TOWN OF CORTLAND
Town Hall
59 S. Somonauk Rd.
Cortland IL. 601120

BOARD OF TRUSTEES
Business Meeting
7:00 P.M.
March 8, 2010

Call to Order/Pledge of Allegiance/Roll Call
Mayor Seyller called the meeting to order at 7:00 p.m. Roll call was taken by Deputy Clerk Rita Nielsen. Shown as present were Mayor Seyller and Trustees Brad Stone, Mike Siewierski, Chuck Lanning, Randy Reiter, Doug Corson and Sandra Barzso. Other officials present: Clerk Cheryl Aldis, Town Administrator Walter Magdziarz, Treasurer Mike Lamz and Attorney Parker Johnson.

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

Committee of the Whole
Consideration of amending the liquor license rules to extend hours of operation from 10 p.m. to midnight
Mayor Seyller stated that when creating the Class H Liquor License the board decided to be conservative and only allow the sale of packaged liquor until10 p.m. Mayor Seyller has talked with Chief Stokes and there have not been any problems. He would like, at this time, to propose extending the hours. Mayor Seyller explained that neither of the convenience stores has requested this change and it would only change the Class H License permitting the retail sale of beer and wine in convenience stores.

Clerk Aldis informed the board that she and Attorney Johnson had worked on some minor changes that should be made as well.

The recommendation of the committee was to extend the hours of a Class H License until 2 a.m. and include the additional language changes that should to be made.

Discussion of Recommendation and Ordinance for amending a Special Use Permit
Mr. Magdziarz presented Recommendation PC 10-2. He explained that Mr. Glenn Griner, 62 S. Somonauk Rd., has requested an amendment to one of the conditions of approval in the Special Use Permit in order to construct an addition to his existing

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building. A public hearing was held by the Planning Commission on March 1, 2010. There were no objectors present.

Mr. Magdziarz explained that the present automobile repair business was established prior to the adoption of the Town Zoning Ordinance in 1981. At that time automobile sales and repair service was not a permitted use in the C-1 District, thus making the auto repair business a legal non-conforming use. In 1997 Mr. Griner obtained a car dealer license, this was considered an expansion of the non-conforming use and termination of the non-conforming use is the remedy used by the Zoning Ordinance. The Zoning Ordinance was subsequently amended. Mr. Griner was notified and asked to make application for a Special Use Permit. The Special Use Permit was approved with a number of conditions of approval, including a requirement that any increase in intensity of the use and any physical expansion of the building is not permitted unless the Special Use Permit was amended accordingly. This is why an amendment is necessary.

There was lengthy discussion regarding the ability of the Town to deny the amendment unless Mr. Griner improves the physical appearance of the building. Concerns regarding whether or not the Town could ask for an environmental study, whether or not the Town can require him to bring the rest of the building up to code, building inspections for code violations, parking old cars and parking spaces was discussed. Mr. Magdziarz explained that there is currently nothing in the code to tie physical appearance in with this permit.

Mr. Magdziarz reminded everyone that a Downtown Vision Plan has been done and recommendations regarding improving appearances of buildings were made. However, it is a policy and has not been adopted as law. Mr. Magdziarz said that some communities have programs to help homeowners make improvements and that might be something the Town considers in the future.

Mr. Magdziarz said a decision did not have to be made at this meeting and he will talk with Attorney Johnson.

Mayor Seyller called for a break from 7:54 until 7:57.

Budget Discussion

Treasurer Mike Lamz started out his Power Point presentation stating that he and Mr. Magdziarz wanted to give an overview of Government Finance and Cortland's budget. Mr. Lamz explained the various funds, their uses and balances, activity summaries and trends for each fund. The intention of this overview was to establish a foundation for understanding the FY11 budget and to address strategies for budget challenges for next year and beyond. Mr. Lamz reported experiencing a decline in revenue from the State and can expect revenues to continue to decline in the next budget year. Also, the Town needs to consider the consequences of not receiving any monies from the State.

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Motion finding KCR, LLC in breach of its obligations to complete subdivision improvements in Robinson Farms, Phase 1, and, should this breach not be cured within 30 days, further authorizing the Mayor to make demand on Resource Bank Letter of Credit 04-02.

Mr. Magdziarz reported that he and Mr. Carmichael, Town Engineer met with Mr. Kevin Dahl, the subdivider/developer of Robinson Farm subdivision, with the expectation that a plan for completing essential streets would be made. Mr. Dahl informed them that he was in no financial position to complete the subdivision.

Trustee Lanning moved and Trustee Siewierski seconded a motion to find KCR, LLC in breach of its obligations to complete subdivision improvements in Robinson Farms, Phase 1, and, should this breach not be cured within 30 days, further authorizing the Mayor to make demand on Resource Bank Letter of Credit 04-02.

Roll call vote:

Ayes: Trustees Stone, Siewierski, Reiter, Barzso, Corson and Lanning
Nays: None
Absent: None

6-yea; 0-nay; 0-absent Motion carried

Motion finding that KCR, LLC has defaulted in its obligation to complete subdivision improvements in Robinson Farms, Phase 2, and further authorizing the Mayor to make demand on Resource Bank Letter of Credit 06-10

Trustee Lanning moved and Trustee Siewierski seconded a motion to find KCR, LLC has defaulted in its obligation to complete subdivision improvements in Robinson Farms, Phase 2, and further authorizing the Mayor to make demand on Resource Bank Letter of Credit 06-10

Roll call vote:

Ayes: Trustees Stone, Siewierski, Reiter, Barzso, Corson and Lanning
Nays: None
Absent: None

6-yea; 0-nay; 0-absent Motion carried

Motion to accept the quote from Testing Service Corporation (TSC) to perform soil testing services for the proposed town garage, in an amount not to exceed $3,900.00

Mr. Magdziarz presented a proposal from Testing Services Corporation to provide Geotechnical Engineering services for the proposed Town Garage on North Avenue. Mr. Magdziarz stated that this testing needs to be done regardless of whether or not the Town builds a new Town Garage.

Trustee Lanning moved and Trustee Stone seconded a motion to accept the quote from Testing Service Corporation (TSC) to perform soil testing services for the proposed Town Garage, in an amount not to exceed $3,900.00, to be paid out of the Restricted Assets Fund.

Roll call vote:

Ayes: Trustees Stone, Siewierski, Reiter, Barzso, Corson and Lanning
Nays: None

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Absent: None
6-yea; 0-nay; 0-absent Motion carried

Closed Session
Trustee Siewierski moved and Trustee Stone seconded a motion to adjourn to Closed Session to discuss Pending, Probable, or Imminent Litigation (Exception to Open Meetings Act, 5 ILCS 120/2 (c) (11)) to Include the Full Board, the Mayor, the Town Clerk, the Town Administrator, Deputy Clerk, Treasurer and the Town Attorney.
Roll call vote:
Ayes: Trustees Stone, Siewierski, Reiter, Barzso, Corson and Lanning
Nays: None
Absent: None
6-yea; 0-nay; 0-absent Motion carried

Meeting adjourned at 9:22 p.m.

Reconvene Meeting
Trustee Lanning moved to reconvene meeting at 9:51 p.m. seconded by Mr. Siewierski.
Roll call vote:
Ayes: Trustees Stone, Siewierski, Reiter, Barzso, Corson and Lanning
Nays: None
Absent: None
6-yea; 0-nay; 0-absent Motion carried

President's Report
Mayor Seyller was pleased to announce the Illinois Lincoln Highway Interpretive Mural was unveiled this morning in Cortland. The Cortland mural is located at 55 West Lincoln Highway. This mural is one of the two completed murals along the Illinois Lincoln Highway National Scenic Byway and its corridor in northern Illinois for this grant period. The Cortland mural showcases the dirt and gravel road preparation for hard-surface concrete roads. Even though trucks and autos were developed, the horses in the picture are used to help power the era of concrete roads.

Mayor Seyller reported that the Town will start filling the water tower as soon water testing reports for bacteria allow.

Mayor Seyller and Mr. Magdziarz have met with the bank that controls Chestnut Grove (Montalbano Homes). Mayor Seyller reported that he did not use his authorization to call the bonds as RBC bank is involved in the project. A Recapture Agreement is being prepared. Improvements are coming along as well as cleaning up the sales trailer site on Rte. 38. Mayor Seyller believes Montalbano and the bank are serious about starting up new home construction again. Mayor Seyller and Mr. Magdziarz have also met with Chicago Title and Mr. Magdziarz has been in touch with Chestnut Grove homeowners.

Trustee Comments or Concerns

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Trustee Stone congratulated the DeKalb H.S. boys' basketball team for its achievement in winning the Regional Championship game.

Adjournment
Trustee Reiter moved and Trustee Stone seconded a motion to adjourn. Meeting adjourned at 10:08.

Respectfully submitted,

Rita Nielsen

Rita Nielsen
Deputy Clerk

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