerk's Note: the terminology was changed to "Reserve For Radium Removal Contingencies"]

Approval of MFT Proposal for 2006 MFT work by Peter Baker

Mr. Simmons presented the MFT Proposal to the Trustees. Trustee Lanning moved and Trustee Reiter seconded a motion to approve MFT Proposal for 2006 MFT work by Peter Baker not to exceed $20,000.00.

Roll call vote:

Ayes: Trustees Lanning, Reiter, Siewierski, Milroy and McAllister
Nays: None
Absent: Trustee Liddick Motion carried

Approval of Change Order #2 for Wastewater Treatment Plant

Mr. Simmons presented the change order stating the change order was due to irrigation cost increase. The increase will be $5,705.00. The new contract sum including this change order is now $15,331,242.00.

Trustee Lanning moved and Trustee McAllister seconded a motion to approve Change Order #2.

Roll call vote:

Ayes: Trustees Milroy, Reiter, Siewierski, Lanning and McAllister
Nays: None
Absent: Trustee Liddick Motion carried

Approval of Change Order #3 for Wastewater Treatment Plan

Mr. Simmons presented the change order stating the change order was due to adding manholes. The contract sum prior to this change was $15,331.242.00 a credit of ($7,350.00) was given for anti-seep collars, this change increases the contract by $17,145.00. The new contract sum including this change order is now $15,348,387.00.

Trustee Lanning moved and Trustee Milroy seconded a motion to approve Change Order #3.

Roll call vote:

Ayes: Trustees Lanning, Reiter, Siewierski, Milroy and McAllister
Nays: None

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Absent: Trustee Liddick Motion carried

An Ordinance Adopting an Annexation Agreement Between the Town of Cortland and DRH Cambridge Homes, Inc. and Richard R. Helmold (Richland Trails)
Mr. Magdziarz presented the Annexation Agreement. Trustee Milroy questioned page 17-5.3-Curbs asking if the Town hadn't changed from Type B6.12 to Type B6.18. Mr. Simmons stated that both he and the Town's Operations and Maintenance Director reviewed the curbing types and they are okay as presented.

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

Trustee Reiter moved and Trustee Siewierski seconded a motion to approve An Ordinance Adopting an Annexation Agreement Between the Town of Cortland and DRH Cambridge Homes, Inc. and Richard R. Helmold (Richland Trails) contingent upon final review by Town attorney.
Roll call vote:
Ayes: Trustees Reiter, Siewierski, Milroy, Lanning, McAllister and Mayor Seyller
Nays: None
Absent: Trustee Liddick Motion carried **ORD. NO. 2006-54**

Planning Commission Planning Commission PC05-15 Rezoning from AG District to R-2 High Density Single-Family Residence District, R-4 Multiple-Family Residential District, and P-1 Recreation and Open Space District (Cambridge Homes' Addition)
Trustee Lanning moved and Trustee Milroy seconded a motion to accept Planning Commission Planning Commission PC05-15 Rezoning from AG District to R-2 High Density Single-Family Residence District, R-4 Multiple-Family Residential District, and P-1 Recreation and Open Space District (Cambridge Homes' Addition). Unanimous voice vote carried the motion.

An Ordinance Annexing and Reclassifying Certain Territory from AG District to R-2 High Density Single Family Residence District, R-4 Multiple-Family Residential District, and P-1 Recreation and Open Space District (Helmold)
Trustee Reiter moved and Trustee McAllister seconded a motion to waive the first reading. Unanimous voice vote carried the motion.

Trustee Reiter moved and Trustee McAllister seconded a motion to approve An Ordinance Annexing and Reclassifying Certain Territory from AG District to R-2 High Density Single Family Residence District, R-4 Multiple-Family Residential District, and P-1 Recreation and Open Space District (Helmold) contingent upon final review by Town Attorney.

Roll call vote:
Ayes: Trustees Reiter, Siewierski, Milroy, Lanning and McAllister
Nays: None
Absent: Trustee Liddick Motion carried **ORD. NO. 2006-55**

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Planning Commission Recommendation PC05-16 Special Use Permit for Planned Residential Development Preliminary Development Plan (Cambridge Homes/DR Horton)
Mr. Magdziarz presented the Planning Commission Recommendation
Trustee Milroy asked for the purpose of doing a Special Use Permit. Mr. Magdziarz said it was due to the zero lot line and common area.

Trustee Reiter moved and Trustee Siewierski seconded a motion to accept Planning Commission Recommendation PC05-16 Special Use Permit for Planned Residential Development Preliminary Development Plan (Cambridge Homes/DR Horton). Unanimous voice vote carried the motion.

An Ordinance Granting a Special Use Permit for a Planned Residential Development (Helmold Property)
Mr. Magdziarz presented the Ordinance.

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

Trustee Reiter moved and Trustee Siewierski seconded a motion to approve An Ordinance Granting a Special Use Permit for a Planned Residential Development (Helmold Property) contingent upon final review by Town Attorney.
Roll call vote:

Ayes:	Trustees Milroy, Siewierski, Reiter, McAllister and Lanning		
Nays:	None		
Absent:	Trustee Liddick	Motion carried	**ORD. NO. 2006-56**

Planning Commission Recommendation PC05-17 Preliminary Subdivision Plat Richland Trails (Cambridge Homes/DR Horton)
Mr. Magdziarz presented the Planning Commission Recommendation.

Trustee Siewierski moved and Trustee Lanning seconded a motion to accept Planning Commission Recommendation PC05-17 Preliminary Subdivision Plat Richland Trails (Cambridge Homes/DR Horton). Unanimous voice vote carried the motion.

An Ordinance Approving a Preliminary Subdivision Plan for Richland Trails (Helmold Property)
Mr. Magdziarz presented the Ordinance.

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

Trustee Siewierski moved and Trustee McAllister seconded a motion to approve An Ordinance Approving a Preliminary Subdivision Plan for Richland Trails (Helmold Property) contingent upon final review by Town Attorney.

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Roll call vote:
Ayes: Trustees McAllister, Siewierski, Lanning, Milroy and Reiter
Nays: None
Absent: Trustee Liddick Motion carried **ORD. NO. 2006-57**

An Ordinance Approving a Plat of Easement Dedication for Wastewater Irrigation Purposes (TLG Investments, LLC)
Mr. Magdziarz presented the Ordinance.

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

Trustee McAllister moved and Trustee Lanning seconded a motion to approve An Ordinance Approving a Plat of Easement Dedication for Wastewater Irrigation Purposes (TLG Investments, LLC)
Roll call vote:
Ayes: Trustees Milroy, Siewierski, Lanning, McAllister and Reiter
Nays: None
Absent: Trustee Liddick Motion carried **ORD. NO. 2006-58**

An Ordinance Approving a Plat of Easement Dedication for Wastewater Irrigation Purposes (DeKalb Land, LLC)
Mr. Magdziarz presented the Ordinance.
Trustee Reiter moved and Trustee Lanning seconded a motion to waive the first reading. Unanimous voice vote carried the motion.

Trustee Lanning moved and Trustee McAllister seconded a motion to approve An Ordinance Approving a Plat of Easement Dedication for Wastewater Irrigation Purposes (DeKalb Land, LLC)
Roll call vote:
Ayes: Trustees Milroy, Siewierski, Lanning, McAllister and Reiter
Nays: None
Absent: Trustee Liddick Motion carried **ORD. NO. 2006-59**

Mr. Simmons addressed the board asking for a consensus regarding the Town installing the sanitary sewer system line for Cambridge Homes. Mr. Simmons stated that Cambridge Homes does not intend to start development until next spring resulting in a gap in the sewer line. He questioned if it would be in the best interest of the Town to install the interceptor line before spring. After discussion from the trustees and the mayor it was the consensus of the board to consider running the line with reimbursement from Cambridge Homes when they take possession of the land. More information will follow.

Authorization to use Town equipment at Mound Rest Cemetery
Mayor Seyller addressed the Trustees explaining that the cemetery does not have funds for much needed gravel, the cemetery board has someone to donate the gravel, however, they have no way to haul it. After discussion, and opinion by Attorney Johnson that it is okay for the

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Town to make a donation of its employees time and equipment to haul the gravel to the cemetery Trustee Siewierski moved and Trustee McAllister seconded a motion to allow for employee time and equipment use for donation to cemetery.
Roll call vote:

Ayes:	Trustees Milroy, Siewierski, Lanning, McAllister and Reiter	
Nays:	None	
Absent:	Trustee Liddick	Motion carried

After Trustee Lanning questioned the absence of Trustee Liddick, Mayor Seyller stated that Trustee Liddick has accepted a position out of state and Trustee Liddick will have a written resignation to the board at a later date.

Adjournment
Trustee Milroy moved and Trustee Liddick seconded a motion to adjourn at 9:03 p.m.

Respectfully submitted,

Rita Nielsen

Rita Nielsen
Deputy Clerk

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