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

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

Call to Order/Pledge of Allegiance/Roll Call
Mayor Seyller called the regular meeting to order at 7:05 p.m. Roll call was taken by Cheryl Aldis, Town Clerk, showed as present Trustees Randy Reiter, Mike Siewierski., Shawn McAllister, Dan Milroy and Brad Stone. Quorum was present. Shown as absent was Chuck Lanning. Also present were Susan Dockus, Treasurer, Tom Simmons, Fehr-Graham, Noah Carmichael, Fehr-Graham, Walter Magdziarz, Zoning Administrator, Parker Johnson, Town Attorney, and Harry Zimmer, Water/Wastewater.

Agenda
Trustee Milroy moved and Trustee McAlister seconded a motion to approve the agenda. Unanimous voice vote carried the motion.

New Business
Public Hearing – 2006 Tax Levy
Mayor Seyller opened the public hearing at 7:05 p.m.
Susan Dockus, Treasurer read the public notice as it was published in the *Daily Chronicle* on December 2, 2006 meeting the requirement of the law. Mrs. Dockus reviewed the PowerPoint presentation in conjunction with the provided handouts. She compared the past three years of taxing information and the current information. Once the review was completed she asked if there were any questions. Hearing no response Mayor Seyller closed the public hearing at 7:15 p.m.

Approval of Annual Tax Levy Ordinance
Mrs. Dockus reported this ordinance represents the levies just described. The current budget is represented in all fund line items. The town levy request is $485,000, Cortland Community Library levy request is $210,000, and Special Service Area #1 Special Levy is $365,000.
Trustee Milroy read the ordinance into the record. Trustee McAllister moved and Trustee Siewierski seconded a motion to accept the first reading. Unanimous voice vote carried the motion. Trustee Milroy moved and Trustee Siewierski seconded a motion to approve the Annual Tax Levy Ordinance.
Roll call vote:
Ayes: Trustees Reiter, McAllister, Stone, Siewierski and Milroy
Nays: None
Absent: Trustee Lanning
5-yea; 0-nay; 1-absent: motion carried. **Ord. 2006-68**

Approval of An Ordinance Abating Special Assessment SSA#1 Calendar Year 2005
Mrs. Dockus reported that this ordinance is needed to correct an error of the De Kalb County Clerk's office for the tax levy approved in 2005. There was an extension error, it has been determined that the $5,000 is not needed to be levied. This ordinance abates an additional $5,000 for calendar year 2005 and corrects the error.

Approved: 12/18/06
Attest: RJ

WEB ACCESSED

Trustee McAllister moved to waive the first reading, seconded by Trustee Reiter. Unanimous voice vote carried the motion. Trustee Reiter moved and Trustee McAllister seconded a motion to approve An Ordinance Abating Special Service Area Taxes for Special Service Area #1 (NeuCort Lakes Calendar Year 2005).
Roll call vote:
Ayes: Trustees Milroy, Siewierski, Stone, McAllister and Reiter
Nays: None
Absent: Trustee Lanning
5-yea; 0-nay; 1-absent, motion carried **Ord. No. 2006-69**

Approval of An Ordinance Abating Special Assessment SSA #1 Year 2006
Mrs. Dockus reported that this is an annual ordinance received for SSA #1 (NeuCort Lakes). The amended special tax roll is prepared by MuniCap. The amounts listed in the roll will be assessed to the affected properties in addition to the Town's Corporate levy.
Trustee McAllister moved and Trustee Siewierski seconded a motion to waive the first reading. Unanimous voice vote carried the motion. Trustee Milroy moved and Trustee McAllister seconded a motion to Approve An Ordinance Abating Special Service Area Taxes for Special Service Area #1 and Approving the Amended Special Tax Roll.
Roll call vote:
Ayes: Trustees Reiter, McAllister, Stone, Siewierski and Milroy
Nays: None
Absent: Trustee Lanning
5-yea; 0-nay; 1-absent, motion carried **Ord No. 2006-70**

Approval of An Ordinance Approving the Plat of RPK Resubdivision of Lot 13 of Robinson Farm Subdivision P.U.D. Phase One
Mr. Magdziarz stated that this ordinance is in keeping with the Special Use Permit / P.U.D. for the development which states that each duplex lot shall be subdivided to be sold fee simple prior to obtaining the final occupancy permits.
Trustee Milroy moved and Trustee McAllister seconded a motion to waive the first reading. Unanimous voice vote carried the motion. Trustee Milroy moved to approve An Ordinance Approving the Plat of RPK Resubdivision of Lot 13 of Robinson Farm Subdivision P.U.D. Phase One, seconded by Trustee Reiter.
Roll call vote:
Ayes: Trustees Milroy, Siewierski, Stone, McAllister, and Reiter
Nays: None
Absent: Trustee Lanning
5-yea; 0-nay; 1-absent, motion carried. **Ord. No. 2006-71**

Acceptance of Resolution for Temporary Entrance (Oakwest Development)
Mr. Simmons reported that this resolution is a part of an IDOT package required for the temporary entrance to Oakwest Development subdivision, which is now known as Chestnut Grove. The developer actually builds the entrance. When questioned about the temporary status Mr. Simmons reported this entrance is considered temporary because IDOT has determined that it will require stop lights as the subdivision is built out. The entrance will become permanent when all the required improvements are installed.
Trustee Milroy read the proposed resolution into the record. Trustee Stone moved and Trustee Milroy seconded a motion to accept the first reading. Unanimous voice vote carried the motion.
Trustee Milroy moved and Trustee McAllister seconded a motion to approve a Resolution for Temporary Entrance (Oakwest Development) with the statement that the proposed work is not to be performed by the employees of the Town of Cortland. Unanimous voice vote carried the motion. **Res. No. 2006-18**

WEB ACCESSED

Approval of An Ordinance Extending the Approval of the Final Subdivision Plat (Chestnut Grove Unit One) (Formerly Colonial Estates)
Mr. Magdziarz reported that the Board had previously given approval for the final plat. The recording of that plat, per code, has expired and this ordinance grants an extension of time for the recording. Staff looked at the plat and requested changes to that document, the numbering convention needed to be changed as well as street naming is some areas. Mr. Magdziarz reported that all requested changes had been made and the document has been sent to the owners for signature. This motion will authorize the Mayor and Clerk to execute the documents upon return to the Town. The developers have paid their first installment of school and town capital improvement fees to the town. Trustee Reiter moved and Trustee McAllister seconded a motion to Approve An Ordinance Extending the Approval of the Final Subdivision Plat (Chestnut Grove Unit One) (Formerly Colonial Estates).
Roll call vote:
Ayes: Trustees Milroy, Siewierski, Stone, McAllister and Reiter
Nays: None
Absent: Trustee Lanning
5-yea; 0-nay; 1-absent, motion carried. **Ord. No. 2006-72**

Motion to direct staff to prepare ordinance rezoning Cambridge-Helmold property and place on agenda for board meeting following annexation of the property
Attorney Johnson explained the sequence of events that will take place for the annexation of the Helmold property. The Town has adopted an annexation agreement; Cambridge Homes intends to close on the property in January, 2007; upon notification of the purchase the Town will need to pass an annexation ordinance and an ordinance to rezone the property as per the approved annexation agreement. Dan Ungerleider, representative for Cambridge Homes stated that the Planning Commission has held a public hearing earlier this evening to amend the rezoning to include only single family homes. The original plan has included an area for townhomes, which Cambridge believes no longer fit this market area.
Trustee Reiter moved and Trustee McAllister seconded a motion to direct staff to prepare ordinance rezoning Cambridge-Helmold property and place on agenda for board meeting following annexation of the property. The motion passed on voice vote with 4-yea; 1-nay; 1-absent.

EPA Grant Application – Authorization for Mayor to Sign
Mr. Simmons reported that this application, in the amount of $192,900 is part of the water tower project. This figure does not include Bridget Stocks grant writing fees or the engineering fees.
Trustee Milroy moved and Trustee Reiter seconded a motion to authorize the mayor to sign the EPA Grant Application documents. Unanimous voice vote carried the motion.

Payment Request, Sanitary Sewer Interceptor Line, 4th and Final, Dempsey Ing, Inc.
Mr. Simmons reported that this is the 4th and final payment request. The last payout was March 2006. The project is complete. This payment requests a change order for adjustment quantities of PVC pipe and pavement replacement as well as the addition of 12" air plugs. With this change the total contract price is $476,300.60. This payout request is in the amount of $85,867.10.
Trustee McAllister moved and Trustee Reiter seconded a motion to authorize the final payment to Dempsey Ing, Inc. in the amount of $85,867.10, monies to be taken from the Sanitary Sewer Budget, Construction line.
Roll call vote:
Ayes: Trustees Reiter, McAllister, Stone, Siewierski, and Milroy
Nays: None
Absent: Trustee Lanning
5-yea; 0-nay; 1-absent, motion carried.

Acknowledgment of Achievement – Eagle Scouts

WEB ACCESSED

Mayor Seyller reported he had received correspondence requesting acknowledgement of the achievement of three young men who have attained the rank of Eagle Scout. He has written a letter and provided a certificate of Meritorious Achievement for each of the scouts. They are Zachary Milroy, AJ Metzler and Matthew DeBall. Congratulations were expressed to each from the Board.

Adjourn to Committee Work Session
Trustee Reiter moved and Trustee Siewierski seconded a motion to adjourn to committee work sessions. Unanimous voice vote carried the motion. 7:55 p.m.

Reconvene to Town Board Meeting
Trustee McAllister moved and Trustee Milroy seconded a motion to reconvene the regular meeting. Unanimous voice vote carried the motion. 8:56 p.m.

President's Report
Mayor Seyller announced the sad news of the passing of the mother of Deputy Clerk Rita Nielsen.
Mayor Seyller reported that a resolution would be on the agenda for the next meeting in opposition to SB 2777 sponsored by Senator Pam Althof which would ultimately remove the powers of municipalities to negotiate impact fees for schools. If passed this legislation would allow the school districts to negotiate directly with potential developers.
Mayor Seyller reported that a public hearing will be held on Thursday, December 21 at 1:30 p.m. at the De Kalb County Courthouse, Room 300 to hear the request of a petition to create the Kishwaukee Valley Water Authority. This referendum has far reaching effects and, as currently proposed would include McHenry, Boone and De Kalb counties in its jurisdiction.

Concerns
Trustee Siewierski stated that he has blank liquor referendum petitions that can still be circulated.

Adjournment
Trustee Milroy moved and Trustee Stone seconded a motion to adjourn at 9:00 p.m. Unanimous voice vote carried the motion.

Respectfully submitted

Cheryl Aldis
Town Clerk

WEB ACCESSED